





Class

Book













PERSONAL CONGRESSIONAL RECORD

OF

HON. JAMES Mc MILLAN, U. S. SENATOR,

- M I C H I G A N -

V.

FIFTY-SECOND CONGRESS.

I N D E X E D

SHOWING THE HISTORIES OF BILLS, JOINT RESOLUTIONS  
AND MEASURES INTRODUCED BY HIM OR IN WHICH HE BECAME  
OFFICIALLY INTERESTED AND YEA AND NAY VOTES.

WASHINGTON D. C.

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First Session.



# CONGRESSIONAL RECORD.

## PROCEEDINGS AND DEBATES OF THE FIFTY-SECOND CONGRESS.

### FIRST SESSION.

#### SENATE.

MONDAY, December 7, 1891.

The first Monday of December being the day prescribed by the Constitution of the United States for the annual meeting of Congress, the first session of the Fifty-second Congress commenced this day.

The Senate assembled in its Chamber at the Capitol.

The VICE-PRESIDENT of the United States (Mr. LEVI P. MORTON, of the State of New York) took the chair at 12 o'clock noon, and said:

It gives the Chair great pleasure to extend a hearty welcome to the members of this body, who this day resume their official duties after a season of rest from their arduous labor. This being the day designated by the Constitution of the United States for the annual meeting of Congress, the Senate pursuant thereto is now in session and will come to order.

#### PRAYER.

Rev. J. G. BUTLER, D. D., Chaplain to the Senate, offered the following prayer:

God of our fathers and our God, we seek Thy benediction as we come, amid abounding mercy, to the responsibilities of this hour. Accept our thanks for Thy kind leading, for the blessing that has abode upon us in our persons, in our families, and in our land.

We thank Thee for abundant harvests, for the rewards of labor, for freedom from pestilence, and for continued peace and prosperity in the nation. Thou hast not thus dealt, O Lord, with any other people. We seek Thy continued favor. Make us worthy of our rich heritage, hallowed by the faith and piety, the tears and blood of our fathers.

Bless Thy servants, the President and Vice-President, with the Cabinet council. Pour upon the two Houses of Congress very richly of Thy spirit. Have in Thy holy keeping these Thy servants, blessing them in their persons, in their families, in their social and public relations, so guiding by Thy divine counsel that they may have peace, and that our land may be blessed.

Bless us in the great family of nations, causing our judges to decree righteous judgments, and making the defenders of the nation to be governed by the spirit of the Prince of Peace.

God of Abraham and of Isaac and of Jacob, the God of the nations of the earth, so highly exalting us, look in mercy upon the oppressed of all lands. Pity Thine own ancient people, persecuted and scattered, and so animate their hearts and the hearts of all in authority everywhere with the truth and justice and righteousness of the Prince of Peace that all nations and peoples may soon enjoy the blessings which we so abundantly possess.

Guide us this day by Thy divine counsel. Grant richly of Thy grace and of Thy peace. Restrain from all evil and quicken us in all good, using us for Thy glory, so that finally, when the end of this earthly conflict shall come, we may be gathered to the enjoyment of Thy people's rest.

Our Father who art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done upon earth as it is in heaven. Give us this day our daily bread. Forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory, forever. Amen.

#### RESIGNATIONS OF SENATORS.

The VICE-PRESIDENT laid before the Senate the following communications; which were read, and ordered to lie on the table:

UNITED STATES SENATE, Washington, D. C., April 6, 1891.

SIR: It becomes my duty to inform you that I have sent to the governor of the State of Vermont my resignation of the office of Senator of the United States, to take effect on the 1st day of November next. Accept, sir, for yourself and the Senate, my parting salutations, embracing personal good wishes for all its members and a confident good hope for the future as "the sheet anchor of the Republic."

I am, sir, very respectfully, yours,

GEO. F. EDMUNDS.

The Hon. LEVI P. MORTON,

*Vice-President of the United States,  
and President of the Senate, Washington, D. C.*

PALESTINE, TEX., April 24, 1891.

MY DEAR SIR: Having agreed to accept a place on the railroad commission of Texas, and having tendered my resignation to the governor of the State of Texas of the position of a Senator in the Congress of the United States, to take effect on the 10th of June next, it becomes my duty to advise you of the fact of my resignation.

From a sense of duty to the State and people of Texas I with regret terminate my connection with the Senate to accept a position of less dignity and of less emoluments. And I leave the Senate with my sincerest wishes for the welfare and happiness of yourself and each individual Senator; for my relations have been pleasant with all.

Very truly and respectfully,

JOHN H. REAGAN.

Hon. LEVI P. MORTON,

*Vice-President of the United States,  
Washington, D. C.*

#### CREDENTIALS.

The VICE-PRESIDENT presented the credentials of Horace Chilton, appointed by the governor of the State of Texas a Senator from that State, to fill, until the next meeting of the Legislature thereof, the vacancy caused by the resignation of John H. Reagan in the term ending March 3, 1893; which were read, and ordered to be filed.

He also presented the credentials of Charles N. Felton, chosen by the Legislature of California a Senator from that State to fill the vacancy caused by the death of George Hearst in the term ending March 3, 1893; which were read, and ordered to be filed.

He also presented the credentials of Redfield Proctor, appointed by the governor of the State of Vermont a Senator from that State, to fill, until the next meeting of the Legislature thereof, the vacancy caused by the resignation of George F. Edmunds in the term ending March 3, 1893; which were read, and ordered to be filed.

He also presented the credentials of John M. Palmer, chosen by the Legislature of Illinois a Senator from that State for the

term beginning March 4, 1891; which were read, and ordered to be filed.

Mr. GORMAN presented the credentials of Charles H. Gibson, appointed by the governor of the State of Maryland a Senator from that State, to fill, until the next meeting of the Legislature thereof, the vacancy caused by the death of Ephraim K. Wilson in the term ending March 3, 1897; which were read, and ordered to be filed.

#### SENATOR FROM FLORIDA.

The VICE-PRESIDENT presented the credentials of Wilkinson Call, chosen by the Legislature of Florida a Senator from that State for the term beginning March 4, 1891; which were read, as follows:

Transcript of the proceedings of the Legislature of Florida in joint assembly in the election of Wilkinson Call to the Senate of the United States for the term of six years commencing March 4, 1891. Certified under the great seal of the State.

#### HOUSE OF REPRESENTATIVES. Tallahassee, Fla., July 26, 1891.

On motion of Mr. Hutchinson, a committee, consisting of Messrs. Hutchinson, Carter, and Atkinson, was appointed to inform the senate that the house of representatives was ready to receive it in joint session.

After a brief absence the committee reported that the duty assigned had been performed, and was discharged.

The senate entered the house and the president thereof took the chair.

The roll of the senate being called, the following senators were present: Mr. President, Messrs. Broome, Bryant, Calhoun, Coulter, Crosby, Pihonog, Roseborough, Smith of thirtieth, Summers, Swearingen, Thomas, Wads worth, Wolfe and Yancey—15.

The roll of the house being called, the following members were present:

Mr. Speaker, Messrs. Bates, Berry, Bethel, Beville, Blitch of Levy, Bogue, Brown, Buford, Canty, Carleton, Carson, Clark, Dimick, Dykes, Goode, Haddock, Hicks, High, Hutchinson, Johns, King, Lavender, McCaskill, Monroe, Morgan, Morris, Overstreet, Peacock, Pittman, Priest, Rye, Saulsbury, Stapler, Sumnerlin, Thompson, Ushia, Vann, and Wilson—39.

Total number of senators and members of the house of representatives present in joint session 54.

The chair announced that a majority of all the members elected to both houses of the Legislature being present, a quorum was present and ready to proceed to business.

Upon this announcement by the chair, Mr. Dougherty appealed from the decision of the chair.

Upon a vote of the joint session the decision of the chair was sustained.

On motion of Mr. Wolfe, the reading of the journal was dispensed with, and the journal approved.

Mr. Bogue moved that the joint session proceed to ballot for a United States Senator.

Which was agreed to.

The roll of the senate being called, the following was the vote:

For Wilkinson Call: Mr. President, Messrs. Broome, Bryant, Coulter, Crosby, Pihonog, Roseborough, Smith of thirtieth, Summers, Swearingen, Thomas, Wadsworth, Wolfe, and Yancey—14.

Senator Calhoun was paired with Senator McKinne, and stated if not so paired he would gladly vote for Wilkinson Call.

The roll of the house being called, the following was the vote:

For Wilkinson Call: Mr. Speaker, Messrs. Bates, Berry, Bethel, Blitch of Levy, Bogue, Brown, Buford, Canty, Carleton, Carson, Clark, Dimick, Dykes, Goode, Haddock, Hicks, Hutchinson, Johns, King, Lavender, McCaskill, Monroe, Morgan, Morris, Overstreet, Peacock, Pittman, Priest, Rye, Saulsbury, Stapler, Sumnerlin, Thompson, Ushia, Vann, and Wilson—37.

For D. H. Mays: Mr. High—1.

The whole number of votes cast was 52, of which Wilkinson Call received 51 votes and Darnett H. Mays received 1 vote.

The chair announced that Hon. Wilkinson Call having received a majority of all the votes of the joint Assembly, and a majority of all the members elected to both houses being present and voting, he is duly elected a United States Senator for the term beginning March 4, 1891.

Mr. Shine moved that the joint session adjourn *sine die*.

Which was not agreed to.

On motion of Senator Yancey that a committee consisting of three be appointed to inform Hon. Wilkinson Call of his election as United States Senator and invite him to address the joint session, the president of the joint session appointed Messrs. Yancey, Clark, and Haddock such committee.

After a brief absence, the committee returned with Hon. Wilkinson Call, who was introduced by the president of the joint session and addressed the joint session.

On motion of Mr. Hicks, Messrs. Hicks, Monroe, and Calhoun were appointed to wait upon the governor and to notify him of the election of Wilkinson Call to the United States Senate from the 4th of March, 1891.

On motion of Senator Yancey, the joint session took a recess for five minutes.

After a five minutes recess the joint session was called to order.

After a brief absence the committee appointed to inform the governor of the election of the Hon. Wilkinson Call as United States Senator appeared at the bar of the house and reported that they had visited the governor's office and did not find the governor in.

On motion of Senator Yancey, the journal was read and corrected.

Mr. Yancey moved that the joint session do now adjourn.

Which was agreed to, and the joint session adjourned.

The speaker declared the house adjourned until 3 o'clock p. m.

#### STATE OF FLORIDA.

Office Secretary of State, &c.

I, Jno. L. Crawford, secretary of state, do hereby certify that the foregoing is a correct transcript of the original now on file in this office.

Given under my hand and the great seal of the State of Florida, at Tallahassee, the capital, this 28th day of July, A. D. 1891.

[SEAL.] JNO. L. CRAWFORD,  
Secretary of State.

Mr. HARRIS. Mr. President, I present the credentials of Hon. Robert H. M. Davidson, who was on the 22d day of September last appointed by the governor of Florida to be a Senator from the State of Florida, to fill an alleged vacancy occasioned by the termination of the term of Wilkinson Call. This appointment is attested by the signature of the governor, the secretary of state, and the great seal of the State.

The credentials just read present the questions as between these claimants to the seat. My own opinion is that the proper course to be pursued is to refer the credentials of both claimants to the Committee on Privileges and Elections, so that the questions may be decided in the light of a thorough investigation of them. But for the present I will ask that both credentials lie upon the table to-day, with the probability that I shall on to-morrow move their reference to the committee, when such committee shall be appointed.

The VICE-PRESIDENT. Without objection it will be so ordered.

Mr. HARRIS. Let the credentials be read.

The VICE-PRESIDENT. The credentials will be read.

The Chief Clerk read as follows:

#### IN THE NAME OF THE STATE OF FLORIDA

To all whom these presents may come, greeting.

Whereas the term of office of Wilkinson Call as United States Senator from Florida expired on the 31 day of March, A. D. 1891, during the recess of the Legislature of said State, whereby a vacancy then happened in the office of United States Senator from Florida during such recess as aforesaid; and

Whereas a Senator has not been chosen by the Legislature of the State of Florida to fill such vacancy; and

Whereas the Legislature of the State of Florida is not now in session and a recess thereof exists at this time;

Now, therefore, I, Francis P. Fleming, governor of the State of Florida, by virtue of the authority in me vested by the Constitution of the United States, have appointed, and by these presents do hereby appoint Robert H. M. Davidson to be United States Senator from the State of Florida until the next meeting of the Legislature of the State of Florida.

In testimony whereof I have hereunto set my hand and caused the great seal of the State to be affixed, at Tallahassee, the capital, this 23d day of September, A. D. 1891, and of the Independence of the United States the one hundred and sixteenth year.

FRANCIS P. FLEMING,  
Governor of Florida.

In obedience to the opinion and the decision of the supreme court of Florida, and the peremptory writ thereon, to me issued this day in the case of "The State of Florida *et al.* Francis P. Fleming, governor, plaintiff, vs. John L. Crawford, secretary of state, defendant," I have affixed the great seal of the State, at Tallahassee, the capital, this 17th day of November, A. D. 1891, hereto.

Attest:

[SEAL.]

JOHN L. CRAWFORD,  
Secretary of State.

Mr. GEORGE. Mr. President, I desire simply to remark that I do not now object to the request made by the Senator from Tennessee [Mr. HARRIS] in reference to the credentials of Mr. Call and the alleged credentials of Mr. Davidson, with the understanding that that matter shall come up to-morrow.

Whilst I am on my feet I might as well say that after a very careful examination into that case, both as to the law and the facts, I find that there is no controversy as to the facts, and therefore no necessity for an investigation by the Committee on Privileges and Elections as to the facts. And as to the law of the case, the statute is plain on its face. Besides, it has received the judicial determination of this body. So that there now remains neither a question of law nor a question of fact about which the attention of the committee can be invoked by this body.

One word more. The constitutional right of a State to be represented when she has properly selected her representative in this body is as binding on us to recognize for to-day as for to-morrow.

The equality of the States in this body ought not to be impaired for one single hour when there is no serious question about which there can be any difference among Senators who have looked into the matter. However, in deference to my distinguished friend from Tennessee, I will make no objection to the passing of the case until to-morrow, but I give notice that then I shall insist that the Senate have both the facts and the law, without a single controversy as to either, and ought to proceed at once to seat the legally elected Senator from the State of Florida.

Mr. HOAR. Mr. President, the statement of the governor of Florida, showing the ground on which he relies to support his authority to make an appointment after the Legislature of his State had elected a Senator, in form certainly, has been sent to me during the vacation, and I suppose it has been sent to all the members of the Senate. I have carefully examined it, as has the Senator from Mississippi [Mr. GEORGE], and so far as I can discover it presents simply a question of the constitutionality and construction of the existing law of Congress for the election of Senators. It is a question which has been before the Senate heretofore, and has always, so far as I am aware, been decided in the same way; indeed, I am not aware that there is a difference of opinion in the Senate in regard to that question. Certainly what the Senator from Mississippi says as to the constitutional right of every State to be equally represented here has a great deal of weight. If it shall turn out that the gentleman who filled the seat in the Senate for the recent term is entitled to it, justice to him would require that he should have his title declared at as early a day as possible, in order that his proper share

of the duties of the Senate upon committee and elsewhere may be assigned to and performed by him.

It occurred to me, therefore, that after the oath had been administered to the new Senators it might be proper to move to take up the Florida case at that time, and then it can go over until to-morrow under the rule, if any single Senator prefers. If, in the course of any discussion which may arise upon it to-morrow, it shall turn out that there is such a grave question in the mind of any single Senator as seems to require the service of a committee in aiding us to settle it, I for one should be in favor of the reference; but if, as I suppose, it shall turn out that there is no such question, I do not see why the Senate should not then go on to deal with it and to dispose of it without reference to a committee.

Mr. GEORGE. I entirely agree with what has been said by the distinguished Senator from Massachusetts [Mr. HOAR]. There is only one observation which I desire to make, so that Senators may reflect upon it.

This certificate of the secretary of the State, which is unimpeached and unimpeachable, showing that an election was held, whether legal or not, at this point does establish the fact that the forms of an election were gone through with. That being on the record, that being before the Senate, then the action of the governor appears before us in this light, that he has usurped the constitutional power which has been vested by the Constitution in this body to judge of the election and qualifications of its own members, and has undertaken for this body to decide that grave question for himself, and having decided that question, then to usurp the further power of appointing a member of this body.

I desire simply to call the attention of the Senate to the fact that, an election having been held, it was not competent for the governor of Florida to usurp the functions vested by the Constitution in this body to decide upon the regularity of that election.

The VICE-PRESIDENT. The credentials will lie on the table, in the absence of objection.

#### SWEARING IN OF SENATORS.

The VICE-PRESIDENT. Senators whose credentials have been heretofore recorded and placed on the files of the Senate and those whose credentials have been presented to-day will please come forward in groups of four to receive the oath of office.

Mr. SHERMAN. Mr. President, before the oath of office is administered to Mr. Brice as a Senator from Ohio, I desire to say that it is contended by large numbers of the citizens of Ohio that he was not an inhabitant of that State when he was elected Senator and therefore not eligible to sit as a Senator from Ohio. I am advised that this contention will be presented to the Senate in due time. As the credentials of Mr. Brice are in due form, he is entitled, according to all the precedents I have been able to find, to admission to the Senate, subject to any contest as to his eligibility hereafter. I simply give this notice that there may be no waiver or misunderstanding in case the Legislature of Ohio or the people of Ohio should establish the fact to the satisfaction of the Senate that he was not an inhabitant of that State when elected.

The VICE-PRESIDENT. The names of the Senators elect will now be read in alphabetical order.

The Chief Clerk read the names of—

William B. Allison, of the State of Iowa.

Joseph C. S. Blackburn, of the State of Kentucky.

Calvin S. Brice, of the State of Ohio.

James Donald Cameron, of the State of Pennsylvania.

The respective Senators elect whose names had been called came forward, and the oath prescribed by law was administered to them.

The Chief Clerk called the names of—

Horace Chilton, of the State of Texas.

Fred. T. Dubois, of the State of Idaho.

Charles N. Felton, of the State of California.

Jacob H. Gallinger, of the State of New Hampshire.

Mr. HOAR. Mr. President, I desire to say, before the oath of office is administered to Mr. Chilton, the Senator elect from Texas, that his case seems to me to present a very grave constitutional question, whether the governor of Texas was entitled to make the appointment in anticipation of the vacancy occasioned by Mr. Reagan's resignation, or whether, as was carefully and scrupulously done several times in the recent New Hampshire cases, the governor should have waited until the vacancy actually existed. For the reason, however, which has been already stated, that it is desirable that the representation of every State shall be full, I shall interpose no objection to administering the oath to that gentleman, but after the oath has been administered to him I shall move to refer the case to the Committee on Privileges and Elections to report as to the validity of the appointment.

Mr. HALE. Mr. President, I desire an opportunity to examine the credentials of Mr. Dubois as Senator elect from Idaho, and I ask that they lie upon the table until to-morrow.

The VICE-PRESIDENT. The credentials have already been read and placed on file by previous action of the Senate.

Mr. CULLOM. I rose to state that the credentials of Mr. Dubois had been presented at a previous session of the Senate, referred to the Committee on Privileges and Elections, reported back, and placed on file. Under these circumstances, the credentials seeming to be entirely regular, I hope there will be no delay in allowing the Senator elect from that State to be sworn in.

So far as the request of the honorable Senator from Maine is concerned, that the credentials lie over until to-morrow, I am willing that they shall lie over until the other Senators are sworn in against whom there is no objection, if that course will be agreeable to him, and that we dispose of the case at that time.

Mr. HALE. I have no desire, Mr. President, to unduly delay this case on the swearing in of the new Senator from Idaho, if he is to be sworn in. A single objection, of course, will carry it over until to-morrow. I do not care what form that takes. I will ask at present that the Senator elect from Idaho shall not be sworn in with the others until after all the cases that are not excluded are disposed of.

Mr. CULLOM. I have no objection to that.

Mr. PLUMB. Let me make a suggestion to the Senator from Maine. This case, it seems to me, is on all fours with the case about which the Senator from Massachusetts [Mr. HOAR] has just spoken, that of the Senator elect from Texas [Mr. Chilton], in reference to qualification; that is, the authority by which members sit in this body. If there be anything in the suggestion which the Senator from Massachusetts makes, to the effect that the Senate ought to be full, in the case of those persons who appear here for the purpose of admission, it must be just as strong in the case of Idaho as in the case of Texas. Therefore, it seems to me, following that precedent and the suggestion made by the chairman of the Committee on Privileges and Elections, that the Senator from Idaho should be sworn in for the present, leaving the question to be considered afterwards as to the entire regularity of the proceedings of the Legislature by which he was chosen a Senator.

Mr. HALE. I do not seek to go into any controversy, and I do not know that there will be any controversy, about the swearing in of the Senator elect when the proper time comes, but for the present I object, so that the matter may go over until the undisputed cases have been acted upon by the members being sworn in.

The VICE-PRESIDENT. The Senators whose names have been called, with the exception of the Senator elect from Idaho [Mr. Dubois], will please come forward and receive the oath of office.

The respective Senators elect whose names had been called (with the exception of Mr. Dubois) came forward, and the oath prescribed by law was administered to them.

The Chief Clerk called the names of—

Charles H. Gibson, of the State of Maryland.

John B. Gordon, of the State of Georgia.

Henry C. Hansbrough, of the State of North Dakota.

J. L. M. Irby, of the State of South Carolina.

As their names were called the respective Senators elect came forward, and the oath prescribed by law was administered to them.

The Chief Clerk called the names of—

James K. Jones, of the State of Arkansas.

John P. Jones, of the State of Nevada.

James H. Kyle, of the State of South Dakota.

John H. Mitchell, of the State of Oregon.

As their names were called the respective Senators elect (with the exception of Mr. Jones of Arkansas and Mr. Jones of Nevada, who were absent) came forward, and the oath prescribed by law was administered to them.

The Chief Clerk read the names of—

Justin S. Morrill, of the State of Vermont.

John M. Palmer, of the State of Illinois.

William A. Peffer, of the State of Kansas.

Orville H. Platt, of the State of Connecticut.

Redfield Proctor, of the State of Vermont.

As their names were called the respective Senators elect came forward, and the oath prescribed by law was administered to them.

The Chief Clerk read the names of—

James L. Pugh, of the State of Alabama.

Watson C. Squire, of the State of Washington.

Leland Stanford, of the State of California.

Henry M. Teller, of the State of Colorado.

As their names were called the respective Senators elect (with the exception of Mr. Stanford) came forward, and the oath prescribed by law was administered to them.

The Chief Clerk read the names of—

Zebulon B. Vance, of the State of North Carolina.

George G. Vest, of the State of Missouri.  
 William F. Vilas, of the State of Wisconsin.  
 Daniel W. Voorhees, of the State of Indiana.  
 Edward D. White, of the State of Louisiana.  
 As their names were called the respective Senators elect (with the exception of Mr. Vance) came forward, and the oath prescribed by law was administered to them.

#### SENATORS PRESENT.

The Senators-elect having been sworn and taken their seats in the Senate, the following Senators were present:

From the State of—

*Alabama*—John T. Morgan and James L. Pugh.  
*Arkansas*—James H. Berry.  
*California*—Charles N. Felton.  
*Colorado*—Henry M. Teller and Edward O. Wolcott.  
*Connecticut*—Joseph R. Hawley and Orville H. Platt.  
*Delaware*—George Gray and Anthony Higgins.  
*Florida*—Samuel Pasco.  
*Georgia*—Alfred H. Colquitt and John B. Gordon.  
*Idaho*—George L. Shoup.  
*Illinois*—Shelby M. Cullom and John M. Palmer.  
*Indiana*—David Turpie and Daniel W. Voorhees.  
*Iowa*—William B. Allison and James F. Wilson.  
*Kansas*—William A. Peffer and Preston B. Plumb.  
*Kentucky*—Joseph C. S. Blackburn and John G. Carlisle.  
*Louisiana*—Randall L. Gibson and Edward D. White.  
*Maine*—William P. Frye and Eugene Hale.  
*Maryland*—Charles H. Gibson and Arthur P. Gorman.  
*Massachusetts*—Henry L. Dawes and George F. Hoar.  
*Michigan*—James McMillan and Francis B. Stockbridge.  
*Minnesota*—Cushman K. Davis and William D. Washburn.  
*Mississippi*—James Z. George and Edward C. Walthall.  
*Missouri*—Francis M. Cockrell and George G. Vest.  
*Montana*—Thomas C. Power and Wilbur F. Sanders.  
*Nebraska*—Charles F. Manderson and Algernon S. Paddock.  
*Nevada*—William M. Stewart.  
*New Hampshire*—William E. Chandler and Jacob H. Gallinger.  
*New Jersey*—Rufus Blodgett and John R. McPherson.  
*New York*—Frank Hiseock.  
*North Carolina*—Matt W. Ransom.  
*North Dakota*—Lyman R. Casey and Henry C. Hansbrough.  
*Ohio*—Calvin S. Brice and John Sherman.  
*Oregon*—Joseph N. Dolph and John H. Mitchell.  
*Pennsylvania*—James Donald Cameron and Matthew S. Quay.  
*Rhode Island*—Nelson W. Aldrich and Nathan F. Dixon.  
*South Carolina*—M. C. Butler and J. L. M. Irby.  
*South Dakota*—James H. Kyle and R. F. Pettigrew.  
*Tennessee*—William B. Bate and Isham G. Harris.  
*Texas*—Horace Chilton and Richard Coke.  
*Vermont*—Justin S. Morrill and Redfield Proctor.  
*Virginia*—John S. Barbour and John W. Daniel.  
*Washington*—John B. Allen and Watson C. Squire.  
*West Virginia*—Charles J. Faulkner and John E. Kenna.  
*Wisconsin*—Philetus Sawyer and William F. Vilas.  
*Wyoming*—Joseph M. Carey and Francis E. Warren.

#### NOTIFICATION TO THE PRESIDENT.

Mr. SHERMAN submitted the following resolution: which was considered by unanimous consent, and agreed to:

*Resolved*, That a committee consisting of two members be appointed, to join such committee as may be appointed by the House of Representatives, to wait upon the President of the United States and inform him that a quorum of each House is assembled, and that Congress is ready to receive any communication he may be pleased to make.

By unanimous consent, the Vice-President was authorized to appoint the committee, and Messrs. SHERMAN and HARRIS were appointed.

#### NOTIFICATION TO THE HOUSE.

Mr. CAMERON submitted the following resolution: which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled, and that the Senate is ready to proceed to business.

#### HOUR OF MEETING.

Mr. CULLOM submitted the following resolution: which was considered by unanimous consent, and agreed to:

*Resolved*, That the hour of the daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

#### SENATOR FROM TEXAS.

Mr. HOAR. I move that the Committee on Privileges and Elections be directed to inquire into and report upon the circumstances and validity of the appointment of Mr. Chilton to a seat in the Senate from the State of Texas.

The motion was agreed to.

#### SENATORS FROM FLORIDA AND IDAHO.

Mr. HOAR. I move that Hon. Wilkinson call be admitted to take the oath as a Senator from the State of Florida. It is not my purpose to press any action upon this motion to-day, but I propose to have it before the Senate.

Mr. CULLOM. I will make the same motion with reference to the Senator from Idaho, Mr. Dubois, with the understanding (as it seems to be the desire of members) that it lie over until to-morrow, although I should like very much to have had it acted upon to-day.

The VICE-PRESIDENT. The motions will lie over.

Mr. SHERMAN. Pending these motions, I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock p. m.) the Senate adjourned until to-morrow, Tuesday, December 8, 1891, at 12 o'clock m.

## HOUSE OF REPRESENTATIVES.

MONDAY, December 7, 1891.

This day, in compliance with the provision of the Constitution, the members elect of the House of Representatives of the Fifty-second Congress assembled in their Hall, and at 12 o'clock were called to order by the Clerk of the last House, Mr. EDWARD McPHERSON.

The CLERK. Representatives elect, this is the hour for the meeting of the House of Representatives of the Fifty-second Congress of the United States of America. The Clerk of the House of Representatives of the Fifty-first Congress will proceed, according to law, to read the names of those whose credentials show that they were regularly elected to this body in pursuance of the law of their States, respectively, or of the United States.

The roll was called, showing the presence of the following-named members:

#### ALABAMA.

Richard H. Clarke.	James E. Cobb.
Hilary A. Herbert.	John H. Bankhead.
William C. Oates.	William H. Forney.
Louis W. Turpin.	Joseph Wheeler.

#### ARKANSAS.

William H. Cate.	William L. Terry.
Clifton R. Breckinridge.	Samuel W. Peel.
Thomas C. McRae.	

#### CALIFORNIA.

Thomas J. Geary.	John T. Cutting.
Anthony Connelitti.	Eugene F. Loud.
Joseph McKenna.	William W. Bowers.

#### COLORADO.

Hosea Townsend.

#### CONNECTICUT.

Lewis Sperry.	Charles A. Russell.
Washington F. Willcox.	Robert E. De Forest.

#### DELAWARE.

John W. Cansey.

#### FLORIDA.

Robert Bullock.

#### GEORGIA.

Rufus E. Lester.	James H. Blount.
Henry G. Turner.	H. William Everett.
Charles F. Crisp.	Thomas G. Lawson.
Charles L. Moses.	Thomas E. Wain.
Leonidas F. Livingston.	Thomas E. Watson.

#### IDAHO.

Willis Sweet.

#### ILLINOIS.

Abner Taylor.	Benjamin T. Cable.
Lawrence E. McGinn.	Scott Wake.
Allan C. Durborow jr.	William M. Springer.
Walter C. Newberry.	Owen Scott.
Albert J. Hopkins.	Samuel T. Busby.
Robert R. Hitt.	George W. Fithian.
Thomas J. Henderson.	Edward Lange.
Lewis Steward.	William S. Forman.
Herman W. Snow.	James R. Williams.
Philip S. Post.	George W. Smith.

#### INDIANA.

William F. Parrett.	Elijah V. Brookshire.
John L. Bretz.	Dan Waugh.
Jason B. Brown.	David H. Patton.
William S. Holman.	Augustus N. Martin.
George W. Cooper.	Charles A. O. McCallan.
Henry U. Johnson.	Benjamin F. Shively.
William D. Bynum.	

#### IOWA.

John J. Seelye.	John A. T. Hull.
Walter I. Hayes.	James P. Flier.
David B. Henderson.	Thomas Bowman.
Walter H. Butler.	Jonathan P. Dolliver.
John T. Humilton.	George D. Perkins.
Fred. E. White.	

A bill (S. 229) to increase the pension of Farnham J. Eastman; A bill (S. 230) granting a pension to Ida Button and May Button; and

A bill (S. 231) granting arrears of pension to P. Q. Healy.

Mr. SAWYER introduced a bill (S. 232) for the relief of Otto A. Rism; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. PLATT introduced a bill (S. 233) to amend Title LX, chapter I, of the Revised Statutes of the United States, relating to patents; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 234) for the relief of the National New Haven Bank of the State of Connecticut; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 235) appointing commissioners to revise the statutes relating to patents, trade and other marks; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 236) for the relief of William Bond & Co. and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 237) for the erection of a public building at Waterbury, Conn.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 238) for the relief of the heirs of Davis B. Bonfoey; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 239) for the relief of Eugene D. Crane; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 240) to remove the charge of desertion from the military record of John Lyons; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 241) to remove the charge of desertion from the military record of Thomas Morrison; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. COKE introduced a bill (S. 242) for the relief of the estate of John W. Whitfield; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT introduced a bill (S. 243) to remove the charge of desertion from the military record of Charles D. Crego; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 244) for the relief of Theodore Sharts; which was read twice by its title, and referred to the Committee on Patents.

Mr. COKE introduced a bill (S. 245) for the relief of W. T. Scott and others; which was read twice by its title, and referred to the Committee on Claims.

Mr. CAMERON introduced a bill (S. 246) for the relief of Thomas A. McLaughlin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 247) for the relief of Henry E. Rhoades; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 248) granting a pension to the minor children of George S. McCartney; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 249) granting a pension to Schnyder C. Kephart; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 250) to remove the charge of desertion from the military record of George S. Ackerson; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 251) concerning the rank and pay of certain officers of the Navy having served a full term as chief of a bureau in the Navy Department; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 252) for the relief of certain senior medical directors on the retired list of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 253) granting a pension to Charles W. Griest; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 254) for the relief of William B. Reaney, surviving partner of the firm of Reaney, Son & Archbold; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 255) for the relief of the Berks County Agricultural Society, of Berks County, Pa.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 256) for the relief of Augustus Boyd; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 257) for the relief of Julius A. Kaiser; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 258) for the relief of Lieut. Col. Michael P. Small, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 259) for the relief of Amanda G. Walter, as executrix of Thomas U. Walter, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 260) for the relief of William Brice & Co., of Philadelphia, and others, which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 261) for the relief of the legal representatives and devisees of James W. Schaumburg; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 262) for the relief of Jabez Burchard; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 263) for the relief of the heir or heirs of John Howard Payne; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 264) for the relief of William B. Morgan; which was read twice by its title, and referred to the Committee on Appropriations.

He also introduced a bill (S. 265) granting an increase of pension to Samuel A. Wehr; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FAULKNER introduced a bill (S. 266) to provide for the purchase of a site and the erection of a public building thereon at Huntington, in the State of West Virginia; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 267) for the preservation of the public peace and the protection of property within the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FAULKNER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 268) for the relief of C. M. Shaffer;

A bill (S. 269) for the relief of John Pickens, of Barbour County, W. Va.;

A bill (S. 270) for the relief of Elizabeth Mulvehill;

A bill (S. 271) for the relief of Lewis Karriekhoff, of Barbour County, W. Va.;

A bill (S. 272) for the relief of the administrator of Jacob Coplin, deceased, of Harrison County, W. Va.;

A bill (S. 273) for the relief of the trustee of St. Joseph's Catholic Church at Martinsburg, W. Va.;

A bill (S. 274) for the relief of Moses Grathouse, of Harrison County, W. Va.;

A bill (S. 275) for the relief of the trustees of the Methodist Protestant Church of Middleway, Jefferson County, W. Va.;

A bill (S. 276) for the relief of the trustees of the Methodist Episcopal Church of Martinsburg, W. Va.;

A bill (S. 277) for the relief of the administrator of Andrew D. Coplin, deceased, of Harrison County, W. Va.;

A bill (S. 278) for the relief of Nathan Reed, of Barbour County, W. Va.;

A bill (S. 279) for the relief of the trustees of the German Evangelical Church of Martinsburg, W. Va.;

A bill (S. 280) for the relief of the trustees of the Methodist Episcopal Church of Flat Woods, Braxton County, W. Va.;

A bill (S. 281) for the relief of M. C. Davis;

A bill (S. 282) for the relief of Edward Tearney, administrator of William McSherry, deceased;

A bill (S. 283) for the relief of the trustees of Trinity Episcopal Church;

A bill (S. 284) for the relief of William F. Wilson;

A bill (S. 285) for the relief of Robert Thompson;

A bill (S. 286) for the relief of E. C. Trimble;

A bill (S. 287) for the relief of the trustees of the Presbyterian Church of Springfield, Hampshire County, W. Va.;

A bill (S. 288) for the relief of Levi Teets; and

A bill (S. 289) for the relief of Robert C. Murphy.

Mr. FAULKNER introduced a bill (S. 290) granting an increase of pension to John S. Hall; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FAULKNER introduced the following bills; which were



severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 291) for the relief of the trustees of the Methodist Episcopal church at Harpers Ferry, W. Va.;

A bill (S. 292) providing for the payment of the amounts due the employes in, and the contractors who furnished castings to, the United States armory at Harpers Ferry, W. Va., from January 1, 1861, to April 19, 1861, inclusive;

A bill (S. 293) for the relief of William M. Morrison; and  
A bill (S. 294) to authorize the Secretary of War to cause to be investigated and to provide for the payment of all claims for the use and occupation of church, college, and school buildings for Government purposes by the United States military authorities during the late war, and the value of any such buildings destroyed during such occupation by the United States, and all claims for repairs to any such buildings and the furniture of same rendered necessary by such occupation by the United States Army.

Mr. McMILLAN introduced a bill (S. 295) to establish wind signal display stations at Thunder Bay and Middle Islands, Lake Huron; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 296) for the relief of James W. Knaggs; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 297) to increase the accommodations at the marine hospital at Detroit, Mich.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 298) for the relief of Eunice Tripler, widow of Charles S. Tripler; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 299) granting an honorable discharge to Melancthon Borst, alias Joseph Morgan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 300) for the construction of a public building at Owosso, Mich.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 301) to authorize the Secretary of the Interior to issue a duplicate of a certain land warrant to Emma A. Ripley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Private Land Claims.

Mr. SHERMAN introduced a bill (S. 302) to establish a department of public health; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Epidemic Diseases.

He also introduced a bill (S. 303) to provide for the erection of a public building in the city of Mansfield, Ohio; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 304) to provide for the erection of a public building in the city of Zanesville, Ohio; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 305) for the relief of Battelle & Evans; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 306) authorizing the Librarian of Congress to purchase "Townsend's Library of National, State, and Individual Records, comprising a collection of historical records concerning the origin, progress, and consequences of the late civil war;" which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Library.

He also introduced a bill (S. 307) for the relief of Lorain Ruggles; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 308) to remove the charge of desertion from the military record of Enos W. Townsley; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 309) to remove the charge of desertion from the military record of John Hill; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 310) granting an honorable discharge to Phillip Kurtz; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 311) for the relief of Maj. James Belger; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 312) granting an honorable discharge to Levi Beer; which was read twice by its title, and, with

the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 313) granting an increase of pension to Daniel Beers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 314) granting a pension to John P. Biehn; which was read twice by its title, and referred to the Committee on Pensions.

Mr. VOORHEES introduced a bill (S. 315) for the relief of the legal representatives of George McDougall, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 316) for the erection of a statue of the late Robert Dale Owen, of Indiana, to be placed in the grounds of the Smithsonian Institution; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 317) granting an increase of pension to John M. Roberts; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 318) for the relief of Joseph Johnson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 319) granting an increase of pension to Fanny L. Davis, widow of John Lee Davis, late rear-admiral of the United States Navy; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 320) for the relief of Henry Ayres; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 321) granting a pension to Bennett J. Crowder; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 322) for the relief of Willis Benefield; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 323) granting a pension to Thomas Cooper; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 324) for the relief of Isaac H. Wheat; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 325) for the payment of Sewell Coulson and Porter, Harrison & Fishback for legal services; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 326) granting a pension to Mary A. Carson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 327) for the relief of Calvin Jones; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 328) granting an increase of pension to Jacob Bernhardt; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 329) granting an honorable discharge to Luther L. Martin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 330) for the relief of Theophilus Pisk Mills; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Library.

Mr. DAVIS introduced a bill (S. 331) to provide for the settlement of accounts and claims in certain cases; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 332) to amend paragraph 3 of section 4693 of the Revised Statutes, and for other purposes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 333) for the relief of Henry Unterleiter, alias Cook or Koeh; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 334) to authorize the Secretary of the Interior to fulfill certain treaty stipulations with the Chipewia Indians of Lake Superior and the Mississippi, and making appropriation for the same; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 335) for the relief of the Northwestern Express, Stage and Transportation Company; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

He also introduced a bill (S. 336) granting a pension to Mary E. Chamberlain; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 337) to remove the charge of desertion standing against the name of Joseph G. Utter; which



bered sections; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 734) for the relief of John McBean, of Umatilla County, Oregon; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 735) for the relief of L. A. Davis; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 736) granting an increase of pension to William Thompson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 737) granting an increase of pension to Thomas Hollister; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 738) granting a pension to Elmore Y. Chase, of Salem, Oregon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 739) for the relief of John A. Rotan, of Salem, Oregon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 740) for the relief of Edward Hughes; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 741) to incorporate the Eclectic Medical Society of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FRYE introduced a bill (S. 742) for the relief of the Grand Trunk Railway Company of Canada; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 743) to establish a marine board for the advancement of the interests of the merchant marine; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 744) to amend "An act to amend section 4400 of Title LII of the Revised Statutes of the United States concerning the regulation of steam vessels," approved August 7, 1882; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

He also introduced a bill (S. 745) admitting to American registry vessels built in the United States and owned by citizens thereof residing abroad, and for other purposes; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 746) to settle and adjust the claims of any State for expenses incurred by it in defense of the United States; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 747) to repeal section 4145 of the Revised Statutes of the United States, and to amend section 4146; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

He also introduced a bill (S. 748) to amend the law relating to the residence abroad of the owners of American vessels in the foreign trade; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

He also introduced a bill (S. 749) to provide for a commission on the subject of the alcoholic liquor traffic; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 750) to amend and reenact section 5 of an act entitled "An act to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck," approved May 4, 1882; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 751) to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure the Government the use of the same for postal, military, and other purposes," approved July 1, 1862; also to amend an act approved July 2, 1864, and also an act approved May 7, 1878, both in amendment of said first-mentioned act, and to provide for a settlement of claims growing out of the issue of bonds to aid in the construction of certain of the railroads, and to secure to the United States payment of all indebtedness of certain of the companies therein mentioned; which was read twice by its title, and referred to the Select Committee on the President's Message transmitting the Report of the Pacific Railway Commission.

He also introduced a bill (S. 752) to extend the time for filing claims in the Court of Claims under the provisions of an act entitled "An act to provide for the ascertainment of claims of American citizens for spoliation committed by the French prior to July 31, 1891;" which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CALL introduced a bill (S. 753) for the relief of William W. Webb; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 754) to authorize the sale of the site of St. Francis Barracks, Fla., the sale or removal of the improvements thereof, and to provide for a new site and the construction of suitable buildings thereon; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. STOCKBRIDGE introduced a bill (S. 755) to fix the compensation of inspectors of hulls and boilers in certain districts of the United States; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MORGAN (by request) introduced a bill (S. 756) to provide for the appointment of a reporter for the supreme court of the District of Columbia; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 757) to quiet the title to certain lands in the State of Mississippi, and for the relief of Eli Ayres, his legal representatives, etc.; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CARLISLE (by request) introduced a bill (S. 758) to reimburse the several States for interest on moneys expended by them on account of raising troops employed in aiding the United States in suppressing the late rebellion; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 759) to direct the Secretary of War to appoint a commission to ascertain and report the facts concerning the taking of property for the use of the Army of the United States and destroyed at Cynthia, Ky., on June 11, 1864; which was read twice by its title, and referred to the Committee on Claims.

Mr. CAMERON introduced a bill (S. 760) granting a pension to William U. Mallorie; which was read twice by its title, and with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 761) granting a pension to William Symmonds; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 762) granting a pension to Mrs. Elise Alden McCawley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 763) granting an increased pension to John S. Dill, of Capt. Mayo's company, Black Hawk War; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 764) referring the claim of Mitchell B. Baer and Herman Graut to the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 765) for the relief of Robert Tillson and Maitland Boon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 766) for the relief of John C. Phillips; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 767) for the relief of the estate of the late Revere W. Gurley; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 768) to confer jurisdiction on the Court of Claims to hear and determine the claim of the heir of Hugh Worthington for his interest in the steamer Eastport; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 769) for the relief of Irvine Carman; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GALLINGER introduced a bill (S. 770) for the better protection of the public service; which was read twice by its title.

Mr. GALLINGER. I ask that the bill may lie on the table for the present.

The VICE-PRESIDENT. The bill will lie on the table.

Mr. MANDERSON introduced a bill (S. 771) requiring transcripts of judgments obtained in United States courts to be filed with the county officers having charge of judgment records in certain cases; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

He also introduced a bill (S. 772) to require United States circuit and district judges to instruct the jury in writing in certain cases; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

He also introduced a bill (S. 773) to provide for the education of enlisted men of the Army at military posts, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 774) to commission acting assistant surgeons of the United States Army who served as medical officers during the late civil war; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 775) authorizing the Secretary of

War to cause an exploration and survey to be made of the interior of the Territory of Alaska; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 776) for the relief of the heirs of Charles B. Smith, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 777) for the relief of Thomas Fletcher Foley, alias Thomas Fletcher; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 778) to remove the charge of desertion from the military record of Jeremiah L. Daly; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 779) to increase the pension of Isabella Morrow, widow of the late Bvt. Col. Henry A. Morrow, United States Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 780) for the relief of Robert H. Montgomery; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 781) for the relief of John Little and Hobart Williams, of Omaha, Nebr.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. PADDOCK introduced a bill (S. 782) to provide for the adjustment of certain sales of lands in the late reservation of the Confederate Otee and Missouri tribes of Indians in the States of Nebraska and Kansas; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. McMILLAN introduced a bill (S. 783) to create the northern judicial district of the State of Michigan, and to provide for the holding of the district and circuits courts therein, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

He also introduced a bill (S. 784) for the relief of Frederick Carls; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 785) to amend an act "to prohibit any officer, agent, or servant of the Government of the United States of America to hire or contract out the labor of prisoners incarcerated for violating the laws of the Government of the United States of America," approved February 23, 1887; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. POWER introduced a bill (S. 786) to provide for the erection of a public building in the city of Helena, Mont.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 787) to provide for the erection of a public building in the city of Butte, Mont.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. WALTHALL introduced a bill (S. 788) for the relief of estate of James H. Estes; which was read twice by its title, and referred to the Committee on Claims.

Mr. HIGGINS introduced a bill (S. 789) for the relief of Warren Hall; which was read twice by its title, and referred to the Committee on Claims.

Mr. DANIEL introduced a bill (S. 790) to repeal section 1218 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 791) for the relief of the legal personal representatives of Henry H. Sibley, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 792) for the relief of John S. Braxton; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 793) for the completion of the monument to Mary, the mother of Washington, at Fredericksburg, Va.; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 794) for the erection of a monument to Andrew Lewis; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 795) to provide for the erection of a public building at Charlottesville, Va.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 796) to make a public park of the

Arlington estate, near Washington, D. C., and for the construction of a bridge thereto; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. SHERMAN introduced a bill (S. 797) to provide for fixing a uniform standard of classification and grading of wheat, corn, oats, barley, and rye, and for other purposes; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 798) for the relief of the legal representatives of John H. Jones and Thomas D. Harris; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLUMB introduced a bill (S. 799) to provide for allotment of lands in severalty to the Quapaw Indians in the Indian Territory, and for other purposes therein named; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 800) to authorize the Secretary of the Interior to convey to the State of Kansas certain lands therein; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 801) for the relief of the legal representatives of Henry S. French; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 802) to incorporate the Washington and Benning Street Railway Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 803) for the relief of William P. Buckmaster; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 804) to incorporate the Washington and Great Falls Electric Railway Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. GIBSON of Louisiana introduced a bill (S. 805) to deepen the channel, to prevent destructive floods, to improve the navigation of the Mississippi River, and to afford ease and safety to the trade and commerce thereon by the construction, repair, and extension of levees, dikes, jetties, and other works, with an appropriation therefor; which was read twice by its title, and referred to the Committee on Commerce.

Mr. ALLISON introduced a bill (S. 806) for the relief of Ransom L. Harris; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 807) granting an increase of pension to Ransom L. Harris; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 808) establishing a port of delivery at Des Moines, Iowa; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 809) to remove the charge of desertion against Henry Crangle; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 810) granting an honorable discharge to Julius Seifert; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 811) for the protection of property, trainmen, and other railroad employes in handling locomotive engines, freight trains, and freight cars engaged in interstate commerce; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 812) granting a pension to George W. Jones; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CHANDLER introduced a bill (S. 813) granting an honorable discharge to Robert Roby; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 814) to define the route of the Baltimore and Ohio Railroad in the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 815) granting a pension to Susan Dwight Yates; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 816) granting a pension to Alexander McKelvie; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 817) granting a pension to Maria S. Whitney; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 818) for the relief of John L. Britton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 819) to amend the act of January

sion to James W. Dunn; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 967) granting an increase of pension to Ellis P. Phipps, late lieutenant of Company A, Twelfth New Jersey Volunteer Infantry; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 968) granting a pension to Ellen McNamee; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 969) granting a pension to David Rentehler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TURPIE introduced a bill (S. 970) for the relief of John Veeley; which was read twice by its title, and referred to the Committee on Claims.

Mr. PETTIGREW introduced a bill (S. 971) to authorize the Secretary of War to furnish rations to the members of the Grand Army of the Republic who attend the annual encampment at Washington in September, 1892; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TELLER (by request) introduced a bill (S. 972) for the relief of the administrators of the estate of Isaac P. Tice, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 973) granting a pension to Mary Jewett Telford; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 974) for the relief of Azor A. Smith; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 975) for the relief of the legal representatives of Royal M. Hubbard; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 976) for the relief of Horace A. W. Tabor; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 977) for the relief of B. F. Rockafellow; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 978) for the relief of William M. Keightley; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. MITCHELL introduced a bill (S. 979) for the development and encouragement of silk culture in the United States under the supervision of the Secretary of Agriculture; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. RANSOM introduced a bill (S. 980) for the relief of the legal representatives of John Baptiste Ashe; which was read twice by its title, and referred to the Committee on Claims.

Mr. HIGGINS introduced a bill (S. 981) granting a pension to Elizabeth N. Dunn; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 982) for the relief of the Southern Railroad Association, lessees of the Mississippi Central Railroad Company; which was read twice by its title, and referred to the Committee on Claims.

Mr. ALLISON introduced a bill (S. 983) granting a pension to David Peterson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HISCOCK introduced a bill (S. 984) to reenact the act entitled "An act to punish the counterfeiting of trade-mark goods and the sale of or dealing in counterfeit trade-mark goods;" which was read twice by its title, and referred to the Committee on Patents.

Mr. McMILLAN introduced a bill (S. 985) to provide for the enlargement of the military post at Fort Wayne, Mich.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GORMAN introduced a bill (S. 986) for the relief of Alexander Moffitt; which was read twice by its title, and referred to the Committee on Claims.

Mr. GIBSON of Louisiana introduced a bill (S. 987) for the relief of the legal representatives of the estate of William H. H. Brooks, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 988) for the relief of Mrs. Emilie M. Ferriere, widow and representative of Louis L. Ferriere, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 989) to authorize the Secretary of the Treasury to refund certain moneys collected by the United States; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 990) for the relief of Pearson C. Montgomery, of New Orleans, La.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 991) for the relief of Cora A. Di Brazza; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 992) for the relief of C. Augusta Urquhart; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 993) for the relief of Catherine M. Pritchard, her heirs, administrators, executors, or assigns; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 994) for the relief of Martha G. Campbell, executrix; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 995) for the relief of Fanny B. Randolph and Dora L. Stark, of Avoyelles Parish, La., for stores and supplies taken from them by the military forces of the United States for their use in said parish during the war for the suppression of the rebellion; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. DANIEL introduced a bill (S. 996) to provide for the final settlement of the transportation account with the Richmond and Danville Railroad Company; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT introduced a bill (S. 997) for the relief of the Berdan Firearms Manufacturing Company; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 998) to correct the military record of Roswell M. Shurtleff, of New York; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 999) to remove the charge of desertion from the military record of Thomas Lee; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1000) granting an honorable discharge to William Pullman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PLUMB introduced a bill (S. 1001) for the establishment of an insurance bureau for the protection of public interests in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1002) for the relief of William C. Gilpatrick; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1003) granting a pension to John Black; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1004) for the relief of Jonathan Myers; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1005) granting a pension to Bailey Smith; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1006) for the relief of W. H. L. Pepperell; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 1007) for the relief of widows and minors of pensioners and those entitled to pensions under the general pension laws of the United States; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1008) granting a pension to Abasha Risk; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1009) granting an increase of pension to Joseph Verbisky; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1010) granting an increase of pension to Andrew Franklin, alias Andrew McKee; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1011) granting an increase of pension to Mrs. M. Cornelia Brown; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1012) granting an increase of pension to Guy K. Butler; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1013) granting a pension to Mariah

Myers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1014) granting a pension to John Young; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1015) for the relief of John Young, of Humboldt, Kans.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1016) granting a pension to Peter Elford; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1017) for the relief of Charles Ray-feldt; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1018) granting a pension to John Bunt; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1019) granting a pension to James R. Smith; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1020) granting a pension to Emily Hayes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1021) granting a pension to Herman Nendick; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1022) granting a pension to George Mosley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1023) to amend an act entitled "An act granting the right of way to the Hutchinson and Southern Railroad Company to construct and operate a railroad, telegraph, and telephone line from the city of Anthony, in the State of Kansas, through the Indian Territory, to some point in the county of Grayson, in the State of Texas," approved September 26, 1890; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. VILAS introduced a bill (S. 1024) to amend chapter 561 of the laws of the second session of the Fifty-first Congress, entitled "An act to repeal timber-culture laws, and for other purposes," which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1025) for the relief of Anne C. Livingston; which was read twice by its title, and referred to the Committee on Claims.

Mr. MORRILL introduced a joint resolution (S. R. 15) for the erection and location of a bronze statue of Christopher Columbus, and the removal of the naval monument to a new site; which was referred to the Committee on Public Buildings and Grounds.

He also introduced a joint resolution (S. R. 16) authorizing the distribution of public documents to land-grant colleges; which was referred to the Committee on Education and Labor.

Mr. COCKRELL introduced a joint resolution (S. R. 17) to provide for the settlement of the claims of the officers and enlisted men of the various militia organizations of the State of Missouri for horses and equipments lost while engaged in the military service of the United States; which was referred to the Committee on Military Affairs.

Mr. MORRILL introduced a joint resolution (S. R. 18) to fill vacancies in the Board of Regents of the Smithsonian Institution; which was read the first time by its title.

Mr. MORRILL. I ask for the reading of the joint resolution at length, and after that, if there be no objection, I shall ask for its immediate consideration and passage.

The VICE-PRESIDENT. The joint resolution will be read at length.

The joint resolution was read the second time at length, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the vacancies in the Board of Regents of the Smithsonian Institution, of the class other than members of Congress, shall be filled by the appointment of William Preston Johnston, of Louisiana, in place of Noah Porter, of Connecticut, resigned, and by the reappointment of Henry Coppée, of Pennsylvania, and M. C. Meigs, of Washington City, whose terms of office expire on December 26, 1891.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### DISTRICT SANITARY EXPENDITURES.

Mr. HIGGINS submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved,* That the Commissioners of the District of Columbia be, and are hereby, directed to furnish to the Senate a statement in detail showing the

expenditures made from the appropriation for collection of garbage during the present fiscal year as compared with expenditures from same appropriation for the years 1889-90 and 1890-91, covering a like period; also, a statement showing expenditures from the appropriation for prevention of the spread of scarlet fever and diphtheria in the District of Columbia during the present year; these statements to show with each item of expenditure the name of the person to whom payment was made and the character of service rendered or nature of material furnished.

#### REPORT OF MILITARY ACADEMY VISITORS.

Mr. MANDERSON submitted the following resolution; which was referred to the Committee on Printing:

*Resolved,* That 2,500 additional copies of the annual report of the Board of Visitors to the United States Military Academy for the year 1891 be printed and bound in paper covers, 2,000 copies for the use of the Senate and 500 copies for the use of the Senate members of said board.

#### NICOLINO MILLO.

Mr. MANDERSON submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved,* That the President be requested to communicate to the Senate, if not in his opinion incompatible with the public interest, all the correspondence had with the Government of Italy, its officers, or with the diplomatic and consular officers of the United States, in the case of Nicolino Millo, a naturalized citizen of the United States, who, it is alleged, was brought to this country by his father from Italy when but 19 years of age, and who, it is alleged, has been imprisoned and compelled to perform military service in the Italian army, and been punished on a charge of desertion from the Italian army while visiting the place of his birth on business.

#### ACQUISITION OF MEXICAN TERRITORY.

Mr. QUAY submitted the following resolution; which was referred to the Committee on Foreign Relations:

*Resolved,* That the Committee on Foreign Relations be requested to inquire whether the acquisition of those portions of the States of Sonora, Chihuahua, and Coahuila lying north of the twenty-ninth parallel of north latitude, in the Republic of Mexico, is practicable and for the interest of the United States.

#### EMPLOYMENT OF ADDITIONAL PAGES.

Mr. McPHERSON submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved,* That the Sergeant-at-Arms is directed to employ during the present session, in addition to the existing force, two additional pages, said employees to be paid from the miscellaneous items of the contingent fund of the Senate.

Mr. HARRIS. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 16, 1891, at 12 o'clock m.

## SENATE.

WEDNESDAY, December 16, 1891.

Prayer by Rev. JOEL SWARTZ, D. D., of Gettysburg, Pa.

The Journal of yesterday's proceedings was read and approved.

#### PETITIONS AND MEMORIALS.

The VICE-PRESIDENT laid before the Senate a communication from the Acting Secretary of War, transmitting the petition of First Lieut. Charles Selmer, United States Army, retired, praying for the passage of an act authorizing his retirement as a captain; which, with the accompanying petition, was referred to the Committee on Military Affairs, and ordered to be printed.

He also presented the petition of George G. Moado Post, No. 5, Grand Army of the Republic, of Washington, D. C., praying for the monthly payment of pensions; which was referred to the Committee on Pensions.

Mr. SHERMAN presented a petition of the Christian Church of Brilliant, Ohio, praying for legislation by Congress looking to the closing of the World's Columbian Fair on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HOAR presented a petition of the Auburndale (Mass.) Young People's Society of Christian Endeavor, praying that the World's Columbian Fair be closed on Sunday, that liquors be not sold within the Exhibition, and that the art department be managed according to the American standard of purity in art; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of H. B. Morton and other citizens representing the Congregational Church of Southampton, Mass., praying that the World's Columbian Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of Harry Reade, of Lowell, Mass., praying that he be allowed to appear before a committee and introduce testimony in support of his disability; which was referred to the Committee on Military Affairs.

He also presented the petition of Harry Reade, of Lowell, Mass., praying to be restored to his rank in the Army; which was referred to the Committee on Military Affairs.

Lizzie Wright Owen; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WOLCOTE introduced a bill (S. 1044) to provide for the purchase of a site and the erection of a public building thereon at Colorado Springs, in the State of Colorado; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1045) to provide for the purchase of a site and the erection of a public building thereon at Leadville, in the State of Colorado; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. McMILLAN (by request) introduced a bill (S. 1046) to amend the charter of the Eckington and Soldiers' Home Railroad Company; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. GALLINGER introduced a bill (S. 1047) granting a pension to James Anderson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1048) granting a pension to Mrs. Mary Elizabeth Dickey; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1049) granting a pension to Helen A. Patterson; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1050) for the relief of Albert D. Spalter; which was read twice by its title, and referred to the Committee on Revolutionary Claims.

Mr. GORMAN introduced a bill (S. 1051) to pay certain States and the city of Baltimore for advances of money in the war of 1812, reported to be due them by the Secretary of the Treasury; which was read twice by its title, and referred to the Committee on Claims.

Mr. ALLISON introduced a bill (S. 1052) to establish a branch mint of the United States at Council Bluffs, in the State of Iowa; which was read twice by its title, and referred to the Committee on Finance.

Mr. KYLE introduced a bill (S. 1053) restoring pension to Orin M. Franklin; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PADDOCK. I introduce a bill in the nature of a substitute for Senate bill 385.

The bill (S. 1054) to provide for the construction of a public building at Hastings, Nebr., was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. PADDOCK introduced a bill (S. 1055) to provide for the purchase of a site and the erection of a public building thereon at Kearney, in the State of Nebraska; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CALL (by request) introduced a bill (S. 1056) granting a pension to Jacob R. Davis; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FAULKNER introduced a bill (S. 1057) to punish the unlawful appropriation of the use of the property of another in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1058) to prevent fraudulent transactions on the part of commission merchants and other consignees of goods and other property in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1059) to extend the streets and avenues of the city of Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1060) to punish the carrying or selling of deadly or dangerous weapons within the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1061) for the relief of the legal representatives of Lewis W. Washington, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1062) to refund to the State of West Virginia the money paid to officers of the One hundred and thirty-third Regiment West Virginia Militia for services rendered during the rebellion; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1063) for the relief of Asa Kelly; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1064) for the relief of James M. Stout; which was read twice by its title, and referred to the Committee on Claims.

Mr. McPHERSON introduced a bill (S. 1065) for the relief of James R. Mullikin, late captain Company K, Thirty-fifth Regi-

ment Indiana Volunteers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1066) to equalize the grade of officers, to prevent desertions, and to increase the efficiency of the Marine Corps; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1067) for the relief of Bvt. Col. Thomas P. O'Reilly; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1068) granting a pension to William H. Burbank, army nurse; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DOLPH introduced a bill (S. 1069) to extend the time for filing certain claims for compensation for horses and other property lost in the military service of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1070) to pay the citizens of Oregon for supplies audited by Philo Callender, commissioner; which was read twice by its title.

The VICE-PRESIDENT. To what committee shall the bill be referred?

Mr. DOLPH. I think it had better go to the Committee on Military Affairs. If they do not care to take jurisdiction of it they can report it back and let it go to the Committee on Claims or the Select Committee on Indian Depredations.

The VICE-PRESIDENT. The bill will be referred to the Committee on Military Affairs.

Mr. DOLPH introduced a bill (S. 1071) to grant to the Tacoma and Seattle Air-Line Railway Company a right of way through the Puyallup Indian Reservation in the State of Washington, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1072) for the relief of George E. W. Sharretts; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1073) to extend the time for adjudicating certain claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1074) to establish additional life-saving stations; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1075) to regulate and fix the compensation of registers of the land office and receivers of public moneys in each land district; which was read twice by its title.

Mr. DOLPH. I call the attention of the members of the Committee on Public Lands and of the Senate to the fact that the bill proposes to do away with fees to registers and receivers of the land office, and give them a reasonable salary. I move that the bill be referred to the Committee on Public Lands.

The motion was agreed to.

Mr. DOLPH introduced a bill (S. 1076) to license and regulate the sale of intoxicating liquors in the district of Alaska; which was read twice by its title.

Mr. DOLPH. I desire to say a word or two in regard to the bill. The measure will be criticised. All the laws upon this subject which have applied to Alaska heretofore have been entirely prohibitory. I was there six years ago last summer and again last July, and in every little town in the district, every other place was a saloon where liquors were exposed for sale. There are to-day three breweries in the district, carrying on the business of making and selling beer. There are in the little town of Juneau twenty-two saloons in which liquors can be procured at any time. There are nearly as many in the town of Sitka, and a like number may be found in proportion to the population in other towns.

The attempt to prohibit the importation into or the manufacture and sale in Alaska of intoxicating liquors has been a complete failure. The district is 2,200 miles east and west, and 1,500 miles north and south, and has, it is estimated, if you include the indentures in the coast, 25,000 miles of coast line. It lies adjoining to British Columbia, and the vilest liquors are constantly smuggled into the territory and sold to the Indians and to minors. An attempt was made recently by the Federal officers there to establish a sort of license system, supposing that they could secure enough public sentiment back of them by licensing a few respectable places to enforce the law so far as to prevent the sale of intoxicating liquors to the Indians and to minors. It was a failure, and, of course rightfully, the collector of customs was removed for his participation in the scheme, although he came into it last. Although the move was in the right direction, it was a mistake, as they had no legislative power. But I think it would be a very wise thing to provide for licensing respectable places, requiring



them to give ample bond that they would not sell intoxicating liquors to Indians and minors, and thus create a public sentiment in the district which would sustain the officers of the Government in endeavoring to enforce the law. It is the only way it can be done, and while I would favor entire prohibition if it could be enforced at all or be of any benefit, I am constrained to favor something practical, and I take the initiative by introducing the bill.

I move that the bill, with the accompanying papers which I submit in regard to licensing the sale of liquor in Alaska, be referred to the Committee on Territories.

The motion was agreed to.

Mr. CAMERON introduced a bill (S. 1077) relieving the personal representatives of John Sherman, jr., late United States marshal for the Territory of New Mexico, from the requirements of section 833 of the Revised Statutes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1078) granting a pension to Joseph Blanchard; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1079) for the relief of Assistant Engineer Howard D. Potts, United States Navy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. PLATT introduced a bill (S. 1080) granting a pension to Caroline E. Wessels; which was read twice by its title, and referred to the Committee on Pensions.

#### STATISTICAL ABSTRACT OF THE UNITED STATES.

Mr. MANDERSON submitted the following concurrent resolution which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring), That there be printed 3,500 copies of the Statistical Abstract of the United States for the year 1891, prepared by the Bureau of Statistics, Treasury Department, 1,000 copies for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 500 copies for the use of the Bureau of Statistics, Treasury Department.*

Mr. MANDERSON submitted the following concurrent resolution which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring), That there be printed 12,000 copies of the Statistical Abstract of the United States for the year 1891, prepared by the Bureau of Statistics, Treasury Department, 3,000 copies for the use of the members of the Senate, 6,000 copies for the use of the members of the House of Representatives, and 3,000 copies for the use of the Bureau of Statistics, Treasury Department.*

#### SILVER COINAGE.

Mr. STEWART. I desire to give notice that on Monday next, after the conclusion of the morning business, I shall submit some remarks on that portion of the President's message relating to the coinage of silver.

#### ANNUAL REPORT OF BUREAU OF AMERICAN REPUBLICS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith, for your information, a letter from the Secretary of State, inclosing the first annual report and copies of the bulletins of the Bureau of the American Republics.

BENJ. HARRISON

EXECUTIVE MANSION, December 16, 1891.

#### EXECUTIVE SESSION.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-five minutes spent in executive session the doors were reopened, and (at 1 o'clock and 7 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 17, 1891, at 12 o'clock m.

#### NOMINATIONS.

*Executive nominations received by the Senate December 16, 1891.*

##### UNITED STATES DISTRICT JUDGE.

Warren Truitt, of Oregon, to be United States district judge for the district of Alaska, vice John S. Bugbee, to be removed.

##### UNITED STATES CIRCUIT JUDGES.

William L. Putnam, of Maine, to be United States circuit judge for the first judicial circuit, as provided by section 1, chapter 517, volume 26, laws 1891, United States Statutes at Large.

Nathaniel Shipman, of Connecticut, to be United States circuit

judge for the second judicial circuit, as provided by section 1, chapter 517, volume 26, laws 1891, United States Statutes at Large.

George M. Dallas, of Pennsylvania, to be United States circuit judge for the third judicial circuit, as provided by section 1, chapter 517, volume 26, laws 1891, United States Statutes at Large.

Nathan Goff, of West Virginia, to be United States circuit judge for the fourth judicial circuit, as provided by section 1, chapter 517, volume 26, laws 1891, United States Statutes at Large.

William H. Taft, of Ohio, to be United States circuit judge for the sixth judicial circuit, as provided by section 1, chapter 517, volume 26, laws 1891, United States Statutes at Large.

William A. Woods, of Indiana, to be United States circuit judge for the seventh judicial circuit, as provided by section 1, chapter 517, volume 26, laws 1891, United States Statutes at Large.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate December 16, 1891.*

##### CONSULS.

Hermel de Sallier Dupin, of Cape Vincent, N. Y., to be consul of the United States at Nantes.

Philip Carroll, of New York, formerly consul at Palermo, to be consul of the United States at Demerara.

Alonzo Spencer, of New York, to be consul of the United States at Pietou, Nova Scotia.

Henry L. Arnold, of Geneseo, N. Y., to be consul of the United States at Clifton, Ontario.

Charles W. Erdman, of Louisville, Ky., to be consul of the United States at Stockholm.

Richard Herbst, of Columbus, Ohio, to be consul of the United States at Antigua, West Indies.

William K. Sullivan, of Chicago, Ill., to be consul of the United States at Bermuda.

##### COLLECTORS OF CUSTOMS.

Henry Z. Osborne, of California, to be collector of customs for the district of Wilmington, in the State of California.

Edwin T. Hatch, of Oregon, to be collector of customs for the district of Alaska, in the Territory of Alaska.

John C. Dancy, of North Carolina, to be collector of customs for the district of Wilmington, in the State of North Carolina.

Charles D. Eddy, of Rhode Island, to be collector of customs for the district of Bristol and Warren, in the State of Rhode Island.

David R. Austin, of Ohio, to be collector of customs for the district of Miami, in the State of Ohio.

Herbert Morissey, of Massachusetts, to be collector of customs for the district of Plymouth, in the State of Massachusetts.

Francis C. Hendricks, of New York, to be collector of customs for the district of New York, in the State of New York.

Jotham C. Hargett, of New York, to be collector of customs for the district of Dunkirk, in the State of New York.

Webster Flanagan, of Texas, to be collector of customs for the district of Paso del Norte, in the State of Texas.

##### SURVEYOR OF CUSTOMS.

Mark F. Wentworth, of Maine, to be surveyor of customs in the district of Portland and Falmouth, in the State of Maine.

##### SUPERVISING INSPECTOR OF STEAM VESSELS.

Charles H. Westcott, of Michigan, to be supervising inspector of steam vessels for the eighth district.

##### APPRAISER OF MERCHANDISE.

George Bingham, of New York, to be appraiser of merchandise in the district of Buffalo Creek, in the State of New York.

##### PROMOTIONS IN THE MARINE HOSPITAL SERVICE.

Charles E. Decker, of Michigan, to be assistant surgeon in the Marine Hospital Service of the United States.

Henry T. Goodwin, of South Carolina, to be passed assistant surgeon in the Marine Hospital Service of the United States.

Thomas B. Perry, of Georgia, to be passed assistant surgeon in the Marine Hospital Service of the United States.

Reil M. Woodward, of Indiana, to be passed assistant surgeon in the Marine Hospital Service of the United States.

##### PROMOTIONS IN THE REVENUE SERVICE.

Lieut. Alexander R. Hasson, of the District of Columbia, to be third lieutenant in the Revenue Service of the United States.

Lieut. Charles E. Johnston, of Ohio, to be third lieutenant in the Revenue Service of the United States.

Lieut. Francis A. Levis, of New York, to be third lieutenant in the Revenue Service of the United States.

Lieut. George M. Daniels, of Rhode Island, to be third lieutenant in the Revenue Service of the United States.

## PROPOSED COMMITTEE ON ORDER OF BUSINESS.

Mr. OATES, by unanimous consent, submitted the following resolution; which was read, and referred to the Committee on Rules:

*Resolved*, That there be a standing committee on order of business, to consist of fifteen members, of which the Speaker shall be *ex officio* chairman, which shall have jurisdiction of the order in which business upon the different Calendars shall be considered, having always due regard to fairness and equity among the different committees and the transaction of public business.

## DEATH OF HON. LEONIDAS C. HOUK.

Mr. TAYLOR of Tennessee. Mr. Speaker, I rise to perform the mournful duty of announcing to the House the death of my friend and late colleague, the Hon. Leonidas C. Houk. He died suddenly of accidental poisoning at his home in the city of Knoxville on the 25th day of May, of the present year.

Thousands of his countrymen followed his remains in sorrow to their last resting place, and thousands more wept as they would weep at the grave of nearest kindred when they realized that their faithful friend and trusted Representative had passed away.

From 1861 to 1863 he was a Union soldier, being colonel of the Third Tennessee Infantry; from 1866 to 1870 he was judge of his judicial circuit; from 1873 to 1875 he was a State legislator. He entered the Forty-sixth Congress, and was elected consecutively to the Forty-seventh, Forty-eighth, Forty-ninth, Fiftieth, Fifty-first, and Fifty-second Congresses. He had a hold upon his people far beyond that of any man or combination of men, and had he lived, he could have been returned to Congress as long as he might have desired to remain in the public service. He died poor in this world's goods but rich in the friendship and love of his countrymen.

I shall say no more of him now, for I am aware that some day in the future will be fixed by the House when his associates and friends will be accorded an opportunity to place on record their estimate of his life and character, of his public services, and to take such action as they may deem best fitting as a last tribute of respect to his memory.

I ask unanimous consent for the present consideration of the resolutions which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

*Resolved*, That the House has heard with profound sorrow of the death of Hon. Leonidas C. Houk, late a Representative from the State of Tennessee.

*Resolved*, That as a mark of respect to his memory the House do now adjourn.

## SWEARING IN A MEMBER.

Mr. HERMANN. Mr. Speaker, before the question on the resolutions is submitted to the House, I desire to state that the gentleman from Nevada [Mr. Bartine] is present, and wishes to be sworn in.

The SPEAKER. The Chair will suspend the question on the resolutions until the gentleman from Nevada can be sworn in.

Mr. Bartine then came forward and took the oath prescribed by law.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed a joint resolution to fill a vacancy on the Board of Regents of the Smithsonian Institution; in which the concurrence of the House of Representatives was requested.

## DEATH OF HON. L. C. HOUK.

The SPEAKER. The question is upon agreeing to the resolutions offered by the gentleman from Tennessee [Mr. TAYLOR].

The resolutions were agreed to unanimously.

Accordingly (at 12 o'clock and 14 minutes p. m.) the House adjourned until Saturday.

## SENATE.

THURSDAY, December 17, 1891.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Vice-President being absent, the President *pro tempore* (Hon. CHARLES F. MANDERSON) took the chair.

The Journal of yesterday's proceedings was read and approved.

## APPOINTMENT OF COMMITTEES.

Mr. CULLOM. Preparatory to submitting resolutions for the arrangement of the committees of the Senate, I ask unanimous consent that that part of Rule XXIV which requires the appointment of standing and other committees of the Senate to be made by ballot be suspended.

The PRESIDENT *pro tempore*. The Senator from Illinois asks the unanimous consent of the Senate that so much of Rule XXIV as provides for the election of committees by ballot be dispensed

with. Is there objection? The Chair hears none, and it is so ordered.

Mr. CULLOM. I submit a resolution, which I ask may be read.

Mr. COCKRELL. Before the resolution is read I desire to state that in consequence of the absence of the Senator from North Carolina [Mr. Vance], who has not yet been sworn in, the places which are intended for him and which will be assigned to him as soon as he takes his seat have been assigned to his colleague [Mr. RANSOM], and when the Senator from North Carolina returns his colleague will resign from those committees. It is the understanding that the Senator from North Carolina [Mr. Vance] is to take the exact places, at the head of a committee and so on, that his colleague will now hold for him. Also the places which will be assigned to the Senator from New York [Mr. Hill] when he takes his seat are to be filled by other Senators who will resign, and we shall then ask that he be appointed to fill the vacancies thus created. This will explain why it is that so many places are assigned to the Senator from North Carolina [Mr. RANSOM], and why other Senators have more appointments on committees than they otherwise would have.

Mr. CULLOM. That information was imparted to me, and I see no reason myself why the arrangement suggested should not be carried out.

The PRESIDENT *pro tempore*. The resolution submitted by the Senator from Illinois will be read.

The Chief Clerk read as follows:

*Resolved*, That the following constitute the standing committees of the Senate of the United States for the Fifty-second Congress:

*On Agriculture and Forestry*—Messrs. Paddock (chairman), McMillan, Casey,

Warren, Felton, George, Gibson of Louisiana, Jones of Arkansas, Bates.

*On Appropriations*—Messrs. Allison (chairman), Dawes, Plumb, Hale, Cullom, Stewart, Cockrell, Call, Gorman, Blackburn.

*To Audit and Control the Contingent Expenses of the Senate*—Messrs. Jones of Nevada (chairman), Paddock, Ransom.

*On the Census*—Messrs. Hale (chairman), Stockbridge, Dixon, Hansbrough,

Peffer, Berry, Blackburn, Blodgett, Turpie.

*On Civil Service and Retrenchment*—Messrs. Wolcott (chairman), Dawes,

Stanford, Washburn, Morrill, Walthall, Call, Gordon, Irby.

*On Claims*—Messrs. Mitchell (chairman), Allen, Stewart, Sanders, Peffer,

Pasco, Faulkner, Vilas, White.

*On Coast Defenses*—Messrs. Dolph (chairman), Hawley, Squire, Higgins,

Felton, Berry, Gordon, Chilton, Irby.

*On Commerce*—Messrs. Frye (chairman), Jones of Nevada, Dolph, Sawyer,

Cullom, Washburn, Quay, Ransom, Coke, Vest, Gorman, Kenna, Gibson of Louisiana.

*On the District of Columbia*—Messrs. McMillan (chairman), Higgins, Plumb,

Wolcott, Gallinger, Hansbrough, Harris, Ransom, Faulkner, Barbour, Gibson of Maryland.

*On Education and Labor*—Messrs. Carey (chairman), Stanford, Washburn,

McMillan, Hansbrough, George, Pugh, Barbour, Kyle.

*On Enrolled Bills*—Messrs. Cockrell (chairman), Allison, Warren,

On Enrolled Bills—Messrs. Sanders (chairman), Dubois, Colquitt.

*On Epidemic Diseases*—Messrs. Harris (chairman), Berry, White, Irby,

Stockbridge, Gallinger, Felton.

*To Examine the Several Branches of the Civil Service*—Messrs. Power (chair-

man), Gallinger, Peffer, Gray, Vilas.

*On Finance*—Messrs. Morrill (chairman), Sherman, Jones of Nevada, Alli-

son, Alrich, Hiseock, Voorhees, McPherson, Harris, Ransom, Carlisle.

*On Fisheries*—Messrs. Stockbridge (chairman), Dawes, Stanford, Squire,

Power, Blodgett, Call, Ransom, Gibson of Maryland.

*On Foreign Relations*—Messrs. Sherman (chairman), Frye, Dolph, Davis,

Hiseock, Morgan, Butler, Kenna, Gray.

*On Immigration*—Messrs. Chandler (chairman), Hale, Squire, Proctor, Du-

bois, Voorhees, McPherson, Daniel, Cockrell.

*On Improvement of the Mississippi River and its Tributaries*—Messrs. Wash-

burn (chairman), Pettigrew, Power, Peffer, Walthall, Bate, Palmer.

*On Indian Affairs*—Messrs. Dawes (chairman), Platt, Stockbridge, Man-

derson, Pettigrew, Shoup, Morgan, Jones of Arkansas, Daniel, Vilas.

*On Interstate Commerce*—Messrs. Cullom (chairman), Wilson, Hiseock,

Chandler, Wolcott, Higgins, Harris, Gorman, Jones of Arkansas, Barbour,

Colquitt.

*On Irrigation and Reclamation of Arid Lands*—Messrs. Warren (chairman),

Stewart, Casey, Sanders, Dubois, Jones of Arkansas, Brice, Kyle, Gibson of Maryland.

*On the Judiciary*—Messrs. Hoar (chairman), Wilson, Teller, Platt, Mitchell,

Pugh, Coke, Vest, George.

*On the Library*—Messrs. Quay (chairman), Wolcott, Voorhees.

*On Manufactures*—Messrs. Higgins (chairman), Dubois, Gallinger, Blodgett,

Gibson of Maryland.

*On Mining Claims*—Messrs. Hawley (chairman), Cameron, Manderson,

Davis, Proctor, Cockrell, Walthall, Bate, Palmer.

*On Mails and Mailways*—Messrs. Stewart (chairman), Jones of Nevada, Power,

Warren, Felton, Bate, Call, Chilton, Irby.

*On Naval Affairs*—Messrs. Cameron (chairman), Hale, Stanford, Stock-

bridge, Chandler, McPherson, Butler, Blackburn, Gibson of Louisiana.

*On Organization, Conduct, and Expenditures of the Executive Departments*—

Messrs. Hiseock (chairman), Casey, Wilson, Proctor, Dubois, Cockrell,

Kenna, Gorman, Blackburn.

*On Patents*—Messrs. Dixon (chairman), Platt, Sanders, Carey, Gray, Chil-

ton, Kyle.

*On Pensions*—Messrs. Davis (chairman), Sawyer, Paddock, Shoup, Hans-

brough, Gallinger, Turpie, Blodgett, Palmer, Vilas, Brice.

*On Post-offices and Post-roads*—Messrs. Sawyer (chairman), Mitchell, Mc-

Millan, Wolcott, Dixon, Washburn, Colquitt, Blodgett, Brice, Irby, Chilton.

*On Printing*—Messrs. Manderson (chairman), Hawley, Gorman.

*On Private Land Claims*—Messrs. Ransom (chairman), Colquitt, Pasco, Hale,

Teller, Sanders, Proctor.

*On Privileges and Elections*—Messrs. Teller (chairman), Hoar, Mitchell,

Chandler, Higgins, Ransom, Pugh, Gray, Turpie.

*On Public Buildings and Grounds*—Messrs. Stanford (chairman), Morrill,

Quay, Squire, Carey, Vest, Daniel, Pasco, Brice.

*On Public Lands*—Messrs. Plumb (chairman), Dolph, Paddock, Allen, Pet-

tigrew, Sanders, Morgan, Walthall, Berry, Pasco, White.

*On Railroads*—Messrs. Casey (chairman), Hawley, Stockbridge, Pettigrew,

Power, Peffer, Blackburn, Berry, Bate, Gordon, Palmer.

*On the Revision of the Laws of the United States*—Messrs. Wilson (chairman), Platt, Proctor, Daniel, Call.

*On Reclamation Claims*—Messrs. Coke (chairman), Pugh, Brice, Cameron, Sawyer.

*On Rules*—Messrs. Aldrich (chairman), Sherman, Manderson, Harris, Blackburn.

*On Territories*—Messrs. Platt (chairman), Stewart, Davis, Carey, Shoup, Hansbrough, Jones of Arkansas, Carlisle, Faulkner, Gordon, McPherson.

*On Transportation Routes to the Seaboard*—Messrs. Squire (chairman), Mitchell, Aldrich, Casey, Gallinger, Gibson of Louisiana, George, Turpie, Gordon.

The resolution was considered by unanimous consent, and agreed to.

Mr. CULLOM submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the following constitute the select committees of the Senate of the United States for the Fifty-second Congress:

#### SELECT COMMITTEES.

*To Investigate Condition of Potomac River Front of Washington*—Messrs. McPherson (chairman), Ransom, Barbour, Sawyer, Sherman, Frye.

*To Inquire into all Claims of Citizens of the United States against the Government of Nicaragua*—Messrs. Morgan (chairman), Palmer, White, Stewart, Mitchell.

*On Woman Suffrage*—Messrs. Ransom (chairman), Carlisle, George, Hoar, Allen, Quay, Warren.

*On Additional Accommodations for the Library of Congress*—Messrs. Voorhees (chairman), Butler, Morrill, Dixon, Paddock.

*On the Five Civilized Tribes of Indians*—Messrs. Butler (chairman), Pasco, Dawes, Cameron, Teller.

*On the President's Message transmitting the Report of the Pacific Railway Commission*—Messrs. Frye (chairman), Dawes, Hiseock, Davis, Carey, Morgan, Turpie, Faulkner, White.

*On the Transportation and Sale of Meat Products*—Messrs. Vest (chairman), Coke, Plumb, Power, Casey.

*On Relations with Canada*—Messrs. Allen (chairman), Hoar, Allison, Hale, Dolph, Pugh, Voorhees, Gorman, Carlisle.

*To Establish the University of the United States*—Messrs. Proctor (chairman), Sherman, Dolph, Washburn, Squire, Butler, Gibson of Louisiana, Barbour, Kyle.

*On Indian Depredations*—Messrs. Shoup (chairman), Paddock, Chandler, Allen, Power, Faulkner, Coke, Carlisle, Kyle.

*On the Quadro-Centennial*—Messrs. Pettigrew (chairman), Hiseock, Sherman, Cameron, Hawley, Wilson, Felton, Cullom, Colquitt, Vest, Kenna, Gray, Daniel, Vilas, Gibson of Maryland.

#### CREDENTIALS.

The PRESIDENT *pro tempore* laid before the Senate the credentials of David B. Hill, chosen by the Legislature of the State of New York a Senator from that State for the term beginning March 4, 1891; which were read, and ordered to be filed.

#### DISTRICT SANITARY EXPENDITURES.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in compliance with a resolution of the 15th instant, certain information in regard to expenditures for the collection of garbage, and for the prevention of the spread of scarlet fever and diphtheria in the District; which, with the accompanying papers, was referred to the Committee on the District of Columbia, and ordered to be printed.

#### PETITIONS AND MEMORIALS.

Mr. MORRILL presented two petitions of citizens of Brattleboro, Windham County, Vt., and a petition of citizens of Worcester, Washington County, Vt., praying for the free delivery of mails in rural districts; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. DAWES. I present the petition of a large number of citizens of New Salem, in the State of Massachusetts, praying for a free delivery of the mails in rural districts and other changes in the postal laws.

I also present a like petition from citizens of the town of Hawley, another from citizens of the town of Amherst, one from citizens of the town of Orange, one from citizens of the town of Wrentham, one from citizens of the town of Blandford, and one from citizens of Southampton, in the State of Massachusetts, making the same prayer.

I move that the petitions be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

Mr. PLATT. I present a petition of 24 citizens of Glastonbury, Conn., praying for the same improvement in the mail service as the petitions just presented by the Senators from Massachusetts and Vermont. I move that the petition be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

Mr. DIXON. I present a preamble and resolution passed by the General Assembly of the State of Rhode Island, in the nature of a petition, urging upon Congress the consideration of legislation looking to the saving of life and prevention of injuries to railroad employes. I move that the petition be referred to the Committee on Interstate Commerce.

The motion was agreed to.

Mr. HOAR presented petitions of citizens of Fitchburg, Dana, Somerset, Lee, and Hawley, in the State of Massachusetts, pray-

ing for the free delivery of mails in rural districts; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of members of the Baptist Church of Newton Center, Mass., praying for the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. GALLINGER presented a joint resolution of the Legislature of New Hampshire, favoring legislation for the relief of State libraries by the Federal Government; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented certain papers in support of the pension claim of James H. Osgood, of Suncok, N. H.; which were referred to the Committee on Pensions.

He also presented the petition of Rev. Albert D. Spalter, of Rumney, N. H., praying to be allowed compensation from Congress for services rendered by Moses Child in the Revolutionary war; which was referred to the Committee on Revolutionary Claims.

Mr. QUAY presented a petition of the congregation of the First Presbyterian Church of Phoenixville, Pa., praying that the United States cooperate with foreign powers to prevent the slave and rum traffic within the limits of the Congo Free State, as provided in the so-called Brussels treaty; which was referred to the Committee on Foreign Relations.

Mr. CALL. In the absence of the Senators from South Carolina, I present, by request, the petition of the heirs of Jesse Fish, jr., late of the State of Florida, praying for the confirmation of a royal grant from the Crown of Spain of Anastasia Island, in the State of Florida. I move that the petition be referred to the Committee on Private Land Claims.

The motion was agreed to.

Mr. VILAS. I present a joint resolution of the Legislature of Wisconsin in favor of the election of Senators by a vote of the people. I ask that the memorial be read and referred to the Committee on Privileges and Elections.

The memorial was read, and referred to the Committee on Privileges and Elections, as follows:

Joint resolution for the election of United States Senators by the vote of the people.

Whereas the causes no longer exist which influenced "the fathers" at the time the Constitution of the United States was framed to provide that the Senators in Congress should be elected by the Legislatures of the several States; and

Whereas the experience of recent years has demonstrated the necessity of a change in the manner of electing Senators if that body is to continue to represent the conservative public sentiment; and

Whereas it is more in accord with the spirit of our institutions, and has been proved to be all things considered, the best mode of selecting public servants, to elect them by a vote of the people; Therefore,

*Be it resolved by the assembly (the Senate concurring)*, That it is the sense of this Legislature that the Constitution of the United States should be amended so as to provide that Senators in Congress shall be elected by a vote of the people.

*Be it further resolved*, That our Senators and Representatives in Congress be advised accordingly.

J. J. HOGAN,  
Speaker of the Assembly.  
G. W. PORTER,  
Chief Clerk of the Assembly.

Mr. STOCKBRIDGE presented a petition of citizens of Michigan, praying for the extension of the free delivery of mails; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the United Presbyterian Church of Martin, Mich., praying for the closing of the World's Columbian Fair on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. GIBSON of Louisiana. I present a petition in favor of the improvement of the harbor of New Orleans, La., signed by the officers of the city government, the president of the levee board, the presidents of all the exchanges, banks, insurance and railroad companies, and also by the owners and officers of the various manufacturing interests of the city. I move that the petition be printed as a public document and referred to the Committee on Commerce.

The motion was agreed to.

Mr. SAWYER presented a petition of the Board of Trade of La Crosse, Wis., praying for a reduction of letter postage; which was referred to the Committee on Post-Offices and Post-Roads.

#### ADDITIONAL SESSION EMPLOYÉS.

Mr. PADDOCK. I ask leave to submit a report from the Committee to Audit and Control the Contingent Expenses of the Senate, and I ask for its present consideration.

The PRESIDENT *pro tempore*. The resolution will be read for information.

The Secretary read the resolution, as follows:

*Resolved*, That the Sergeant-at-Arms is directed to employ during the present session, in addition to the existing force, one messenger, acting as assistant clerk, at the rate of \$1,800 per annum; four messengers, at the rate of \$1,400 per annum each; one engineer, at the rate of \$1,200 per annum; three firemen, at the rate of \$800 per annum each; two conductors of elevators, at the rate of \$500 per annum each; one watchman, at the rate of \$900 per annum;



ten additional messengers, at the rate of \$720 per annum each; one attendant in ladies' retiring room, Senate wing of the Capitol, at the rate of \$720 per annum; said employees to be paid from the miscellaneous items of the contingent fund of the Senate.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. PLATT. I wish the resolution to go over.

Mr. PADDOCK. I ask the Senator to allow me to make a statement concerning the resolution.

Mr. PLATT. Certainly.

Mr. PADDOCK. This resolution was reported by the Committee on Rules, and referred to the Committee to Audit and Control the Contingent Expenses of the Senate. It is made necessary because of the acquisition of the building known as the Maltby House for the use of committees. There are seven or eight committees already in that building, and more are to go there. The Maltby House was acquired by purchase at the last session of Congress because of the necessity of securing additional committee rooms, there not being sufficient rooms within the Capitol proper to supply the committees organized, recognized, and required by the Senate to do its business. Therefore the Committee on Contingent Expenses, in view of the fact that this necessity seemed to exist, because there was no force whatever to perform the duties required to be performed in connection with the occupancy of that building, because the Committee on Rules, after very careful and thorough investigation, found it to be necessary to report in favor of such an increase, and because, further, the Committee on Contingent Expenses, after diligent inquiry, became satisfied that the situation demanded their indorsement of the action of that committee, and accordingly adopted the report which I have submitted.

Mr. PLATT. I do not know that I shall make any objection to the resolution when it comes to be acted upon, but it proposes to provide for a somewhat large increase to the already numerous force which waits upon the Senate and Senators, and I should like to have an opportunity to look it over. I ask, therefore, that the resolution may lie over for the present.

Mr. PADDOCK. That is all right.

The PRESIDENT *pro tempore*. Being objected to, the resolution will lie over under the rules.

#### BILLS INTRODUCED.

Mr. HAWLEY introduced a bill (S. 1081) giving William K. Mayo the rank and pay of rear-admiral on the retired list of the Navy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1082) for the relief of James M. Alden; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1083) granting an honorable discharge to C. C. Wright; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1084) granting an honorable discharge to Wilmar Schlag; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1085) granting a pension to Caroline D. Morris; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1086) granting a pension to Julia A. Powell; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1087) giving William K. Mayo the rank and pay of rear-admiral on the retired list of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. RANSOM introduced a bill (S. 1088) for the relief of Thomas S. Lutterloh; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1089) for the relief of the Cape Fear Steamboat Company; which was read twice by its title, and referred to the Committee on Claims.

Mr. SAWYER introduced a bill (S. 1090) to amend section 1 and section 2 of an act entitled "An act to authorize the sale of timber on certain lands reserved for the use of the Menomonee tribe of Indians, in the State of Wisconsin;" which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. VOORHEES introduced a bill (S. 1091) for the relief of the legal representatives of Jacob Schiffer and Samuel Schiffer, deceased, forming the late firm of J. Schiffer & Co.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1092) to pay the administratrix of the estate of Bluford West, deceased, for the Bluford West saline, in Cherokee Nation; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1093) granting an increase of pen-

sion to Isaiah Mitchell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CASEY introduced a bill (S. 1094) granting the right of way to the Duluth and Manitoba Railroad Company across the Fort Pembina Reservation, in North Dakota; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. STOCKBRIDGE introduced a bill (S. 1095) for the relief of Thomas Chambers; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. GALLINGER introduced a bill (S. 1096) to provide for the free exchange through the mails, between the several States of the United States of America and between said States and foreign nations, of public printed reports and documents of the several States of the United States; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also (by request) introduced a bill (S. 1097) increasing the rate of pension of certain disabled veterans of the United States Navy; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1098) granting an increase of pension to Harrison De F. Young; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GRAY introduced a bill (S. 1099) for the relief of the heirs of Clifford Arriek, deceased; which was read twice by its title, and referred to the Committee on Patents.

Mr. HOAR introduced a bill (S. 1100) for the relief of the pilot and crew of the steamer Planter; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. WALTHALL introduced a bill (S. 1101) for relief of Stephen Duncan Marshall and George M. Miller, executors of the will of Levin R. Marshall, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. McMILLAN (by request) introduced a bill (S. 1102) to refer to the Court of Claims the claims of Elias E. Barnes and others; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 1103) for the relief of Thomas J. Spencer; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MITCHELL introduced a bill (S. 1104) making an appropriation and providing for the construction of two United States revenue cutters for service on the Pacific coast; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MORGAN introduced a bill (S. 1105) to incorporate the Washington and Deanwood Railway Company, in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. DOLPH introduced a bill (S. 1106) for the relief of John W. Lewis, of Oregon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

Mr. PALMER introduced a bill (S. 1107) granting an increase of pension to Louis C. Schilling; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CARLISLE introduced a bill (S. 1108) for the relief of Sarah K. T. Baker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 1109) to secure the introduction of domesticated reindeer into Alaska; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. DOLPH introduced a bill (S. 1110) to amend the act approved February 25, 1885, entitled "An act to authorize a retired list for privates and noncommissioned officers of the United States Army who have served for a period of thirty years or upward;" which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PLUMB introduced a bill (S. 1111) to amend the act of Congress, approved March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States;" which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1112) to remove the limitation in the payment of arrears of pensions; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1113) granting an increase of pension to Theodore Rauter; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1114) granting a pension to Clark Barton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1115) for the relief of Solomon S.

Crosswhite; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1116) for the relief of Charles M. Courley; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1117) granting a pension to certain citizens of East Tennessee engaged in the secret service of the United States during the late rebellion; which was read twice by its title, and referred to the Committee on Pensions.

#### PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. GALLINGER, it was

*Ordered*, That the papers in the case of Barker, Williams, and others (S. 364) be taken from the files of the Senate and referred to the Committee on Claims.

*Ordered*, That the papers in the case of George Hill, jr. (S. 612), be taken from the files of the Senate and referred to the Committee on Claims.

On motion of Mr. MITCHELL, it was

*Ordered*, That the papers relating to the claim of Peter Grant Stewart, of Oregon, be taken from the files and referred to the Committee on Claims.

#### REPORT ON CATTLE AND DAIRY FARMING.

Mr. MITCHELL submitted the following concurrent resolution; which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring)*, That there be reprinted ——— copies of House Executive Document No. 51 of the first session of the Forty-ninth Congress, on "Cattle and Dairy Farming," of which number ——— copies shall be for the use of the Senate, ——— copies for the use of the House, and ——— copies for distribution by the Department of State.

#### PROPOSED ARBITRATION CONFERENCE.

Mr. MITCHELL submitted the following resolution; which was referred to the Committee on Foreign Relations:

*Resolved*, That the Committee on Foreign Relations be, and is hereby, instructed to inquire into the advisability of appropriate action looking to the invitation of the governments of the world to a conference to be held in connection with the World's Columbian Exposition at Chicago, for the purpose of discussing and recommending measures by which the principles of arbitration may be incorporated in treaties, conflicting international laws harmonized, and an international court established having jurisdiction in cases which governments shall fail to settle by negotiation, and to report by bill or otherwise.

#### REPORT ON DISEASES OF THE HORSE.

Mr. VOORHEES. I offer a resolution, and I ask for its present consideration.

The resolution was read as follows:

*Resolved*, That the Committee on Printing be, and are hereby, instructed to inquire into the expediency and propriety of publishing for public distribution 250,000 additional copies of the report of the Agricultural Department on diseases of the horse, and to report to the Senate on the subject by bill or otherwise.

Mr. VOORHEES. Mr. President, I may be pardoned for saying that that book is in greater demand, in my judgment, than any other ever published by this Government, and it may well be. It is one of exceeding importance; and while I am in favor of this Congress especially being economical (and all others, for that matter), money spent in that direction will be well spent and gratefully received by the most important class of our citizens.

The PRESIDENT *pro tempore*. The Chair is under the impression that according to the rule the resolution must go to the Committee on Printing for its report as to the cost.

Mr. VOORHEES. The resolution is an instruction to the committee, and I presume that the Senate will have to adopt the resolution before the committee can be instructed thereby.

Mr. HARRIS. Let the resolution be read again.

The PRESIDENT *pro tempore*. It will be again read.

The Chief Clerk again read the resolution.

Mr. HARRIS. I have no objection to the present consideration of the resolution.

The PRESIDENT *pro tempore*. The Senator from Indiana asks for the present consideration of the resolution. Is there objection?

Mr. PADDOCK. I hope there will be no objection, Mr. President.

The PRESIDENT *pro tempore*. The Chair hears none. The resolution is before the Senate, and the question is on agreeing to the same.

The resolution was agreed to.

#### COMMITTEE ON THE UNIVERSITY OF THE UNITED STATES.

Mr. CULLOM submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Select Committee to Establish the University of the United States be, and it hereby is, authorized to employ a clerk during the sessions of the Senate, said clerk to be paid the usual per diem salary from the contingent fund of the Senate.

#### PROPOSED ADJOURNMENT OVER.

Mr. SHERMAN. I move that when the Senate adjourn to-day it be to meet on Monday next.

Mr. HARRIS. I understand that the other House has adjourned until Saturday, when it is understood, at least I have been

informed the probabilities are, that a resolution will be sent to the Senate in respect to adjourning for the holidays. Would it not be well to adjourn over until Saturday instead of Monday, so that we may see what action the other House may take on that subject?

Mr. SHERMAN. I have no objection to changing my motion so as to adjourn until Saturday instead of Monday.

The PRESIDENT *pro tempore*. The Senator from Ohio modifies his motion, and moves that when the Senate adjourn to-day it be to meet on Saturday next.

The motion was agreed to.

#### LEAVE OF ABSENCE.

Mr. GEORGE. Mr. President, I ask for an indefinite leave of absence from the Senate.

The PRESIDENT *pro tempore*. The Senator from Mississippi asks indefinite leave of absence from the Senate. Is there objection? The Chair hears none, and leave is granted.

#### ELECTION OF UNITED STATES SENATORS BY THE PEOPLE.

Mr. TURPIE. Mr. President—

Mr. STEWART. In view of the probability that we may not have a session on next Monday, I will beg leave of the Senate to make my remarks on silver immediately at the conclusion of the speech of the Senator from Indiana [Mr. TURPIE].

Mr. TURPIE. According to the notice of last week, I move to take from the table the joint resolution (S. R. No. 6) proposing an amendment to the Constitution of the United States providing for the election of United States Senators by direct vote of the people of the several States, and I move its reference to the Committee on Privileges and Elections. I ask that the joint resolution may be read.

The PRESIDENT *pro tempore*. The joint resolution will be read.

The Chief Clerk read the joint resolution, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following amendment be proposed to the Legislatures of the several States, which, when ratified by three-fourths of said Legislatures, shall become and be a part of the Constitution, namely:

That section 3 of Article I be so amended that the same shall be as follows:

#### "ARTICLE I.

"SEC. 3. That the Senate of the United States shall be composed of two Senators from each State, who shall be chosen by a direct vote of the people of the several States, for six years; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures; and each Senator shall have one vote."

Mr. TURPIE. Mr. President, during the late regular session thereof, in 1890, the General Assembly of the State of Indiana passed the following resolution:

*Resolved by the house of representatives (the senate concurring)*, That our Senators be instructed, and our members in Congress be requested, to use their influence to secure the adoption of an amendment to the Constitution of the United States to provide for the election of United States Senators by direct vote of the people, and that a copy of this resolution be sent to each of our Senators and members of Congress.

This action was taken, as is shown by the journals, in a Legislature composed of representatives of every party, and their official expression of opinion may be accounted as deliberate, decisive, and substantially unanimous. It is written that forms of government long established should not be changed for light or transient causes. The mode of choosing United States Senators is a part of the form of government created by the Constitution of 1789, in force now for more than a century.

Indiana was admitted into the Union in 1816, during the Presidency of Madison. Her history as a State began under the auspices of that line of chief magistrates sprung from the patriots of the Revolution, and continued under the same until the close of the term of Monroe, in 1825. Indiana is not a new State; the sixth in the order of admission, she stands now senior to much the larger number. She is not one of the oldest, one of the original thirteen whose people adopted the Constitution. Her allegiance thereto, due by the terms of a later accession, has been avouched in many an act of valor, of devotion, by her sons in behalf of constitutional government. Her loyalty and attachment to the institutions of our country is of the most perfect tone and character. It is hereditary, traditional, a sentiment of steady, constant, permanent growth and development.

The men who first settled within our borders, who first subdued these fertile valleys and prairies to the tilth of the plow, were for the most part emigrants from the original thirteen States, who brought with them their love and fealty to the Constitution of their fathers, and as a portion of the choicest heritage bequeathed the same to their descendants. These pioneers in the settlement and improvement of the State, and those who followed them for many years, came in very nearly equal proportion from the northern and southern sections of the Union, from Pennsylvania, New York, and New England, from Maryland, Delaware, Virginia, Kentucky, and the two Carolinas.

I doubt if there be any State or region of country within the

of \$1,440 per annum each; one engineer, at the rate of \$1,200 per annum; three firemen, at the rate of \$800 per annum each; two conductors of elevators, at the rate of \$800 per annum each; one watchman, at the rate of \$900 per annum; ten additional messengers, at the rate of \$720 per annum each; one attendant in ladies' retiring room, Senate wing of the Capitol, at the rate of \$720 per annum; said employees to be paid from the miscellaneous items of the contingent fund of the Senate.

Mr. COCKRELL. Has that resolution been referred to any committee?

The VICE-PRESIDENT. It has been referred and reported back.

Mr. MANDERSON. The resolution was referred originally to the Committee on Rules, and I may say in the absence of the chairman of that committee that it received their careful consideration. The committee went to the piece of property which has been acquired by the Senate, in which are several committee rooms and in which many Senators have their working rooms, and after very careful consideration decided that this is the least force with which it would be possible to take care of that property during the session of the Senate. The resolution has also, under the rules, been referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and has received their consideration and approval. It applies during the session of Congress, and it has seemed to the Committee on Rules at least, that this is a necessary force to attend to the absolute needs of the Senate.

Mr. PLATT. This resolution was reported by the acting chairman of the Committee on Contingent Expenses of the Senate. Mr. PADDOCK, who is now absent on a sad duty by the direction of the Senate. When it came up I asked that it lie over in order that I might look at it, feeling that I dislike very much to add to the official force of the Senate. When I came to see what the resolution is and where the employees are to serve, I discovered that if we are to utilize the Maltby House for the use of the Senate it is necessary to have these officers. I am very sorry that we ever bought the Maltby House. I was opposed to it myself at the time it was bought; but we have it, and there are committee rooms there, and I feel constrained, on the ground of necessity, to withdraw any objection that I made to the resolution.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

#### SCHOONER NANCY—FRENCH SPOILIATION CLAIM.

The VICE-PRESIDENT laid before the Senate a communication from the clerk of the Court of Claims, transmitting the conclusions of fact and law filed by the court under the act of January 20, 1885, in the French spoliation claim in the matter of the schooner Nancy, Nathaniel Lincoln, master; which was read.

The VICE-PRESIDENT. To what committee shall the communication be referred?

Mr. COCKRELL. There have been several reports from the Court of Claims in regard to those French spoliation claims, and I believe they have been referred to the Committee on Appropriations. I think they should properly go to the Committee on Claims.

Mr. HALE. What are those?

Mr. COCKRELL. The findings of the Court of Claims on French spoliation claims. I think they properly ought to go to the Committee on Claims.

Mr. HALE. They have always been treated on the deficiency appropriation bill as coming direct from the court, and have been incorporated in the deficiency appropriation bill by vote of the Senate at least half a dozen times.

Mr. SHERMAN. If the Senator will allow me, I introduced the bill providing for the enlargement of the old law and for the extension of the time for the filing of claims. I think the communication clearly ought to go to the Committee on Claims.

Mr. HALE. If this report has nothing more in it than adjudicated claims, it ought to go to the Committee on Appropriations, which has always considered them; but it ought to go to the other committee if it relates to a matter that is to receive legislation.

Mr. SHERMAN. Let the report be again read.

Mr. COCKRELL. I will state that it is a report from the Court of Claims on one of the many claims presented under the original law referring claims. If this is to be the rule, if a claim which has been referred to the Court of Claims to find the facts and report them is to go the Appropriations Committee, then every claim that is referred there from the Committee on Military Affairs, the Committee on Claims, or any other committee, where the court finds that a certain amount is due, must also go to the Appropriations Committee, and that committee will be the dumping ground for all claims which have been referred to the Court of Claims. This should go to the Committee on Claims. If they choose subsequently to have it referred to the Committee on Appropriations, it will then be properly before that committee, but the Committee on Appropriations ought not to be the reservoir

for the reference of all claims which have gone to the Court of Claims in which a finding of fact has been made.

Mr. HALE. There is nothing new in this being sent to the Committee on Appropriations. The Committee on Claims had its jurisdiction originally in the matter and framed the legislation that was adopted by Congress, under which all these claims were sent to the Court of Claims, and from that time the Committee on Claims has asserted no jurisdiction whatever over the question of appropriation.

The court here certifies its judgment as it does in other cases, and it is the habit of the Committee on Appropriations, when it reaches the deficiency appropriation bill, to take up, put in order, arrange, and provide the money to carry out the judgments. The Committee on Claims has nothing further to do with these cases because they have been referred to the court under previous legislation and have been adjudicated by the court. It is simply a question whether the money shall be appropriated.

Mr. MITCHELL. May I ask the Senator a question?

Mr. HALE. Certainly.

Mr. MITCHELL. Does the Senator from Maine understand that the findings in these cases of the Court of Claims are conclusive?

Mr. HALE. Undoubtedly. That whole matter was fought out in the last Congress, and Congress adopted that view by appropriating to pay the claims so far as then presented.

Mr. DAWES. I should like to ask the Senator if this is a very different case from the references under what is called the Bowman act?

Mr. HALE. Entirely different.

Mr. MITCHELL. Is it not the same kind of case?

Mr. HALE. It is not, and has never been so considered.

Mr. DAWES. I inquire whether there was not special jurisdiction conferred by a special act of Congress upon the Court of Claims to decide upon the merits of these claims?

Mr. HALE. I have just stated that, Mr. President.

Mr. DAWES. I think the course prescribed has been followed.

Mr. HALE. It has been followed, and in the last Congress the whole matter was considered by both branches of the National Legislature, and the policy of paying these claims as they were certified by the court was adopted by that Congress, and on the deficiency bill was an appropriation of several hundred thousand dollars. So the controversy was considered, I supposed, as ended. The Court of Claims from time to time consider these cases and decide upon their validity, as the original act reported from the Committee on Claims provided that they should do. The only question now is the appropriation of the money. I do not see why these cases should not take the course that they have taken invariably heretofore and go to the Committee on Appropriations.

Mr. MITCHELL. Of course the Committee on Claims is not very anxious to have jurisdiction of these cases, but I fail to see the difference between this claim and the class of claims which go to the Court of Claims under what is known as the Bowman act. It has been the universal practice of the Senate to have the cases which have been referred to the Court of Claims under the Bowman act and certified back referred to the Committee on Claims for investigation.

Mr. COCKRELL. That has been the universal rule.

Mr. MITCHELL. And the records of that committee will show that in a great number of cases the committee, and the Senate following the action of the committee, have failed to adopt the conclusions of the Court of Claims under the Bowman act.

Mr. HALE. Let me ask the Senator whether, since the original special act passed by Congress, the Committee on Claims has ever had any of these cases sent to it? Have they not all invariably gone to the Committee on Appropriations?

Mr. COCKRELL. No; I say not.

Mr. MITCHELL. Oh, no.

Mr. COCKRELL. The records will show, if the Senator from Maine will permit me, for I know he wants to be accurate, that for a long time such cases went to the Committee on Claims.

Mr. HALE. Not after the court began to report its findings to Congress.

Mr. COCKRELL. Yes; after the court began to make and report its findings. That is my understanding, and I think the record will show it.

Mr. HALE. If that was done, it was done by accident in some particular cases, and they were sent at once by the Committee on Claims to the Committee on Appropriations, because the Committee on Appropriations have always considered them.

The VICE-PRESIDENT. What disposition shall be made of the communication?

Mr. ALLISON. Before this question passes from the consideration of the Senate I desire to say that while I have no particular objection to this special matter going to the Committee

on Appropriations. I wish to call the attention of the Committee on Claims or the Committee on the Judiciary to the imperfect condition of the legislation respecting these claims. These claims have been sent, I think, for two or three years at least, to the Committee on Appropriations.

Mr. COCKRELL. That is true. They have been sent there ever since the Committee on Appropriations took jurisdiction and put them on the deficiency appropriation bill.

Mr. ALLISON. Very well. We have given consideration to these claims, have rejected a number of them, and not appropriated money for them, and conspicuously so in the cases of these old insurance companies. Under the original act, which I have been trying to lay my hand on, but can not for the moment, the Court of Claims are not required to state whether or not these claims should be paid. They simply state the facts and the law respecting them. I do not believe, for one, that the Government of the United States is under any obligation to pay these insurance claims; and in reporting the claims last year the committee excluded every claim of that character, as I think they should exclude some other claims that are reported year by year from the Court of Claims. I think, therefore, it would be wise for the Committee on the Judiciary or some other committee of this body to examine these claims and the law respecting them as well as the reports or the findings of the court in regard to them in order that they may be sifted in some way, as surely we are not bound under that law to pass upon and appropriate money for every claim that may be reported here by the Court of Claims.

I desire to say this much in respect to these claims, because I do not wish to consider myself bound as one member of the Committee on Appropriations to appropriate money to pay these claims simply because they have been adjudicated by the Court of Claims.

Mr. MITCHELL. I agree entirely with what the chairman of the Committee on Appropriations has said. I think this is nothing more nor less than a claim, coming here certified by the Court of Claims under a law authorizing that court to file and certify as to certain amounts. There is nothing at all in that certification which carries with it any conclusiveness in regard to the duty of Congress to make an appropriation.

It seems to me that it belongs to precisely the same class of claims as those which are referred to that court under the Bowman act; and when they come back here from the Court of Claims they come simply as claims, not for an appropriation as a matter of course, but for consideration by some appropriate committee for the purpose of ascertaining whether in view of all that has been done and all the facts surrounding the case the claim ought or ought not to be paid. That being so, it seems to me that the Committee on Claims is the proper committee to take jurisdiction of the case and investigate and report upon it.

This is all I desire to say. I simply wish the practice of the Senate to be settled properly.

Mr. COCKRELL. I want to call attention to the act of January 20, 1855, referring the French spoliation claims to the Court of Claims:

SEC. 6. That on the first Monday of December in each year the court shall report to Congress, for final action, the facts found by it, and its conclusions in all cases which it has disposed of and not previously reported. Such finding and report of the court shall be taken to be merely advisory as to the law and facts found, and shall not conclude either the claimant or Congress; and all claims not finally presented to said court within the period of two years limited by this act shall be forever barred; and nothing in this act shall be construed as committing the United States to the payment of any such claims.

As I said, these claims, I think, were referred to the Committee on Claims and they were there considered, and nobody pretended to claim that such a finding was a judgment of the Court of Claims. It is farcical to make such a claim under that law. It is no judgment; it is simply what the law authorized to be a finding. The claims were referred to the Committee on Claims, and my recollection is that the Committee on Claims once or twice favorably reported some of the claims and recommended that they be put on an appropriation bill, and they were put on a deficiency appropriation bill. There was a contest here for years between the Senate and the other House as to whether they should be paid, and finally a portion of them was paid at the last session on a deficiency appropriation bill; and the Committee on Claims had to pass upon which claims should be paid, and that committee excluded a considerable portion of them.

Now, is it fair that the Committee on Appropriations shall be turned into that kind of an investigating committee to determine which one of these claims ought to be paid? Why, Mr. President, we hear Senators all through the session complaining of the absorption of all the business of the Senate by the Committee on Appropriations, and now Senators are trying to force into that committee the consideration of nearly all the private claims that will come before us.

This is no more a judgment than is a finding under the Bowman

law, so called. It has no more force and effect. It is a finding of the facts and the amounts, and that is all it is, and they all go to the Committee on Claims. The Committee on Claims ought to take jurisdiction of these claims and it ought to determine what classes of them shall be paid. Then it is competent for the Committee on Claims to report either for the passage of a special bill, as they do under the Bowman act and as they did under the old 4th of July claims law, or to report and refer to the Committee on Appropriations an amendment to some appropriation bill. Under the rules of the Senate that might bring it within the jurisdiction of the Committee on Appropriations, and that is all that in my judgment will so bring it. It is a dangerous precedent to refer this claim to the Committee on Appropriations. We might as well now start out right in referring these claims to the proper committee and let that committee take jurisdiction of them and determine which of them shall be paid and which shall not be paid.

I for one protest against these claims going to the Committee on Appropriations. Let them go to the Committee on Claims.

The VICE-PRESIDENT. What reference shall be made of the communication? It will be referred to the Committee on Claims if there be no objection. The Chair hears none.

Mr. HALE subsequently said: What was done with the communication relating to a French spoliation claim?

The VICE-PRESIDENT. It was referred to the Committee on Claims. The Chair announced that it would be referred to that committee in the absence of objection, and he heard no objection.

Mr. HALE. I did not hear the Chair. I was only going to say that the Senator from Maryland [Mr. GORMAN] informs me that at the last session the Committee on Claims considered a portion of these claims and reported and referred them to the Committee on Appropriations, and on that information I shall make no further objection.

#### PAY OF EMPLOYÉS.

The VICE-PRESIDENT. The Chair lays before the Senate a joint resolution from the House of Representatives.

The joint resolution (H. Res. 1) to pay the officers and employés of the Senate and House of Representatives their respective salaries for the month of December, 1891, on the 24th day of said month was read the first time by its title.

Mr. ALLISON. I ask unanimous consent that the joint resolution may be passed now by the Senate. It is the usual resolution for the pay of the employés of the two bodies just before the holidays.

There being no objection, the joint resolution was read the second time at length, and considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### HOLIDAY RESSES.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives: which was read:

*Resolved by the House of Representatives, the Senate concurring:* That when the two Houses adjourn on Wednesday, the 23d day of December, 1891, they stand adjourned until Tuesday, January 5, 1892.

Mr. ALLISON. I ask that that resolution may now be concurred in.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the resolution is before the Senate. The question is on agreeing to the resolution.

The resolution was agreed to.

#### EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened.

#### DEATH OF REPRESENTATIVE FORD.

Mr. McMILLAN. I ask that the resolutions of the House of Representatives relative to the death of my late colleague in that House, Hon. Melbourne H. Ford, be laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate the resolutions of the House of Representatives, which will be read.

The Secretary read as follows:

Whereas the House has heard with profound sorrow of the death of Hon. Melbourne H. Ford, late a Representative from the State of Michigan; Therefore,

*Resolved* That as a mark of respect to his memory the House do now adjourn.

*Resolved* That the Clerk be directed to communicate this action to the Senate.

Mr. McMILLAN. Mr. President, I offer the resolutions which I send to the desk and ask for their adoption. I give notice that

I shall on some suitable occasion in the future ask the Senate to pause in its business to pay fitting tribute to the life and public services of my late colleague.

The VICE-PRESIDENT. The resolutions submitted by the Senator from Michigan will be read.

The Secretary read the resolutions, as follows:

*Resolved*, That the Senate has heard with deep sensibility the announcement of the death of Hon. Melbourne H. Ford, late a Representative from the State of Michigan.

*Resolved*, That the Secretary communicate this resolution to the House of Representatives.

The VICE-PRESIDENT. The question is on agreeing to the resolutions.

The resolutions were agreed to unanimously.

Mr. McMILLAN. As a further mark of respect to the memory of the deceased, I move that the Senate do now adjourn.

The motion was agreed to; and (at 1 o'clock and 17 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 23, 1891, at 12 o'clock meridian.

## NOMINATIONS.

*Executive nominations received by the Senate December 22, 1891.*

### RECEIVER OF PUBLIC MONEYS.

John H. Lott, of Buffalo, Wyo., to be receiver of public moneys at Buffalo, Wyo., vice Alexander C. Coble, resigned.

### PROMOTIONS IN THE NAVY.

Passed Assistant Surg. Robert Whiting, to be a surgeon in the Navy, from the 15th December, 1891, vice Surg. M. L. Ruth, deceased.

Lieut. (junior grade) Henry Minett, to be a lieutenant in the Navy, from the 11th December, 1891, vice Lieut. Charles M. McCartney, retired.

Ensign Daniel P. Menefee, to be a lieutenant, junior grade, in the Navy, from the 11th December, 1891, vice Lieut. (junior grade) Henry Minett, promoted.

### POSTMASTERS.

Thomas H. Miller, to be postmaster at Tuscaloosa, in the county of Tuscaloosa and State of Alabama, in the place of William Miller, deceased.

Ellen L. Bailhache, to be postmaster at Martinez, in the county of Contra Costa and State of California, in the place of Morgan H. Bailhache, deceased.

Henry V. Van Dusen, to be postmaster at Los Angeles, in the county of Los Angeles and State of California, in the place of John W. Green, deceased.

Miss Flora Everhart, to be postmaster at Colorado City, in the county of El Paso and State of Colorado, in the place of James A. Cochran, resigned.

Mrs. Martha Brown, to be postmaster at Fort Valley, in the county of Houston and State of Georgia, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1891.

George B. Allison, to be postmaster at Chester, in the county of Randolph and State of Illinois, in the place of Harvey W. Roberts, whose commission expires December 22, 1891.

Ionis B. Bomar, to be postmaster at Metropolis City, in the county of Massac and State of Illinois, in the place of Norman J. Slack, deceased, Ionis B. Slack, who was appointed July 13, 1891, and commissioned, having since changed her name by marriage.

George L. Booth, to be postmaster at Barry, in the county of Pike and State of Illinois, in the place of William F. White, whose commission expired December 22, 1891.

William H. Phipps, to be postmaster at Carmi, in the county of White and State of Illinois, in the place of Elam L. Stewart, whose commission expired December 21, 1891.

Harrison M. Pursell, to be postmaster at Pinckneyville, in the county of Perry and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1891.

George H. Sewall, to be postmaster at Virden, in the county of Macoupin and State of Illinois, in the place of Walter Kirkpatrick, whose commission expired December 20, 1891.

Benjamin F. Shaw, to be postmaster at Dixon, in the county of Lee and State of Illinois, in the place of James B. Charters, whose commission expired December 20, 1891.

John W. Sims, to be postmaster at Mound City, in the county of Pulaski and State of Illinois, who was commissioned during the recess of the Senate, November 21, 1891, in the place of James H. Weaver, resigned.

Thomas T. Anderson, to be postmaster at Indianola, in the county of Warren and State of Iowa, in the place of Suel J. Spaulding, whose commission expired December 20, 1891.

David C. Mott, to be postmaster at What Cheer, in the county

of Keokuk and State of Iowa, in the place of John A. Rikken, resigned.

William H. Merrill, to be postmaster at Salem, in the county of Essex and State of Massachusetts, who was commissioned during the recess of the Senate, November 28, 1891, in the place of J. Francis Dalton, resigned.

Seth D. McNeal, to be postmaster at Jonesville, in the county of Hillsdale and State of Michigan, in the place of Maria L. Howlett, whose commission expired December 20, 1891.

Arthur W. Dampier, to be postmaster at Northfield, in the county of Rice and State of Minnesota, in the place of John E. Kennedy, whose commission expired December 21, 1891.

Daniel Arms, to be postmaster at Granite, in the county of Deer Lodge and State of Montana, in the place of Thomas Trevaile, resigned.

Rasselas Boyd, to be postmaster at Kosciusko, in the county of Attala and State of Mississippi, in the place of James W. White, whose commission expired December 20, 1891.

Homer C. Powers, to be postmaster at Starkville, in the county of Oktibbeha and State of Mississippi, in the place of William J. Rousseau, whose commission expired December 20, 1891.

Wallace E. Woodworth, to be postmaster at Lakeport, in the county of Belknap and State of New Hampshire, in the place of True E. Prescott, removed. W. E. Woodworth was appointed postmaster at "Lake Village" May 28, 1891, and commissioned, but the name of the office has since been changed to "Lakeport."

Robert Carson, to be postmaster at New Brunswick, in the county of Middlesex and State of New Jersey, in the place of William H. Price, whose commission expired December 20, 1891.

James P. Byron, to be postmaster at Deming, in the county of Grant and Territory of New Mexico, in the place of Sarah Hodgdon, whose commission expires January 23, 1892.

John W. Bartram, to be postmaster at Wappinger's Falls, in the county of Dutchess and State of New York, in the place of William K. Roy, whose commission expired December 21, 1891.

Mrs. Eunice J. Eastman, to be postmaster at Potsdam, in the county of St. Lawrence and State of New York, in the place of George L. Eastman, deceased.

Robert J. Hoek, to be postmaster at Goshen, in the county of Orange and State of New York, in the place of Andrew J. Moore, whose commission expired December 21, 1891.

Edgar Hoyt, to be postmaster at Katonah, in the county of Westchester and State of New York, in the place of Samuel O. Arnold, whose commission expired December 21, 1891.

John F. Jenkins, to be postmaster at Sing Sing, in the county of Westchester and State of New York, in the place of Edwin A. McAlpin, resigned.

Francis J. Menzies, to be postmaster at Westchester, in the county of Westchester and State of New York, in the place of Augustus M. Field, whose commission expired December 21, 1891.

Louis G. Rathbun, to be postmaster at Elmira, in the county of Chemung and State of New York, in the place of Henry Flood, removed.

Orville C. Robinson, to be postmaster at Fort Edward, in the county of Washington and State of New York, in the place of Benjamin M. Tasker, whose commission expired December 21, 1891.

Orange Sackett, to be postmaster at Avon, in the county of Livingston and State of New York, in the place of Seward F. Gould, whose commission expired December 21, 1891.

George H. Scott, to be postmaster at Cocksackie, in the county of Greene and State of New York, in the place of Hiram Bogardus, resigned.

Joseph A. Sneed, to be postmaster at Newburg, in the county of Orange and State of New York, in the place of William R. Brown, resigned; William G. Taggart, who was appointed by the President April 2, 1891, and commissioned, but not nominated to the Senate, having resigned.

Newton M. Wardwell, to be postmaster at Adams, in the county of Jefferson and State of New York, in the place of Albert J. Lovelee, whose commission expired December 21, 1891.

Edward K. Fiester, to be postmaster at Jersey Shore, in the county of Lycoming and State of Pennsylvania, in the place of Charles H. Pott, whose commission expired December 21, 1891.

Willis A. Mitchell, to be postmaster at Warren, in the county of Warren and State of Pennsylvania, in the place of Robert A. Love, resigned.

Charles H. Ruthrauff, to be postmaster at Greencastle, in the county of Franklin and State of Pennsylvania, in the place of John Goetz, whose commission expired December 21, 1891.

Andrew G. White, to be postmaster at Beaver, in the county of Beaver and State of Pennsylvania, in the place of Daniel M. Doneham, whose commission expired December 21, 1891.

William H. Catts, to be postmaster at Granbury, in the county of Hood and State of Texas, the appointment of a postmaster for



the said office having, by law, become vested in the President from and after October 1, 1891.

Albert Enderle, to be postmaster at Kerrville, in the county of Kerr and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after July 1, 1891.

Lee N. McCaughan, to be postmaster at Rockport, in the county of Aransas and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1891. L. N. McCaughan was commissioned as postmaster at "Aransas Pass," but the name of the office has since been changed to "Rockport."

Francis O. Cee, to be postmaster at Snohomish, in the county of Snohomish and State of Washington, in the place of James G. Swafford, resigned.

Converse G. Cole, to be postmaster at New Whatcom, in the county of Whatcom and State of Washington, in the place of David C. Jenkins, resigned, the name of the office at "Whatcom" having been changed to "New Whatcom."

George W. Olney, to be postmaster at South Bend, in the county of Pacific and State of Washington, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1891.

Edward Whaley, to be postmaster at Prairie du Chien, in the county of Crawford and State of Wisconsin, in the place of Edward Whaley, whose commission expired December 20, 1891.

Isaac C. Wynn, to be postmaster at Lander, in the county of Fremont and State of Wyoming, the appointment of a postmaster for the said office having, by law, become vested in the President from and after October 1, 1891.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate December 17, 1891.*

##### COMMISSIONER OF PATENTS.

William E. Simonds, of Canton, Conn., to be Commissioner of Patents.

##### PROMOTIONS IN THE ARMY.

*To be brigadier-general.*

Col. August V. Kautz, Eighth Infantry.

##### QUARTERMASTER'S DEPARTMENT.

*To be assistant quartermasters with the rank of captain.*

First Lieut. Constantine Chase, regimental quartermaster, Third Artillery.

First Lieut. William W. Robinson, jr., Seventh Cavalry.

First Lieut. Charles B. Thompson, Fifth Infantry.

First Lieut. Medad C. Martin, regimental adjutant, Twenty-second Infantry.

##### ORDNANCE DEPARTMENT.

Second Lieut. Fremont P. Peck, First Artillery, to be first lieutenant.

##### MEDICAL DEPARTMENT.

Capt. Paul R. Brown, assistant surgeon, to be surgeon with the rank of major.

##### CAVALRY ARM.

First Lieut. Ernest A. Garlington, Seventh Cavalry, to be captain of cavalry.

Second Lieut. John M. Carson, jr., Fifth Cavalry, to be first lieutenant of cavalry.

##### INFANTRY ARM.

Lieut. Col. Horace Jewett, Third Infantry, to be colonel of infantry.

Maj. Edward Moale, First Infantry, to be lieutenant-colonel of infantry.

Capt. Charles Beutzoni, Twenty-fifth Infantry, to be major of infantry.

First Lieut. Edward L. Bailey, Fourth Infantry, to be captain of infantry.

First Lieut. Robert H. R. Loughborough, Twenty-fifth Infantry, to be captain of infantry.

Second Lieut. Everett E. Benjamin, First Infantry, to be first lieutenant of infantry.

Second Lieut. William J. Pardee, Eighteenth Infantry, to be first lieutenant of infantry.

##### QUARTERMASTER'S DEPARTMENT.

Capt. James M. Marshall, assistant quartermaster, to be quartermaster with the rank of major.

##### MEDICAL DEPARTMENT.

Lieut. Col. Charles T. Alexander, surgeon, to be chief medical purveyor with the rank of colonel.

Maj. William H. Forwood, surgeon, to be surgeon with the rank of lieutenant-colonel.

Maj. Ely McClellan, surgeon, to be surgeon with the rank of lieutenant-colonel.

Capt. John Van R. Hoff, assistant surgeon, to be surgeon with the rank of major.

Capt. George W. Adair, assistant surgeon, to be surgeon with the rank of major.

##### ORDNANCE DEPARTMENT.

Capt. Almon L. Varney, to be major.

First Lieut. William B. Gordon, to be captain.

##### CAVALRY ARM.

*To be colonels.*

Lieut. Col. George G. Hunt, Tenth Cavalry.

Lieut. Col. James Biddle, Fifth Cavalry.

*To be lieutenant-colonels.*

Maj. David Perry, Sixth Cavalry.

Maj. Henry E. Noyes, Fourth Cavalry.

*To be majors.*

Capt. Robert H. Montgomery, Fifth Cavalry.

Capt. Edmond G. Fehé, Eighth Cavalry.

Capt. Almond B. Wells, Eighth Cavalry.

*To be captains.*

First Lieut. Charles H. Watts, regimental adjutant, Fifth Cavalry.

First Lieut. Frank A. Edwards, First Cavalry.

First Lieut. Fred Wheeler, Fourth Cavalry.

First Lieut. Eugene A. Ellis, Eighth Cavalry.

First Lieut. John Guest, Eighth Cavalry.

First Lieut. Matthias W. Day, Ninth Cavalry.

First Lieut. James R. Richards, jr., regimental adjutant, Fourth Cavalry.

First Lieut. James O. Mackay, Third Cavalry.

First Lieut. Walter L. Finley, regimental adjutant, Ninth Cavalry.

First Lieut. George L. Scott, Sixth Cavalry.

First Lieut. Henry P. Kendall, Eighth Cavalry.

*To be first lieutenants.*

Second Lieut. Godfrey H. Macdonald, First Cavalry.

Second Lieut. Matthew F. Steele, Eighth Cavalry.

Second Lieut. George H. Cameron, Seventh Cavalry.

Second Lieut. Robert D. Walsh, Fourth Cavalry.

Second Lieut. George W. Read, Fifth Cavalry.

Second Lieut. James A. Cole, Sixth Cavalry.

Second Lieut. De Rosey C. Cabell, Eighth Cavalry.

Second Lieut. Farrand Sayre, Eighth Cavalry.

Second Lieut. Hugh J. Gallagher, Sixth Cavalry.

Second Lieut. Grote Hutcheson, Ninth Cavalry.

Second Lieut. George O. Cress, Seventh Cavalry.

Second Lieut. Ernest S. Robins, Third Cavalry.

Second Lieut. John B. Bellinger, Fifth Cavalry.

Second Lieut. John T. Knight, Third Cavalry.

Second Lieut. James B. Hughes, Tenth Cavalry.

Second Lieut. Powhatan H. Clarke, Tenth Cavalry.

Second Lieut. Gonzalez S. Bingham, Ninth Cavalry.

Second Lieut. William D. McAnaney, Ninth Cavalry.

Second Lieut. Richard B. Paddock, Sixth Cavalry.

Second Lieut. Robert A. Brown, Fourth Cavalry.

##### ARTILLERY ARM.

*To be colonels.*

Lieut. Col. La Rhett L. Livingston, Third Artillery.

Lieut. Col. William M. Graham, Fifth Artillery.

*To be lieutenant-colonels.*

Maj. Edmund C. Bainbridge, Third Artillery.

Maj. Francis L. Guenther, Second Artillery.

*To be majors.*

Capt. Frank B. Hamilton (since deceased), Second Artillery.

Capt. William McK. Dunn (since deceased), Second Artillery.

Capt. Joseph B. Campbell (since deceased), Fourth Artillery.

Capt. Frank G. Smith, Fourth Artillery.

Capt. Joseph G. Ramsay, Second Artillery.

*To be captains.*

First Lieut. Frank Thorp, Fifth Artillery.

First Lieut. Louis V. Caziare, Second Artillery.

First Lieut. Robert M. Rogers, Second Artillery.

First Lieut. Walter Howe, Fourth Artillery.

First Lieut. Peter Leary, jr., Fourth Artillery.

First Lieut. Ephraim T. C. Richmond, Second Artillery.

*To be first lieutenants.*

Second Lieut. Ira A. Haynes, Third Artillery.

Second Lieut. Willoughby Walke, Second Artillery.

He also introduced a bill (S. 1222) to protect the wages of seamen; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1223) to amend section 4153, Revised Statutes, defining register tonnage, to provide for the supervision of vessel measurement, and to insure accuracy in the computation of tonnage; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1224) to amend the law relative to the shipment, payment, and discharge of seamen; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1225) to regulate the changing of the names of vessels; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1226) to increase the safety of life and property on ships at sea by establishing rules for freeboard or load marks; which was read twice by its title.

Mr. FRYE. This last bill is an exceedingly important one, and I hope that the boards of trade, maritime associations, ship-owners, and shipbuilders will send to the Committee on Commerce any criticisms they may have to make in relation to it.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Commerce.

Mr. HARRIS (by request) introduced a bill (S. 1227) authorizing the Postmaster-General to adopt devices for canceling postage stamps, stamped envelopes, stamped wrappers, and postal cards, to prevent peculations and fraud; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. GIBSON of Louisiana introduced a bill (S. 1228) for the improvement of the harbor of the city of New Orleans, La., with an appropriation therefor; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PROCTOR (by request) introduced a bill (S. 1229) amending section 1202 of Revised Statutes of the United States, providing for the attendance of witnesses before a court-martial; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 1230) amending the act of October 1, 1890, entitled "An act to provide for the examination of certain officers of the Army and to regulate promotions therein;" which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1231) for the relief of Charles F. Sanborn, St. Albans, Vt.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1232) removing charge of desertion against Lucius W. Hayford, Worcester, Vt.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1233) to establish a military post on the line of railway between Burlington and Highgate, Vt.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TELLER introduced a bill (S. 1234) amending an act entitled "An act to accept and ratify the agreement submitted by the confederated bands of Ute Indians in Colorado for the sale of their reservation in said State, and for other purposes, and to make the necessary appropriations for carrying out the same;" which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. HANSBROUGH introduced a bill (S. 1235) to extend the free postal delivery system; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. McMILLAN introduced a bill (S. 1236) to regulate the practice of medicine in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. COCKRELL introduced a bill (S. 1237) for the relief of Sarah E. B. Smith; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1238) granting a pension to Joseph K. Boone; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1239) for the benefit of sundry persons residing in the vicinity of Jefferson Barracks, Mo.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. WASHBURN introduced a bill (S. 1240) granting to the Minneapolis, St. Paul and Sault St. Marie Railway Company right of way across the military reservation at Sault St. Marie; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1241) to amend an act entitled "An act relative to the Minneapolis Industrial Exposition, to be held

annually in the city of Minneapolis, State of Minnesota, approved March 3, 1887; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1242) granting a pension to Mary R. Bacon; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 1243) granting a pension to Thomas J. Reid; which was read twice by its title.

Mr. COCKRELL. In connection with the bill, I desire to submit resolutions of Ben Loan Grand Army Post, No. 33, of Kingston, Caldwell County, Mo., favoring the granting of the pension, two affidavits of Dr. N. N. Smyth, and also a letter from the Pension Office. I ask that these papers may accompany the bill to the Committee on Pensions.

The PRESIDENT *pro tempore*. The papers will be referred, with the bill, to the Committee on Pensions.

Mr. HALE introduced a bill (S. 1244) to authorize the owners or claimants of the schooner Grace Gower, of Sedgwick, Mo., to bring a suit against the United States; which was read twice by its title, and referred to the Committee on Claims.

Mr. DAVIS introduced a bill (S. 1245) granting a pension to Clarissa M. Gifford; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1246) to remove the charge of desertion against Joseph G. Utter; which was read twice by its title, and referred to the Committee on Military Affairs.

#### ARTESIAN AND UNDERFLOW INVESTIGATION.

Mr. DUBOIS submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of Agriculture be directed to inform the Senate of the progress of the artesian and underflow investigation, and of the irrigation inquiry, as conducted under his direction in the Department of Agriculture, and further to state at what date the final reports on the artesian and underflow investigation will be laid before Congress, as required by law.

#### REPRINTING OF BILL FOR PROTECTION OF RAILROAD EMPLOYEES.

Mr. CULLOM submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the bill (S. 833) providing for the adoption and use of a uniform standard automatic car-coupler, and regulating the operation and control of freight trains used in interstate commerce, and providing for the greater safety of railroad employes, and for other purposes, be reprinted for the use of the Senate.

#### ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. TOWLES, its Chief Clerk, announced that the Speaker of the House of Representatives had signed the enrolled joint resolution (H. Res. 1) to pay the officers and employes of the Senate and House of Representatives their respective salaries for the month of December, 1891, on the 24th day of said month; and it was thereupon signed by the President *pro tempore*.

#### ELECTRIC WIRES IN THE DISTRICT OF COLUMBIA.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying report, on motion of Mr. HARRIS, referred to the Committee on the District of Columbia, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith the report of the board appointed by me under a clause in the District of Columbia appropriation act approved August 6, 1890, "to consider the location, arrangement, and operation of electric wires in the District of Columbia," etc., to which the attention of Congress is respectfully invited.

BENJ. HARRISON.

EXECUTIVE MANSION, December 23, 1891

#### BOARD ON GEOGRAPHIC NAMES.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and ordered to be printed, and, with the accompanying report, referred to the Committee on Printing:

*To the Senate and House of Representatives:*

My attention having been called to the necessity of bringing about a uniform usage and spelling of geographic names in the publications of the Government, the following executive order was issued on the 4th day of September, 1890:

"As it is desirable that uniform usage in regard to geographic nomenclature and orthography obtain throughout the Executive Departments of the Government, and particularly upon the maps and charts issued by the various Departments and Bureaus, I hereby constitute a Board on Geographic Names, and designate the following persons, who have heretofore cooperated for a similar purpose under the authority of the several Departments, Bureaus, and institutions with which they are connected, as members of said Board:

"Prof. Thomas C. Mendenhall, United States Coast and Geodetic Survey, chairman.

"Andrew H. Allen, Department of State.

"Capt. Henry L. Bowison, Light-House Board, Treasury Department.

"Capt. Thomas Turtle, Engineer Corps, War Department.

"Lieut. Richardson Clover, Hydrographic Office, Navy Department.

"Pierson H. Bristow, Post-Office Department.

Soils T. Mason, Smithsonian Institution.  
 \*Herbert G. Ogden, United States Coast and Geodetic Survey.  
 \*Henry Gannett, United States Geological Survey.  
 \*Marcus Baker, United States Geological Survey.  
 "To this Board shall be referred all unsettled questions concerning geographic names which arise in the Departments, and the decisions of the Board are to be accepted by these Departments as the standard authority in such matters."

"Department officers are instructed to afford such assistance as may be proper to carry on the work of this Board."

"The members of this Board shall serve without additional compensation, and its organization shall entail no expense on the Government."

The report of the Board thus constituted has been submitted to me and is herewith transmitted for the information of Congress, and with a view to its publication in suitable form, if such action is deemed by Congress to be desirable.

BENJ. HARRISON

EXECUTIVE MANSION, December 23, 1891.

#### EXECUTIVE SESSION.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirteen minutes spent in executive session the doors were reopened, and (at 12 o'clock and 40 minutes p. m.) the Senate adjourned; the adjournment, under the concurrent resolution of the two Houses, being until Tuesday, January 5, 1892, at 12 o'clock m.

#### NOMINATION.

*Executive nomination received by the Senate December 23, 1891.*

Mark W. Harrington, of Michigan, to be Chief of the Weather Bureau in the Department of Agriculture, a new office created by act of Congress approved October 1, 1890. Mr. Harrington is now serving under a commission issued during the recess of the Senate.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate December 23, 1891.*

##### ASSISTANT ATTORNEY-GENERAL.

Leonard W. Colby, of Nebraska, to be Assistant Attorney-General of the United States.

##### CONSULS.

Edwin A. Berry, of Cedar Keys, Fla., to be consul of the United States at Santos.

William C. Tripler, to be consul of the United States at Coquimbo.

##### LAND COMMISSIONER.

Ebenezer J. Ormsbee, of Brandon, Vt., to be land commissioner in Samoa.

##### MEMBER OF THE CONTINENTAL RAILWAY COMMISSION.

Richard C. Kerens, of Missouri, to be a member of the Continental Railway Commission.

##### ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY.

A. London Snowden, of Pennsylvania, to be envoy extraordinary and minister plenipotentiary of the United States to Greece, Roumania, and Servia.

Richard Cutts Shannon, of New York City, N. Y., to be envoy extraordinary and minister plenipotentiary of the United States to Nicaragua, Costa Rica, and Salvador.

Romualdo Pacheco, of California, to be envoy extraordinary and minister plenipotentiary of the United States to Guatemala and Honduras.

##### MINISTER RESIDENT AND CONSUL-GENERAL.

John S. Durham, of Pennsylvania, formerly consul at Santo Domingo, to be minister resident and consul-general of the United States to Haiti.

##### SECRETARIES OF LEGATION.

Laur Anderson, of Ohio, to be second secretary of the legation of the United States at London.

Fenton R. McCreery, of Michigan, to be secretary of the legation of the United States at Santiago, Chile.

Jeremiah Coughlin, of New York City, N. Y., to be secretary of the legation and consul-general of the United States at Bogota.

##### POSTMASTERS.

William H. Merrill, to be postmaster at Salem, in the county of Essex and State of Massachusetts.

Miss Flora Everhart, to be postmaster at Colorado City, in the county of El Paso and State of Colorado.

Homer C. Powers, to be postmaster at Starkville, in the county of Oktibbeha and State of Mississippi.

Russelas Boyd, to be postmaster at Kosciusko, in the county of Attala and State of Mississippi.

Thomas H. Miller, to be postmaster at Tuscaloosa, in the county of Tuscaloosa and State of Alabama.

Nathaniel K. Beardslee, to be postmaster at El Dorado Springs, in the county of Cedar and State of Missouri.

Lee N. McCaughan, to be postmaster at Rockport, in the county of Aransas and State of Texas.

Albert Enderle, to be postmaster at Kerrville, in the county of Kerr and State of Texas.

Margaret A. Campbell, to be postmaster at Lees Summit, in the county of Jackson and State of Missouri.

Lauriston H. Condit, to be postmaster at Canton, in the county of Lewis and State of Missouri.

Lewis W. Barton, to be postmaster at California, in the county of Moniteau and State of Missouri.

Noah L. Hawk, to be postmaster at Willow Springs, in the county of Howell and State of Missouri.

Stephen D. Ham, to be postmaster at Montgomery City, in the county of Montgomery and State of Missouri.

John D. Depl, to be postmaster at Rockport, in the county of Atchison and State of Missouri.

Lewis Lumpee, to be postmaster at Versailles, in the county of Morgan and State of Missouri.

Sallie H. Haley, to be postmaster at Webster Groves, in the county of St. Louis and State of Missouri.

Jay W. Higginbottom, to be postmaster at Norborne, in the county of Carroll and State of Missouri.

William H. Catts, to be postmaster at Granbury, in the county of Hood and State of Texas.

Seth D. McNeal, to be postmaster at Jonesville, in the county of Hillsdale and State of Michigan.

James H. Matthews, to be postmaster at Mount Vernon, in the county of Lawrence and State of Missouri.

George W. Olney, to be postmaster at South Bend, in the county of Pacific and State of Washington.

Converse G. Cole, to be postmaster at New Whatecom, in the county of Whatecom and State of Washington.

Francis O. Coe, to be postmaster at Snohomish, in the county of Snohomish and State of Washington.

Charles H. Ruthrauff, to be postmaster at Greencastle, in the county of Franklin and State of Pennsylvania.

Edward K. Flester, to be postmaster at Jersey Shore, in the county of Lycoming and State of Pennsylvania.

Wallace E. Woodworth, to be postmaster at Lakeport, in the county of Belknap and State of New Hampshire.

James P. Byron, to be postmaster at Deming, in the county of Grant and Territory of New Mexico.

Thomas T. Anderson, to be postmaster at Indianola, in the county of Warren and State of Iowa.

David C. Mott, to be postmaster at What Cheer, in the county of Keokuk and State of Iowa.

George L. Booth, to be postmaster at Barry, in the county of Pike and State of Illinois.

George B. Allison, to be postmaster at Chester, in the county of Randolph and State of Illinois.

Edward Whaley, to be postmaster at Prairie du Chien, in the county of Crawford and State of Wisconsin.

Tonia B. Bonnar, to be postmaster at Metropolis City, in the county of Massac and State of Illinois.

Benjamin F. Shaw, to be postmaster at Dixon, in the county of Lee and State of Illinois.

Harrison M. Pursell, to be postmaster at Pinckneyville, in the county of Perry and State of Illinois.

John W. Sims, to be postmaster at Mound City, in the county of Pulaski and State of Illinois.

George H. Sewall, to be postmaster at Virden, in the county of Macoupin and State of Illinois.

William H. Phipps, to be postmaster at Carmi, in the county of White and State of Illinois.

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, December 23, 1891.

The House met at 12 o'clock m. The Chaplain, Rev. W. H. MILBURN, D. D., offered the following prayer:

O Eternal God! The shadow feared by men has entered the Capitol and enfolded in his dark shroud the form of a brave, honest, and honorable Senator, steadfast in friendship, loyal to his convictions; zealous, fearless, and faithful in the fulfillment of every trust, public and private, and the song of joy and gladness that was rising to our lips, the song belonging to this happy season, is hushed as we hear the wail of a whole people from the broad plains of Kansas, joining with the sobs of the wife that has been widowed and of the children that are made fatherless, as they sit shrouded in their home of grief. And to-day the tolling bell knells the passing of the soul of a leader and a friend of the people.



Blankenship; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BRICE introduced a bill (S. 1343) for the relief of Sarah K. McLean, widow of the late Lieut. Col. Nathaniel H. McLean; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MANDERSON introduced a bill (S. 1344) to make payment to Samuel J. Haynes of money erroneously and by mistake paid on his homestead entry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

He also introduced a bill (S. 1345) to amend section 3 of an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor and providing for pensions to widows, minor children, and dependent parents," passed June 27, 1890; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1346) granting an increase of pension to Henry Martin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1347) creating a board to revise and codify the laws relating to the granting of pensions; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1348) for the issue of ordnance stores and supplies to the State of Nebraska to replace similar stores destroyed by fire; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1349) to provide for the purchase of a site and the erection of a public building thereon at South Omaha, in the State of Nebraska; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. McMILLAN introduced a bill (S. 1350) to provide for furnishing the decisions of the courts in patent cases to the circuit courts of the United States and to the Patent Office; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 1351) to provide for the purchase of a site and erection of buildings for the Girls' Reform School of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FELTON introduced a bill (S. 1352) for the relief of August Leschinsky; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1353) for the relief of Morgan Everts; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1354) to provide for the erection of and equipment of a gun factory at Benicia Arsenal, Benicia, Cal., for finishing and assembling ordnance for the Army and Navy; which was read twice by its title, and referred to the Committee on Coast Defenses.

Mr. HISCOCK introduced a bill (S. 1355) to increase postal facilities and to expedite the distribution, collection, and delivery of mails in cities having a population of 150,000 or more; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 1356) granting a pension to Abigail L. Finney; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1357) to compensate Elihu Root for services rendered by direction of the Attorney-General; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

He also (by request) introduced a bill (S. 1358) for the relief of Clara A. Graves, Lewis Smith Lee, Florence P. Lee, Mary S. Sheldon, and Elizabeth Smith, heirs of Lewis Smith, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. GORMAN (by request) introduced a bill (S. 1359) for the relief of Thomas R. Johnson, administrator of the estates of Rinaldo Johnson and Ann E. Johnson, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1360) for the relief of James A. Windsor; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1361) for the relief of Thomas P. Morgan, jr.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1362) for the relief of Alexander Moffitt; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1363) for the relief of Michael Carling, assignee of Joseph R. Shannon, deceased; which

was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. WHITE introduced a bill (S. 1364) for the relief of Henry Ware; which was read twice by its title, and referred to the Committee on Claims.

Mr. CHANDLER introduced a bill (S. 1365) directing the Secretary of the Treasury to pay one year's salary to the widow of Daniel Clark, late judge of the United States district court for the district of New Hampshire; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1366) granting a pension to Mary De W. Young; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1367) to regulate the rates of pensions, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1368) to enable the Educational and Relief Association of the District of Columbia to erect a home with workshops and rooms for the destitute colored children of both sexes of said District; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1369) to raise the professional standing of the apothecaries of the United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1370) for the relief of the legal representatives of Mrs. Adeline Shirley; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1371) to reinforce the provisions of the "Act to regulate commerce," approved February 4, 1887, prohibiting free transportation except in certain cases; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 1372) granting an honorable discharge to Andrew Cullen; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. TELLER introduced a bill (S. 1373) granting certain privileges to honorably discharged soldiers and sailors in locating homesteads on the public domain; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1374) to aid the State of Colorado to support a school of mines; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1375) granting a pension to Mrs. Isabella Gorman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALLISON introduced a bill (S. 1376) granting an increase of pension to George W. Blake; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1377) granting an honorable discharge to James B. Mulford; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. VEST introduced a bill (S. 1378) for the relief of Martin E. Smith; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1379) to provide for a pension for Obe Sutherland, late a teamster in the Quartermaster's Department of the United States Volunteer Army; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLPH introduced a bill (S. 1380) to amend an act entitled "An act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes;" which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BLODGETT introduced a bill (S. 1381) for the relief of the heirs of Isaac Jacob, deceased, and of Henry H. Jacob, surviving partner of the late commercial firm of I. Jacob & Son, of New York City; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1382) granting a pension to Henry Garris; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1383) to remove the charge of desertion from the military record of George H. Holmes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1384) for the correction of the army record of Lieut. Harry R. Anderson, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CARLISLE introduced a bill (S. 1385) granting a pension to Margaret I. Allsworth; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CHANDLER introduced a joint resolution (S. R. 22) pro-

posing an amendment to the Constitution of the United States; which was read twice by its title, and referred to the Committee on Immigration.

#### AID TO RUSSIAN SUFFERERS.

Mr. WASHBURN. I introduce a joint resolution, and ask for the present consideration of the same.

The joint resolution (S. R. 21) authorizing the Secretary of the Navy to transport contributions for the relief of the suffering poor of Russia was read the first time by its title.

Mr. COCKRELL. Let the joint resolution be read for information.

The joint resolution was read the second time at length, as follows:

*Resolved, etc.,* That the Secretary of the Navy be, and he is hereby, authorized to employ any ship or vessel belonging to the Navy of the United States best adapted for such service, for the purpose of transporting to the inhabitants of those provinces of Russia now suffering from want of food, owing to the failure of crops, such contributions as may be made by citizens of the United States for their relief, and, if necessary, to charter and employ, under the authority of the United States, a suitable steamship or ships for the same purpose. Any sum of money which may be necessary to carry out the object of this resolution is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. WASHBURN. I wish to state that a movement was inaugurated some two or three weeks since in my section of country, looking to making contributions of breadstuffs to the suffering people of Russia. A very large amount of flour, especially in my own city and in that region, has been contributed, or pledged for that purpose. Just before the holidays I made application to the Secretary of the Navy, asking that a Government ship be detailed to transport this flour to some Russian port. As Senators may have seen in the papers, he assented, and has arranged for the Constellation, a Government sailing ship, to take the first cargo. It now appears, however, that the Constellation will not be able to take more than one-fourth or one-fifth of the contributions already in sight, and it seemed to me a very proper and a very graceful thing for Congress to do now what it did in 1880, when the Constellation bore food to the suffering people of Ireland. It is with that view that I have introduced the joint resolution, and I will state that it is very important that it should have immediate action, because time is pressing.

I desire to say, further, that the railroad lines and all the great transportation companies of this country have agreed to carry these breadstuffs without any charge, the lightering associations in New York have agreed to put the supplies on the ships, and this joint resolution will simply make the proper complement of the whole affair, as our American people are not in the habit of doing things by halves.

So I introduce the joint resolution at present, and I desire, in order that the Senate may fully understand the situation, to have read a telegram which I have just received from the gentleman who has had charge of this great work, showing what the requirements are likely to be.

The VICE-PRESIDENT. The telegram will be read.

The Secretary read as follows:

Hon. W. D. WASHBURN,  
Washington, D. C., 2111 Massachusetts Avenue:

Amount already pledged about 1,000,750 pounds flour. Expect to receive total of 6,000,000 pounds. Millers and flour men are the contributors, and are located in Iowa, Indiana, Illinois, Kansas, Kentucky, Maryland, District of Columbia, Michigan, Minnesota, Missouri, Nebraska, New York, North Dakota, Ohio, Pennsylvania, Texas, Virginia, Wisconsin. For further particulars see Northwestern Miller. We greatly need steamship to carry this. Constellation can not do the work.

W. C. EDGAR.

Mr. HARRIS. Mr. President, I shall not object to the present consideration of the joint resolution. It is a charity that is bound to command the respect of all intelligent and charitable people. But believing as I do, that I as a Senator have no right to tax the people to put money in the Treasury and appropriate it to this or any other charity, I shall feel bound to vote against the joint resolution.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. GORMAN. Mr. President, I notice that the joint resolution makes an indefinite appropriation. I suggest to the Senator who has introduced it that it is a very bad practice, although one I know which has grown up in the last year or two, to make indefinite appropriations, and the result is almost to bankrupt the Treasury of the United States. I think the practice ought not to be followed now, even in a matter of charity, and I suggest that if the Senator from Minnesota has any information as to the probable cost, some specific amount should be appropriated, say not to exceed \$100,000, or whatever amount is necessary.

Mr. WASHBURN. The same idea occurred to me in drawing the joint resolution. I supposed it was the custom to fix some sum, as the Senator has suggested; but upon looking at the resolution passed in 1880 I found that there was no limitation. I accede cheerfully to the suggestion, and would name \$100,000—not to exceed \$100,000.

Mr. BUTLER. "Or so much thereof as may be necessary."

The VICE-PRESIDENT. The Senate will receive a message from the President of the United States.

Mr. O. L. PRUDEN, one of the secretaries of the President of the United States, communicated to the Senate sundry messages in writing.

Mr. ALLISON. Mr. President, the Senator from Maryland [Mr. GORMAN] observed that the practice of making indefinite appropriations is one that has grown up recently. I think if the Senator will examine the precedents he will find that indefinite appropriations have existed for a long time. I suppose the Senator refers more especially to what are denominated permanent appropriations when he speaks of indefinite appropriations. Certainly an indefinite appropriation of the character indicated here will not very greatly disturb the Treasury.

I had some conversation with the Secretary of the Navy respecting the cost of chartering these vessels, in view of the fact that the governor of my own State issued a proclamation to the people of the State of Iowa asking them to make contributions to the sufferers in Russia and appointed a committee of the most eminent men in our State, who are now gathering contributions of corn, wheat, flour, etc. It seemed to me apparent that the vessel which the Secretary of the Navy offered, namely, the Constellation, would not be sufficient. In my judgment it is not suitable to the work in hand, even though it could carry five or six thousand barrels of flour to some Russian port. Therefore I think true economy will require that a vessel or vessels shall be chartered, if the Government is to bear the expense.

The total cost of a single vessel, the ordinary sailing vessel that would be chartered to do the work, as the Secretary of the Navy informed me, at least in his judgment, would not exceed \$25,000. I think \$100,000 will probably charter three or four cargoes, and I am very glad the Senator from Minnesota has agreed to limit the joint resolution. I think that is a wise thing to do, and I shall favor the measure as it is now proposed.

The VICE-PRESIDENT. The Chair has just now received a message from the President of the United States bearing upon the question under consideration, which will be read by the Secretary.

The Secretary read as follows:

*To the Senate and House of Representatives:*

The famine prevailing in some of the provinces of Russia is so severe and widespread as to have attracted the sympathetic interest of a large number of our liberal and favored people. In some of the great grain-producing States of the West movements have already been organized to collect flour and meal for the relief of these perishing Russian families, and the response has been such as to justify the belief that a ship's cargo can very soon be delivered at the seaboard, through the generous cooperation of the transportation lines. It is most appropriate that a people whose storehouses have been so lavishly filled with all the fruits of the earth by the gracious favor of God should manifest their gratitude by large gifts to His suffering children in other lands.

The Secretary of the Navy has no steam vessel at his disposal that could be used for the transportation of these supplies, and I therefore recommend that he be authorized to charter a suitable vessel to receive them, if a sufficient amount should be offered, and to send them under the charge of a naval officer to such Russian port as may be most convenient for ready distribution to those most in need.

BENJ. HARRISON

EXECUTIVE MANSION, January 5, 1892.

The VICE-PRESIDENT. The proposed amendment will be stated.

The SECRETARY. It is proposed to strike out the words "which may be necessary," and insert "not to exceed \$100,000, or so much thereof as may be necessary;" so as to read:

Any sum of money not to exceed \$100,000, or so much thereof as may be necessary, to carry out the object of this resolution, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, and was read the third time.

Mr. HARRIS. My own may be the only vote against it, but I want the yeas and nays, so as to record that vote against the passage of the joint resolution.

The VICE-PRESIDENT. The question is, Shall the joint resolution pass? on which the yeas and nays are demanded.

The yeas and nays were ordered.

Mr. HOAR. Before the yeas and nays are called, I suggest that there be an order that the President's message be printed and lie on the table.

The VICE-PRESIDENT. It will be so ordered in the absence of objection. The Secretary will proceed to call the roll.

The Secretary proceeded to call the roll.

Mr. CARLISLE (when his name was called). I am paired with the senior Senator from Ohio [Mr. SHERMAN]. If he were present, I should vote "nay."

Mr. COKE (when his name was called). I am paired with the Senator from Nebraska [Mr. PADDOK], whom I do not see in his seat at this time. If he were present, I should vote "nay." I do not know how he would vote.

Mr. WALTHALL (when Mr. GEORGE's name was called). My colleague [Mr. GEORGE] is absent by leave of the Senate. I understand from my colleague that he was paired generally with the Senator from Oregon [Mr. DOLPH].

Mr. DOLPH. That is so. If the Senator from Mississippi supposes that his colleague would like me to observe the pair on this question, I will withdraw my vote and announce my pair with the Senator from Mississippi [Mr. GEORGE]. I did not observe at the moment that the Senator was not in the Senate Chamber.

Mr. WALTHALL. I have no preference about it. I simply announce the fact that my colleague is paired with the Senator.

Mr. DOLPH. I withdraw my vote and announce my pair with the Senator from Mississippi [Mr. GEORGE].

Mr. HANSBROUGH (when his name was called). I am paired with the Senator from Illinois [Mr. PALMER]. Were he present, I should vote "yea."

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. MCPHERSON]. In his absence, I withhold my vote.

Mr. KENNA (when his name was called). I am paired generally with the Senator from Colorado [Mr. WOLCOTT], who is detained from the Senate by illness. I understand, however, that if he were present he would vote "yea," and I will therefore also vote "yea."

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN], and my colleague [Mr. PADDOK] is paired with the Senator from Texas [Mr. COKE], as that Senator has already announced. I suggest to him that we exchange pairs and both vote, leaving my colleague paired with the Senator from Kentucky [Mr. BLACKBURN]. I ask the Senator from Texas if he has any objection to changing the pairs so that my colleague shall stand paired with the Senator from Kentucky [Mr. BLACKBURN] and the Senator from Texas and I will both be privileged to vote.

Mr. COKE. No, I have no objection. I vote "nay."

Mr. MANDERSON. I vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Rhode Island [Mr. DIXON].

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. CULLOM. I have a general pair with the Senator from Delaware [Mr. GRAY]. I do not observe that he is in his seat, and I therefore withhold my vote. If at liberty to vote, I should vote for the joint resolution.

Mr. DAVIS. I have a general pair with the Senator from Indiana [Mr. TURPIE], and therefore withhold my vote. If at liberty, I should vote "yea."

Mr. CASEY (when his name was called). I am paired with the Senator from Florida [Mr. PASCO], but as I understand that he, if present, would vote "yea," I vote "yea."

The result was announced—yeas 40, nays 9; as follows:

# YEAS—40.

Allen,	Dawes,	Hiscock,	Platt,
Allison,	Dubois,	Hoar,	Quay,
Barbour,	Faulkner,	Kenna,	Sawyer,
Blodgett,	Felton,	McMillan,	Shoup,
Brice,	Frye,	Manderson,	Stanford,
Butler,	Gallinger,	Mitchell,	Stewart,
Call,	Gibson, La.	Morgan,	Teller,
Casey,	Gorman,	Morrill,	Vilas,
Chandler,	Hale,	Peffer,	Washburn,
Daniel,	Hawley,	Pettigrew,	White,

# NAYS—9.

Bate,	Coke,	Jones, Ark.	Pugh,
Berry,	Harris,	Kyle,	Vest.
Chilton,			

# NOT VOTING—35.

Aldrich,	Dixon,	MCPHERSON,	Squire,
Blackburn,	Dolph,	Paddock,	Stockbridge,
Cameron,	George,	Palmer,	Turpie,
Carey,	Gibson, Md.	Pasco,	Voorhees,
Carlisle,	Gordon,	Power,	Walthall,
Cockrell,	Gray,	Proctor,	Warren,
Colquitt,	Hansbrough,	Ransom,	Wilson,
Cullom,	Higgins,	Sanders,	Wolcott,
Davis,	Irby,	Sherman,	

So the joint resolution was passed.

# WITHDRAWAL OF PAPERS.

Mr. VEST submitted the following order: which was considered by unanimous consent and agreed to:

Ordered, That the papers on file in the Pension Bureau of the Interior Department relative to the pension claim numbered 711,850, of Obe Sutherland, late a teamster in the Quartermaster's Department of the United States Volunteer Army, be transmitted to the Committee on Pensions of the Senate.

# COINAGE OF SILVER BULLION.

Mr. STEWART. I offer a resolution for reference to the Committee on the Judiciary, and I ask that it be read.

The resolution was read, as follows:

Whereas by the fourteenth section of the act approved January 18, 1837, it is provided "That gold and silver bullion brought to the mint for coinage, shall be received and coined, by the proper officers, for the benefit of the depositor;" and

Whereas by the act approved February 28, 1878, entitled "An act to authorize the coinage of the standard silver dollar, and to restore its legal-tender character," it is enacted "That there shall be coined, at the several mints of the United States, silver dollars of the weight of 412½ grains, Troy, of standard silver, as provided in the act of January 18, 1837, on which shall be the devices and superscriptions provided in said act;" Therefore,

Be it resolved, That the Committee on the Judiciary be, and it is hereby, instructed to inquire if any further legislation is necessary to make it the duty of the proper officers of the mint to receive and coin silver bullion for the benefit of depositors.

Mr. STEWART. I desire to have the resolution referred to the Committee on the Judiciary, and I call the attention of the committee to a fact which seems to have been overlooked, that the act of 1878, known as the Bland act, revived the act of 1837 so far as relates to the coinage of silver and gold. The act of 1837 provides that it shall be the duty of the proper officers of the mint to coin silver bullion deposited for the benefit of depositors. The act of 1878, the Bland act, makes it the duty of the Department to coin silver as provided in the former act. I have looked in vain to find any clause qualifying the direct command found in the first section of the Bland act. It seems to have been overlooked, and in fact I had overlooked it until my attention was called to it by a lawyer from Ohio, Mr. Stark. I have since spent some days investigating the matter, and I have come clearly to the conclusion that the act of 1837, so far as the coinage of silver bullion is concerned, is revived by the express language of the act of 1878. The subsequent provision of the act providing for the purchase and coinage of silver is simply an addition to it, abstracting nothing, and as it occurred just previous to the resumption of specie payment it may be well said that at that time it was thought important to accumulate bullion for the purpose of coinage in addition to what might be deposited. At all events, I do not see that there is anything in the act or in any other act which seems to limit or qualify the direct command in the first section, and I hope that the Judiciary Committee will give the matter an early and careful consideration.

Mr. ALLISON. I should like to inquire of the Senator from Nevada, in connection with this matter, whether he thinks the act of 1890 has any effect upon the import of the act of 1878?

Mr. STEWART. None whatever. The act of June, 1890, simply deals with the purchase of bullion and repeals the clause that required the purchase of not less than \$2,000,000 nor more than \$4,000,000 worth of silver bullion per month, and substitutes therefor other arrangements for purchasing a larger amount and issuing Treasury notes therefor. But it does not deal with the remainder of the act at all.

Mr. ALLISON. I only made the suggestion in view of the fact that the resolution does not allude to the act of 1890, and it might be incomplete unless it also covered the effect of the act of 1890.

Mr. VEST. What is the language of the act of 1890?

Mr. STEWART. The act of 1890 repeals the clause which authorizes or requires the purchase of not less than \$2,000,000 nor more than \$4,000,000 worth per month and substitutes other provisions by way of purchase. It leaves the remainder of the act as it stood before. The act of 1890 has nothing to do with the coinage except the particular clause referred to. The act of 1878 is still in force, as I understand it; and if there is any statute that modifies the direct revival of the act of 1837 by the first section of the act of 1878 I have been unable to find it.

The VICE-PRESIDENT. The resolution will be referred to the Committee on the Judiciary.

# SELECT COMMITTEE ON MEAT PRODUCTS.

Mr. VEST. I should like to submit a question about which I have some doubt, in regard to a special committee of the Senate. Immediately before the recess I introduced a bill in regard to monopoly in the transportation of cattle to foreign countries, which had been introduced during the last session, referred to the Select Committee on the Transportation and Sale of Meat Products, reported back by that committee, and passed by the Senate, but failed of passage in the House of Representatives. As the committees had not been reestablished at the time I introduced the bill at this session I did not have it referred to the

same committee, of which I was chairman, for the reason that by the resolution of the Senate in regard to that committee passed at the last Congress the committee was continued until the first day of this session with instruction to report at that time. My construction of that resolution was and is now that until further action by the Senate continuing the existence of the committee it could not transact business, but remained in that condition, whatever it might be described.

Whilst absent from the Senate on account of sickness the Senator from Maine [Mr. FRYE], the chairman of the Committee on Commerce, reported back the bill to the Senate with the request that it be sent to the Select Committee on the Transportation and Sale of Meat Products, and on my return I find the bill referred to that committee. Now, the inquiry which has arisen in my mind, and which I submit (and I am glad to see the Senator from Illinois [Mr. CULLOM] in his seat, who is chairman of the committee on the Republican side to fix the committees), is, does the action of the Senate based upon the report of the joint committee appointed by the Republican and Democratic parties here naming the special committees continue their existence without further action by the Senate?

Mr. CULLOM. Mr. President, if the Senator will allow me to interrupt him a moment, I had thought, and I think every member with whom I have had any conversation on the subject came to the same conclusion, that the resolution submitted to the Senate providing for the establishment of certain committees and naming the members of the committees would undoubtedly establish the existence of a committee for the present Congress. I think that that must be the case.

The VICE-PRESIDENT. The Secretary will read, for the information of the Senate, an extract from the Journal of March 3, last.

Mr. HALE. That has been the universal practice.

Mr. CULLOM. Let the resolution be read.

The Secretary read as follows:

Journal, March 3, 1891:

#### COMMITTEES OF THE SENATE.

Mr. ALLISON submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the standing and select committees of the Senate as now constituted be, and they are hereby, continued with power to act until the first Monday in December, 1891, or until their successors are elected.

Mr. CULLOM. Early in the present session I submitted the following resolution, which was considered by unanimous consent and agreed to:

*Resolved*, That the following constitute the select committees of the Senate of the United States for the Fifty-second Congress.

Following the resolution is the provision for the establishment of the Committee on the Transportation and Sale of Meat Products, and Messrs. VEST (chairman), COKE, Plumb, POWER, CASEY were appointed upon that committee by a resolution of the Senate. So it seems to me it is unqualifiedly true that the committee exists by virtue of the action of the Senate itself during the present session.

Mr. VEST. That would be the inference, but I want to put it beyond any doubt.

Mr. CULLOM. If the Senator will allow me further, the effect of that resolution, it seems to me, just as clearly establishes that committee as if the Senator had introduced a separate resolution providing that it be established in the first instance and that resolution had been adopted by the Senate.

Mr. VEST. During the last Congress this question came up incidentally, and upon consultation with the late chairman of the Committee on the Judiciary, Mr. Edmunds, and other very experienced and able lawyers, I came to the conclusion, with reference to this very committee, that a special resolution was necessary, and I offered such a resolution, and it was adopted by the Senate. But that was after the committees had been fixed as they are fixed now and the personnel of membership established.

Mr. HALE. If that was required in the case of each committee, what would be the force of the general resolution which, in terms, constitutes all the committees at once? If each committee must afterwards introduce a special resolution creating it a working committee, what force is there in the general resolution?

Mr. VEST. The only difficulty that arose in my mind was the fact that the Senate by special resolution had declared that this special committee (and I do not speak of any other) should exist until the first day of the present session. That was affirmative and distinct legislation, and to get rid of that affirmative legislation we must adopt the inferential argument, for it is nothing else, that the general resolution repeals or takes the place of the affirmative action of the Senate.

Mr. HALE. Undoubtedly if, after the resolution which limited the duration of this committee to the first day of the session, the present Congress had done nothing, the committee would fall, because the limitation of the special resolution was upon the first day of the session. But the Senate has taken up the sub-

ject and in connection with other committees has declared by resolution that that committee is revived, and that it exists, with the Senator from Missouri at its head. I do not think the Senator need have any doubt about it.

Mr. VEST. I have not the slightest objection of course to any construction the Senate sees proper to put upon it, but I wanted to put the question as to the condition of the bill beyond any doubt, so that my committee could either act upon it or send it back to the Committee on Commerce.

Mr. CULLOM. If the Senate had never created that committee by a resolution offered by the Senator from Missouri, the Senate coming in at the beginning of this session and creating a select committee and naming the members of it certainly makes it an existing committee of the Senate for this Congress.

Mr. COCKRELL. Independent of any affirmative action.

Mr. HARRIS. Unquestionably.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. KERR, its Clerk, announced that the House had elected Hon. BENTON McMILLIN, a Representative from the State of Tennessee, Speaker *pro tempore* during the absence of the Speaker.

#### SENATOR FROM KANSAS.

The VICE-PRESIDENT presented the credentials of Bishop W. Perkins, appointed by the governor of the State of Kansas a Senator from that State, to fill, until the next meeting of the Legislature thereof, the vacancy caused by the death of Preston B. Plumb; which were read, and ordered to be filed.

Mr. PEPPER. I ask that the oath of office be administered to my colleague, Mr. Perkins, who is present.

The VICE-PRESIDENT. The Senator will please come forward and receive the oath of office.

Mr. Perkins advanced to the Vice-President's desk, escorted by Mr. PEPPER, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

#### SENATOR FROM NORTH CAROLINA.

Mr. HARRIS. The Senator from North Carolina [Mr. Vance], elected to succeed himself, is now present in the Senate Chamber, and I ask that the oath of office may be administered to him.

The VICE-PRESIDENT. The Senator elect from North Carolina will please come forward and receive the oath of office.

Mr. Vance advanced to the Vice-President's desk, escorted by Mr. HARRIS, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

#### COMMITTEE SERVICE.

Mr. COCKRELL. In pursuance of the understanding had at the time, and the announcement made by me when the committees were appointed, I am authorized by the Senator from North Carolina [Mr. RANSOM] to resign his places on the committees to Audit and Control the Contingent Expenses of the Senate, on Finance, on Privileges and Elections, on the District of Columbia, and as chairman of the Committee on Woman Suffrage, and I ask that his colleague [Mr. VANCE], who has just been sworn in, be appointed to those respective places.

The PRESIDING OFFICER (Mr. PLATT in the chair). The declination of the Senator from North Carolina [Mr. RANSOM] to serve upon the committees named will be accepted by the Senate, if there is no objection, and his colleague [Mr. VANCE] will, if there be no objection, be considered as having been appointed to the vacancies thus created.

#### SILVER COINAGE.

Mr. MORRILL. I propose to-morrow morning, after the close of the morning business, if able, and with the consent of the Senate, to submit some remarks, of which previous notice has been given, on the subject of the free coinage of silver on the bill now upon the table, being (S. 51) to provide for the free coinage of gold and silver bullion, and for other purposes, which was introduced by the Senator from Nevada [Mr. STEWART].

#### COMPILATION OF A. W. CHURCH AND H. H. SMITH.

Mr. CHANDLER submitted the following resolution: which was referred to the Committee on Printing:

*Resolved*, That there be printed for the use of the Senate 500 copies of the "Table showing the contents of the several volumes comprising the Annals of Congress, Congressional Debates, Congressional Globe, CONGRESSIONAL RECORD, Statutes at Large, and United States Supreme Court Reports, arranged by years and Congresses," which was compiled for the Senate Library by A. W. Church and H. H. Smith; the same being brought down to January 1, 1892.

#### EXPORT OF CATTLE TO GREAT BRITAIN.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

Mr. VEST. If my friend from Iowa will permit me, I desire to ask the Senate to proceed to the consideration of a joint resolution in regard to the British quarantine upon American cattle which I introduced just before the recess, and gave notice that I



The VICE-PRESIDENT. To what committee shall the communication be referred?

Mr. PERKINS. I suggest that it be referred to the Committee on Foreign Relations.

The VICE-PRESIDENT. It will be so referred.

#### REPORTS OF COMMITTEES.

Mr. DOLPH, from the Committee on Public Lands, to whom was referred the bill (S. 636) for the relief of Chester B. Sweet, of California, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 800) to authorize the Secretary of the Interior to convey to the State of Kansas certain lands therein, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 625) to grant to the State of Oregon, townships 27, 28, 29, 30, and 31 south, in ranges 5 and 6 east, of the Willamette meridian, in the State of Oregon, for a public park, reported it without amendment.

Mr. BERRY, from the Committee on Public Lands, to whom was referred the bill (S. 875) for the relief of Thomas Guinean, reported it without amendment.

Mr. PADDOCK, from the Committee on Public Lands, to whom was referred the bill (S. 386) to provide for the disposal of Fort Hartsuff, Fort Sheridan, and Fort McPherson military reservations, in the State of Nebraska, to actual settlers under the provisions of the homestead laws, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1374) to aid the State of Colorado to support a school of mines, reported it without amendment.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 440) to authorize the construction of a bridge across the Missouri River between the city of Chamberlain, in Brulé County and Lyman County, in the State of South Dakota, reported it with amendments.

He also, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 430) making appropriation for the purchase of ground and the erection thereon in the city of Washington, D. C., of a building to be used as a hall of records, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 427) to provide for the erection of public buildings for post-offices in towns and cities where the post-office receipts for three years preceding have exceeded \$3,000 annually, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 426) to provide for the erection of a public building for the use and accommodation of the post-office at Mammoth Hot Springs, in the Yellowstone National Park, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 70) to increase the limit of cost of the erection of a public building at Hoboken, N. J., reported it with an amendment.

Mr. QUAY, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 902) to provide for the erection of a public building at Bradford, Pa., reported it without amendment, and submitted a report thereon.

Mr. McMILLAN, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 1095) for the relief of Thomas Chambers, reported it without amendment, and submitted a report thereon.

Mr. PETTIGREW, from the Committee on Public Lands, to whom was referred the bill (S. 435) to aid the State of South Dakota to support a school of mines, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 444) granting to the State of South Dakota section No. 36, in township No. 94 north, of range No. 56 west, in the county of Yankton, in said State, for the purpose of an asylum for the insane, to correct an act approved June 16, 1880, attempting to make such grant to the Territory of Dakota, and for other purposes, reported it without amendment.

Mr. WHITE, from the Committee on Public Lands, to whom was referred the bill (S. 143) to increase the endowment of the Louisiana State University and Agricultural College and for the Southern University of Louisiana, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1342) for the relief of John R. Blankenship, reported it with an amendment, and submitted a report thereon.

Mr. COCKRELL subsequently said: This morning the bill (S. 1342) for the relief of John R. Blankenship was reported by the junior Senator from Louisiana [Mr. WHITE] from the Committee on Public Lands. I ask that the bill and report may be recommitted in order that I may submit some additional papers to the committee.

The VICE-PRESIDENT. It will be so ordered in the absence of objection.

Mr. PASCO. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 81) to relinquish the interest of the United States in a certain parcel of land in the city of Pensacola, Fla., to Escambia Lodge, No. 15, Free and Accepted Masons, to report it without amendment. I will submit a report later.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 686) granting a pension to Mrs. Charlotte O. Van Cleve, asked to be discharged from its further consideration, and that it be referred to the Committee on Pensions: which was agreed to.

#### REPORT OF COMMISSION ON GEOGRAPHIC NAMES.

Mr. MANDERSON. I am directed by the Committee on Printing, to which committee was referred a message from the President transmitting the report of the board constituted to consider the advisability of establishing uniformity in geographic nomenclature and orthography to report it back adverse to its printing, because it has been already printed by the House of Representatives.

The VICE-PRESIDENT. The report will be agreed to, and the committee discharged from the further consideration of the subject.

#### REVISED SENATE MANUAL FOR 1892.

Mr. ALDRICH, from the Committee on Rules, reported the following resolution: which was referred to the Committee on Printing:

*Resolved*, That there be printed for the use of the Senate, under the direction of the Committee on Rules, 1,500 copies of the Revised Senate Manual for 1892, with corrections to January 1, 1892.

#### BILLS INTRODUCED.

Mr. HAWLEY introduced a bill (S. 1455) granting an increase of pension to Mary B. Hunt: which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1456) to authorize the construction of an addition to the public building at Hartford, Conn.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1457) to remove the charge of desertion now standing against the name of Bartholomew Muleahy, and grant him an honorable discharge; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1458) for the relief of Robert Carrick, late first lieutenant of Eighth United States Cavalry; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CULLOM introduced a bill (S. 1459) for the relief of the city of Cairo, in the State of Illinois; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. MCPHERSON introduced a bill (S. 1460) for the relief of the legal administrators of Daniel McLeod, deceased: which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1461) increasing the pension of John P. Veach; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1462) granting a pension to Margaret Burke; which was read twice by its title, and, with the accompanying papers, referred the Committee on Pensions.

Mr. CAMERON introduced a bill (S. 1463) for the relief of James A. Finley; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1464) to place James T. Peale on the retired list of the United States Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1465) for the relief of Frank J. Burrows; which was read twice by its title, and referred to the Committee on Post-Offices and Post Roads.

He also introduced a bill (S. 1466) granting a pension to William H. Baker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. QUAY (by request) introduced a bill (S. 1467) defining the term "artists" in the act of Congress entitled "An act to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia," approved February 26, 1885; which was read twice by its title, and referred to the Committee on Immigration.

He also (by request) introduced a bill (S. 1468) prohibiting enlisted men in the Army and Navy of the United States from performing service in civil life for pay or emolument, and for other

purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1469) granting an increase of pension to John D. Yerkes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1470) granting an increase of pension to Isaac N. Durborow; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1471) granting an increase of pension to James Jackson Purman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WILSON introduced a bill (S. 1472) granting a pension to Mrs. Sarah Schafer; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STOCKBRIDGE introduced a bill (S. 1473) to amend and reenact section 5 of an act entitled "An act to promote the efficiency of the Life-Saving Service, and to encourage the saving of life from shipwreck," approved May 4, 1882; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

He also (by request) introduced a bill (S. 1474) granting a pension to Marrilla Parsons, of Detroit, Mich.; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1475) granting a pension to Gil Blas Wilcox; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1476) to grant a pension to Henry Allett; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1477) to incorporate the Cross-Town Railroad of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 1478) to restore to market public lands in the States of Michigan, Wisconsin, and Minnesota, and to provide for the disposition of land hereafter surveyed in said States; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1479) for the relief of George H. Murdoch; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1480) for the relief of James Campbell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. HOAR introduced a bill (S. 1481) granting a pension to John Eckland; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DAVIS introduced a bill (S. 1482) granting a pension to Marrilla Parsons; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1483) for the relief of James R. Walker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. CHANDLER introduced a bill (S. 1484) in addition to the provisions of the Revised Statutes relative to the election of Senators and to prevent vacancies in the Senate after elections and appointments have been made; which was read twice by its title, and referred to the Committee on Privileges and Elections.

He also introduced a bill (S. 1485) granting a pension to James T. Minard; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STANFORD introduced a bill (S. 1486) granting to the State of California 5 per centum of the net proceeds of the cash sales of public lands in said State; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1487) for the relief of the heirs or assigns of Joshua Shaw; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. HISCOCK introduced a bill (S. 1488) to amend the act entitled "An act to prevent the importation of adulterated and spurious teas," approved March 2, 1883; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 1489) for the relief of Amelia R. Webster; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1490) for the relief of Benjamin F. Wells, sr.; which was read twice by its title, and referred to the Committee on Claims.

Mr. McMILLAN introduced a bill (S. 1491) to establish a free public and departmental library and reading room; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1492) to authorize the appointment of an Inspector of plumbing in the District of Columbia, and for other purposes; which was read twice by its title, and, with the

accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1493) to incorporate the Washington Northeastern Street Railway Company; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1494) to create additional associate justices of the supreme court of the District of Columbia; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1495) to amend "An act relating to the supreme court of the District of Columbia," approved June 21, 1879; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. STEWART introduced a bill (S. 1496) for the relief of Gen. Napoleon J. T. Dana; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1497) for the relief of P. S. Corbett; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. PASCO introduced a bill (S. 1498) for the establishment of additional aids to navigation in Tampa Bay, Florida; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1499) to grant a pension to Mrs. Mima A. Read; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1500) for the relief of the legal representatives of Joseph Sierra, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1501) for the relief of William H. Atkins, formerly commissary sergeant, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1502) for the relief of Luther Herrick, late first lieutenant, Company A, Ninth Regiment, New York Cavalry; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALLEN introduced a bill (S. 1503) to establish a first-order light-house on North Head, Cape Disappointment, in the State of Washington; which was read twice by its title, and referred to the Committee on Commerce.

He also (by request) introduced a bill (S. 1504) for the relief of David Dealy and Moses Younkin; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. MANDERSON introduced a bill (S. 1505) providing for the survey of a part of the northern boundary of Nebraska, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

He also introduced a bill (S. 1506) granting a pension to William T. Hutton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SHERMAN introduced a bill (S. 1507) for the relief of Mathew S. Priest; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 1508) for the relief of William B. Stokes, M. M. Brien, sr., Thomas Waters, and William T. Haskins; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1509) for the relief of Samuel B. Kepner; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1510) for relief of Jacob Barr; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1511) to authorize the Secretary of War to cause to be mustered Frank Gray; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1512) granting an honorable discharge to Patrick Burke; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1513) granting a pension to Thomas S. Mattox; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1514) to correct the military record of Albert Stratton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1515) granting a pension to the children of William H. Nettle; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

I undertake to say that, if we may judge by the reduction in the prices of work which has obtained in contracts made for certain river and harbor improvements under similar provisions in the last river and harbor act, the \$100,000,000 provided in this bill will go as far as \$150,000,000 appropriated in the ordinary manner. And I wish to say that the way Congress proceeds in providing for great public works, making an appropriation one year and failing to appropriate another, making inadequate appropriations, is wasteful and almost criminal on the part of those who have the disbursement of the people's money.

I now venture the prediction that if this bill does not pass—and I hardly hope it will; the committee reported it more with a view of bringing the matter to the attention of the Senate and of the country, and agitating the question of coast defenses and directing public attention to it than with the hope that it would pass as an independent measure—in twenty years Congress will appropriate \$100,000,000 for coast defenses in an irregular and inadequate manner, which will be expended, and then \$50,000,000 more will be required to do the work which would be done by this appropriation if made now to be available for eleven years.

I wish to say also that if any voter in the United States can not distinguish between a proposition to appropriate \$100,000,000 in one year to be expended in a year, and a proposition to appropriate \$100,000,000 to run through eleven years and to be distributed according to the necessities of the public work during that time, I care but very little about his opinion in regard to a public measure.

Mr. CHILTON. Mr. President, I was unable to be present at the meeting of the Coast Defense Committee at which this report was ordered, but I wish to say, without particularizing my objections at this time, that I concur with the Senator from Arkansas [Mr. BERRY] in his opposition to the report.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. PASCO, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 79) for the erection of a public building at Tampa, Fla., reported it with an amendment, and submitted a report thereon.

Mr. STANFORD. I am instructed by the Committee on Public Buildings and Grounds to report favorably and without amendment the following bills, which were passed upon by the committee and by the Senate at the last Congress:

A bill (S. 237) for the erection of a public building at Waterbury, Conn.;

A bill (S. 1054) to provide for the construction of a public building at Hastings, Nebr.;

A bill (S. 297) to increase the accommodations at the marine hospital at Detroit, Mich.;

A bill (S. 303) to provide for the erection of a public building in the city of Mansfield, Ohio;

A bill (S. 197) providing for the erection of a public building at the city of Norfolk, Nebr.;

A bill (S. 94) to provide for the purchase of a site and the erection of a public building thereon at Jacksonville, in the State of Illinois;

A bill (S. 339) for the erection of a public building at Fergus Falls, Minn.;

A bill (S. 367) to provide for the purchase of a site and the erection of a public building thereon at Nashua, in the State of New Hampshire;

A bill (S. 1206) to provide for the purchase of a site and the erection of a public building thereon at Fresno, in the State of California (with a written report);

A bill (S. 304) to provide for the erection of a public building in the city of Zanesville, Ohio;

A bill (S. 377) to provide for the purchase of a site and the erection of a public building thereon, at Grand Haven, in the State of Michigan;

A bill (S. 1207) to provide for the purchase of a site and the erection of a public building thereon at Alameda, in the State of California (with a written report);

A bill (S. 436) to provide for the purchase of a site and the erection of a public building thereon at Deadwood, in the State of South Dakota;

A bill (S. 368) to provide for the purchase of a site and the erection of a public building thereon at Dover, in the State of New Hampshire;

A bill (S. 1212) to provide for the erection of a public building at San Diego, Cal. (with a written report);

A bill (S. 687) for the erection of a public building at Stillwater, Minn.;

A bill (S. 1214) to provide for the purchase of a site and the erection of a public building at Oakland, in the State of California (with a written report);

A bill (S. 534) to provide for the construction of a public building at Salem, Oregon;

A bill (S. 1215) for an extension of appropriation for the erection of a public building at Los Angeles, Cal. (with a written report);

A bill (S. 601) for the erection of a public building for a post-office and United States land office at the city of The Dalles, Oregon; and

A bill (S. 580) to provide a suitable site for a post-office in the city of Providence, R. I.

The VICE-PRESIDENT. The bills will be placed on the Calendar and the reports printed.

Mr. STANFORD also, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally with an amendment:

A bill (S. 55) for the erection of a public building at Virginia City, State of Nevada;

A bill (S. 56) for the erection of a public building at Reno, State of Nevada; and

A bill (S. 591) to provide for the erection of a public building in the city of Grand Forks, N. Dak.

He also, from the same committee, to whom were referred the following bills, reported them severally with amendments:

A bill (S. 1270) to provide for the purchase of a site and the erection of a public building thereon at Kansas City, in the State of Kansas;

A bill (S. 1045) to provide for the purchase of a site and the erection of a public building thereon at Leadville, in the State of Colorado; and

A bill (S. 592) to provide for the erection of a public building in the city of Bismarck, N. Dak.

#### BILLS INTRODUCED.

Mr. WILSON introduced a bill (S. 1550) to construct a public building at Oskaloosa, Iowa, and for other purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also (by request) introduced a bill (S. 1551) to amend section 707 of the Revised Statutes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. QUAY introduced a bill (S. 1552) granting a pension to William P. Morrison; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1553) granting an increase of pension to George C. Smith; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1554) granting an increase of pension to Eugene Hyatt; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 1555) for the relief of Mrs. Sarah H. Wood; which was read twice by its title, and referred to the Committee on Claims.

Mr. BLACKBURN introduced a bill (S. 1556) for the benefit of Logan and Simpson Counties and of Louisville, Ky., and of Sumner and Davidson Counties, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1557) for the relief of the estate of Mary H. S. Robertson; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1558) to remit the penalties on the dynamite-gun cruiser Vesuvius; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. WHITE (by request) introduced a bill (S. 1559) for the relief of Alberie Duplantier, of East Baton Rouge, La., for stores and supplies taken from him by the military forces of the United States for their use during the war for the suppression of the rebellion; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1560) for the relief of W. R. Wimbish, of West Feliciana, La., for stores and supplies taken from him by the military forces of the United States during the war for the suppression of the rebellion; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1561) for the relief of the heirs of Hermine Martel, wife of B. Martel, of St. Landry Parish, La.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1562) for the relief of the heirs of Mrs. B. W. F. Chevis; which was read twice by its title, and referred to the Committee on Claims.

Mr. STOCKBRIDGE introduced a bill (S. 1563) providing for the erection of a public building at the city of Battle Creek, Mich.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. GORMAN introduced a bill (S. 1564) for the relief of Pat-

rick H. Philbin; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. PETTIGREW introduced a bill (S. 1565) for the relief of the heirs of D. Fulford; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1566) granting an increase of pension to Michael Ackerman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1567) granting an increase of pension to David S. Clark; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1568) to remove the charge of desertion from William H. H. Cook; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1569) granting an increase of pension to Thomas B. Davis; which was read twice by its title, and referred to the Committee on Pensions.

Mr. JONES of Arkansas introduced a bill (S. 1570) for the erection of a public building at Pine Bluff, Ark.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. COLQUITT (by request) introduced a bill (S. 1571) to regulate liquor licenses in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PADDOCK introduced a bill (S. 1572) granting an increase of pension to H. Cook Griffith; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1573) granting a pension to Kate A. S. Connor; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1574) to provide for the purchase of a site and the erection of a public building thereon at Grand Island, in the State of Nebraska; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. MANDERSON introduced a bill (S. 1575) providing for the erection of a public building at the city of Plattsmouth, Nebr., and for other purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1576) providing for the erection of a public building at the city of Norfolk, Nebr.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CHILTON introduced a bill (S. 1577) for the relief of Mrs. Emma M. Moore; which was read twice by its title, and referred to the Committee on Claims.

Mr. PERKINS introduced a joint resolution (S. R. 27) providing that the statute of limitations shall not be interposed as a defense by the United States in the Court of Claims in suits wherein laborers, workmen, and mechanics are seeking to recover for wages due; which was read twice by its title.

Mr. PERKINS. I am not certain whether the joint resolution should be referred to the Committee on the Judiciary or the Committee on Claims.

The VICE-PRESIDENT. It will be referred to the Committee on the Judiciary, in the absence of objection.

Mr. STEWART introduced a joint resolution (S. R. 28) providing for the preparation, printing, and distribution of a law subject catalogue of the books in the United States Supreme Court law library; which was read twice by its title, and referred to the Committee on Printing.

#### SUPPRESSION OF AFRICAN SLAVE TRADE.

Mr. SHERMAN, from the Committee on Foreign Relations, reported the following resolution: which was read, and referred to the Committee on Printing:

*Resolved*, That there be printed for distribution by the Senate 5,000 copies of "A general act, signed at Brussels July 2, 1890, by the plenipotentiaries of the United States and other powers for the suppression of the African slave trade," and of "A convention of commerce and navigation between the United States and the independent State of Congo, signed at Brussels, January 24, 1891," as amended, with the proceedings of the Senate thereon.

#### WITHDRAWAL OF PAPERS.

On motion of Mr. WASHBURN, it was

*Ordered*, That certain memorials and resolutions of commercial, industrial, and professional bodies presented March 3, 1891, be withdrawn from the files of the Senate.

On motion of Mr. MITCHELL, it was

*Ordered*, That the papers relating to the claim of Peter Grant Stewart, of Oregon, be taken from the files and referred to the Committee on Claims.

#### PRINTING OF BILL.

Mr. CHANDLER submitted the following resolution; which was considered by unanimous consent and agreed to:

*Resolved*, That there be printed in document form for use of the Senate 500 additional copies of Senate bill No. 1127, entitled "A bill to enlarge the ship-room and increase the comfort of immigrants."

#### LIFE-SAVING APPLIANCES.

Mr. HOAR submitted the following order: which was considered by unanimous consent, and agreed to:

*Ordered*, That the Secretary of the Treasury be directed to communicate to the Senate the proceedings of the Board of Supervising Inspectors of Steam Vessels at its sessions extending from September 28 to October 10, 1891, in regard to the matter of life-saving appliances on steamers, including all communications made to said board on the subject, whether in support of or adverse to the repeal of the present law, and all other documents and evidence relating to the use of projectiles and other life-saving appliances, which were before said board.

#### SANITARY CONDITION OF BASEMENT OF CAPITOL.

Mr. HALE. I offer an order, and ask for its immediate passage.

The order was read, as follows:

*Ordered*, That the Architect of the Capitol be, and he is hereby, directed to report forthwith to the Senate the condition of the Senate end of the Capitol in respect to its ventilation, drainage, and plumbing, and to state fully whether any defects exist which unfavorably affect the sanitary condition of the building.

Mr. HALE. Mr. President, I do not offer this order with a view of casting any censure or reproach upon the Architect of the Capitol, whom I believe to be a faithful and competent officer; but I have been informed that there is a condition of affairs in the basement or sub-basement of this end of the Capitol that is dangerous to every employé and to members of this body. Whether it be true I do not know, but I am informed that the board of health of this District has been invoked and has visited this end of the Capitol in the lower stories, and has found there a condition of things which may well be alarming to every one.

If that is the case, and if extensive changes are needed and new plumbing and new drainage required, the hands of the Architect ought to be upheld and strengthened; and if larger appropriations than are now available at his control are needed this is a subject of importance to everybody and ought to be acted upon at once; and I have made the order in its language require an immediate report. I hope that nobody will object to its passage.

The VICE-PRESIDENT. Is there objection to the immediate consideration of the resolution?

Mr. HARRIS. Is it a resolution? If it is a proposition for action I should like to know what it is. I did not hear it.

The VICE-PRESIDENT. It is the order submitted by the Senator from Maine.

Mr. HALE. Let it be read again for the information of the Senator.

The VICE-PRESIDENT. The order will be again read.

The Chief Clerk again read the proposed order.

Mr. HARRIS. The order ought to be adopted at once.

The resolution was considered by unanimous consent, and agreed to.

#### MEXICAN COMMISSION AWARDS.

Mr. MORGAN. I submit a resolution calling for information; and I ask for its immediate consideration.

The resolution was read, as follows:

*Resolved*, That the Secretary of State be directed to send to the Senate a statement of the amount of money paid, and the date of each payment, by Mexico in compliance with the awards of the commissioners, or the umpire, made under the convention concluded between Mexico and the United States of America, concluded July 4, 1898; and, also, a statement of the amount paid out of said fund to each claimant thereof; to whom paid, and the date of payment. And the amount of any award made under said convention that has been refused payment by the State Department, and what person or persons are now the claimants of interests in said awards, the payment of which has been so refused.

The Secretary of State will also inform the Senate whether any of said fund, remaining in the Department of State, is invested, and, if so, in what securities the same is invested.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. CHANDLER. I do not want to object, but I did not catch the statement as to what the resolution does.

Mr. MORGAN. The resolution calls for a report from the Department of State as to the condition and state of the fund under the convention with Mexico of July 4, 1898. It is the Weil and La Abra matter.

Mr. CHANDLER. I make no objection.

The resolution was considered by unanimous consent, and agreed to.

#### BUSINESS BEFORE COURT OF CLAIMS.

Mr. MITCHELL. There is a resolution on the table that I introduced yesterday relating to the business before the Court of Claims. I ask that it may lie over until to-morrow. It is not necessary to read it. Let it go over.

The VICE-PRESIDENT. The resolution will lie over until to-morrow.

#### ESTATE OF JAMES C. BOOTH.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed and the Calendar is in order. The first bill on the Calendar will be stated.



Mr. QUAY presented the petition of Benjamin F. Bruner, of Lancaster County, Pa., praying to be allowed an invalid pension: which was referred to the Committee on Pensions.

Mr. HISCOCK. I present resolutions and petition of the New York Cotton Exchange, remonstrating against the passage of Senate bill 685, levying a tax on sales for future delivery of cotton, etc., on the ground that it would necessitate the closing up of the commercial exchanges of the country, and asking Congress to refrain from legislation of the kind.

I ask that the resolutions and petition be printed in the RECORD. I believe the bill to which the paper refers was introduced by the Senator from Minnesota [Mr. WASHBURN] and referred to the Committee on the Judiciary.

The VICE-PRESIDENT. The Chair is advised that the bill was referred to the Committee on Agriculture and Forestry.

Mr. HISCOCK. I understand not. The paper refers to the bill which was introduced by the Senator from Minnesota [Mr. WASHBURN], and that bill was referred to the Committee on the Judiciary. I inquire of the Senator from Nebraska [Mr. PADDOCK] if there has been a like bill referred to the Committee on Agriculture?

Mr. PADDOCK. There are three or four bills pending before the Committee on Agriculture on this subject. There is one, and possibly there are two, of like import pending before the Committee on Interstate Commerce, and there is one before the Committee on the Judiciary. It seems to me that it would be wise to have all these bills in some one committee and to have one committee charged with the responsibility of considering the whole subject and reporting upon it to the Senate. I have no particular personal interest in the matter and no concern about it, except to have the subject fairly and thoroughly treated. It seems to me to be a subject that would properly come within the jurisdiction of the Agricultural Committee. However, I have no care or solicitude as to the particular committee to which the subject shall be referred.

Mr. HISCOCK. It seems to me all the bills on this subject ought to be referred to the Committee on Interstate Commerce, as the power to tax depends upon the theory that the properties come within interstate commerce; but I do not desire to make any motion on the subject. I merely rose for the purpose of suggesting that the paper which I presented, referring, as it does, to the bill of the Senator from Minnesota, should be referred to the same committee to which the bill was referred.

Mr. PADDOCK. Undoubtedly it should be, Mr. President.

Mr. WASHBURN. I conferred with the Senator from Nebraska [Mr. PADDOCK], as I had some doubt in regard to the reference of the bill when I introduced it. It should probably have gone to the Committee on Agriculture, but as I felt that it was pretty sure ultimately to be referred to the Judiciary Committee for a final report, I thought I would ask the reference of the bill in the first place to that committee, as I desired to have an early report and early discussion and action on the bill.

So far as the printing in the RECORD of the memorial, or protest, or argument, or whatever it is, which has been presented by the Senator from New York [Mr. HISCOCK] is concerned, I should have no objection to that proposition, excepting that it is not, as I understand, in accordance with the practice of the Senate. If that is done in this case I have a volume of memorials on the same subject, which I shall ask to have printed also in the same form.

Mr. HISCOCK. I withdraw the request for the printing of the paper in the RECORD.

The VICE-PRESIDENT. The petition will be referred to the Committee on the Judiciary if there be no objection.

Mr. COCKRELL. I desire to present preamble and resolutions which were adopted at a meeting of the merchants, manufacturers, and representatives of the municipal government of the city of St. Louis, held at the Merchants' Exchange on November 24, 1891, in regard to the improvement of the Mississippi River, and especially that portion of it between St. Louis and the mouth of the Ohio River, and also containing a report of the legislative committee presented at a meeting of the executive committee held on January 6, 1892, in which they favor an appropriation of \$11,000,000 for the improvement of the river from the mouth of the Illinois River to the mouth of the Ohio River, said sum to be expended under the direction of the Secretary of War; and further requesting the Senators and Representatives in Congress from Missouri to support Senate bill 1199, introduced by Senator GIBSON, of Louisiana, entitled "A bill to improve the navigation and to afford ease and safety to the trade and commerce of the Mississippi River, and to prevent destructive floods, by building and repairing and extending the levees and dikes and other works, with an appropriation therefor." Nearly all the representative bodies and organizations of St. Louis are represented in the membership of the executive committee.

I ask that these resolutions and preamble may be received and referred to the Committee on Commerce.

The VICE-PRESIDENT. They will be so referred.

#### PRINTING OF A PETITION.

Mr. ALLISON. I ask that a petition in the nature of a resolution, adopted by the Eleventh Annual Farmers' Congress, held at Sehalia, Mo., which I presented on the 5th instant, praying for legislation impartial in its advantages and benefits, favoring the election of the President and United States Senators by a direct vote of the people, etc., may be printed as a document. It is brief, and I think for the convenience of Senators it should be printed.

The VICE-PRESIDENT. The petition will be printed as a document, if there be no objection. The Chair hears none, and it is so ordered.

#### PERSONAL EXPLANATION.

Mr. GORDON. Mr. President, I ask the privilege of interrupting the regular order long enough, at this stage, to make a personal explanation and to give the reason for my absence from the regular meeting of the Committee on Coast Defenses, which met yesterday.

In looking over the printed list of the committees as recorded in the daily RECORD I found that the name of my distinguished friend from Maryland [Mr. GORMAN] was mentioned as a member of that committee, and not myself. I therefore naturally concluded that I was not a member of the committee and that the first announcement was a mistake. This was my reason for being absent. That misapprehension having been removed, I shall in the future be present at its meetings.

Now that I am on my feet, if the Senate will indulge me, I wish to make one other explanation. While the bill reported favorably from that committee yesterday morning is one of great importance, and merits grave consideration, yet had I been present I should have felt constrained, in the present condition of the country and of the people, to have voted against its favorable report. There are, I think, no war clouds visible to give us unusual concern or alarm. No man will be more prompt than myself in voting money for the country's defense whenever the exigencies shall demand it, and to any amount required for defense. It does seem to me, however, that the country is in much greater danger from the burdens of taxation from which the people are suffering than from any invasion from a foreign foe. It occurs to me, therefore, that it would be wiser for us to rather curtail than increase expenditures, and thus avoid the necessity for raising such large sums from the people. Let us first relieve our people, as far as we may, from the present exactions of taxation and then, when the occasion arises, look to the remote and contingent danger from outside.

#### REPORTS OF COMMITTEES.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 1379) to provide for a pension for Obe Sutherland, late a teamster in the Quartermaster's Department of the United States Volunteer Army, reported it with an amendment, and submitted a report thereon.

Mr. DOLPH, from the Committee on Commerce, to whom was referred the bill (S. 1503) to establish a first-order light-house on North Head, Cape Disappointment, in the State of Washington, reported it without amendment.

Mr. PASCO, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 80) providing for the completion of the public building in the city of Pensacola, Fla., as originally designed, reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 53) to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada, reported it without amendment, and submitted a report thereon.

Mr. CAREY, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 522) for the erection of a public building at Cheyenne, Wyo., reported it with amendments.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 211) for the relief of the survivors of Dennis Murphy, reported it without amendment, and submitted a report thereon.

Mr. PADDOCK, from the Committee on Agriculture and Forestry, to whom was referred the bill (S. 1) for preventing the adulteration and misbranding of food and drugs, and for other purposes, reported it with amendments.

Mr. PADDOCK. The Committee on Agriculture and Forestry have had under consideration the bill (S. 1434) providing for the loan of money to the farmers of Indiana, and have in-

structed me to report it back to the Senate and ask to be relieved from the further consideration of the proposition. As the bill relates exclusively to the subject of finance it clearly belongs, we think, to the jurisdiction of the committee having charge of all finance measures, and I am therefore instructed, without any expression whatever as to the views of the committee respecting the merits of the proposition itself, to move that it be referred to the Committee on Finance. I call the attention of the Senator from Kansas [Mr. PEPPER] to this report, who, as the RECORD shows, introduced the bill by request.

The VICE-PRESIDENT. The Committee on Agriculture and Forestry will be discharged from the further consideration of the bill, and it will be referred to the Committee on Finance if there be no objection. The Chair hears none, and it is so ordered.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed a bill (H. R. 123) fixing the time for holding the district and circuit courts of the United States in the northern district of Iowa; in which it requested the concurrence of the Senate.

#### BILLS INTRODUCED.

Mr. HOAR introduced a bill (S. 1578) for the relief of the First National Bank of Newton, Mass.; which was read twice by its title, and referred to the Committee on Claims.

Mr. SAWYER introduced a bill (S. 1579) to establish the port of Ashland, in the State of Wisconsin, as a port of entry; which was read twice by its title, and referred to the Committee on Commerce.

Mr. McPIERSON introduced a bill (S. 1580) granting an increase of pension to Frances A. T. Emmons; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 1581) for the relief of Mary J. Bealmear; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1582) for the relief of Henry M. Cannon, administrator of the estate of James Cannon, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. CARLISLE introduced a bill (S. 1583) to provide for military telegraph lines; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. WHITE introduced a bill (S. 1584) for the relief of Christina A. Redf; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1585) for the relief of the New Orleans and Bayou Sara Mail Company; which was read twice by its title, and referred to the Committee on Claims.

Mr. TURPIE introduced a bill (S. 1586) to reimburse Isaac D. Armstrong for stolen bonds; which was read twice by its title, and referred to the Committee on Claims.

Mr. BRICE introduced a bill (S. 1587) providing for the compensation of fourth-class postmasters; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 1588) for the relief of Charles B. Stivers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. KYLE introduced a bill (S. 1589) to repeal section 3699 of the Revised Statutes, which empowers the Secretary of the Treasury to anticipate interest upon the public debt; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 1590) making certain issues of money a full legal tender in payment of all debts; which was read twice by its title, and referred to the Committee on Finance.

Mr. McMILLAN introduced a bill (S. 1591) to amend an act entitled "An act for the further protection of property from fire and safety of lives in the District of Columbia," approved January 26, 1887; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1592) to amend an act entitled "An act to amend the general incorporation law of the District of Columbia," approved May 17, 1882; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. WASHBURN introduced a bill (S. 1593) for the relief of George F. Brott; which was read twice by its title, and referred to the Committee on Claims.

Mr. HISCOCK introduced a bill (S. 1594) to increase the pension of Elizabeth Deshler Whiting, widow of Lieut. Henry Whiting; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1595) for the relief of Alexander Van Loan, private Company B, Fourth New York Heavy Artillery; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STOCKBRIDGE introduced a bill (S. 1596) to grant a pension to Martha Noble Brainerd; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1597) to amend an act entitled "An act granting the right of way to the Hatchison and Southern Railroad Company to construct and operate a railroad, telegraph, and telephone line from the city of Anthony, in the State of Kansas, through the Indian Territory, to some point in the county of Grayson, in the State of Texas," approved September 26, 1890; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. GALLINGER introduced a bill (S. 1598) to insure preference in appointment, employment, and retention therein, in the public service of the United States, to veterans of the late war; which was read twice by its title, and referred to the Committee on Civil Service and Retrenchment.

Mr. PERKINS introduced a bill (S. 1599) to create a third division of the district of Kansas for judicial purposes, and to fix the time and place for holding Federal courts therein; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CAREY introduced a bill (S. 1600) to provide for the completion and repair of quarters, barracks, and stables at Forts Washakie and McKinney, Wyo.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1601) to provide for the creation of the Ogden land district, in the Territory of Utah; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1602) granting a right of way on the Fort Douglas military reservation, in the Territory of Utah; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1603) for the relief of the inhabitants of the town of Ferron, county of Emery, Territory of Utah; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1604) to provide for the creation of a fourth judicial district in the Territory of Utah; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1605) granting a right of way through certain lands of the United States in the Territory of Utah; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1606) to provide for the reorganization of the judiciary of the Territory of Utah; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1607) to amend the charter of the Rock Creek Railroad Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PASCO introduced a bill (S. 1608) to make Punta Gorda, Fla., a port of entry; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CULLOM introduced a bill (S. 1609) for the relief of Joseph W. Parish; which was read twice by its title, and referred to the Committee on Claims.

Mr. GIBSON of Louisiana introduced a bill (S. 1610) to increase the endowment of the Louisiana State University and Agricultural and Mechanical College, and for the Southern University of Louisiana; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. GORMAN introduced a bill (S. 1611) to provide for the purchase of additional land in the square now occupied by the custom-house in the city of Baltimore, Md., and for the preparation of plans and specifications for a new custom-house building; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1612) to compensate Thomas G. Hayes for legal services rendered, under direction of the Attorney-General; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. MORGAN, by request, introduced a bill (S. 1613) for the relief of Charles A. de Arnaud; which was read twice by its title, and referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 1614) for the relief of Rev. William J. Larkin; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McPIERSON introduced a bill (S. 1615) for the purchase of a site and the erection of a public building thereon in the city of Elizabeth, N. J.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. KYLE introduced a joint resolution (S. R. 29) proposing an amendment to the Constitution of the United States relating to marriage and divorce; which was read twice by its title.

Mr. KYLE. I desire that the joint resolution shall lie on the table for the time being, and I give notice that at an early day I shall move to take up the measure and refer it to the Judiciary Committee; and I also give notice that at that time I shall make a few remarks pertaining to the joint resolution.

The VICE-PRESIDENT. The joint resolution will lie on the table for the present.

Mr. HISCOCK (by request) introduced a joint resolution (S. R. 30) for the relief of Charles Stoughton, in reference to his services in the Harlem River improvement project, New York; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a joint resolution (S. R. 31) authorizing and requiring the Secretary of War to contract with Charles Stoughton for the completion of the Harlem River Canal from the Hudson River to the upper end of Randalls Island, commencing the work where the present contractor leaves it, and for the entire work of excavating a canal through the Harlem Kills from the upper end of Randalls Island to the deep water of Long Island Sound; each channel to be 250 feet wide and 15 feet deep at mean low water, except where previous work on the Harlem River channel has exceeded these dimensions; both to be completed on or before the 31st day of May, 1893; the contract price for the completion of the Harlem River Canal to be \$970,000; the work to be carried out in strict accordance with Col. Newton's official survey report, as sent up to Congress February 22, 1875, except that the width shall be 250 feet, as above stated, instead of 350 feet; the contract price for the Harlem Kills Channel to be \$1,650,000; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

#### SECURITY OF DISTRICT BUILDINGS.

Mr. McMILLAN submitted the following resolution: which was considered by unanimous consent, and agreed to:

*Resolved*, That the Commissioners of the District of Columbia be, and are hereby, directed to inquire into and to report to the Senate, as soon as practicable, if any of the public halls, theaters, or other public buildings within the District of Columbia are specially dangerous to life in case of fire or panic, by reason of height of the auditorium above the street, lack of direct and capacious exits, the presence of boilers or furnaces under the auditorium or stairways leading thereto, defective construction, or for any other causes.

#### COMMITTEE ON RELATIONS WITH CANADA.

Mr. HOAR submitted the following resolution: which was considered by unanimous consent, and agreed to:

*Resolved*, That the Committee on Relations with Canada shall hereafter be one of the standing committees of the Senate.

#### EXTENSION OF FREE MAIL DELIVERY.

Mr. HANSBROUGH submitted the following resolution: which was considered by unanimous consent, and agreed to:

*Resolved*, That the Postmaster-General be, and he is hereby, instructed to furnish the Senate of the United States with all the information that may be on file in his Department, including copies of reports and statements of post-office inspectors and others, relative to the question of extending the free-delivery system to rural communities, or for substituting said system for that of the present star-route service, as far as the same may be found practicable.

#### REPORT OF HENRY W. ELLIOTT.

Mr. MORGAN submitted the following resolution: which was read:

*Resolved*, That the Secretary of the Treasury is directed to furnish for the information of the Senate a copy of the report of Henry W. Elliott, made in obedience to the order of an act of Congress approved April 5, 1890, with all maps and illustrations that accompany it.

Mr. COCKRELL. What does the act refer to?

Mr. MORGAN. Mr. Elliott was sent out and made his report to the Secretary of the Treasury as required by act of Congress, and it is very desirable and it is very important that that report should be furnished.

Mr. CHANDLER. I ask that the resolution may be again reported.

The VICE-PRESIDENT. The resolution will be again read. The Chief Clerk read the resolution.

The resolution was considered by unanimous consent, and agreed to.

#### HOUSE BILL REFERRED.

The bill (H. R. 123) fixing the time for holding the district and circuit courts of the United States in the northern district of Iowa was read twice by its title, and referred to the Committee on the Judiciary.

#### COMMITTEE SERVICE.

Mr. DOLPH. I ask to be relieved from service as chairman of the Committee on Coast Defenses, retaining a position upon the committee as a member.

The VICE-PRESIDENT. The Senator from Oregon will be excused, if there be no objection.

Mr. CULLOM. I move that the Senator from Oregon [Mr. DOLPH] be made chairman of the Committee on Public Lands.

The VICE-PRESIDENT. The question is on the motion of

the Senator from Illinois, that the Senator from Oregon [Mr. DOLPH] be made chairman of the Committee on Public Lands.

The motion was agreed to.

Mr. CAREY. I ask to be relieved from further service upon the Committee on Patents.

The VICE-PRESIDENT. The Senator from Wyoming will be excused, if there be no objection.

Mr. CULLOM. I move that the Senator from Kansas [Mr. PERKINS], who succeeds the late Senator Plumb, be made a member of the Committee on Patents, a member of the Committee on the District of Columbia, and a member of the Select Committee on the Transportation and Sale of Meat Products.

The VICE-PRESIDENT. The question is on the motion made by the Senator from Illinois.

The motion was agreed to.

Mr. CULLOM. I move that the Senator from Wyoming [Mr. CAREY] be made a member of the Committee on Public Lands.

The motion was agreed to.

#### BUSINESS BEFORE THE COURT OF CLAIMS.

Mr. MITCHELL. If the regular morning business is through I desire to call up the resolution I submitted on the 11th instant, and I ask that it be read, as I desire to submit a few remarks in relation to it.

The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution submitted by Mr. MITCHELL January 11, 1892, as follows:

*Resolved*, That the Committee on the Judiciary be, and it is hereby, instructed to make inquiry as to what legislation, if any, should be enacted by Congress for the purpose of relieving the Court of Claims in the transaction of business before that court, and for expediting such business, and to report to the Senate by bill or otherwise at its earliest convenience.

Mr. MITCHELL. Mr. President, the purpose of this resolution is to bring speedily to the attention of the Senate the pressing necessity for such early legislation as will tend to expedite the transaction of business now pending, and which, with alarming rapidity, is constantly accumulating on the calendar of the Court of Claims, and which will bring relief to the judges of and litigants in that overburdened court. Nothing, it seems to me, except a total lack of information as to the amount, importance, and state of the business now pending in that court would justify opposition to some proper and speedy legislation on this subject. The startling facts presented in the report of the Attorney-General and those of his assistants are of themselves amply sufficient not only to justify but induce appropriate and speedy action by Congress looking to the relief of both court and litigants.

During the past few Congresses various acts have been passed largely increasing the jurisdiction of that court, and which, taken together, have resulted in an avalanche of cases that literally overwhelm the court, not merely by the number of cases on the calendar, but also by the magnitude of the interests and amounts involved. Whereas originally the jurisdiction of the court attached only to cases arising under contract, express or implied, now, there are in all, under existing laws, no less than seven sources of jurisdiction, namely, general; specially conferred; Congressional, under what are known as the Bowman and Tucker acts; French spoliation claims; Indian depredation claims; departmental; and District of Columbia. And while this constant enlargement of jurisdiction has been going on nothing has been done of a material character either to enlarge the court or strengthen the aids of the court by increase of clerical force or of the assistants to the Attorney-General, whose Department must, in the protection of the interests of the Government, look after and give attention to this vast amount of business. The only legislation that has been enacted which in any manner tends to lessen the accumulation of business in the Court of Claims is the act of March 3, 1887, conferring upon the circuit and district courts of the United States concurrent jurisdiction in a certain specified class of cases with the Court of Claims.

Under this act, as appears from the report of the Assistant Attorney-General in charge of the business of the Department of Justice in the Court of Claims, there have since its passage been 951 suits brought, 828 of which have been decided, and 123 of which are still pending. But notwithstanding this diversion of business, the startling fact remains that there are now, or were at the date of the report of the Assistant Attorney-General, November 5 last, 19,417 cases pending on the dockets of the Court of Claims. Of these, 1,271 cases arise under general and special jurisdictions; 7,393 under the Bowman-Tucker acts; 1,952 French spoliation claims; 11 departmental cases; 23 District of Columbia cases, and 5,467 Indian depredation cases.

Some conception of the magnitude and importance of this vast number of cases will be had when it is stated that according to the estimate of the Assistant Attorney-General that in the 5,569 petitions filed under the French spoliation act, 2,399 vessels are involved, including claims in the aggregate of about \$30,000,000, former estimates made in the Department of Justice having

been as high as \$12,000,000. Of these 5,569 cases filed under the French spoliation act but 617 have been adjudicated and disposed of or passed upon by the court. Three hundred and twenty-eight of these have been decided favorably to the claimants, 54 unfavorably to the claimants, while 235 petitions have been dismissed; the aggregate amount allowed in cases certified favorably being \$2,352,169.52. Of this amount Congress, in the act of March 3, 1891, appropriated \$1,301,095.37, covering 250 claims. And as showing the slow progress this court must necessarily make on account of the great number of sources of jurisdiction and the mass of cases constantly accumulating from each source or class, it may be said, as appears from the report of the Assistant Attorney-General, that during the past year out of 97 cases that had been remanded for further proceedings but 14 had been decided after reargument, and 57 petitions argued and submitted. But the number of cases and amounts involved in the French spoliation claims sink into insignificance when compared with the number of cases which have found their way to the docket of the Court of Claims in pursuance of the provisions of the Bowman act.

From 1884 to March 3, 1891, we are told in the report of Assistant Attorney-General Cotton, there were docketed under the Bowman act an aggregate of 8,503 cases; the number docketed each year being as follows:

1884	217	1888	4,562
1885	177	1889	632
1886	858	1890	806
1887	786	1891	405

The present Assistant Attorney-General hesitates to attempt even an approximate estimate of the aggregate amount of the claims involved in these cases from the fact, as stated by him, in many instances no sum is mentioned in the petition, but he does remind us that former reports of the Attorneys-General have placed the estimate at the enormous sum of \$400,000,000.

But, passing over the cases arising under the general and special jurisdiction, departmental, and the District of Columbia, I desire to attract attention to the number of cases, amounts involved, and general state of the business in the Court of Claims arising under the Indian depredation act. It is claims arising under this act that the constituency I in part represent are more particularly interested in; and it is a constituency, moreover, than which none are more worthy or more entitled to the favorable consideration of Congress.

The claimants who are to-day attempting to procure by suit in the Court of Claims, in pursuance of the act of the last Congress, that just compensation which was their honest due from this Government in most cases more than a third of a century ago, are of the sturdiest and worthiest of that worthy and noble class of pioneers who, braving the innumerable dangers of frontier life, risking at every step their property and their lives, laid the foundation stones of civilization in the far West, and by their industry, integrity, perseverance, and aggressive natures erected thereon a superstructure of magnificent States, which now add luster, wealth, dignity, and power to the nation. And one main purpose in view at this time on my part is to endeavor to bring about such further and speedy legislation as will properly supplement and make effective the legislation of last Congress in the interest of those who have suffered so much and been neglected so long, and whose just rights have been unreasonably and unjustifiably withheld by this great Government.

Since the passage by Congress, March 3, 1891, of what is commonly known as the Indian depredation act, and prior to November 1 last, 5,467 suits have been docketed under this act in the Court of Claims. The smallest amount claimed in any one action, we are told in his report by Assistant Attorney-General Colby, is \$19.75, and the largest amount \$1,281,250, while the aggregate amount claimed in the 5,467 actions that have been commenced up to November 1, 1891, is \$21,241,908. All of these claims were on November 1 last still pending and undecided. I believe a very few have been disposed of since that date.

The Assistant Attorney-General says:

The number of depredations committed in the several States and Territories for which actions have been commenced, as shown by the petitions on file, is as follows:

State.	No.	State.	No.
Alabama	63	Nevada	36
Arizona	156	New Mexico	1,113
Arkansas	4	Nebraska	156
California	145	Oregon	271
Colorado	125	Texas	1,164
North and South Dakota	179	Utah	151
Georgia	2	Washington	54
Indian Territory	49	Wyoming	83
Idaho	19	States and Territories not designated	671
Iowa	8		
Kansas	200		
Montana	34	Total	5,101
Minnesota	31		

The Assistant Attorney-General in his report estimates that the aggregate number of claims under the Indian depredation jurisdiction will probably reach a point between 10,000 and 15,000. It is my opinion, however, that the minimum of this estimate is too large. I think it very probable that considerably more than one-half of all the actions that ever could be instituted under this act have already been brought.

But should there be no increase in the number of cases from this source of jurisdiction—and there certainly will be many hundred if not several thousand more cases commenced—it must be apparent to all that, with a docket weighted down, as it is now, with nearly if not quite 20,000 cases—there were on the docket on November 1 last 19,117 cases. It is to this class of claimants, the suits in relation to which have all been docketed since March 3, 1891, little less than a mockery and denial of justice, unless some further legislation is had, either by increasing the number of the judges of the Court of Claims, the number and compensation of the assistant attorneys, the number of the clerical force both in the office of the Attorney-General and the Court of Claims, the appointment of a number of special agents to work in cooperation with the Department of Justice and Court of Claims, or some or all of these, and, in addition, an amendment of the Indian depredation act conferring concurrent jurisdiction with the Court of Claims on the circuit courts of the United States. Whatever else may be done, I am strongly of the opinion that concurrent jurisdiction should be given to the circuit courts, both as to actions to be commenced and by transfer, at the instance of the claimant, of cases now pending in the Court of Claims. When the Indian depredation bill was under discussion in the Senate last session I strongly insisted that this should be done. There are many and forcible reasons, other than that arising out of the present burdened docket of the Court of Claims, why this should be done. As it is now, claimants, the most of whom reside from 2,000 to 3,000 miles from Washington, where the court is held, are compelled to come here, or at least have their attorneys come here, at great expense, or employ attorneys residing here. Their Senators and Representatives can not look after this business for them, as they can not appear or practice in the Court of Claims, even though they be lawyers. Had the circuit courts jurisdiction much of the cost and time now necessarily expended could be saved to claimants. Each claimant could then have his case brought, investigated, and decided in a tribunal sitting within the boundaries of his own State.

Now, Mr. President, in what has been said there must be no inference to the effect that the Court of Claims or any of its able and industrious justices are in any manner responsible for the present condition of things, the present overburdened state of the docket in that court, or in any degree subject to any censure on account thereof. On the contrary, my information is, and the reports of the Attorney-General and his assistants, as well as the records and reports of the court itself, confirm this, that the court is and has been diligent in the exercise of official duty, the judges bringing to the discharge of such duty industrious, able, and faithful effort; and the same must undoubtedly be said of the Assistant Attorney-General and assistant attorneys who have had charge of the business of the Government in this court.

There were disposed of during the past year by the court, by trial or otherwise, 653 cases; the amounts claimed in these cases, according to the report of the Attorney-General, being \$7,377,011.54. Of these, 489 cases were decided favorably to the United States, and 164 favorably to the plaintiffs; the aggregate amount allowed to plaintiffs being \$700,817.86. This statement does not include, says the Assistant Attorney-General, "Cases prepared and tried and now under advisement, neither does it include many cases prepared and tried and afterwards removed, for various reasons, to the general docket."

It is quite evident, therefore, from this showing, that no blame can properly attach to the court for the present enormous calendar of cases in that court. The fault is elsewhere—it rests not with the court; not with the Department of Justice, but with Congress. The Congress should apply the remedy, and it should be done without any unnecessary delay. A spirit of intelligent dispatch should characterize the action of Congress in this regard. With 20,000 cases now on the docket, and assuming there are to be no further cases docketed—and they are being docketed by the scores every day—it would require, disposing on an average 653 cases annually, the number disposed of the past year, over thirty years to clear the docket. The situation is farcical. It is ridiculous in the extreme. It is absurd. It is a travesty on justice. I move the adoption of the resolution instructing the Committee on the Judiciary to formulate and report a remedy.

Mr. CHANDLER. Mr. President, as a member of the Committee on Indian Depredations of the last Congress, which was instrumental in connection with the Senator from Oregon, who has just taken his seat [Mr. MITCHELL], in conferring jurisdiction to adjudicate Indian depredation claims upon the Court of Claims, I desire to say that I agree to the passage of the resolu-

Mr. PADDOCK presented a petition of the Wahpakoota and Modawakauton bands of the Santee Sioux Indians, praying for legislative relief as provided by the terms of the treaties of 1838 and 1853; which was referred to the Committee on Indian Affairs.

Mr. TELLER presented the memorial of Samuel F. Tappan, of Washington, D. C., remonstrating against the passage of Senate bill 456, for the relief of Theodore R. Timby; which was referred to the Committee on Naval Affairs.

Mr. HALE presented a petition of the Board of Trade of Portland, Me., praying for the passage of the bill to transfer the Revenue Marine Service to the Navy Department; which was referred to the Committee on Naval Affairs.

#### REPORTS OF COMMITTEES.

Mr. COCKRELL, from the Committee on Military Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2) for the relief of Ezra S. Havens;

A bill (S. 3) for the relief of Napoleon B. Giddings;

A bill (S. 4) for the relief of Alfred J. Worcester;

A bill (S. 5) for the relief of John S. Neet, jr.; and

A bill (S. 6) for the relief of Joseph W. Carmack.

Mr. QUAY, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 901) to provide for the purchase of a site, and the erection of a public building thereon, at Allentown, in the State of Pennsylvania, reported it without amendment, and submitted a report thereon.

Mr. HAWLEY. The bill (S. 727) for the relief of H. C. Stanton, of Roseburg, Oregon, administrator of the estate of James Sinclair, and his widow, Mary Sinclair, and for the relief of Erastus S. Joslyn, of Colorado Springs, in the State of Colorado, was introduced and referred under a misapprehension to the Committee on Military Affairs. The claim was sent at the last Congress to the Court of Claims. I therefore move that the Committee on Military Affairs be discharged from the further consideration of the bill, and that it be indefinitely postponed.

The motion was agreed to.

Mr. ALLEN, from the Committee on Claims, to whom was referred the bill (S. 1030) for the relief of F. F. White, reported it without amendment, and submitted a report thereon.

Mr. PASCO, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 408) to provide for the purchase of a site and the erection of a public building at Fernandina, in the State of Florida, reported it with an amendment, and submitted a report thereon.

#### BILLS INTRODUCED.

Mr. CULLOM introduced a bill (S. 1617) to carry into effect the recommendation of the board of admirals convened pursuant to the joint resolution approved February 5, 1879, in the case of Commander Henry Glass, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. CULLOM. I also introduce a bill for reference to the Committee on Interstate Commerce. I desire to state that the bill is in relation to the equipment of cars; it was forwarded to me by Mr. Rogers, chairman of the railroad commission of New York, and also a member of an organization having under discussion that special subject. I therefore introduce the bill so that it may have consideration by the committee.

The bill (S. 1618) to promote the safety of employes and travelers, by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes; was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. McMILLAN introduced a bill (S. 1619) to provide for remodeling and maintaining the public bathing beach on the Potomac River in the District of Columbia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1620) for the relief of John H. Merrill; which was read twice by its title, and referred to the Committee on Claims.

Mr. WILSON introduced a bill (S. 1621) providing for two additional associate justices of the supreme court of the Territory of Utah, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CAMERON introduced a bill (S. 1622) for the relief of the legal representatives of Richard W. Meade, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1623) granting a pension to William Lukens; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. JONES of Arkansas (by request) introduced a bill (S. 1624) to authorize the Quanah and Oklahoma Railroad Company to con-

struct and operate a railway through the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. BLISS introduced a bill (S. 1625) to provide for the erection of a public building in the city of Massillon, Ohio; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1626) for the relief of William B. Burnet; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1627) providing for sundry light-houses and other aids to navigation; which was read twice by its title, and referred to the Committee on Commerce.

Mr. FAULKNER introduced a bill (S. 1628) granting a pension to Daniel Kendall; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PASCO introduced a bill (S. 1629) for the relief of Alison J. Tinsley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. DAVES introduced a bill (S. 1630) for the relief of T. H. Church; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1631) to establish a life-saving station at Gay Head, on the coast of Massachusetts; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1632) for the establishment of a light and fog signal station near Butler Flats, New Bedford, Mass.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1633) supplementary and amendatory to an act entitled "An act to refer to the Court of Claims certain claims of the Shawnee and Delaware Indians and the freedmen of the Cherokee Nation, and for other purposes," approved October 1, 1860; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1634) to provide for a final settlement with the Naalem band of the Tillamook tribe of Indians of Oregon, in accordance with a certain agreement between the United States and the said Indians, dated the 6th day of August, 1851; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1635) to provide for a final settlement with the Tillamook tribe of Indians of Oregon, in accordance with a certain agreement between the United States and the said Indians, dated the 7th day of August, 1851; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. QUAY introduced a bill (S. 1636) for the relief of Noah Seaton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 1637) granting a pension to Earnest C. Emerson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MANDERSON introduced a bill (S. 1638) to remove the charge of desertion now standing against George Alcott on the rolls of the War Department; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. MITCHELL introduced a bill (S. 1639) for the relief of Sallie Hardmond; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1640) for the relief of Charles L. Scudder; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. PETTIGREW introduced a bill (S. 1641) for the relief of Thomas D. Murrin; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. VEST introduced a bill (S. 1642) making an appropriation to complete the improvement of the Mississippi River from the mouth of the Illinois River to the mouth of the Ohio River; which was read twice by its title, and referred to the Committee on Commerce.

#### COLORADO SCHOOL OF MINES.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed, and the Calendar is in order.

The bill (S. 1574) to aid the State of Colorado to support a school of mines was announced as first in order on the Calendar, and the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. COCKRELL. Is there a report with the bill?

The VICE-PRESIDENT. There is no report accompanying the bill.

Mr. COCKRELL. I should like to hear an explanation of the bill. Why is the State of Colorado to receive this gift in addition to the other gifts she has received?



Mr. TELLER rose.

Mr. PADDOCK. The bill has heretofore passed the Senate on the report of the Senator from Colorado [Mr. TELLER] from the Committee on Public Lands. He will explain it.

Mr. TELLER. When the Senate gets still enough so that anybody may be heard, I can perhaps explain the bill.

The VICE-PRESIDENT. The Senate will be in order.

Mr. TELLER. Colorado has for many years, commencing with its Territorial existence, maintained a school of mines for the education of young men in metallurgy, chemistry, and mining engineering. There have been of course other mining schools, notably the school at Columbia College, New York, where the same branches have been taught.

I have had occasion to say before, and I repeat now, that on this continent there has been no school where I think so complete a mining education has been obtainable as at the school of mines in Colorado. It is a State institution supported by a yearly tax upon the people of the State. It is practically free to all citizens of the United States, the charges being simply nominal; and I think we have had in the school of mines students from nearly every State in the Union, certainly from all the Western States. It has not had the reputation that the school at Freiberg has gained, yet I have no hesitation in saying that if I had a boy whom I desired to bring up as a mining engineer I should much prefer to send him to the mining school at Golden, in the State of Colorado, than to Freiberg. It is in the immediate vicinity of the great mines of this continent, where the students can have access in a few hours to all the intricate machinery required for the reduction of metals. It is in the neighborhood of the great smelters at Denver and only 118 miles from the great smelters at Pueblo. It is about 100 miles from the great mining district of Leadville and about 25 miles from what are known as the mining districts of Clear Creek and Gilpin Counties, two counties that have produced something over \$100,000,000 of bullion, mostly gold. There mining may be seen by these students in its advanced state.

There are no people in the world who have mined with greater care and intelligence than we have in this country within the last fifteen or twenty years. There is no State in the Union where mining has been carried on with as much system and with as much intelligence as in the State of Colorado.

The school is brought in close connection with not only the mining of gold and silver but also coal, because there are coal mines immediately in the neighborhood within a mile of the school, and coal of all kinds and all descriptions.

This school has been maintained by the State, as I said, and everybody has had the advantage of it. The State of Colorado is somewhat young, and we pay for every mining claim that we take up \$5 an acre, whether it is good or whether it is bad. Of course when a man gets a good mine it is merely a nominal sum, of no account, but there are hundreds of acres of land that have been taken up and the Government has been paid for as mineral land that has no real value whatever and has never returned anything to the locator.

We thought it was not unreasonable, as long as we held this school open to all the citizens of the United States, inasmuch as the Government is assisting in the agricultural education of our youth, that it should assist also in their education in the practical business of mining.

I suppose the Senator from Missouri who makes the inquiry is quite familiar with the great amount of mineral that is produced in the United States. I do not now speak particularly of the precious metals, but of iron, copper, and lead, as well as silver and gold. I presume he knows that the industry of mining has become one of the great industries of the country.

The bill provides for the payment of 25 per cent—that is an error; it should have been 50 per cent—of the mining returns from the sale of mineral lands, but not to exceed \$12,000 per annum, and not that sum unless the State should annually appropriate that amount or more. I will say that the State has appropriated a very much greater amount than that every year. The State has erected very suitable buildings; it has provided machinery of all kinds, and, as I said, it is a place where any student in the United States can certainly acquire as complete a mining education as he can at any place on the face of the earth, Freiberg not excepted.

If it is now in order to move an amendment, I will move, in line 3, to strike out the word "twenty-five," before "per centum," and insert "fifty," which is the way the bill passed the Senate heretofore.

The VICE-PRESIDENT. The amendment will be stated.

Mr. TELLER. The amendment does not increase the amount, because the amount is limited to \$12,000.

The CHIEF CLERK. In line 3 of section I, strike out the word "twenty-five" and insert the word "fifty;" so as to read:

That the State of Colorado shall annually receive 50 per cent of all moneys paid to the United States for mineral lands within the State of Colorado, for

the maintenance of the school of mines established at Golden, in the county of Jefferson, in said State.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. COCKRELL. Before it is voted upon, do I understand that in the measure passed at the last Congress the amount was 50 per cent?

Mr. TELLER. It was passed on the former occasion at 50 per cent. It was owing to an error in introducing the bill that it came in at 25 per cent.

Mr. COCKRELL. The Senator himself introduced the bill.

Mr. TELLER. I introduced it, and inadvertently introduced it as it was originally introduced some years ago, and not as it passed the Senate.

The amendment was agreed to.

Mr. TELLER. In line 9 of section I, after the word "amount," I move to insert the word "annually;" so that the State shall annually appropriate as much as the Government.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. In section I, line 9, after the word "amount," insert the word "annually;" so as to make the proviso read:

*Provided*, That said sum so to be paid shall not exceed the sum of \$12,000 per annum, nor shall it exceed the amount annually expended by the State of Colorado for said school of mines.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### MISSOURI RIVER BRIDGE IN SOUTH DAKOTA.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 440) to authorize the construction of a bridge across the Missouri River, between the city of Chamberlain, in Brulé County, and Lyman County, in the State of South Dakota.

The bill was reported from the Committee on Commerce with amendments.

The first amendment was, after the words "Secretary of War," in line 14, at the end of section I, to insert "or said bridge may be constructed as a wagon and foot bridge alone;" so as to make the section read:

That the Chamberlain Pontoon Bridge Company, a corporation duly organized and existing under the laws of the State of South Dakota, be, and is hereby, authorized to construct and maintain a bridge and approaches thereto across the Missouri River between the city of Chamberlain, in the State of South Dakota, and Lyman County, in the State of South Dakota. Said bridge shall be constructed to provide for the passage of railroad trains, wagons, and vehicles of all kinds, steam and street cars, animals, foot passengers, and for all road travel, for such reasonable rates of toll and under such reasonable rules and regulations as may be prescribed by said corporation and approved by the Secretary of War, or said bridge may be constructed as a wagon and foot bridge alone.

The amendment was agreed to.

The next amendment was, in section 3, line 2, after the word "pontoon," to strike out "drawspan;" in the same line, before the word "drawspan," to strike out "pontoon," and after the word "drawspan" to insert "giving a clear opening;" in line 6, before the word "said," to strike out "the piers of;" in the same line, after the word "bridge," to insert "other than the drawspan;" after the words "shall be," at the end of line 6, to strike out "parallel with and the bridge itself;" and in line 8, after the word "river," to insert "at high water;" so as to read:

Sec. 3. That said bridge shall be constructed as a pontoon bridge, and shall contain a drawspan giving a clear opening of not less than 300 feet in length, which drawspan shall be maintained over the main channel of the river at an accessible and navigable point, and said bridge other than the drawspan shall be at right angles to the current of the river at high water.

The amendment was agreed to.

The next amendment was, in the same section, line 15, before the word "obstruct," to insert "unreasonably;" and in line 17, before the word "obstruct," to insert "unreasonably;" so as to read:

No bridge shall be erected or maintained under the authority of this act which shall at any time unreasonably obstruct the free navigation of said river, and if any bridge erected under such authority shall, in the opinion of the Secretary of War, unreasonably obstruct such navigation, he is hereby authorized to cause the entire removal thereof or such change or alteration of said bridge to be made as will effectually obviate such obstruction, and all such alterations shall be made and all such obstructions shall be removed at the expense of the owner or owners of said bridge.

The amendment was agreed to.

The next amendment was to strike out the following proviso at the end of section 3:

*Provided*, That said company may construct a wagon and foot bridge, and in case of the construction of a wagon and foot bridge alone the draws shall be of the same length herein provided, and shall be of such construction as shall be approved by the Secretary of War, and shall be subject to all the provisions herein contained in respect to being promptly opened to permit the unobstructed navigation of said river and for keeping the same lighted as herein provided in case of a railroad and wagon bridge, and in such case the provisions herein in relation to the use for railroad purposes shall not apply.

The amendment was agreed to.

per ounce; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of citizens of Buffalo County, Wis., praying for the passage of what is known as the Conger land bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of citizens of St. Croix County, Wis., praying for the passage of a law to restore the free bimetallic coinage of silver and gold coins the same as was the law from 1792 to 1873; which was referred to the Committee on Finance.

Mr. WASHBURN presented the petition of E. J. Lien and 65 other citizens of Faribault County, Minn., praying for the passage of what is known as the option bill; which was referred to the Committee on the Judiciary.

He also presented a petition of the Grand Rapids and Itasca County Improvement Union of Grand Rapids, Minn., praying for the passage of an act to authorize the construction of a dam on the Mississippi River for the improvement of the Grand Rapids water power; which was referred to the Committee on Commerce.

Mr. MORGAN presented the petition of James W. Shearer, of Birmingham, Ala., praying for an extension of his patent for a system of phonetic and diacritical notations; which was referred to the Committee on Education and Labor.

Mr. KYLE presented a petition of citizens of Yankton, S. Dak., praying for the passage of what is known as the Butterworth option bill; which was referred to the Committee on Agriculture and Forestry.

Mr. BERRY presented a petition of the Young People's Society of Christian Endeavor of Winfield Memorial Church, Little Rock, Ark., praying that the World's Columbian Fair be closed on Sunday; which was referred to the Committee on the Quadricentennial (Select).

Mr. FAULKNER. I present the petition of Clarence L. Smith and 326 other citizens of Fairmont, W. Va., praying for the ratification by the United States Government of the general act signed at Brussels, July 2, 1890, for the suppression of the African slave trade and run traffic. As that convention has been ratified by the Senate, I move that the petition lie on the table.

The motion was agreed to.

Mr. McMILLAN presented the petition of Daniel Scotten & Co., of Detroit, Mich., praying for an amendment to section 26 of the tariff law relative to retail dealers in tobacco; which was referred to the Committee on Finance.

He also presented a petition of 21 citizens of the District of Columbia, praying that an appropriation be made for regulating, grading, and laying sidewalks on Howard avenue, in Washington, D. C.; which was referred to the Committee on the District of Columbia.

Mr. TELLER. I present the petition of a large number of citizens of Colorado, who sign themselves the Western Colorado Congress, praying for the free coinage of silver. I move that the petition be referred to the Committee on Finance.

The motion was agreed to.

Mr. CULLOM presented a petition of the Snareville Young People's Society of Christian Endeavor, Castleton, Ill., praying for the closing of the World's Columbian Fair on Sunday, for the prohibition of the sale of liquors therein, and for the management of the art department thereof according to the American standard of purity in art; which was referred to the Committee on the Quadricentennial (Select).

Mr. VEST presented the petition of W. A. Hampton and other citizens of Livingston County, Mo., praying for the passage of a bill imposing a revenue tax upon compound lard, similar to the one known as the Conger lard bill in the Fifty-first Congress; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of A. H. Collins and other citizens of Livingston County, Mo., praying for the passage of what is known as the Butterworth option bill; which was referred to the Committee on Agriculture and Forestry.

Mr. COCKRELL presented the affidavit of ex-Senator S. B. Conover, to accompany the bill (S. 619) for the relief of George P. Ihrie; which was referred to the Committee on Military Affairs.

#### REPORTS OF COMMITTEES.

Mr. COLQUITT, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 68) for the relief of the New York, Lake Erie and Western Railroad Company, reported it without amendment, and submitted a report thereon.

Mr. FAULKNER, from the Committee on Claims, to whom was referred the joint resolution (S. R. 9) to direct the Secretary of the Treasury to pay to the governor of the State of West Virginia the sum appropriated by the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct

tax levied by the act of Congress approved August 5, 1861," reported it with amendments, and submitted a report thereon.

He also, from the Committee on the District of Columbia, to whom was referred the bill (S. 1060) to punish the carrying or selling of deadly or dangerous weapons within the District of Columbia, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 1057) to punish the unlawful appropriation of the use of the property of another in the District of Columbia, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1058) to prevent fraudulent transactions on the part of commission merchants and other consignees of goods and other property in the District of Columbia, reported it with amendments.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the bill (S. 267) for the preservation of the public peace and the protection of property within the District of Columbia, reported it with amendments.

Mr. HANSBROUGH. I am directed by the Committee on the District of Columbia, to whom was referred the bill (S. 831) to prevent book-making and pool-selling in the District of Columbia, to report it adversely, as the provisions of the bill have been already embodied in the Statutes. I move that the bill be indefinitely postponed.

The motion was agreed to.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 429) to authorize the construction of bridges across the Missouri River between its mouth and the mouth of the Dakota or James River, and across the Mississippi River between the port of St. Paul, in the State of Minnesota, and the port of Natchez, in the State of Mississippi, and across the Illinois River between its mouth and La Salle, in the State of Illinois, and to prescribe the character, location, and dimensions of the same, reported it with amendments, and submitted a report thereon.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 199) providing for the construction of a military storehouse and offices for army purposes at the Omaha military depot, Nebraska, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. WHITE, from the Committee on Public Lands, to whom was referred the bill (S. 1342) for the relief of John R. Blankenship, reported it without amendment, and submitted a report thereon.

Mr. CAREY, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally with amendments:

A bill (S. 388) to provide for the construction of a public building at Salt Lake City, Utah; and

A bill (S. 393) to provide for the purchase of a site and the erection of a public building thereon, at Boise City, in the State of Idaho.

Mr. CAREY, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally without amendment:

A bill (S. 345) to increase the appropriation for the erection of a public building at St. Paul, Minn.;

A bill (S. 1209) to provide for the purchase of a site and the erection of a public building thereon, at Ogden, in the Territory of Utah, accompanied by a report;

A bill (S. 196) to increase the appropriation for the purchase of site and the erection of a public building at Omaha, Neb.;

and A bill (S. 786) to provide for the erection of a public building in the city of Helena, Mont.

Mr. DOLE, from the Committee on Public Lands, to whom was referred the bill (S. 1216) for the relief of William R. Wheaton and Charles H. Chamberlain, of California, reported it without amendment, and submitted a report thereon.

Mr. ALLEN, from the Committee on Public Lands, to whom was referred the bill (S. 216) granting to the State of Washington certain lands therein situated for the purpose of a fish hatchery, reported it without amendment, and submitted a report thereon.

#### COURTS IN IOWA.

Mr. WILSON. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 123) fixing the times for holding the district and circuit courts of the United States in the northern district of Iowa, to report it without amendment. In view of the fact that it is necessary for the convenience of the business of the court, and as it will not consume any considerable time, I ask unanimous consent that the bill may be acted upon now.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. COKE introduced a bill (S. 1633) authorizing the Velasco Terminal Railway Company to construct a bridge across the Brazos River, in the State of Texas; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1644) authorizing the Continental Bridge Company to construct a bridge across the Rio Grande River at or near Brownsville, Tex.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1645) making Velasco a subport of entry; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1646) making Laredo, Tex., a subport of entry; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MORGAN introduced a bill (S. 1647) to authorize the Alabama Grand Trunk Railroad Company to bridge across the Tallapoosa and Coosa Rivers; which was read twice by its title, and referred to the Committee on Commerce.

Mr. GIBSON of Maryland introduced a bill (S. 1648) to promote Commodore Louis C. Sartori, now on the retired list of the Navy, to be rear-admiral on said list, in accordance with his original position on the Navy Register; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1649) to provide for paying certain advances made to the United States by the States of Maryland and Virginia for public buildings; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1650) to remove the charge of desertion against William A. Cowent; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1651) to amend an act approved February 28, 1891, entitled "An act to prohibit the granting of liquor licenses within one mile of the Soldiers' Home;" which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FAULKNER introduced a bill (S. 1652) for the relief of the heirs of Milly Yaga, deceased, of Muskogee, Ind. T.; which was read twice by its title, and referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 1653) enabling the people of Utah to form a constitution and State government, and for the admission of said State into the Union on an equal footing with the original States; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 1654) for the relief of David M. Watson; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1655) granting a pension to John Coburn; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1656) granting a pension to Frank A. O'Mara; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1657) granting a pension to George W. Blake; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1658) granting a pension to T. R. Le Tellier; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SAWYER introduced a bill (S. 1659) in relation to the western judicial district of Wisconsin; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1660) granting an increase of pension to Fordyce R. Melvin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1661) granting an increase of pension to John Hallam; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1662) for the correction of the military record of Francis A. E. Briot; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DAWES introduced a bill (S. 1663) for the relief of the sufferers by the wreck of the United States revenue-cutter Gallatin off the coast of Massachusetts; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1664) for the relief of Lester Noble; which was read twice by its title, and referred to the Committee on Claims.

Mr. WASHBURN introduced a bill (S. 1665) to authorize the Grand Rapids Water and Electric Power Company of Grand Rapids, Minn., to construct a dam across the Mississippi River;

which was read twice by its title, and referred to the Committee on Commerce.

Mr. PETTIGREW introduced a bill (S. 1666) to amend an act entitled "An act to incorporate the Washington and Arlington Railway Company of the District of Columbia," approved February 28, 1891, chapter 382, volume 26, of the United States Statutes at Large, Fifty-first Congress, second session; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. SHOUT introduced a bill (S. 1667) to improve the navigation of the Kootenai River, in the State of Idaho; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1668) to authorize and regulate the construction of a bridge across the Kootenai River, at the town of Fry, county of Kootenai, State of Idaho; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1669) to provide the times and places for holding terms of the United States courts in the State of Idaho; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PEPPER (by request) introduced a bill (S. 1670) to regulate the compensation of postmasters of the fourth class; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 1671) granting an increase of pension to Everard Bierer; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1672) to regulate the practice of medicine in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CAMERON introduced a bill (S. 1673) to increase the pension of Mrs. Ellen Key Messersmith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PADDOCK introduced a bill (S. 1674) incorporating the Society of American Florists; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. WILSON introduced a bill (S. 1675) granting an increase of pension to John Kinney; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1676) granting a pension of \$25 a month to Henry O'Connor; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1677) for the classification of clerks and other employes in first and second class post-offices and for fixing the salaries of the same; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. ALLEN (for Mr. DAVIS) introduced a bill (S. 1678) for the relief of William Smith and others; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. ALLEN introduced a bill (S. 1679) to ratify and confirm an agreement with the Indians residing on the Colville Reservation, in the State of Washington, with certain modifications, and to make appropriation for the carrying into effect of the same; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1680) granting to the State of Washington 5 per centum of the net proceeds of the sales of public lands in that State; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. McMILLAN introduced a bill (S. 1681) making an appropriation for the construction of two United States revenue cutters for service on the Great Lakes; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PROCTOR (by request) introduced a bill (S. 1682) to amend the statutes regulating the affairs of the Soldiers' Home in the District of Columbia; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SHERMAN introduced a bill (S. 1683) for the relief of Mrs. Fannie N. Belger; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1684) granting a pension to Flora H. Cookson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULOM introduced a bill (S. 1685) for the erection of a public building at the city of Elgin, Ill.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1686) to provide for the purchase of a site and the erection of a public building thereon at Joliet, in the State of Illinois; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1687) to remove the charge of de-



section from the military record of Joseph Craig; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1688) to so amend sections 4693 and 4695 of the Revised Statutes of the United States as to extend the right of pensions to steamboat men and others acting under orders from United States officers; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1689) to remove the charge of desertion from the record of Wesley Hollis, of Company E, Sixty-sixth Regiment Illinois Volunteers, and grant him honorable discharge; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1690) to establish a national military park at the battle field of Lexington, Mo.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CAREY introduced a bill (S. 1691) granting a pension to Josephine Q. Offley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT introduced a bill (S. 1692) for the relief of Dwight Hall; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1693) to prohibit the manufacture and sale of spirituous and intoxicating liquors in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PERKINS introduced a bill (S. 1694) to establish a uniform system of bankruptcy throughout the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PADDOCK introduced a bill (S. 1695) to amend section 12 of an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

Mr. MORGAN introduced a bill (S. 1696) to further provide for the disposal of certain public lands in the State of Alabama; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1697) for the relief of Claude H. Mastin, surviving partner of the firm of Le Vert & Mastin, of Mobile, Ala.; which was read twice by its title, and referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 1698) for the relief of Thomas F. Rowland; which was read twice by its title, and referred to the Committee on Claims.

Mr. GEORGE introduced a bill (S. 1699) to subject to State taxation national-bank notes and United States Treasury notes; which was read twice by its title, and referred to the Committee on Finance.

Mr. COLQUITT introduced a bill (S. 1700) for the relief of Mildred P. Poullain, widow of Dr. Thomas N. Poullain, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. PEPPER introduced a joint resolution (S. R. 32) to amend the Constitution so as to elect the President and Vice-President by a direct vote of the people; which was read twice by its title, and referred to the Committee on Privileges and Elections.

#### AMENDMENT TO BILL.

Mr. PADDOCK. I beg leave to present an amendment in the nature of a substitute for the bill (S. 427) to provide for the erection of public buildings for post-offices in towns and cities where the post-office receipts for three years preceding have exceeded \$3,000 annually. I ask that the amendment may be printed and lie on the table. The bill to which it relates is on the Calendar.

The VICE-PRESIDENT. It will be so ordered.

#### ESTATE OF OLYMPUS YOUNG.

Mr. GIBSON of Maryland submitted the following resolution; which, with the accompanying papers, was referred to the Committee on Claims:

*Resolved*, That the claim of Abraham E. Eves, executor of the estate of Olympus Young, deceased, now of the county of Somerset, State of Maryland, and late of the State of Louisiana, for quartermaster and commissary stores and supplies and other property alleged to have been taken and used by the United States Army during the late war from the plantation of the said Olympus Young, deceased, near Brashear City, now Morgan City, in the parish of St. Marys, State of Louisiana, be referred to the Secretary of War, who shall investigate the justice and equity of said claim and the loyalty of the said deceased, and report the amount and value of said property taken and used by the said Army, and also what amount, if any, has been paid on the same; and that he report all the facts and evidence in the case for the further consideration of the Senate.

#### RECIPROCAL TRADE AGREEMENTS.

Mr. HALE submitted the following resolution; which was read:  
*Resolved*, That the Secretary of State be, and is hereby, directed to send to the Senate, as early as is practicable, copies of all agreements made with

other countries relating to an interchange of trade and commerce under the provisions of section 3 of an act entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890; and also to furnish the Senate with all information received as to the practical effect of such agreements.

Mr. HALE. I ask that the resolution lie upon the table. I shall call it up shortly.

The VICE-PRESIDENT. The resolution will lie upon the table and be printed.

#### BRIGHTWOOD RAILWAY COMPANY.

Mr. McMILLAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Commissioners of the District of Columbia be, and they are hereby, instructed to report to the Senate of the United States, first, whether the Brightwood Railway Company of the District of Columbia completed its railway from Boundary Street to the boundary line of the District of Columbia within the time specified in sections 8 of its charter for the completion of the same; secondly, whether "cars of the best construction" are now used on said road, and are run "as often as the public convenience may require, in accordance with a table or schedule fixed by the company, a copy of which shall be filed with the Commissioners of the District of Columbia and approved by them," as provided in section 19 of the act of incorporation.

#### MEXICAN COMMISSION AWARDS.

Mr. DOLPH. If the morning business is concluded, I call for the regular order.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed, and the Chair lays before the Senate the regular order, which is Senate bill 539.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 539) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868."

Mr. DOLPH. Mr. President, I do not see the junior Senator from Indiana [Mr. TURPIE] present. I have been appealed to by him to permit this bill to go over until his colleague [Mr. VOORHEES] can reach Washington. I understand that the senior Senator from Indiana will be here to-morrow, and I have been informed by the junior Senator that he would have no objection to my presenting the bill to the Senate to-day, giving his colleague an opportunity to speak upon it to-morrow. I understand, also, that the Senator from Missouri [Mr. VEST] desires to speak upon the bill and is ready to do so. I do not suppose that the senior Senator from Indiana would particularly desire to be present at its consideration to-day.

But I am more embarrassed in regard to this measure by a communication which I received from the senior Senator from New York [Mr. DISCOCK] late this morning, leaving me no time to communicate with him, in which he says:

The La Abra bill is on the Calendar, and possibly you have given notice to call it up on Monday or some day this week. I am one of the subcommittee of the Committee on Finance to investigate the operations of the tariff laws, prices, etc., and it has been arranged that we meet in New York to-morrow—

This letter was dated on the 17th of January—

for a final meeting there, and it seems to be necessary that I should attend. We will doubtless remain there the most of the week. I ascertained that New York people mainly are interested in the bill. Some of them I know, and they are very decent folks, and it would be necessary for me to carefully study the merits of the measure, etc.

Then he appeals to me to permit the measure to go over until he returns. He also says:

I understand there are two measures; I am not sure that both have been reported. I should like this courtesy in respect to both.

That is, the Weil claim and the La Abra claim. I regret exceedingly that this appeal has been made to me. I do not like to appear to be lacking in senatorial courtesy, but my friend from New York certainly did not understand the position in which this measure stands at the present time. He supposes that simply a notice had been given to call it up to-day, but on the contrary the bill was called up and read at length, and the report of the committee printed in connection with it, on the 7th day of January, and an order was made that after the conclusion of the morning business to-day the bill should take precedence of any other special order or unfinished business. The postponement was made to accommodate the senior Senator from Indiana [Mr. VOORHEES]. The people of New York are not the only people who are interested in the bill. There have been various assignments and divisions of the award made until there are people in several States of the Union interested, and there are several Senators who desire to be present when the bill is considered.

The danger that I should incur if I were to grant the request of the Senator from New York and submit to another postponement of the bill for a week would be that, at the end of the week, the senior Senator from Indiana might be absent and could not conveniently be present to present his views upon the measure,

or the Senator from Missouri would not be accommodated by the change, and in the end the postponement of the bill from day to day would result, at the present session, precisely as it resulted in the last session of Congress—the bill would be postponed until there were so many measures upon the Calendar of public interest and private interest that it would be impossible to get it up for consideration.

This measure has been before Congress, in some shape, since 1877, when the Secretary of State appealed to Congress to pass some law providing for the distribution of the awards, or of the payments upon the awards as they were made annually by the Mexican Government. There have been various propositions before Congress for the action of Congress and of the Government in regard to this award. This bill was reported favorably in the Forty-ninth Congress by the senior Senator from Alabama [Mr. MORGAN]. This matter was examined by the Committee on Foreign Relations, or a subcommittee of the Committee on Foreign Relations in the Fiftieth Congress, and a large amount of testimony taken and an exhaustive report submitted in favor of the passage of the bill; but it was so late in the session that it was impossible to procure consideration for it at that time. At the last Congress we encountered the same difficulty in pressing and endeavoring to get the bill up for consideration before the Senate that we encounter now. There were so many people interested in it, so many Senators desired to have it postponed from time to time, that it was postponed until so late a day in the session that it was impossible to get it up for consideration in the Senate.

Mr. President, what is the condition of the matter now? It was the fourth bill on the Calendar reported to the Senate. It was ordered reported at the first meeting of the Committee on Foreign Relations. It is the second bill now on the Calendar. As I said, it was called up on the 7th of January and was made the special order for to-day, to take precedence of all other business. Apparently, now, the friends of the measure have an opportunity to secure its consideration and action upon it by the Senate in order that it may be sent to the other House and may be in a situation to receive early consideration there. It has been once postponed for the accommodation of an absent Senator. Another request is now made. I have no means of information as to whether at the expiration of another week, the time fixed, would be any more satisfactory to Senators and accommodate a larger number of Senators than the time which has already been fixed by the Senate for the consideration of the bill.

I also learned this morning that the junior Senator from New York [Mr. HILL] had received a communication from parties in New York in regard to this bill, and will, undoubtedly, give it attention and be prepared to represent their interests to the Senate. Under the circumstances—and I take this public method of stating the facts in regard to the case in order that the senior Senator from New York [Mr. HISCOCK] will not feel aggrieved by my action—I regret that I do not feel at liberty to consent to the postponement of the measure.

Mr. VEST. Mr. President, so far as I am personally concerned I am as ready to say what I desire to say on this subject now as at any other time. I have no request to prefer in regard to it.

The senior Senator from Indiana [Mr. VOORHEES] telegraphed this morning from Altoona that he is on his way and will be here this afternoon, but at so late an hour in the afternoon that it will not be possible for him to attend the session of the Senate to-day. He is anxious to be here when the cases are taken up. I say "the cases," because the same legal question arises in one case as in the other, although the facts of the two cases are different. That is all I desire to say in regard to it. I am perfectly willing to take the bill up now or take it up to-morrow morning.

I rose principally to move that the minority report in the La Abra case, which was submitted at a previous Congress by the then Senator from Georgia, Mr. Brown, not now a member of this body, be printed in the RECORD, as was the majority report.

The VICE-PRESIDENT. That will be done in the absence of objection.

Mr. SHERMAN. What is that?

Mr. VEST. I ask that the minority report be printed in the RECORD.

The VICE-PRESIDENT. It will be so ordered in the absence of objection.

Mr. MORGAN. I think that minority report has been heretofore printed in the RECORD. At all events, I know it was printed as a document at the last session of Congress.

Mr. DOLPH. In the Fiftieth Congress. We did not reprint the report in the last Congress.

Mr. MORGAN. There is no minority report at this session of Congress at all. No one has made a minority report. The committee is differently constituted from what it was then. Mr. Brown is not a member of the Senate, and to bring his report forward and print it in the RECORD is merely to put in an argument

which has been made heretofore and which already is in the possession of the Senate as a document. It is a very extensive argument prepared by counsel. I hardly think that the RECORD ought to be encumbered with it. Senators can have access to it. There are plenty of copies of it here. The country feels no interest in it except upon the question of law.

The VICE-PRESIDENT. The Chair will submit the question to the Senate for its decision.

Mr. MORGAN. That minority report is very extensive, and it would take up a whole RECORD.

Mr. SHERMAN. I trust the Senate will not set an example of this kind, because it will encumber the RECORD unnecessarily. The report is much more convenient in the form of a pamphlet, as it is now upon our tables, than it would be if put in the RECORD. In the RECORD it would be in inferior type; it would not be readily accessible, nor could it be used on the floor of the Senate. The cost of printing a document of that kind in the RECORD, where it has to be repeated ever so many thousand times, would amount to a large sum.

The VICE-PRESIDENT. There are 75 pages in the report.

Mr. SHERMAN. Seventy-five pages. I hope the Senate will consider the question of sufficient importance to take a vote upon it. I desire to vote in the negative upon any proposition to print reports of committees of an unusual size in the RECORD. They are all put in volumes so that they can be accessible in the future, and are more convenient in that form than they are in the RECORD. The reports of committees of both Houses of Congress are printed in books, which are furnished to us in sufficient numbers for all practical purposes, and the idea of duplicating a publication of that kind in the RECORD is not only an unnecessary cost, but it is altogether useless and a waste of the public money, in my judgment. I shall therefore vote "no" on the proposition.

Mr. VEST. The objections made by the Senator from Ohio ought to have been made when the majority report was ordered to be printed in the RECORD.

Mr. SHERMAN. If I had been here I certainly should have objected. When was that printed?

Mr. VEST. It was printed at this session, some three or four days ago perhaps.

Mr. DOLPH. It was printed on the 7th of January.

Mr. VEST. It was printed on the 7th day of January. I do not suppose that is of the essence of the matter at all. It was done at this session.

Mr. SHERMAN. I was not here at the time.

Mr. VEST. As to the minority report being printed, as suggested by the Senator from Alabama [Mr. MORGAN], in a separate document, a miscellaneous document, the same holds true in regard to the majority report. There it is as a miscellaneous document of the Senate, printed and reprinted.

I did not see the other day any necessity for printing the majority report of the committee in the RECORD, but it was done, and as a matter of fairness the two sides of the question ought to be presented. It is very true that the report of the then Senator from Georgia was not made at this session and that he has ceased to be a member of the Senate; but the issues are identical. He was a member of the subcommittee of which the Senator from Alabama was chairman, from a majority of which, composed of the Senator from Alabama and the Senator from Oregon, came this report, based on the report made by them to the full Committee on Foreign Relations. This minority report comes from the third member of that subcommittee. In justice to him, after putting the majority report in the RECORD, the minority report ought also to be put there.

I will say in addition that whatever the action of the Senate may be it will not keep this report out of the RECORD if I or any other member choose that it shall go in, because I can make it a part of my argument, or any other Senator can do the same, and it will be reported in his speech, and would be simply a question of the physical endurance of the Senator.

The VICE-PRESIDENT. The Chair will put the question on the motion of the Senator from Missouri [Mr. VEST]. The question is on the motion of the Senator from Missouri that the minority report, to which he has referred, be printed in the RECORD.

The question being put; a division was called for, and the ayes were 5 and the noes 11.

Mr. SHERMAN. It is manifest that there is no quorum, and I think, therefore, the motion should be withdrawn.

Mr. VEST. No quorum has voted.

The VICE-PRESIDENT. No quorum voting, the roll will be called.

Mr. HALE. Perhaps the Senator from Missouri will withdraw his motion.

Mr. VEST. I do not intend to be captious about this matter. As my colleagues here know, I generally defer to the will of the majority; but this report will go into the RECORD if I have to

under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. WHEELER of Michigan: Petition of J. S. Gregg and others, of Manistee County, Mich., for free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

Also, petition of J. Butler and others, for the improvement of Frankfort harbor—to the Committee on Rivers and Harbors.

By Mr. WILLIAMS of Illinois: Petition in support of House bill 3923, for the relief of Sarah A. Nelson, of Lebanon, Mo.—to the Committee on Pensions.

Also, papers to accompany House bill 3884, for the relief of Curtis P. Wise—to the Committee on Military Affairs.

By Mr. WILLIAMS of North Carolina: Petition of citizens of Rockingham County, N. C., in regard to special tax on tobacco dealers—to the Committee on Ways and Means.

By Mr. WILSON, of Washington: Papers to accompany House bill 3492, for the relief of Robert Williams—to the Committee on Military Affairs.

By Mr. WISE: Petition of W. H. Wesson, to accompany House bill 3501—to the Committee on War Claims.

## SENATE.

TUESDAY, January 19, 1892.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

### MEXICAN COMMISSION AWARDS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read:

*To the Senate of the United States:*

I transmit herewith to the Senate a report of the Secretary of State in answer to the resolution of the Senate of the 12th instant, making inquiries regarding payments of the awards of the Claims Commission under the convention of July 4, 1868, between the United States and Mexico.

BENJ. HARRISON.

EXECUTIVE MANSION, Washington, January 18, 1892.

The VICE-PRESIDENT. The message, in the absence of the Senator from Alabama [Mr. MORGAN], will lie on the table temporarily, and be printed.

Mr. VEST. I should like to have the accompanying communication from the Secretary of State read.

The VICE-PRESIDENT. The paper will be read.

The Chief Clerk read as follows:

DEPARTMENT OF STATE, Washington, January 11, 1892.

The Secretary of State has the honor to submit herewith a report in answer to the resolution of the Senate of the United States of the 12th instant, respecting the awards of the Mixed Claims Commission which sat at Washington under the convention of July 4, 1868, between the United States and Mexico.

The awards of the Commission were rendered in Mexican gold, American gold, and American currency. By the terms of the protocol between the Secretary of State and the Mexican minister under date of January 31, 1878, the various currencies were reduced to the basis of American gold. Upon this basis the net indebtedness of Mexico to the United States, by reason of the awards, was ascertained to be \$3,865,498.42.

This amount was paid in full to the United States by Mexico in fourteen annual installments in perfect accordance with the terms of the convention. The final payment having been made January 21, 1890.

The ascertainment of the proportionate share of each of the awards, numbering in all 187, in the total sum of the indemnity, is set forth in detail in the annexed table, marked "A."

Nearly all of these awards have been paid in full to the awardees or their assigns, the principal exceptions being the awards in favor of Benjamin Weil and La Abra Mining Company.

There is at present on deposit to the credit of the Secretary of State, with the assistant treasurer of the United States at New York, on account of all awards of the Commission, the sum of \$700,968.57.

Of this amount the sums of \$287,833.77 and \$403,030.08 are withheld, respectively, on account of the awards rendered in favor of Benjamin Weil and the La Abra Silver Mining Company. These sums aggregate \$690,863.85, thus leaving of the sum above stated as being in the hands of the Secretary of State, only \$10,104.72 yet to be distributed on account of outstanding interests among the other 185 awards. Deaths of the principals and failure of their administrators or executors to present their claims for the balances due them are the only causes why this sum of \$10,104.72 remains undistributed. It is reasonable, however, to expect that the persons entitled to this remainder will present themselves in the near future.

In specific answer to that portion of the resolution which inquires "the amount of any award made under said convention that has been refused payment by the State Department, and what person or persons are now the claimants of interest in said awards, the payment of which has been refused," I have the honor to state that payments have been refused only in the two cases above referred to, namely those of "Benjamin Weil" and the "La Abra Mining Company," and that the annexed transcripts, marked "B" and "C," from the Department's docket, show in detail the dates and amounts of payments made on these awards, respectively, and the persons to whom paid, as well as briefs of the instruments on file in the Department showing what persons are the claimants of interests in these awards.

In answer to the concluding inquiry of the resolution, I have the honor to state that at no time has any part of the moneys received from Mexico been invested.

Respectfully submitted.

JAMES G. BLAINE.

To the PRESIDENT.  
(With inclosures.)

The VICE-PRESIDENT. The message, with the accompanying papers, will lie on the table, and be printed.

### SUPPLY OF CIRCULATION.

Mr. STANFORD. I desire to give notice that on Thursday morning next I shall ask the Senate to take up the bill (S. 1204) to provide the Government with means sufficient to supply the national want of a sound circulating medium, and that I shall then ask the privilege of submitting a few remarks upon the measure.

### PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of citizens of Stillwater, Minn., praying for the grant of a loan to the World's Columbian Fair, on condition that the exposition be not open on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. WILSON presented a petition of 31 citizens of Carnarvon, Iowa, praying for the passage of a bill similar to what is commonly known as the Butterworth option bill; which was referred to the Committee on Agriculture and Forestry.

Mr. McMILLAN presented a petition of the Military Order of the Loyal Legion of the United States, of Detroit, Mich., praying that an appropriation be made for a military chapel at Arlington; which was referred to the Committee on Military Affairs.

He also presented a petition of the Military Order of the Loyal Legion of the United States, of Detroit, Mich., praying for the passage of legislation prohibiting the improper use of the flag of the United States; which was referred to the Committee on Military Affairs.

He also presented a petition of the United Presbyterian Church of Bruce, Mich., praying that the World's Columbian Fair be closed on Sunday, in accordance with the law of God, the rights of man, and American precedents; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. DAWES presented the petition of the Board of Commissioners of Foreign Missions, signed by Rev. Richard S. Storrs, its president, and other officers of that organization, praying for the ratification of the Brussels treaty; which was ordered to lie on the table.

Mr. COKE presented a petition of the city council of Laredo, Tex., praying for the establishment of a military post at that place for the protection of the frontier; which was referred to the Committee on Military Affairs.

Mr. HANSBROUGH presented a petition of citizens of Medford, N. Dak., praying for the passage of legislation similar to what is commonly known as the Butterworth option bill; which was referred to the Committee on Agriculture and Forestry.

Mr. HOAR presented a petition of District Assembly No. 210, Knights of Labor, of Boston, Mass., praying for the passage of a bill to authorize the collection of statistics relative to the slums of cities; which was referred to the Committee on Education and Labor.

Mr. PERKINS. I present resolutions in the nature of petitions from the Transmississippi Commercial Congress, the Western States Commercial Congress, and other bodies, praying for the passage of what is known and recognized as the Torrey bankruptcy bill. I move that the petitions be referred to the Committee on the Judiciary, to be considered in connection with the bill.

The motion was agreed to.

### REPORTS OF COMMITTEES.

Mr. MANDERSON, from the Committee on Indian Affairs, to whom was referred the bill (S. 781) for the relief of John Little and Hobart Williams, of Omaha, Neb., reported it without amendment, and submitted a report thereon.

He also, from the Committee on Military Affairs, to whom was referred the bill (S. 860) for the relief of Wells C. McCool, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 776) for the relief of the heirs of Charles B. Smith, deceased, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 859) for the relief of First Lieut. James Regan, United States Army, reported it without amendment, and submitted a report thereon.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 209) to place Henry Zell on the retired list of the Army, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 78) making an appropriation for the improvement of the road to the national cemetery near Pensacola, Fla., reported it without amendment, and submitted a report thereon.

Mr. DAWES, from the Committee on Indian Affairs, to whom

was referred the bill (S. 12) to authorize the Secretary of the Interior to settle the claims of the legal representatives of S. W. Marston, late United States Indian agent at Union Agency, Indian Territory, for services and expenses, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 478) for the relief of Mrs. S. B. Duvall, widow of the late Rev. W. P. Duvall, deceased, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 734) for the relief of John McBean, of Umatilla County, Oregon, reported it without amendment.

Mr. PETTIGREW, from the Committee on Indian Affairs, to whom was referred the bill (S. 698) to authorize the Secretary of the Interior to carry out in part the provisions of "An act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations, and to secure the relinquishment of the Indian title to the remainder, and for other purposes," approved March 2, 1889, and making appropriations for the same, and for other purposes, reported it with an amendment.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the joint resolution (S. R. 3) proposing an amendment to the Constitution of the United States in regard to the election of President, to ask that the committee be discharged from the further consideration of the joint resolution, and that it be referred to the Committee on Privileges and Elections.

The report was agreed to.

Mr. HOAR. I am also directed by the Committee on the Judiciary, to whom was referred the joint resolution (S. R. 4) proposing an amendment to the Constitution of the United States which shall extend the term of the office of the President to the 30th of April, to ask to be discharged from its further consideration, and that it be referred to the Committee on Privileges and Elections.

The report was agreed to.

Mr. SQUIRE, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 617) providing for the erection of a public building at the city of Spokane Falls, in the State of Washington, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1636) providing for the erection of a public building at the city of Tacoma, in the State of Washington, reported it without amendment, and submitted a report thereon.

#### COURTS IN MISSOURI.

Mr. VEST. I am instructed by the Committee on the Judiciary to report favorably, with an amendment, the bill (S. 418) to change the times for holding the circuit and district courts of the United States for the western district of Missouri. It is a matter of very great importance to litigants, to the attorneys, and the judge of that district that the bill should be disposed of as soon as possible. It makes changes simply in the terms of the courts and it is of great importance that the public should know soon, if the bill is to become a law, what the changes are, and I ask for its immediate consideration.

The VICE-PRESIDENT. The bill will be read at length for information.

The Chief Clerk read the bill, and the Senate, by unanimous consent, as in Committee of the Whole, proceeded to its consideration.

The amendment of the Committee on the Judiciary was, after line 14, to insert a new section, as follows:

SEC. 2. That no action, suit, proceeding, information, indictment, recognition, bail bond, or other process, in either of said courts, shall abate or be rendered invalid by reason of the change in time in holding the terms of said courts, but the same shall be deemed to be returnable to, pendable, and triable at the terms herein provided for.

The amendment was agreed to.

The bill was reported to the Senate as amended, and amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. BLACKBURN introduced a bill (S. 1701) for the benefit of Mrs. Mary T. Duncan, of Kentucky; which was read twice by its title, and referred to the Committee on Claims.

Mr. STEWART introduced a bill (S. 1702) to amend an act entitled "An act to incorporate the Washington and Western Maryland Railroad Company," which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. MORRILL introduced a bill (S. 1703) to provide a more perfect organization for the United States Naval Observatory, and for other purposes; which was read twice by its title.

Mr. MORRILL. I desire to state that we have a structure for

this purpose which is superior, perhaps, to any in the world. It is well understood that we are going to need all the naval officers for the ships that we have built and are building, and therefore it becomes indispensable, almost, that we should seek for the head of this national observatory a man who will be willing to spend his life in the service, and one, perhaps, the best qualified in the United States. I move that the bill be referred to the Committee on Naval Affairs.

The motion was agreed to.

Mr. SHERMAN introduced a bill (S. 1704) for the relief of William Welsh; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HOAR introduced a bill (S. 1705) to prevent the manufacture of clothing in unhealthy places and the sale of clothing so manufactured; which was read twice by its title.

Mr. HOAR. This is a bill to suppress what is known as the sweating system. I move that it be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. SHERMAN introduced a bill (S. 1706) to provide for the erection of an extension to the custom-house, court-house, etc., building at Toledo, Ohio; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. BATE introduced a bill (S. 1707) for the relief of Capt. W. M. Wallace; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1708) for the relief of Mrs. Sarah J. Waggoner; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PROCTOR introduced a bill (S. 1709) to grant to the Champlain and St. Lawrence Railroad Company a right of way across the Fort Montgomery military reservation; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PERKINS introduced a bill (S. 1710) to authorize the Rio Grande, Mexico and Pacific Railroad Company to purchase certain land; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1711) providing for the payment of awards made to Creek Indians who enlisted in the Federal Army, loyal refugees, and freedmen; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CHANDLER introduced a bill (S. 1712) to enable the Attorney-General to provide for the proper defense of cases brought in the Court of Claims for damages arising from Indian depredations; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

Mr. CAMERON introduced a bill (S. 1713) for the relief of George C. Foulk; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. McMILLAN introduced a bill (S. 1714) to prevent cruelty to children in the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1715) to amend "An act to authorize the Commissioners of the District of Columbia to make police regulations for the government of said District," approved January 26, 1887; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1716) to confer upon the Commissioners of the District of Columbia the power and authority heretofore existing in the mayor of the city of Washington in the matter of opening, altering, and changing alleys; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1717) for the relief of Samuel G. Hunter; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. GRAY introduced a bill (S. 1718) to pay the State of Delaware for advance of money in the war of 1812, reported to be due by the Secretary of the Treasury; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1719) to authorize the Secretary of the Treasury at his discretion to obtain the plans for the public buildings erected by direction of Congress under the Treasury Department; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1720) for the relief of Henry Frank; which was read twice by its title, and referred to the Committee on Claims.

Mr. HAWLEY introduced a bill (S. 1721) to increase the pay of certain noncommissioned officers of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1722) to provide for the examina-

morning hour. It is immaterial to me to which Calendar they may go; but I object to their coming up in the morning hour when there is not proper time for their consideration.

Mr. FRYE. As the Senator in charge of the bills is not present at the moment, let them go over without prejudice.

Mr. BERRY. Very well; let them retain their places on the Calendar, the Senator from Oregon [Mr. DOLPH] not being present.

The VICE-PRESIDENT. That order will be made in the absence of objection.

#### BILLS PASSED OVER.

Mr. DOLPH. Mr. President, I was unavoidably absent from the Senate Chamber for a moment, and I should like to inquire what disposition was made of Order of Business 25, being the bill (S. 143) to increase the endowment of the Louisiana State University and Agricultural College, and for the Southern University of Louisiana.

The VICE-PRESIDENT. The bill went over without prejudice.

Mr. DOLPH. A new bill has been introduced and is under consideration by the Committee on Public Lands, and I think this bill may be re-referred to the Committee on Public Lands or be indefinitely postponed. It is, I think, a matter of indifference which course is pursued.

Mr. SHERMAN. The Senator from Louisiana [Mr. WHITE] was here at the time the bill was called up.

Mr. DOLPH. The Senator from Louisiana has introduced an amended bill to take the place of the one on the Calendar, and he probably did not understand that this bill would remain upon the Calendar. Simply to get rid of it, I will ask that it be re-committed to the Committee on Public Lands.

The VICE-PRESIDENT. The Senator from Louisiana [Mr. WHITE] asked that the bill might go over without prejudice.

Mr. DOLPH. What was done with Order of Business 28, being Senate bill 1247?

The VICE-PRESIDENT. What shall be done with Order of Business 25, to which the Senator has referred? The Senator from Louisiana asked that the bill might go over without prejudice, and he is not in his seat at this moment.

Mr. DOLPH. I presume there can be no objection to the bill for the purchase of sites for fortifications. If sent to the other House, the House can take its choice of passing an independent measure or providing an appropriation on the fortifications appropriation bill; or, if not, I am authorized when that bill comes into the Senate to report an amendment to it.

Mr. COCKRELL. I do not understand what is now pending.

The VICE-PRESIDENT. The Senator from Oregon is asking information as to what the action of the Senate was on Order of Business 25. The title of the bill will be reported.

The CHIEF CLERK. A bill (S. 143) to increase the endowment of the Louisiana State University and Agricultural College, and for the Southern University of Louisiana.

Mr. COCKRELL. I understood that was passed over without objection, at the instance of the junior Senator from Louisiana [Mr. WHITE], who reported it.

Mr. DOLPH. I stated that the Senator from Louisiana had introduced an amended bill, which is now before the Committee on Public Lands, and it will be acted upon soon. That committee does not desire this bill acted upon, and, in order that it might be got off the Calendar, I have asked that it be referred back to the Committee on Public Lands, and then, when the other bill is reported, this bill will probably be reported adversely and indefinitely postponed. This is to clear it from the Calendar.

The VICE-PRESIDENT. Is there objection to the suggestion of the Senator from Oregon? The Chair hears none and the bill will be re-committed to the Committee on Public Lands.

Mr. DOLPH. Order of Business 29, being the bill (S. 871) to provide for fortifications and other seacoast defenses, may go over under Rule IX as it can not be considered under Rule VIII, and I will give notice that as to Order of Business 28, being the bill (S. 1247) making an appropriation for the purchase of sites for fortifications, when the Calendar is again called during the morning hour I shall ask that that be disposed of.

The VICE-PRESIDENT. The title of Order of Business 29 on the Calendar will be stated.

The CHIEF CLERK. A bill (S. 871) to provide for fortifications and other seacoast defenses.

Mr. DOLPH. That will go over under Rule IX.

The VICE-PRESIDENT. The bill will go over under Rule IX if there be no objection.

Mr. DOLPH subsequently said: I came in after the bill in relation to granting some public lands to the State of Louisiana had been passed over. Knowing that another bill had been introduced and referred to the committee, I thought it would relieve the record to have it re-referred, and I asked that that be

done. I find that the Senator from Louisiana supposes that it is an advantage to him to have the bill already reported retain its place on the Calendar, so I will ask to have the order that was made at my request reconsidered and the bill retained on the Calendar instead of being re-committed to the Committee on Public Lands.

Mr. COCKRELL. It will be restored to the place it occupied?

Mr. DOLPH. Let it be restored to the place it held on the Calendar.

The PRESIDING OFFICER (Mr. FRYE in the chair). Without objection the vote recommitting the bill will be regarded as reconsidered, and the bill restored to its place on the Calendar.

#### PUBLIC BUILDING AT TAMPA, FLA.

The bill (S. 79) for the erection of a public building at Tampa, Fla., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment in section 2, line 11, after the words "sum of," to strike out "two hundred" and insert "one hundred and forty;" so as to read:

That no plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the sum of \$100,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT WATERBURY, CONN.

The bill (S. 237) for the erection of a public building at Waterbury, Conn., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT HASTINGS, NEBR.

The bill (S. 1054) to provide for the construction of a public building at Hastings, Nebr., was considered as in Committee of the Whole.

Mr. COCKRELL. I should like to have some explanation of that bill. I discover that a number of these bills are reported from the Committee on Public Buildings and Grounds without any printed report and we have no means of gaining any information in regard to them. I should like to know something about the size of this city, whether there is any United States court held there, and what kind of governmental business necessitates the erection of a public building there?

Mr. PADDOCK. This is a reintroduction of a bill which passed at the last Congress, and which had before passed in the two preceding Congresses. Hastings is in the third class of the towns in our State. Indeed, there is only one other besides Hastings in this class in respect of population, business importance, railroads, manufactures, public institutions, and enterprise. It is a court town. Two terms of the United States court are held there regularly in each year, and no suitable place has been or can be provided without the construction of this building for the holding of the same. The Supervising Architect of the Treasury has reported that this amount is within the required limit; that not less than this amount should be appropriated; that no building such as seems to be demanded can be erected for less than the amount named.

Mr. PLATT. What is the amount?

Mr. PADDOCK. It is \$250,000. Hastings is a court town, where the business of a very large section of our State, the western part of the State, will have to be done.

Mr. SHERMAN. Is a United States court held there?

Mr. PADDOCK. Yes; the United States court is regularly held there. An act providing for terms of court there was passed by Congress two or three years since. Hastings has a population of 15,000. It is the metropolis of the western half of our State south of the Platte River. No more meritorious public building bill has been or will be passed by this Congress.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### MARINE HOSPITAL AT DETROIT, MICH.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 297) to increase the accommodations at the marine hospital at Detroit, Mich.

Mr. COCKRELL. I see that there is already a marine hospital building there, and as the Senator who introduced and reported the bill is present, I should like to hear some explanation for the necessity of this additional expenditure there.

Mr. McMILLAN. The building already there was erected some twenty-five years ago, and, as everybody knows, the tonnage on the lakes has increased very much, and the number of men employed on the lakes is four or five times as great as it was at the time the hospital was built. In the four years from 1886 to 1890 the tonnage of the Great Lakes increased from 634,652 to



\$26,360; and the estimated value of the vessels from \$30,597,450 to \$58,128,500, nearly doubling in that time. The hospital accommodations are now very inadequate. The erection of this building is recommended by the Surgeon-General and by the medical officers in charge there. It is very much needed, and I hope the bill will not be objected to.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT MANSFIELD, OHIO.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 363) to provide for the erection of a public building in the city of Mansfield, Ohio.

The bill was reported to the Senate without amendment and ordered to be engrossed for a third reading.

Mr. COCKRELL. I should like to know something about the population of the city of Mansfield, whether there are any courts held there, the amount of business that is done, and some reason why the Government should go to the expense of erecting a public building there. I think this is a matter of justice. There are hundreds of towns and cities in the United States that are clamoring for the erection of public buildings, and when no explanation is given, they do not know why they are not just as much entitled to them as the places named in these bills. It is not the inhabitants of every town and city in the United States who have a familiar knowledge of the statistics, population, etc., of every other town and they think that it is a discrimination in favor of certain places. I should like to know why it is that a public building is needed at this place.

Mr. SHERMAN. Mr. President, this same bill was passed at the last session of the Senate after a very full statement had been made in the nature of a report of all the facts and circumstances for which the Senator now calls. I am sorry that I have not the statement here before me, but I will assure the Senator that Mansfield is one of the leading manufacturing towns of the State, and I can say that from my own personal knowledge, because I live there.

Mr. COCKRELL. About what is the population?

Mr. SHERMAN. About 16,000. It is a city with a very large number of leading manufacturing establishments; for instance, Mr. HARTER, a member of the House, is a very extensive manufacturer of thrashing machines, and there are a great many other establishments involving a large amount of capital, going into the millions. The postal receipts are abnormally large in that town for the reason that it has a manufacturing population. Such receipts amount to something over \$30,000 a year. The precise figures I can not now give. Mansfield is surrounded by a rich, productive country and is the junction of several important railroads. There is a United States revenue office there, and it is one of those places where Congress, by general law, should provide for the construction of a public building.

I am not in favor of extravagance in these buildings. I think a building of the character provided by this bill, costing not to exceed, including the value of the land, about \$100,000, is sufficient for the purpose. I think it would be good economy for the Government of the United States to build such buildings. The rent and other expenses paid for a building there suitable for the postal service would be fully equal to the interest on \$100,000, according to the rate of interest the Government would have to pay for money.

I think it is economy in the long run for the Government gradually, not too rapidly, but from time to time, to provide buildings in cities like Mansfield and Zanesville. There are but two towns, I will say, provided for by bills on the Calendar in the State of Ohio, and the aggregate amount of appropriation is \$200,000 in this bill and one other bill that has been reported. I think a discrimination is made against the State of Ohio in favor of the Western and Southern towns. Many towns with less than half the population of Mansfield have now Government buildings in the Southern and Western States. It is assumed that those cities will grow more rapidly than cities in Ohio, although that does not follow.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. TOWLES, its Chief Clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. 9) to define and punish blackmailing;

A bill (H. R. 435) to provide an additional mode of taking depositions of witnesses in causes pending in the courts of the United States; and

A bill (H. R. 504) in relation to the western judicial district of Wisconsin.

#### ENROLLED BILL SIGNED.

The message also announced that the Speaker *pro tempore* of the House had signed the enrolled bill (H. R. 123) fixing the times for holding the district and circuit courts of the United States in the northern district of Iowa; and it was thereupon signed by the Vice-President.

#### PUBLIC BUILDING AT NORFOLK, NEBR.

The bill (S. 197) providing for the erection of a public building in the city of Norfolk, Neb., was considered as in Committee of the Whole.

Mr. MANDERSON. Before the bill is read, I wish to suggest that Norfolk is the largest town outside of the city of Omaha in all that part of the State of Nebraska which is north of the Platte River, a section of country, in round numbers, about 150 miles in width by 500 miles in length. Recognizing the great importance to parties litigant that a United States court should be established in this vast territory, Congress several years ago made Norfolk one of the court towns of Nebraska. The courts have been held there since the passage of that bill with very great convenience and saving an unnecessary amount of expense to the Government.

This town is a very thriving one. Its population now, I think, is about 15,000, but it is growing with that rapidity which characterizes towns in that section of the West. There is located there one of the two large sugar-beet factories that this year turned out an enormous product of beet sugar, and under the legislation of Congress there are the proper officers of the revenue established there. This town is of the same character in the northern part of Nebraska that the town of Hastings, referred to by my colleague, is in the southwestern part of that State, and the two buildings should be of the same character.

I have here a bill that has met the approval of the committee, which is in the exact terms of the Hastings bill, that I offer as a substitute for the bill under consideration, making the legislation conform to that for the town of Hastings.

I may say further, with reference to these two buildings, which are to contain not only post-office facilities, but also the court room, with its necessary adjuncts, with jury rooms, etc., that the amount mentioned in each case, \$250,000, is declared to be needed by the Supervising Architect of the Treasury. I think experience has shown that no building containing these needed offices for the post-office and for the maintenance of the courts can be built with credit to the Government and with proper economy for less money.

Mr. COCKRELL. How much is appropriated by the substitute?

Mr. MANDERSON. The same amount as was appropriated by the Hastings bill, \$250,000.

Mr. COCKRELL. Is that amount recommended by the Supervising Architect?

Mr. MANDERSON. The Supervising Architect says that is the amount which he thinks will be needed for this purpose in each of these towns.

The VICE-PRESIDENT. The amendment proposed by the Senator from Nebraska will be stated.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert the following:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation or otherwise, a site and to erect thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States courts, post-office, and other Government offices, in the city of Norfolk and State of Nebraska, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of \$250,000, which said sum of \$250,000 is hereby appropriated for said purpose out of any moneys in the United States Treasury not otherwise appropriated.

Proposals for the sale of land suitable for said site shall be invited by public advertisement in one or more of the newspapers of said city of largest circulation for at least twenty days prior to the date specified in said advertisement for the opening of said proposals.

Proposals made in response to said advertisement shall be addressed and mailed to the Secretary of the Treasury, who shall then cause the said proposed sites, and such others as he may think proper to designate, to be examined in person by an agent of the Treasury Department, who shall make written report to said Secretary of the results of said examination, and of his recommendation thereon and the reasons therefor, which shall be accompanied by the original proposals and all maps, plans, and statements which shall have come into his possession relating to the said proposed sites.

If, upon consideration of said report and accompanying papers, the Secretary of the Treasury shall deem further investigation necessary, he may appoint a commission of not more than three persons, one of whom shall be an officer of the Treasury Department, which commission shall also examine the said proposed sites, and such others as the Secretary of the Treasury may designate, and grant such hearings in relation thereto as they shall deem necessary; and said commission shall, within thirty days after such examination, make to the Secretary of the Treasury written report of their conclusion in the premises, accompanied by all statements, maps, plans, or documents taken by or submitted to them, in like manner as heretofore provided in regard to the proceedings of said agent of the Treasury Department; and the Secretary of the Treasury shall thereupon finally determine the location of the building to be erected.

The compensation of said commissioners shall be fixed by the Secretary of the Treasury, but the same shall not exceed \$6 per day and actual traveling expenses: *Provided, however,* That the member of said commission appointed

Church of Rahway, N. J., and a petition of citizens of Flemington, N. J., praying that the World's Columbian Exposition be closed on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. FELTON. I present a petition of the Humboldt Chamber of Commerce, of Eureka, Cal., praying that the full amount of \$700,000 recommended by the Board of Engineers in charge of the improvement of Humboldt Bay be appropriated at an early date as possible.

It is an able presentation of the situation of that harbor, and gives convincing facts as to the necessity of such improvements and the urgency for immediate action on part of Congress, as, owing to climatic conditions, the spring and summer is the proper time for construction. Also, to prevent the shoaling of the river harbor the entire construction should be carried on at the same time; that such a course would require a larger appropriation at this time but combines the elements of safety and economy in the end.

I move that the petition be referred to the Committee on Commerce.

The motion was agreed to.

Mr. FELTON. I present a petition of the Chamber of Commerce of Los Angeles, Cal., praying for a new project for Government work at San Pedro, Cal., officially known as Wilmington Harbor, California.

In connection with this petition there are some very interesting facts which go to show that further appropriation should be expended upon that harbor. In the course of the two last decades \$900,000 have been spent for the improvement of the harbor and the receipts in the last nine years from customs have been over \$700,000. When the improvement was commenced there was but 18 inches of water on the bar at low tide, and now there is 14 feet of water in the inner harbor; according to the report of the engineers it can be further deepened to from 25 to 28 feet low tide. San Pedro is the only entry port to that great and fertile part of the southern portion of the State of California; the harbor is not only necessary for commerce, but as a harbor of refuge—it being the only safe harbor on the coast for 400 miles north and 200 south.

I move that the petition be referred to the Committee on Commerce.

The motion was agreed to.

Mr. CULLOM. I present a petition numerously signed by members of Miner Grange, No. 214, Patrons of Husbandry, of Little Mackinaw Township, Tazewell County, Ill., praying that post-office facilities be extended to farmers as well as other people. I move that the petition be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

Mr. HOAR. I present the memorial of a considerable number of bankers and national-banking institutions of the city of New Orleans, La., remonstrating against the passage of Senate bill 685, relating to the purchase and sale of cotton, etc. I move that the memorial be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. WOLCOTT presented a petition of the Denver (Colo.) Real Estate and Stock Exchange, praying for the passage of the bill providing for coinage at the Denver mint; which was referred to the Committee on Finance.

#### REPORTS OF COMMITTEES.

Mr. MANDERSON, from the Committee on Military Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 298) for the relief of Eunice Tripler, widow of Charles S. Tripler;

A bill (S. 780) for the relief of Robert H. Montgomery; and

A bill (S. 547) for the relief of Lieut. Col. Charles G. Sawtelle, Deputy Quartermaster-General, United States Army.

Mr. CAMERON, from the Committee on Naval Affairs, to whom was referred the bill (S. 247) for the relief of Henry E. Rhoades, reported it without amendment, and submitted a report thereon;

He also, from the same committee, to whom was referred the bill (S. 1079) for the relief of Assistant Engineer Howard D. Potts, United States Navy, reported it without amendment, and submitted a report thereon;

Mr. DAVIS, from the Committee on Military Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 614) authorizing the restoration of the name of Thomas H. Carpenter, late captain Seventeenth United States Infantry, to the rolls of the Army, and providing that he be placed on the list of retired officers.

A bill (S. 337) to remove the charge of desertion standing against the name of Joseph G. Utter; and

A bill (S. 333) for the relief of Henry Unterleiter, alias Cook or Koch.

Mr. CULLOM. I am directed by the Committee on Interstate Commerce, to whom was referred the bill (S. 1516) granting the right to erect and maintain dams across the Kansas River within Shawnee County in the State of Kansas, to ask to be discharged from its further consideration and that it be referred to the Committee on Commerce. I call the attention of the Senator from Kansas [Mr. PEPPER], as the bill was introduced by him, to the fact that the Committee on Interstate Commerce authorized me to report the bill back and have it referred to the Committee on Commerce instead of Interstate Commerce.

The report was agreed to.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 46) for the relief of William B. Stokes, M. M. Brien, sr., Thomas Waters, and William T. Haskins, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1518) for the relief of Lewis F. J. Jaeger, asked to be discharged from its further consideration, and that it be referred to the Select Committee on Indian Depredations; which was agreed to.

#### REPORT ON MARITIME CANAL OF NICARAGUA.

Mr. MANDERSON. I am instructed by the Committee on Printing to report back adversely the Senate resolution to print a report of the Committee on Foreign Relations on the Nicaragua Canal, and I ask that it be indefinitely postponed.

The report was agreed to.

Mr. MANDERSON. I am directed by the Committee on Printing to report a concurrent resolution to reach the same purpose designed by the Senate resolution just indefinitely postponed. I ask for the present consideration of the concurrent resolution.

The concurrent resolution was considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring therein), That there be printed 15,000 additional copies of the report and appendices, No. 1941, of the Senate Committee on Foreign Relations, to accompany Senate bill 1827, to amend the act entitled "An act to incorporate the Maritime Canal Company of Nicaragua," approved February 20, 1889, made to the Fifty-first Congress, of which 5,000 copies shall be for use of the Senate and 10,000 copies for use of the House of Representatives.*

#### BILLS INTRODUCED.

Mr. DAVIS introduced a bill (S. 1734) to amend section 2237 of Title XXXI of chapter 2 of the Revised Statutes of the United States, in relation to salaries of registers and receivers of United States land offices; which was read twice by its title, and, with accompanying papers, referred to the Committee on Public Lands.

Mr. STOCKBRIDGE introduced a bill (S. 1735) for the relief of Francis M. Potter; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. WARREN introduced a bill (S. 1736) to amend section 2237 of chapter 2 of the Revised Statutes of the United States, relating to registers and receivers of land offices; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1737) for the relief of William A. Richards, United States surveyor-general of Wyoming; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BLODGETT introduced a bill (S. 1738) granting a pension to Louisa V. Bonford, widow of James V. Bonford, late colonel United States Army; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1739) for the relief of the legal administrators of William Boardman, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. FAULKNER introduced a bill (S. 1740) to define the route of the Baltimore and Ohio Railroad in the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1741) to vest the title of public square 1102, in the city of Washington, D. C., in the trustees of the Fourth Street Methodist Episcopal Church, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1742) to amend the act giving the approval and sanction of Congress to the route and terminal of the Anacostia and Potomac River Railroad in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. GEORGE introduced a bill (S. 1743) for the relief of the legal representatives of William D. Wilson, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1744) for the relief of Audley G. Britton; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT. I have been requested by the Delegate from New Mexico to introduce a bill to enable the people of New Mexico to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States. I wish to say that in introducing the bill, I do so at the request of the Delegate, and without in any way committing myself to the provisions of the bill.

The bill (S. 1745) to enable the people of New Mexico to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States, was read twice by its title, and referred to the Committee on Territories.

Mr. MITCHELL introduced a bill (S. 1746) granting a pension to Benjamin Franklin Dowell, of Oregon, for services with the Oregon Volunteers in the years 1853, 1854, 1855, and 1856; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 1747) granting a pension to Charles W. Hammond; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 1748) granting a pension to Mrs. Janet L. P. Taylor; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HAWLEY introduced a bill (S. 1749) to make an appropriation for the procurement of sites for defenses of the eastern entrance to Long Island Sound; which was read twice by its title, and referred to the Committee on Coast Defenses.

Mr. PERKINS introduced a bill (S. 1750) to authorize the construction of a bridge across the Missouri River at some accessible point within 2 miles north and 2 miles south of the city of Leavenworth, in the county of Leavenworth, in the State of Kansas; which was read twice by its title, and referred to the Committee on Commerce.

Mr. TELLER introduced a bill (S. 1751) for the relief of Augusta De Aha; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL (by request) introduced a bill (S. 1752) for the relief of W. A. Walker, of Albuquerque, N. Mex.; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also (by request) introduced a bill (S. 1753) to remove charges of desertion in certain cases; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CAMERON introduced a bill (S. 1754) for the relief of Herbert Cushman; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced a bill (S. 1755) to amend certain sections of Title LII of the Revised Statutes of the United States, and to carry into effect certain recommendations of the United States delegates to the International Marine Conference; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. FRYE. This is an exceedingly important bill, covering the recommendations made at that maritime congress, as many by the congress itself as were applicable to our country, and also those made by the United States delegates to the congress, and many of the bills were considered by the Committee on Commerce. The matters were, however, so very important and so complicated that the committee preferred that there should be another board which should pass upon the recommendations, and a request was made by the Senate to the Secretary of the Treasury that he would appoint a board to take into consideration during vacation all those recommendations. He appointed a board of very accomplished officers indeed. They have spent a great deal of time, months of labor, and exceedingly careful labor, too, I judge from the results, and this bill is the fruit of their labors. They have also sent in a statement of reasons for certain recommendations. The bill was sent to various boards of trade and mercantile and maritime associations, and their criticisms have been received in reply. All this matter is necessary for the consideration of this bill by the Committee on Commerce. Therefore I ask that the reasons of the board and the various reasons given in the papers I hold in my hand may be printed as a document for the use of the Senate.

The VICE-PRESIDENT. They will be printed as a document, if there be no objection.

Mr. COCKRELL. I think that a day or two ago a report was made from the Secretary of the Treasury—and I desire to call the attention of the Senator to it—in response to a resolution of the Senator from Massachusetts in regard to this same matter.

Mr. FRYE. No; that covered a question of no very great importance, the use of life-saving projectiles, etc., for steamers.

Mr. COCKRELL. It did not relate to the subject-matter to which the Senator here refers?

Mr. FRYE. No; this covers the whole maritime interests of the country, changes to be made in lights, rules of the sea, etc. It is very important indeed.

Mr. COCKRELL. Would it not be better to have the bill printed separately?

Mr. FRYE. Yes.

Mr. COCKRELL. And the documents separately?

Mr. FRYE. I prefer to have them printed separately, the documents all in one book, both separately.

Mr. COCKRELL. Let the documents be printed in one volume.

The VICE-PRESIDENT. That order will be made, in the absence of objection.

Mr. GEORGE introduced a bill (S. 1756) to carry out certain findings of the Quartermaster-General and the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

Mr. WASHBURN introduced a bill (S. 1757) defining options and futures and imposing special taxes on dealers therein, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

#### PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. COLQUITT, it was

*Ordered*, That the papers of Clara Morris be taken from the files of the Senate and referred to the Committee on Claims.

#### PRINTING OF BANKRUPTCY BILL.

Mr. PERKINS submitted the following resolution; which was read:

*Resolved*, That the Public Printer is hereby instructed to print 5,000 copies of Senate bill 1694, and send them to the Senate document room.

Mr. PERKINS. If there is no objection I ask for the consideration of the resolution now. If there is, of course I consent that the resolution may go to the Committee on Printing. I will state that it is a resolution providing for printing extra copies of what is known as the Torrey bankruptcy bill, and while the type is in form I thought it was best that the resolution should be considered.

Mr. MANDERSON. What is the number that it is proposed to print?

Mr. PERKINS. Five thousand copies.

Mr. MANDERSON. I presume that would be under the limit of \$500, but I think the law is imperative that such resolutions shall be referred. We will take speedy action on it.

Mr. PERKINS. Very well.

The VICE-PRESIDENT. The resolution will be referred to the Committee on Printing.

#### STENOGRAPHER FOR INTERSTATE COMMERCE COMMITTEE.

Mr. CULLOM submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Interstate Commerce be, and it is hereby, authorized to employ a stenographer to report hearings before said committee, the expenses thereof to be paid out of the contingent fund of the Senate.

#### INDIAN AGENCIES.

Mr. DAWES submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Interior be directed to communicate to the Senate any information in the Department upon the question of dispensing with any of the Indian agencies estimated for in the estimates for the next fiscal year, and the conclusions of the Department upon the feasibility of dispensing with any and how many of such agencies.

#### PUBLIC BUILDING AT GRAND HAVEN, MICH.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed, and the Calendar will be taken up. The first bill on the Calendar will be proceeded with.

The bill (S. 377) to provide for the purchase of a site, and the erection of a public building thereon, at Grand Haven, in the State of Michigan, was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. COCKRELL. I should like to have some explanation as to the population of this place and the necessity for a public building there, and as to whether there is any United States court held there, or any United States offices other than the post-office.

Mr. STOCKBRIDGE. I will state that at Grand Haven, Mich., there is a custom-house. The chief office of the life-saving stations for the eleventh district, covering that whole lake coast, is there. The weather signal office is there. The office of the United States engineers in charge of all harbors on the east side of the lake is there. The office of the local engineer in charge of Grand Haven Harbor, and the office of the superintendent of all the light-houses on the east shore of Lake Michigan are there. The office of inspectors of hulls of all steam vessels of that district is there. The office of inspector of boilers is there. The office of surgeon of the Marine Hospital Service for that district is there.

I will state that the Government now pays expensive rent for all the offices named, which are mostly of a limited capacity, and the fire risk is very great for all the records in those offices. The bill passed the Senate in the last Congress.



West Hampton to the west end of Shinnock Bay at Quogue—to the Committee on Rivers and Harbors.

Also, petition of John E. Carter and others, for the improvement of the Life-Saving Service; of Charles H. Herman and others; and of Jesse B. Edwards and others, for the same purpose—to the Committee on Interstate and Foreign Commerce.

By Mr. CROSBY: Petition of citizens of New Britain, county of Hartford, Conn., for the free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. CURTIS: Petition of 35 citizens of New York, against opening the World's Fair to visitors on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. DAVIS: Four petitions of citizens of Kansas City, Kans., on the subject of the Pacific Railroads—to the Committee on the Pacific Railroads.

Also, four petitions of citizens of Kansas, in favor of closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. DE FOREST (by request): Petition of Mary Dondican and others, citizens of Greenwich, Conn., against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. DOLLIVER: Petition of Olof Johnson and others, and of A. G. Carlson and other citizens of Hamilton and Boone Counties, Iowa, in favor of the Conger lard bill—to the Committee on Agriculture.

Also, petition of Henry O'Connor, for an invalid pension of \$25 per month—to the Committee on Invalid Pensions.

By Mr. GROUT: Petition and affidavit of James Carlin, of Anna Levine, and of Sophronia Bailey, for a pension—to the Committee on Invalid Pensions.

By Mr. HAUGEN: Protest of Ira P. Flagler and 18 other citizens of Eau Claire, Wis., against the opening of the International Exposition of 1893, or any part thereof, on the Sabbath—to the Select Committee on the Columbian Exposition.

By Mr. HAYES: Petition of citizens of Muscatine County, Iowa, in favor of the option bill—to the Committee on Agriculture.

By Mr. HAYNES: Petition of 169 ladies of the Women's Christian Temperance Union of West Chester, Ohio, asking that the Columbian Exposition be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HITT: Petition of Henry O'Connor, for invalid pension of \$25 a month—to the Committee on Invalid Pensions.

Also, memorial and resolutions of the Chamber of Commerce of the State of New York, asking Congress to so aid the World's Fair financially as to insure a success—to the Select Committee on the Columbian Exposition.

By Mr. LIND: Petition of 146 citizens of Minnesota, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of E. J. Lien and 38 other citizens of Faribault, Minn., praying for the passage of the so-called Butterworth bill—to the Committee on Agriculture.

Also, petition of E. J. Lien and 27 other citizens, of the same city, asking for the passage of the Conger lard bill—to the Committee on Agriculture.

By Mr. MONTGOMERY: Petition of estate of Sinclair Garvin, deceased, late of Hart County, Ky., for reference of his case to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

By Mr. PAGE of Maryland: Petition of vessel owners and masters of Baltimore, Md., favoring the transfer of the Revenue-Cutter Service to the naval establishment; and of the present and ex-collector of customs, present and ex-surveyor of customs, naval officers, and agents of steamship companies at Baltimore, Md., for the same purpose—to the Committee on Naval Affairs.

By Mr. PAGE of Rhode Island: Petition of Robert Rodman and 85 others, for an appropriation to remove obstruction in Wickford Harbor, Washington County, R. I.—to the Committee on Appropriations.

By Mr. PERKINS: Petition, accompanying House bill 4310, for increase of pension of Henry O'Connor—to the Committee on Invalid Pensions.

By Mr. PICKLER: Petition of 300 citizens of South Dakota, including the cities of Pierre, Flandreau, and Canton, and counties of Miner, Moody, and Edmunds, asking that the World's Fair be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. POST: Petition of George W. Prince and 18 other citizens of Galesburg, Ill., asking that a pension of \$30 per month be granted to Benjamin Churchill, late a soldier of the war of 1812, and now over 100 years old—to the Committee on Pensions.

Also, petition of Dr. C. W. Leffingwell and others, for the

adoption of the metric system in the customs service—to the Committee on Coinage, Weights, and Measures.

Also, resolutions of the National Farmers' Convention assembled at Sedalia, Mo., in favor of the improvement of the Savannah River—to the Committee on Rivers and Harbors.

Also, resolutions of the Board of Trade of Chicago, Ill., favoring the consolidation of the Revenue Cutter Service and the Navy—to the Committee on Interstate and Foreign Commerce.

By Mr. REED: Petition of George W. True, mayor of Portland, Me., and many others, in favor of reconsideration of vote whereby the House of Representatives refused to charter ships for the relief of the starving in Russia—to the Committee on Foreign Affairs.

By Mr. RICHARDSON: Petition of Giles Hudspeth, praying that his claim for property taken by the Army during the late war be referred to the Court of Claims—to the Committee on War Claims.

By Mr. RUSK: Petition of the Board of Trade of the city of Baltimore, Md., in reference to the proposed transfer of Revenue Marine Service—to the Committee on Naval Affairs.

By Mr. WILLIAM A. STONE: Petition of letter-carriers of the Allegheny post-office, for increase of salary—to the Committee on the Post-Office and Post-Roads.

By Mr. TOWNSEND: Resolutions of the Denver Real Estate and Stock Exchange, in favor of the establishment of a coinage mint in the city of Denver, Colo.—to the Committee on Coinage, Weights, and Measures.

By Mr. WHEELER of Alabama: Petition of Malinda McClellan, of Scottsboro, Jackson County, Ala., praying that her claim be referred to the Court of Claims under the act of March 3, 1883; of A. L. Esslinger, for the same purpose; two petitions for the relief of Bathsheba Gordon; two petitions for the relief of Jane B. Morgan; petition for the relief of William V. Morgan; of Milton Williams, of Madison County, Ala.; of Peter M. West, of Lawrence County, Ala.; two petitions for the relief of Joseph T. Sides; two petitions for the relief of William R. Loscy; two petitions for the relief of Margaret J. Rudledge; two petitions for the relief of Alonzo H. Richards; petition for the relief of Nancy Rutledge; of Richard Crompton; of John N. Nelson; of C. H. and E. A. Allen; of Martha Ann Fike; of John A. Bates; of Emily C. Dickson; of Melissa O. Wakefield; of Thomas W. Wilson; of Emily Drake, and of Jane Bennett—to the Committee on War Claims.

Also, petition for the relief of Elijah T. Myers, late a private of Company G, Second Regiment of Missouri Volunteers; two petitions for relief William A. Good, deceased, late a private of Company H, First Regiment Alabama and Tennessee Cavalry Vidette Volunteers—to the Committee on Military Affairs.

## SENATE.

THURSDAY, January 21, 1892.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

### PETITIONS AND MEMORIALS.

Mr. PADDOCK presented a petition of the Angora Goat Breeders' Association of California, praying for the passage of legislation for the advancement of the mohair industry; which was referred to the Committee on Public Lands.

Mr. CAMERON presented a petition of sundry letter-carriers of Allegheny, Pa., praying for an increase of salary for letter-carriers in their fourth year of service; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. CHANDLER. I present the petition of W. Morgan, David M. Davis, John R. White, A. R. Dick, Cornelius Collins, and 1,247 other employes of the Bureau of Engraving and Printing, praying to be allowed fifteen days' additional annual leave, their privilege thus to be made equal to that of other Government employes. I move that the petition be printed as a document, and referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. GRAY presented a petition of shipowners and others interested in commerce on the Great Lakes, and a petition of the Board of Trade of Portland, Me., praying for the passage of the bill to transfer the Revenue Marine to the naval establishment; which were referred to the Committee on Naval Affairs.

### REPORTS OF COMMITTEES.

Mr. CAMERON, from the Committee on Military Affairs, to whom was referred the bill (S. 246) for the relief of Thomas A. McLaughlin, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 250) to remove the charge of desertion from the military

record of George S. Ackerson, reported adversely thereon, and the bill was postponed indefinitely.

Mr. COCKRELL, from the Committee on Military Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1196) to facilitate the settlement of claims for arrears of pay and bounty;

A bill (S. 1094) granting the right of way to the Duluth and Manitoba Railroad Company across the Fort Pembina reservation in North Dakota; and

A bill (S. 111) for the relief of Orin R. McDaniel.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 318) for the relief of Joseph Johnson, reported it with amendments, and submitted a report thereon.

Mr. COCKRELL, The Committee on Military Affairs, to whom have been referred the ten or twelve bills I now report, have instructed me to report each one of them back adversely and recommend that they be indefinitely postponed, the reports agreed to, and the relief claimed in each case denied. I ask that that order be made.

The reports were agreed to, and the bills postponed indefinitely, as follows:

A bill (S. 240) to remove the charge of desertion from the military record of John Lyons;

A bill (S. 39) granting an honorable discharge to Thomas Fitzgibbon;

A bill (S. 459) granting an honorable discharge to Michael Porter;

A bill (S. 539) authorizing the Secretary of War to remove the charge of desertion from the record of Madison Parish;

A bill (S. 518) for the relief of John Sullivan;

A bill (S. 732) for the relief of Henry Judge, of Ashland, Oregon;

A bill (S. 241) to remove the charge of desertion from the military record of Thomas Morrison;

A bill (S. 809) to remove the charge of desertion against Henry Crangle;

A bill (S. 916) removing the charge of desertion from the military record of Adam James Springer;

A bill (S. 1060) to remove the charge of desertion from the military record of William Pullman; and

A bill (S. 1329) granting an honorable discharge to Bennett Dorsey.

Mr. CHANDLER, from the Committee on Naval Affairs, to whom was referred the bill (S. 884) to provide for the settlement of claims of officers and crews of the Navy to certain molesties, and conferring jurisdiction on the Court of Claims to hear and determine the same, asked to be discharged from its further consideration and that it be referred to the Committee on Claims; which was agreed to.

He also, from the Committee on Naval Affairs, to whom was referred the bill (S. 457) for the relief of the assignees or legal representatives of John Roach, deceased, to pay balance due on the United States steamer Dolphin, asked to be discharged from its further consideration and that it be referred to the Committee on Claims; which was agreed to.

Mr. WASHBURN, from the Committee on Commerce, to whom was referred the bill (S. 1211) to amend an act entitled "An act relative to the Minneapolis Industrial Exposition, to be held annually in the city of Minneapolis, State of Minnesota," approved March 3, 1887, reported it without amendment.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 17) for the relief of John F. W. Dette, reported it with an amendment, and submitted a report thereon.

Mr. CAREY, from the Committee on Education and Labor, to whom was referred the joint resolution (S. R. 16) authorizing the distribution of public documents to land-grant colleges, reported it without amendment, and submitted a report thereon.

Mr. PALMER, from the Committee on Military Affairs, to whom was referred the bill (S. 1312) for the relief of Dr. John B. Read, reported it without amendment.

Mr. MITCHELL, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 726) for the relief of P. B. Sinott, late Indian agent at Grande Ronde Agency, State of Oregon;

A bill (S. 352) for the relief of George F. Roberts, administrator of the estate of William B. Thayer, deceased, surviving partner of Thayer Brothers, and others; and

A bill (S. 730) for the relief of H. W. Shipley.

Mr. MITCHELL. I desire to state that all the several bills which I have reported this morning were cases reported favorably upon and passed by the Senate at the last Congress. In fact, they have passed the Senate three times each, I think, heretofore.

The VICE-PRESIDENT. The bills will be placed upon the Calendar.

Mr. DOLPH, from the Committee on Commerce, to whom was

referred the bill (S. 1189) for the establishment of a beacon light and fog signal on the Government breakwater recently constructed at Bridgeport, Conn., reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1632) for the establishment of a light and fog signal station near Butler Flats, New Bedford, Mass.;

A bill (S. 722) to amend an act entitled "An act to reorganize and establish the customs collection district of Puget Sound," approved August 28, 1890;

A bill (S. 1495) for the establishment of additional aids to navigation in Tanapa Bay, Fla.; and

A bill (S. 1631) to establish a life-saving station at Gay Head, on the coast of Massachusetts.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 755) to fix the compensation of inspectors of hulls and boilers in certain districts of the United States, reported adversely thereon; and the bill was postponed indefinitely.

Mr. FRYE. Senate bill 755 was reported adversely because the Committee on Commerce have instructed me to make provision for it in Senate bill 744, which is reported favorably with an amendment, rendering entirely unnecessary the former bill, which was indefinitely postponed. I therefore report back the bill (S. 744) to amend "An act to amend section 4400 of Title LII of the Revised Statutes of the United States, concerning the regulation of steam vessels," approved August 7, 1882, with an amendment and a written report thereon.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 750) to amend and reenact section 5 of an act entitled "An act to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck," approved May 4, 1882, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom the subject was referred, submitted a report thereon, accompanied by a bill (S. 1775) to fix the compensation of keepers and crews of life-saving stations; which was read twice by its title.

Mr. FRYE. The original bill just reported is to take the place of Senate bill 750, indefinitely postponed.

The VICE-PRESIDENT. The bill will be placed so on the Calendar.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 743) to establish a marine fund for the advancement of the interests of the merchant marine, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1280) to amend an act entitled "An act to amend section 4178, Revised Statutes, in relation to the marking of vessels' names at bow and stern, and also to provide for marking the draft," approved February 21, 1891, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1222) to protect the wages of seamen, reported it with amendments, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 356) for the relief of John W. Blake, reported it without amendment, and submitted a report thereon.

Mr. DANIEL, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 602) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va., reported it with amendments, and submitted a report thereon.

Mr. McMICHAEL, from the Committee on the District of Columbia, to whom was referred the bill (S. 1351) to provide for the purchase of a site and erection of buildings for the Girls' Reform School of the District of Columbia, reported it with an amendment, and submitted a report thereon.

#### PRINTING OF BANKRUPTCY BILL.

Mr. MANDERSON. I am directed by the Committee on Printing to report back favorably, with an amendment, the Senate resolution proposing to print 5,000 copies of Senate bill 1694, which is known as the bankruptcy bill. I find on investigation that 5,000 copies, whether printed in bill form or document form, come within the limit of the law. If printed in bill form the cost will be \$331, and if printed in document form, \$187. It seems to the committee it will meet the whole demand fairly well if it shall be printed in document form, and I will move the necessary amendment when the resolution has been read.

The Chief Clerk read the resolution submitted yesterday by Mr. PERKINS, as follows:

*Resolved*, That the Public Printer is hereby instructed to print 5,000 copies of Senate bill 1694, and send them to the Senate document room.

Mr. DOLPH. I will yield. I shall have the floor when the bill is resumed again, but I wish to state now that if the senior Senator from Indiana [Mr. VOORHEES] or the senior Senator from New York [Mr. HISCOCK] should be here on Monday and desire to discuss the bill I shall be glad to give way and conclude my remarks after they have spoken.

#### EXECUTIVE SESSION.

Mr. SAWYER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until Monday, January 25, 1892, at 12 o'clock meridian.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate January 21, 1892.*

##### COLLECTOR OF INTERNAL REVENUE.

Adam B. Bowman, of Tennessee, to be collector of internal revenue for the second district of Tennessee.

##### APPOINTMENTS IN THE NAVY.

Joseph Alfred Guthrie, a resident of Virginia; Charles Moore De Valin, a resident of the District of Columbia, and Henry La Motte, a resident of New York, to be assistant surgeons in the Navy.

##### PROMOTIONS IN THE ARMY.

###### *Medical Department.*

Capt. Edward B. Moseley, assistant surgeon, to be surgeon.

###### *Cavalry arm.*

Lieut. Col. John J. Upham, Third Cavalry, to be colonel.

Maj. Eugene B. Beaumont, Fourth Cavalry, to be lieutenant-colonel.

Capt. Sanford C. Kellogg, Fifth Cavalry, to be major.

First Lieut. Robert London, Fifth Cavalry, to be captain.

Second Lieut. Robert E. L. Michie, Second Cavalry, to be first lieutenant.

###### *Artillery arm.*

Second Lieut. Arthur T. Curtis, Second Artillery, to be first lieutenant.

###### *Infantry arm.*

First Lieut. John G. Ballance, regimental adjutant, Twenty-second Infantry, to be captain.

###### *Ordnance Department.*

Second Lieut. William M. Pierce, Second Artillery, to be first lieutenant.

###### *Cavalry arm.*

Second Lieut. Lewis M. Koehler, Sixth Cavalry, to be first lieutenant.

###### *Infantry arm.*

First Lieut. John Murphy, regimental quartermaster, Fourteenth Infantry, to be captain.

Second Lieut. André W. Brewster, Tenth Infantry, to be first lieutenant.

Second Lieut. Michael J. O'Brien, Thirteenth Infantry, to be first lieutenant.

Second Lieut. Charles H. Muir, Seventeenth Infantry, to be first lieutenant.

###### *Cavalry arm.*

Second Lieut. Willard A. Holbrook, First Cavalry, to be first lieutenant.

###### *Infantry arm.*

Second Lieut. William M. Wright, Second Infantry, to be first lieutenant.

##### SECOND LIEUTENANT OF CAVALRY.

Powell Clayton, jr., of Arkansas, to be second lieutenant of cavalry.

##### POSTMASTERS.

William B. Woolverton, to be postmaster at Norwalk, in the county of Huron and State of Ohio.

Frank M. Ritezel, to be postmaster at Warren, in the county of Trumbull and State of Ohio.

Thomas M. Kirkland, to be postmaster at Chapel Hill, in the county of Orange and State of North Carolina.

Benjamin B. Henderson, to be postmaster at Fayetteville, in the county of Cumberland and State of North Carolina.

Edwin Farley, to be postmaster at Paducah, in the county of McCracken and State of Kentucky.

Joseph K. Moore, to be postmaster at Conshohocken, in the county of Montgomery and State of Pennsylvania.

Daniel M. Morrison, to be postmaster at Rockingham, in the county of Richmond and State of North Carolina.

Allen L. Sparger, to be postmaster at Mount Airy, in the county of Surry and State of North Carolina.

Kittredge C. Gray, to be postmaster at Madison, in the county of Somerset and State of Maine.

Forrest Goodwin, to be postmaster at Skowhegan, in the county of Somerset and State of Maine.

Joseph Dunnell, to be postmaster at Cumberland Mills, in the county of Cumberland and State of Maine.

Martin G. Sanger, to be postmaster at Basic City, in the county of Augusta and State of Virginia.

George Richardson, to be postmaster at Farmville, in the county of Prince Edward and State of Virginia.

George T. McClintie, to be postmaster at Covington, in the county of Alleghany and State of Virginia.

Thomas B. Mahone, to be postmaster at Williamsburg, in the county of James City and State of Virginia.

Robert A. Fulwiler, to be postmaster at Buchanan, in the county of Botetourt and State of Virginia.

James H. Rector, to be postmaster at Cumberland Gap, in the county of Claiborne and State of Tennessee.

Eugene G. Webb, to be postmaster at Elkland, in the county of Tioga and State of Pennsylvania.

Allen L. Shomo, to be postmaster at Hamburg, in the county of Berks and State of Pennsylvania.

Frank J. Over, to be postmaster at Hollidaysburg, in the county of Blair and State of Pennsylvania.

Mrs. Sarah E. Henry, to be postmaster at Lindsborg, in the county of McPherson and State of Kansas.

Morrill M. Fuller, to be postmaster at Ellis, in the county of Ellis and State of Kansas.

Edward Colbert, to be postmaster at National Military Home, in the county of Leavenworth and State of Kansas.

William W. Sprague, to be postmaster at St. Johnsbury, in the county of Caledonia and State of Vermont.

Charles F. Wilde, to be postmaster at Wollaston, in the county of Norfolk and State of Massachusetts.

Albert B. Dresser, to be postmaster at Needham, in the county of Norfolk and State of Massachusetts.

Harry M. Leach, to be postmaster at Hiram, in the county of Portage and State of Ohio.

John Lehmann, to be postmaster at Halstead, in the county of Harvey and State of Kansas.

William A. McGinety, to be postmaster at Falmouth, in the county of Pendleton and State of Kentucky.

#### HOUSE OF REPRESENTATIVES.

THURSDAY, January 21, 1892.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

##### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WHITING for this day, and to Mr. WEADOCK for one week, on account of important business.

##### LIGHT SALEM CREEK, NEW JERSEY.

The SPEAKER *pro tempore* laid before the House a letter from the Acting Secretary of the Treasury, recommending that a light be established at the mouth of Salem Creek, New Jersey; which was referred to the Committee on Interstate and Foreign Commerce.

##### STEAM FOG SIGNAL, SOUTHWEST LEDGE, CONNECTICUT.

The SPEAKER *pro tempore* also laid before the House a letter from the Acting Secretary of the Treasury, recommending that the light and fog signal station at Southwest Ledge, Connecticut, be replaced by a steam fog signal similar to that at Execution Rocks, New York; which was referred to the Committee on Interstate and Foreign Commerce.

##### L. B. HEARRELL.

The SPEAKER *pro tempore* also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of L. B. Hearrell vs. The United States; which was referred to the Committee on War Claims.

##### SENATE BILLS REFERRED.

The SPEAKER *pro tempore* also laid before the House bills of the following titles; which were read twice, and referred as indicated, viz:

A bill (S. 81) to relinquish the interest of the United States in

a certain parcel of land in the city of Pensacola, Fla., to Escambia Lodge, No. 15, Free and Accepted Masons—to the Committee on Public Buildings and Grounds.

A bill (S. 297) to increase the accommodations at the marine hospital at Detroit, Mich.—to the Committee on Commerce.

A bill (S. 435) to aid the State of South Dakota to support a school of mines—to the Committee on Education.

A bill (S. 444) granting to the State of South Dakota section numbered 36 in township numbered 56 west, in the county of Yankton, in said State, for the purpose of an asylum for the insane, to correct an act approved June 16, 1880, attempting to make such grant to the Territory of Dakota, and for other purposes—to the Committee on the Public Lands.

A bill (S. 418) to change the times for holding the circuit and district courts of the United States for the western district of Missouri—to the Committee on the Judiciary.

A bill (S. 1095) for the relief of Thomas Chambers—to the Committee on Claims.

A bill (S. 79) for the erection of a public building at Tampa, Fla.—to the Committee on Public Buildings and Grounds.

A bill (S. 94) to provide for the purchase of a site and the erection of a public building thereon at Jacksonville, in the State of Illinois—to the Committee on Public Buildings and Grounds.

A bill (S. 197) providing for the erection of a public building at the city of Norfolk, Nebr.—to the Committee on Public Buildings and Grounds.

A bill (S. 237) for the erection of a public building at Waterbury, Conn.—to the Committee on Public Buildings and Grounds.

A bill (S. 303) to provide for the erection of a public building in the city of Mansfield, Ohio—to the Committee on Public Buildings and Grounds.

A bill (S. 304) to provide for the erection of a public building in the city of Zanesville, Ohio—to the Committee on Public Buildings and Grounds.

A bill (S. 339) for the erection of a public building at Fergus Falls, Minn.—to the Committee on Public Buildings and Grounds.

A bill (S. 367) to provide for the purchase of a site and the erection of a public building thereon at Nashua, in the State of New Hampshire—to the Committee on Public Buildings and Grounds.

A bill (S. 426) to provide for the erection of a public building for the use and accommodation of the post-office at Mammoth Hot Springs, in the Yellowstone National Park—to the Committee on Public Buildings and Grounds.

A bill (S. 1054) to provide for the construction of a public building at Hastings, Nebr.—to the Committee on Public Buildings and Grounds.

#### MONTGOMERY COUNTY, ARK.

Mr. TERRY. Mr. Speaker, with the consent of the Committee on the Judiciary, I desire to ask unanimous consent that that committee be discharged from the further consideration of the bill (H. R. 3931) to detach Montgomery County from the western and add it to the eastern district of Arkansas, and that the bill be taken up for present consideration.

The SPEAKER *pro tempore*. The bill will be read, subject to objection.

The bill was read, as follows:

*Be it enacted, etc.*, That so much of section 533 of the Revised Statutes as provide that Montgomery County shall be embraced in the western judicial district of Arkansas be, and the same is hereby, repealed, and the said county is hereby added to and placed in the eastern judicial district of said State, and all process issued against defendants residing therein shall be returned to Little Rock until otherwise provided, and all causes of action which have accrued or may hereafter accrue in said county, of which the courts of the United States have jurisdiction, shall be cognizable in the courts of Little Rock until otherwise provided by law.

SEC. 2. That all actions or proceedings now pending against parties residing in said Montgomery County in the court of said western district may, upon the application of either, be transferred to the court for the eastern district at Little Rock, and in case of such transfer all papers and files therein, with copies of all record entries, shall be transferred to the office of the clerk of such court, and proceed in all respects as though originally commenced in said court at Little Rock.

SEC. 3. That all crimes and offenses heretofore committed within said western district shall be prosecuted, tried, and determined in the same manner and with the same effect as if this act had not been passed.

SEC. 4. That all laws and part of laws in conflict with this act are hereby repealed.

Mr. CULBERSON. Mr. Speaker, I desire to state that the Committee on the Judiciary make no objection to that request, and I feel authorized to say that the committee would unanimously recommend the passage of the bill.

There being no objection, the bill was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

On motion of Mr. TERRY, the motion to reconsider the last vote was laid on the table.

#### MESSANGER TO THE COMMITTEE ON RIVERS AND HARBORS.

Mr. COOPER. Mr. Speaker, I present a report from the Committee on Accounts, which I ask the Clerk to read.

The Clerk read as follows:

*Resolved*, That the Doorkeeper of the House is hereby authorized to appoint, for a period of five months, a messenger to the Committee on Rivers and Harbors, at a salary of \$75 per month, to be paid out of the contingent fund of the House.

#### REPORT.

The Committee on Accounts, to whom was referred the accompanying resolution, submitted by Mr. BLANCHARD on January 11, 1892, respectfully report: That the public business intrusted to the consideration of the Committee on Rivers and Harbors embraces numerous and important matters, and, owing to the fact that the House has given the above-named committee power to sit during the sessions of the House, it is absolutely impossible to carry on the work of that committee without the assistance of a messenger. Your committee therefore report said resolution, with the recommendation that the same be amended by striking out the word "five" and inserting in lieu thereof the word "three," and that as amended the resolution be adopted.

Mr. BLANCHARD. Mr. Speaker, the Committee on Rivers and Harbors has the permission of the House to sit during the sessions of the House. The committee meets every day at 10:30, and holds steadily on, even while the House is in session. We have a most important and arduous duty to perform. The labors of the committee are simply enormous. There is no committee in this House that has more to do. River and harbor bills usually aggregate about \$20,000,000 for expenditure during two years, and it requires a vast deal of time and work to properly prepare the bill, examine voluminous reports, give hearings, etc. We have no assistant clerk for the committee, and we want none; but we do need a young man to sit at the door of the committee room while we are in executive session.

The committee room is just across the corridor from the Hall of the House. Its convenience to the Hall of the House is so great that members, without knowing the committee is in session, come to the door with friends who have sent for them, seeking to use the room as a convenient place for conference. Besides, the hall between the committee room and the House, while the latter is in session, is always full of people, not members, who attend upon the sessions of the House. Unless the door is guarded they frequently attempt entrance to the great annoyance of the members of the committee and the disturbance of the work. The Doorkeeper details a messenger to sit at the door of the room until a quarter before 12 o'clock. At that hour it is his duty to go to that one of the main doors of the House to which he is assigned when the House is in session. Therefore, at the time when we most need a man at the door (when the House is about to meet and when the House is in session) we have none.

In view of that, the Committee on Rivers and Harbors passed a resolution requesting the House to grant the committee a messenger for the period of three months. By that time the river and harbor bill will be completed. We will not need his services any longer, and do not ask for the messenger beyond that period. For the three months we require the messenger the salary proposed is \$75 per month, or an aggregate expenditure of \$225. That is the resolution which has been reported favorably from the Committee on Accounts. I ask the House to agree to its passage.

The amendment reported by the committee was agreed to.

The resolution as amended was then agreed to.

On motion of Mr. COOPER, a motion to reconsider the last vote was laid on the table.

#### ASSISTANT CLERK TO THE COMMITTEE ON MILITARY AFFAIRS.

Mr. COOPER. I also present the following report from the Committee on Accounts.

The Clerk read as follows:

*Resolved*, That an assistant clerk be allowed to the Committee on Military Affairs during the present session of Congress, at a compensation of \$6 per day, to be paid out of the contingent fund of the House.

#### REPORT.

The Committee on Accounts, to whom was referred the accompanying resolution, submitted by Mr. CUTHWAITE on January 15, 1892, respectfully report that they have given the matter careful consideration, and find that the large amount of public business requiring the attention of the Committee on Military Affairs is of such a nature as to imperatively require, during the present session of Congress (as the committee had during the last), the services of an assistant clerk. They therefore report said resolution favorably and recommend its passage.

The resolution was agreed to.

On motion of Mr. COOPER, a motion to reconsider the last vote was laid on the table.

#### ASSISTANT CLERK TO THE COMMITTEE ON CLAIMS.

Mr. COOPER. I also submit another report from the Committee on Accounts:

*Resolved*, That the Committee on Claims be authorized during the sessions, until further ordered by the House, to employ an assistant clerk, to be paid out of the contingent fund of the House, at the rate of \$6 per day.

The Committee on Accounts, to whom was referred the accompanying resolution, submitted by Mr. BURN on January 11, 1892, respectfully report that the business of the Committee on Claims requires, as it has in previous Congresses, the employment of an assistant clerk.

They therefore report said resolution, with the recommendation that the same be amended by striking therefrom the word "sessions" and inserting in place thereof the word "session;" and that as amended the resolution be adopted.

The report is as follows:

The Committee on Privileges and Elections, who were directed by resolution of December 12, 1891, to inquire into and report upon the circumstances and validity of the appointment of Mr. CHILTON to a seat in the Senate from the State of Texas, have complied with said resolution, and respectfully report: Mr. Reagan, elected Senator from the State of Texas for the term of six years from the 4th of March, 1887, resigned his office, the resignation to take effect on the 10th day of June, 1891. The executive of the State of Texas on the 25th day of April, 1891, and after the receipt of the resignation of Mr. Reagan, appointed Mr. CHILTON to fill the vacancy occasioned by said resignation. Mr. CHILTON's credentials set forth the resignation of Mr. Reagan, and further declare—

"Now, therefore, I, J. S. Hogg, governor of the State of Texas, by virtue of the authority vested in me by the Constitution and laws of the United States and of the State of Texas, do hereby appoint HORACE CHILTON, of Smith County, Tex., Senator in the Congress of the United States from the State of Texas to fill the vacancy occasioned by the resignation of the Hon. John H. Reagan. This appointment to take effect the 10th day of June, A. D. 1891.

The certificate bears date April 25, 1891. Mr. CHILTON is in all other respects duly qualified to be a Senator from the State of Texas. The only question is whether the governor might lawfully make this appointment before the resignation of Mr. Reagan actually took effect.

The provision of the Constitution affecting the question is as follows: "ART. I, Sec. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six years, and if vacancies happen, by resignation or otherwise, during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies."

A similar state of facts has arisen in a number of instances since the Constitution went into operation.

The term of Uriah Tracy, Senator from Connecticut, expired March 3, 1891; he was appointed by the governor of Connecticut, February 20, 1891; from the 31st of March next until the next meeting of the Legislature of said State, the Legislature of the State not being in session at the time of said appointment or thereafter until after said 4th of March. Exception being taken to his credentials, he was admitted to the seat by a vote of 13 yeas to 10 nays, and held the seat during the special session of the Senate, March 4 and 5.

Joseph Anderson, of Tennessee, was appointed by the executive February 6, 1890, to fill the vacancy which would result from the expiration of his term, March 3, 1890. He held the seat under these credentials during the special session of the Senate, March 4 to March 7, 1890.

John Williams, of Tennessee, was appointed by the executive to fill the vacancy which would result from the expiration of his own term, March 3, 1887. Under these credentials he held his seat from March 4 to 6, 1887.

John McPherson Berrien, of Georgia, resigned by letter dated Washington, May 28, 1852, addressed to the President *pro tempore*, and read in Senate same date. (Globe, first session, Thirty-second Congress, p. 1493.)

Robert M. Charlton, his successor, appeared June 11, 1852, with credentials signed by the governor of Georgia, and dated May 18, 1852, to take effect from and after May 31, 1852. He was sworn and took his seat without objection. (Senate Journal, first session, Thirty-second Congress, p. 468.)

March 4, 1825, James Lanman, of Connecticut, presented credentials showing an appointment made February 8, 1825, by the governor of the State, to fill the vacancy about to result from the expiration of his term, March 3, 1825. Objection being made, Mr. Lanman was refused a seat by a vote of 23 to 13. There is no historical evidence from which we can determine on what ground the Senate rejected Mr. Lanman, whether it was on the ground that the governor could not fill a vacancy happening at the beginning of a term, or on the ground that the governor could not lawfully make the appointment in anticipation and before a vacancy occurred, and before he could possibly know whether the Legislature might not be called together before that time. Judge Story (Const., sec. 727, n. 2) says:

"In the case of Mr. Lanman, a Senator from Connecticut, a question occurred whether the State executive could make an appointment in the recess of the State Legislature in anticipation of the expiration of the term of office of an existing Senator. It was decided by the Senate that he could not make such an appointment. The facts were that Mr. Lanman's term as Senator expired on the 31st of March, 1825. The President had convoked the Senate to meet on the 4th of March. The governor of Connecticut, in the recess of the Legislature (whose session would be in May), on the 9th of the preceding February appointed Mr. Lanman as Senator, to sit in the Senate after the 31st of March. The Senate by a vote of 23 to 13 decided that the appointment could not be constitutionally made until after the vacancy had actually occurred."

The following statement appears in the National Intelligencer for Tuesday, March 8, 1825:

"An important constitutional question was yesterday decided in the Senate, by the refusal to admit Mr. Lanman to a seat in the Senate under a commission from the governor, granted before the expiration of Mr. Lanman's term of service. This is the first time this question has been adjudicated under such circumstances as to form a precedent; and we presume it may now be considered a settled construction of the constitutional provision that a vacancy must have literally 'happened' or come to pass before an appointment can be made to fill it. The case has once been questioned and decided differently, but it was in strong party times, all the Federal members voting for the member's taking his seat, and all the Democratic members against it, under which circumstances the decision has not been much respected as a precedent. So far as it was a precedent it is now reversed."

Gordon's Digest of the Laws of the United States, 1827, appendix, note 113, states the ground of the decision in the same way, but manifestly bases the statement on the authority of the National Intelligencer.

On the other hand, Mr. Grundy, in his report from the Committee on the Judiciary in the case of Mr. Sevier, Senator from the State of Arkansas, who was appointed by the governor of Arkansas, January 17, 1827, to fill the vacancy which would occur on the 31st of March following, by the expiration of Mr. Sevier's previous term, declared that the decision in the Lanman case was on the ground "that the Legislature must provide for all vacancies, which must occur at stated and known periods, and that the expiration of a regular term of service is not such a contingency as is embraced in the second section of the first article of the Constitution." He distinguished Mr. Sevier's case from the Lanman case by the fact that the time that Mr. Sevier was to go out of office was decided by lot, he having been one of the Senators appointed by the State on its admission.

Niles' Register of Friday, March 12, states the question in regard to the Lanman case:

"The question was whether the failure by the Legislature to make a choice of Senator constitutes the contingency in which the governor may appoint a Senator."

Mr. Benton, in his Thirty Years' View, states that the principal argument against the admission of Mr. Lanman was made by Mr. Tazewell, that argument being that the word "happen" in the Constitution could not apply to a foreseen event, bound to occur at a fixed period, and that therefore it was

the right of the Legislature only to fill a vacancy which was foreseen, regular, and certain, and that there was no right in the governor to supply that omission.

Mr. Lanman was not admitted to the seat. There is nothing in the contemporary record of the debates or in the resolution which enables us to determine whether the majority of the Senate based its action on the ground stated by Mr. Benton to have been maintained by Mr. Tazewell, or on the ground stated by Judge Story and by the National Intelligencer. The case, therefore, is not an authority on either side of the question. So that it is impossible to determine whether the Senate meant to overrule the Tracy case on one ground or the other.

On the other hand, an examination of the very numerous cases where the executives of States have in de appointments when the Legislature was not in session shows that in a great many of them the executive has postponed action, where the resignations were made to take effect at a future time or where the previous term had expired by its own limitation, until after the vacancy existed. In all probability this postponement was caused by a belief on the part of the executive that he had no authority to provide for filling a vacancy until it actually occurred, or at any rate, that the question was so far in doubt that it would be unsafe to do so, in appointment in anticipation.

So far, then, as the precedents are concerned it appears that in three cases persons so appointed have been admitted to their seats without question; that Mr. Tracy was admitted and Mr. Lanman rejected where the executive made the appointment in anticipation of a vacancy, there being a discussion in the Senate, but no satisfactory evidence of the grounds of the judgment; that in one case, that of Mr. Sevier, a person so appointed has been admitted, when the validity of the appointment was questioned upon other grounds, without raising this question specifically; and that in modern times the practice has been uniform for the State executive to delay appointment until the actual happening of the vacancy.

Under these circumstances it seems to us that the Senate may now determine the question unhampered by any precedents of its own.

We suppose that where the power is given to fill vacancies in public offices it has been the uniform practice to permit resignations of such offices to be made to take effect at a future day, and to hold that the appointing power is entitled to make the appointment in advance to fill the vacancy, to take effect when the resignation becomes operative, unless the language of the constitutional or statute provision under which the authority is exercised forbids such construction.

The Constitution of the United States, Article II, section 2, in providing for the appointing power, enacts:

"The President shall have power to fill all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session."

We believe it has been the uniform practice of the Executive from the beginning to accept resignations which are to take effect in the future, and to make appointments also to take effect in the future, to fill them. We suppose that a like practice also prevails in regard to the heads of Departments in the exercise of the appointing power conferred by law upon them. The language of the provision of the Constitution under consideration, that "if vacancies happen by resignation or otherwise during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature," seems to us to admit easily of a like construction. We do not suppose that it was the intention of the framers of the Constitution to establish different rules for these two cases.

The Senate has recently, after full consideration, determined that the constitutional provision that the Senate shall choose a President *pro tempore* in the absence of the Vice-President permits the choice of an officer in advance of the actual occurrence of the contingency referred to, who may take the chair whenever the Vice-President may be absent, until the Senate otherwise order. In all these cases, including that which we are now considering, the important consideration is that it must have been the purpose of the framers of the Constitution, as it is clearly for the public interest, that the office as far as possible should always be filled. This consideration applies with peculiar force to the office of Senator. We should be very unwilling to establish a construction of the Constitution which would make it certain that in process of the resignation of a Senator, however necessary that resignation might be, there should be a succession without a considerable interval.

This would bear with peculiar hardship upon States remote from the seat of Government, and might determine the policy of the country in great emergencies and in matters peculiarly affecting particular States, when such States were but partially represented or possibly not represented at all. The tendency of the opinion in the Senate, as evidenced by its more recent decisions, has been more and more to lead to a construction which, as far as possible, secures that the seats in the Senate should be filled without any interruption in the representation of the State. Thus, in the case of Mr. Bell and Mr. Blair, Senators from the State of New Hampshire, it has been held that the executive might fill the vacancy occurring at the beginning of the constitutional term in consequence of the failure or the inability of the Legislature to elect a Senator for that term, in compliance with the statute of 1865 (Revised Statutes, sections 11 and 19), in spite of very weighty and influential opinions to the contrary.

So it has been held and is now the settled construction, that if a vacancy occur during the recess of the Senate, and a person be regularly nominated to the Senate at its next session to fill it, and be rejected, and the Senate adjourn without the office being filled, the President is entitled to make a new appointment in the next vacation. So, if the office die during the session, and if his death be not known until after the adjournment, as is said by Attorney-General Taney, in his able report, Opinions of Attorney-General, volume 2, page 523:

"It is admitted by every one that the President may appoint in such cases, and the practice of the Government has continually conformed to that construction."

"It was the intention of the Constitution," Mr. Taney further says, "that the offices created by law and necessary to carry out the operations of the Government should always be filled, or, at all events, that the vacancy should not be a protracted one." (See also, to the same effect, the opinion of Mr. John Wirt, 1 Op. Atty's Gen., 611.)

It has been suggested that if this construction be established, it would give the power of the governor of the State to provide for appointments in anticipation of future vacancies long before they occur, and therefore to the wrong of the people of the State, as it exists at or near the time of filling a vacancy, and the fall of being carried into effect. But the instance must necessarily be a very rare indeed where the vacancy can be anticipated in advance of the actual occurrence of the event which will create such a temptation to the executive. A similar temptation as against many other evils which are possible under a popular government, as under other governments, the protection in general must be to the character and integrity of the persons clothed with high public office.

We, therefore, are of the opinion that Mr. CHILTON was lawfully appointed by the executive of the State of Texas to the seat which he took in the Senate, and we recommend the adoption of the following resolution:

Resolved, That Mr. HORACE CHILTON, appointed by the executive of the State of Texas on the 25th day of April, 1891, to fill the vacancy occasioned by the resignation of Hon. John H. Reagan, which had previously been made to take effect on the 10th day of June, 1891, is entitled to remain in the seat.



## SENATOR FROM FLORIDA.

Mr. TURPINE. The Committee on Privileges and Elections, to whom were referred the papers, evidence, and certificates in the case of WILKINSON CALL and of the contestant, R. H. M. Davidson, respecting the question of a title to a seat in this body from the State of Florida, have had the same under consideration, and have instructed me to report the following resolution:

*Resolved*, That the Hon. WILKINSON CALL, of Florida, was duly elected by the Legislature of said State on the 26th day of May, 1891, a Senator of the United States from said State for the term of six years, commencing on the 4th day of March, 1891, and that he is lawfully entitled to a seat in the Senate.

The VICE-PRESIDENT. The resolution will be placed on the Calendar.

## BILLS INTRODUCED.

Mr. SHERMAN (by request) introduced a bill (S. 1778) to reorganize the line of the Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1779) for the relief of Robert S. Forbes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1780) for the relief of Fred W. Snell; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1781) increasing the pension of Andrew J. Kogler; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1782) for the relief of James Roberts; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1783) granting an increase of pension to Albert A. Morey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WILSON introduced a bill (S. 1784) to indemnify the settlers upon the so-called Des Moines River lands in the State of Iowa; which was read twice by its title.

Mr. WILSON. I ask that the bill be referred to the Committee on Public Lands, and in this connection I wish to state that I hope the committee will give the bill early consideration, inasmuch as it affects the interests of a large number of people who settled upon what were always believed to be public lands of the United States. But a recent decision of the Supreme Court of the United States seems to be adverse to that almost or quite universal belief in the State of Iowa, and in order that the settlers may be provided for by indemnity by the United States, I hope that the committee will give early consideration to the bill.

The VICE-PRESIDENT. The bill will be referred to the Committee on Public Lands.

Mr. WILSON introduced a bill (S. 1785) granting a pension to Mrs. M. M. R. Stafford; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SAWYER introduced a bill (S. 1786) granting a pension to Mrs. Jennie Gray; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PADDOCK introduced a bill (S. 1787) granting a pension to Austin Rockwell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 1788) to incorporate the Church Orphanage Association of St. John's parish, of Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1789) to extend to Marquette, Mich., the privilege of immediate transportation of unappraised merchandise; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1790) for the relief of Thomas Antisell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1791) for a public building for a marine hospital at Cheboygan, Mich.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. CAMERON introduced a bill (S. 1792) removing the charge of desertion against Philip Schrott; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DAWES introduced a bill (S. 1793) to legalize the deed and other records of the office of Indian Affairs, and to provide and authorize the use of a seal by said office; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1794) to ratify and confirm an agreement with the Pah-Ute tribe or band of Indians on the Pyramid Lake Indian Reservation in Nevada, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1795) to ratify and confirm an agreement with the Indians residing on the Shoshone Indian Reservation in the State of Wyoming, with certain changes and modifications, and to make appropriations for carrying the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1796) to ratify and confirm an agreement with the Tonkawa tribe of Indians in Oklahoma Territory, and to make appropriation to carry the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1797) to ratify and confirm an agreement with the Kickapoo Indians in Oklahoma Territory, and to make appropriations for carrying the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1798) to ratify and confirm an agreement with the Indians residing on the Colville Reservation in the State of Washington, with certain modifications, and to make appropriations for carrying into effect of the same; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1799) to ratify and confirm an agreement with the Wichita and affiliated bands of Indians in Oklahoma Territory, and to make appropriations for carrying the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1800) to ratify and confirm certain agreements with the Upper and Middle bands of Spokane Indians, the Lower Pend d'Oreille or Colispel Indians, and the confederated bands of Flatheads, Pend d'Oreille, and Kootenai Indians in Washington, Idaho, and Montana, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. SQUIRE introduced a bill (S. 1801) making an appropriation for the construction of a ship canal connecting Lakes Union and Washington with Puget Sound; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HISCOCK introduced a bill (S. 1802) to establish the Grant Memorial Home at Mount McGregor, N. Y.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1803) for the relief of Francis Isch; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 1804) for the relief of Benjamin F. Wells, sr.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also (by request) introduced a bill (S. 1805) to limit the operation of certain acts relating to structures over navigable waters; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

He also introduced a bill (S. 1806) to amend sections 2774 and 2807 of the Revised Statutes; which was read twice by its title.

Mr. HISCOCK. I desire to say in respect to this bill that the argument presented to me would seem to be very strong in favor of the amendment to the statute proposed, but it is a measure which, as a matter of course, will require close examination. I move that the bill be referred to the Committee on Commerce.

The motion was agreed to.

Mr. STOKBRIDGE introduced a bill (S. 1807) making an appropriation for the improvement of the St. Joseph Harbor, Michigan; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PROCTOR introduced a bill (S. 1808) for the recognition of Henry C. Hill as captain and aid-de-camp on the staff of Maj. Gen. B. F. Butler, United States Volunteers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PERKINS introduced a bill (S. 1809) to authorize the Secretary of War to amend the military record of commissioned officers of the late war under certain circumstances, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1810) for the relief of the officers and crew of the United States steamers Forest Rose and Argosy, late of the Red River expedition; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 1811) for the relief of Peter M. V. Underwood; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1812) granting a pension to James R. Edwards; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

mit a report of the Secretary of State, with accompanying documents, showing the action taken under that resolution.

BENJ. HARRISON.

EXECUTIVE MANSION.  
Washington, January 25, 1892.

JAMES CROOKS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States: which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a report of the Secretary of State, with accompanying documents, in relation to the claim of the representatives of the late Hon. James Crooks, a British subject, against the Government of the United States, for the seizure of the steamer Lord Nelson in 1812.

The favorable action of the Fifth and Fifty-first Congresses upon the bills heretofore introduced for the relief of the claimants makes it proper that I should recommend it anew for the consideration and final disposition of the present Congress.

BENJ. HARRISON.

EXECUTIVE MANSION.  
Washington, January 25, 1892.

HOUSE BILL.

The bill (H. R. 28) to amend an act entitled "An act granting the right of way to the Hutchinson and Southern Railroad Company through the Indian Territory" was read twice by its title, and ordered to lie on the table.

CAPITOL, NORTH O STREET AND SOUTH WASHINGTON RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate a statement of the operations of the Capitol, North O Street and South Washington Railway Company for the year ended April 30, 1891; which was referred to the Committee on the District of Columbia, and ordered to be printed.

EXECUTIVE SESSION.

Mr. HOAR. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT. Petitions and memorials are in order.

Mr. SHERMAN presented a petition of the Universal Peace Union, praying Congress to stand firmly by the principles of peace and arbitration in regard to Chile; which was referred to the Committee on Foreign Relations.

He also presented a petition of 171 citizens of Ohio, praying for the passage of legislation looking to the closing of the World's Columbian Fair on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 10 citizens of Logan County, Ohio, praying for the passage of what is known as the Butterworth option bill; which was referred to the Committee on the Judiciary.

He also presented a petition of 13 citizens of Marion County, Ohio, and a petition of 9 citizens of Logan County, Ohio, praying for the passage of a bill to impose a revenue tax on compound land; which were referred to the Committee on Agriculture and Forestry.

Mr. DAVIS. I present a petition of the Farmers' Alliance of Polk County, Minn., dated December 29, 1891, praying for the passage of bills to prevent dealing in futures or options and declaring that the Alliance of that county believes that the memorials now pending in Congress with a view to establishing a national park in Minnesota do not represent the sentiments of the people of that State, etc. I move that the petition be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. DAVIS presented a memorial of the Chamber of Commerce of Minneapolis, Minn.; a memorial of Minneapolis (Minn.) bankers, and the memorial of the Minneapolis (Minn.) Business Men's Union, remonstrating against the passage of what is known as the option bill; which were referred to the Committee on the Judiciary.

Mr. ALLISON presented a petition of District Assembly No. 66, Knights of Labor, praying for the passage of a bill to authorize the collection of statistics relative to the "slums of cities containing 200,000 inhabitants and over;" which was referred to the Committee on Education and Labor.

He also presented a petition of I. E. Berleth and other citizens of Washburn, Black Hawk County, Iowa; the petition of John W. Bremner and other citizens of Lyon County, Iowa, and the petition of John Hossaek and other citizens of Warren County, Iowa, praying for the passage of the Conger land bill; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of Neil Morrison and other citizens of Warren County, Iowa, and the petition of Thomas D. Rood and other citizens of Lyon County, Iowa, praying for the passage of the Butterworth option bill; which were referred to the Committee on the Judiciary.

Mr. PADDOCK. I present a petition of the Young People's Society of Christian Endeavor of Pilgrim Church, Santee Agency, Neb., composed of Indian children, earnestly requesting that all appropriations to be made by the National Government towards the expenses of the Columbian Exposition be conditioned upon a strict observance at the World's Fair of our American Sabbath, and upon the prohibition of the sale of all alcoholic liquors upon the Exposition grounds. I move that the petition be referred to the Select Committee on the Quadro-Centennial.

The motion was agreed to.

Mr. WOLCOTT presented a petition of the board of county commissioners of Arapahoe County, Colo., praying for the passage of Senate bill 212, providing for the establishment of a coinage mint at Denver, Colo.; which was referred to the Committee on Finance.

Mr. WASHBURN presented a resolution of the State Farmers' Alliance of Minnesota, sympathizing with the citizens of North Dakota and Minnesota who have been ordered from their homes by the Great Northern Railroad Company; which was referred to the Committee on Public Lands.

He also presented a memorial of the State Farmers' Alliance of Minnesota, remonstrating against the setting aside of a large portion of the northeastern part of the State for a national park; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the board of trustees of the Universalist General Convention of New York, praying for the ratification of the so-called Brussels treaty; which was referred to the Committee on Foreign Relations.

Mr. KYLE presented a petition of Sanctuary Local Assembly No. 1644, Knights of Labor, of Washington, D. C.; a petition of Sanctuary Local Assembly No. 4308, Knights of Labor, Washington, D. C.; a petition of Sanctuary Local Assembly No. 3837, Knights of Labor, Washington, D. C., and a petition of Sanctuary Local Assembly No. 3991, Knights of Labor, of Washington, D. C., praying for the passage of a bill to authorize the collection of statistics relative to the slums of cities; which were referred to the Committee on Education and Labor.

Mr. PEPPER presented petitions of the local assemblies, Knights of Labor, of the District of Columbia, and a petition of District Assembly No. 117, Knights of Labor, of Lebanon, Kans., praying for a compilation of statistics relating to the slums of cities having a population of 200,000 or more; which were referred to the Committee on Education and Labor.

Mr. CALL presented additional papers, to accompany the bill for the relief of William Mickler; which were referred to the Committee on Claims.

Mr. COCKRELL presented resolutions adopted by the Western Retail Implement Dealers' Association of Kansas City, Mo., on the 19th of January, 1892, concurring in the resolutions of the Missouri River Improvement Convention, held in Kansas City, Mo., December 15 and 16, 1891; which were referred to the Committee on Commerce.

REPORTS OF COMMITTEES.

Mr. MORRILL, from the Committee on Finance, to whom was referred the joint resolution (S. R. 21) to provide for an international bimetallic agreement, reported it with an amendment.

Mr. FRYE. I am instructed by the Committee on Commerce, to whom was referred the joint resolution (S. R. 23) relative to the improvement of the harbor at Philadelphia, Pa., to report it with amendments. There is a brief written report. I ask that the accompanying papers may be printed and annexed to the report.

The VICE-PRESIDENT. It will be so ordered in the absence of objection. The joint resolution will be placed on the Calendar.

Mr. DOLPH, from the Committee on Public Lands, to whom was referred the bill (S. 1166) for the relief of John W. Lewis, of Oregon, reported it without amendment, and submitted a report thereon.

Mr. PETTIGREW, from the Committee on Indian Affairs, to whom was referred the bill (S. 438) to prohibit the sale of firearms and ammunition to the Indians residing upon reservations, reported it without amendment.

Mr. FAULKNER, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 115) for the relief of William W. Burnst; and

A bill (S. 114) making an appropriation for the benefit of the estate of William Moss, deceased.

Mr. WHITE, from the Committee on Public Lands, to whom

was referred the bill (S. 1610) to increase the endowment of the Louisiana State University and Agricultural Mechanical College and for the Southern University of Louisiana, reported it without amendment, and submitted a report thereon.

Mr. SAWYER, from the Committee on Post-Offices and Post-Roads, to whom was referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 8) for the relief of Moses Pendergrass, of Missouri;

A bill (S. 9) for the relief of E. R. Shipley; and

A bill (S. 852) for the relief of Mary L. Ross.

#### CHEYENNE AND ARAPAHOE INDIAN LANDS.

Mr. DAWES. I am instructed by the Committee on Indian Affairs, to whom was referred the bill (H. R. 517) providing for the completion of the allotment of lands to the Cheyenne and Arapahoe Indians, to report it without amendment, and to ask for its present consideration.

The VICE-PRESIDENT. The bill will be read for information.

The Chief Clerk read the bill as follows:

*Be it enacted, etc.*, That the sum of \$15,000, or so much thereof as may be necessary, is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the purpose of completing the allotment provided for in the agreement with the Cheyenne and Arapahoe Indians in Oklahoma, ratified by act approved March 3, 1891, including the pay and expenses of the necessary special agents and necessary surveys, which sum shall be immediately available and be expended under the direction of the Secretary of the Interior for the purposes herein expressed.

Mr. DAWES. I will state to the Senate, if any one desires it, the reason for asking present action upon this bill.

At the last session it will be recollected Congress ratified an agreement with the Cheyenne and Arapahoe Indians by which the Government purchased 3,000,000 acres of land to be added to the public domain. It was stipulated in that agreement that the residue of their reservations should be allotted to the Indians in severalty before the 3,000,000 acres should be opened to settlement, giving them the opportunity to select. In the agreement it was provided that \$15,000 should be appropriated for the expense of the allotment. This was an estimate made by the commissioners who made the agreement without much knowledge of the necessary expenses. It involved the allotment of lands to more than 3,000 Indians, and on an investigation of the agreement it was found that the work was substantially a double allotment—it was an allotment of agricultural lands and also of grazing lands to each individual Indian. It was provided in the agreement that there should be distributed of the consideration money \$250,000 to the Indians per capita.

The Indians insisted upon having that money before they took their allotment, which caused considerable delay. When the allotment was proceeded with and it was found to be a double work, the \$15,000 was seen to be insufficient, not more than enough to do half the work. Under it 1,800 Indians have been allotted lands, leaving 1,500 still unallotted. The anxiety of the Department is to complete those allotments this winter as early as possible so that the 3,000,000 acres can be opened to settlement in the early spring for the benefit of the settlers; and therefore it is that there is anxiety to have this bill passed, if at all, immediately. It passed the House of Representatives last Thursday. I ask for the immediate consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 1870) for the relief of Carl F. Kolbe; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1871) granting a pension to Augustus W. Sattig; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 1872) to provide for the increase of the salary of the Supervising Architect of the Treasury Department; which was read twice by its title, and referred to the Committee on Appropriations.

He also introduced a bill (S. 1873) granting an increase of pension to Franklin Baldwin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. COLQUHITT introduced a bill (S. 1874) to provide for the improvement of the harbor at Savannah, in the State of Georgia; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1875) for the improvement of the harbor at Savannah, in the State of Georgia; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HARRIS (by request) introduced a bill (S. 1876) to incor-

porate the East Washington Crosstown Railway Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 1877) for the relief of William H. Nave; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TURPIE introduced a bill (S. 1878) to increase the pension of Ambrose B. Carlton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BATE introduced a bill (S. 1879) for the relief of the La Grange Synodical College of Tennessee; which was read twice by its title, and referred to the Committee on Claims.

Mr. HAWLEY introduced a bill (S. 1880) to remove the charge of desertion against Joseph E. Sisson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1881) to establish a military post near the city of Helena, in Lewis and Clarke County, in the State of Montana; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CAMERON introduced a bill (S. 1882) granting an increase of pension to Mary Chamberlain; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1883) granting a pension to Clara R. Rodgers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 1884) to prevent fraud upon the water revenues of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1885) to amend an act entitled "An act relating to tax sales and taxes in the District of Columbia;" which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1886) to authorize the Commissioners of the District of Columbia to grant pardons and respites in certain cases; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. SAWYER introduced a bill (S. 1887) for the relief of Catharine Brennan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. GEORGE introduced a bill (S. 1888) for the relief of John C. Bailey, of Marshall County, Miss., for stores and supplies taken from him by the military forces of the United States during the war for the suppression of the rebellion, as found by the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1889) for the relief of John C. Bailey, administrator of Andrew Nichols, deceased, late of Marshall County, Miss., for stores and supplies taken and used by the United States Army, as reported by the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1890) for the relief of Henry C. Nichols, of Marshall County, Miss., for a claim for stores and supplies taken and used by the United States Army, as reported by the Court of Claims under the provisions of the Bowman act; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1891) for the relief of Samuel Collins; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1892) for the relief of the legal representatives of William D. Wilson; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1893) for the relief of Audley C. Britton; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 1894) for the relief of Josephine Harris; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1895) for the relief of Louisa Q. Lovell and others; which was read twice by its title, and referred to the Committee on Claims.

Mr. JONES of Arkansas introduced a bill (S. 1896) to repeal an act entitled "An act to authorize the Denison and Washita Valley Railway Company to construct and operate a railway through the Indian Territory, and for other purposes," approved July 1, 1886; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1897) to repeal an act entitled "An act granting the right of way to the Sherman and Northwestern Railway Company through the Indian Territory, and for other



bia and to transfer their respective duties to the clerk of the supreme court for said District; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BLACKBURN introduced a bill (S. 1902) for the benefit of J. C. Rudd; which was read twice by its title, and referred to the Committee on Claims.

Mr. GEORGE (by request) introduced a bill (S. 1903) for the increase of pension of Mrs. Hannah Rogers; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BATE introduced a bill (S. 1904) for the relief of Mrs. Clementine H. Holman; which was read twice by its title, and referred to the Committee on Claims.

Mr. CALL introduced a bill (S. 1905) for the relief of Mrs. Margaret T. Dugan; which was read twice by its title, and referred to the Committee on Claims.

Mr. SHERMAN introduced a bill (S. 1906) granting an increase of pension to Esau Rice; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DAVIS (by request) introduced a bill (S. 1907) to amend section 3 of the act approved June 27, 1890, granting pensions to soldiers and sailors; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1908) respecting pensions to soldiers who are or may become inmates of the Government hospital or hospitals for the insane in the District of Columbia; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1909) authorizing the Secretary of the Interior to secure reimbursement on account of fraudulent, illegal, or excessive payments of pension money; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1910) to amend an act entitled "An act to increase the pensions of certain soldiers and sailors who are totally helpless from injuries received or from diseases contracted in the service of the United States," approved March 4, 1890; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 1911) to remove the disability of those who, having participated in the rebellion, have since its termination enlisted in the United States Navy and become disabled in the line of duty; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SANDERS introduced a bill (S. 1912) granting a right of way through the Fort Missoula military reservation in the State of Montana; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. STOCKBRIDGE introduced a bill (S. 1913) to increase the salary of the assistant and chief clerk of the Supervising Architect, Treasury Department; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Appropriations.

Mr. PADDOCK (by request) introduced a bill (S. 1914) for the relief of Mrs. Clara Morris; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUAY introduced a bill (S. 1915) to provide for the purchase of a site and the erection of a public building thereon at KeKeesport, in the State of Pennsylvania; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1916) to provide for the erection of a public building at Washington, Pa.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1917) for the relief of David T. Hayton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1918) granting an increase of pension to George Parker; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1919) granting an increase of pension to Jonas Doering; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HISCOCK introduced a bill (S. 1920) for the relief of the legal representatives of Orsemus B. Boyd; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1921) respecting the reckoning of time throughout the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. SAWYER introduced a bill (S. 1922) to promote the efficiency of the Revenue Cutter Service; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. STEWART introduced a bill (S. 1923) to amend an act entitled "An act to provide for the adjudication and payment of

claims arising from Indian depredations," approved March 3, 1891; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

Mr. HAWLEY introduced a bill (S. 1924) granting a pension to Hetty A. Hasson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 1925) to provide for the erection of a post-office building at Fortress Monroe, Va.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. BLODGETT introduced a bill (S. 1926) to provide for the construction of a public building in Bridgeton, N. J.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1927) granting a pension to Margaret Henry; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BRICE introduced a bill (S. 1928) for the relief of Charles B. Stivers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GIBSON of Maryland introduced a bill (S. 1929) to change the corporate name of the National Safe Deposit Company of Washington; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CAMERON introduced a bill (S. 1930) granting a pension to Anna Franklin; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 1931) to amend an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1882, and for other purposes," approved March 3, 1881; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. HARRIS introduced a bill (S. 1932) for the relief of William H. Tarley; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 1933) to amend section 860 of the Revised Statutes of the United States; which was read twice by its title.

Mr. CULLOM. Before the bill is referred I desire to say that the purpose of the bill—and I call the attention of the chairman of the Committee on the Judiciary to it—is to amend section 860 of the Revised Statutes, which I wish to have done because of a recent decision of the Supreme Court in what is known as the Counselman case, under the interstate-commerce act. That case went off the docket, or it was decided against the right to require a witness to testify, not on account of anything that was in the interstate-commerce law, but because, as the court stated, section 860 of the Revised Statutes, which has been on the statute books now for twenty or thirty years, is not as broad in its scope as the Constitution, giving immunity or security to the rights of a witness under the Constitution.

I ask the special attention of the committee to that provision, as it applies not only to prosecutions for violations of law under the interstate-commerce act, but in all criminal prosecutions under the laws of the United States; but as it has been especially decided in a case under the interstate-commerce law, it affects prosecutions under that law in the future. As it is a general provision that I think ought to be considered by the Judiciary Committee, I introduce the bill and move that it be referred to that committee instead of to the Committee on Interstate Commerce, of which I am chairman.

Mr. CHANDLER. I should like to ask the Senator from Illinois a question. I ask whether the decision that this witness was not bound to testify was made upon any clause of the interstate-commerce law or upon another and a different statute.

Mr. CULLOM. I have stated that the decision went off upon a construction of section 860 of the Revised Statutes, which has been upon the books now, I think, since 1868. It is not under any provision of the interstate-commerce act at all.

Mr. CHANDLER. So that the idea that has prevailed, that it was only found in the interstate-commerce law, is an incorrect one.

Mr. CULLOM. It is entirely incorrect if any such idea as that has prevailed.

I move that the bill be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. GORMAN introduced a joint resolution (S. R. 35) providing for the purchase of historical manuscripts relating to the District of Columbia; which was read twice by its title, and referred to the Committee on the Library.

#### SALARIES OF POSTMASTERS.

Mr. CARLISLE. I offer a resolution and ask that it may lie over; I shall call it up at some future time.

The resolution was read, and ordered to lie on the table, as follows:

*Resolved*, That the Postmaster-General be, and he hereby is, directed to report to the Senate at the earliest date practicable all deficiencies of not less than 10 per cent in amount in the paid salaries of third, fourth, and fifth class postmasters, in class presented to the Postmaster-General within the time limited by the act of March 3, 1883 (22 Stat., 487), from the States of Alabama, Arkansas, Kansas, Kentucky, and Illinois. Such report to state, from existing entries on Department form 1221 A, as to each and every such deficiency within each and every biennial term between July 1, 1884, and July 1, 1874, in regular order, the name of the post-office, the name of the postmaster, the biennial or fractional biennial term within which the deficiency exists, the amount of the postmaster's salary ascertained by the act of June 22, 1854 (10 Stat., 238), upon the quarterly returns within the biennial term specified, the amount of the office salary received by such postmaster for the specified biennial or fractional biennial term, and the amount of the deficiency between the salary received and the salary thus ascertained within such biennial or fractional biennial term specified. The total amount of such deficiencies of salaries of postmasters in each of said States to be also stated, and a copy of Department letter, form 1223, published by the Postmaster-General in 1884 and the years following, declaratory of the title of such postmasters to payment of the deficiencies in salaries herein described by virtue of section 8 of the act of June 12, 1886 (14 Stat., 59), and the said act of March 3, 1883.

#### PURCHASE OF MADISON COLLECTION.

Mr. GORMAN submitted the following resolution: which was referred to the Committee on the Library:

*Resolved*, That the Committee on the Library be, and they are hereby, directed to inquire and report to the Senate whether it is advisable for the Government to purchase a certain collection of autographs and historical papers now in the possession of the executors of James C. McGuire, formerly of Washington City, D. C., and known as the Madison collection.

#### AFFAIRS IN ALASKA.

Mr. PLATT submitted the following resolution: which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Territories, or any subcommittee thereof, is hereby authorized and instructed to institute and conduct an investigation and inquiry into the resources of the district of Alaska; the character, occupations, and social condition of its inhabitants, white, Indian, and of mixed blood; its form and system of government; whether the same is adapted to the present and prospective development of the district; its laws, and whether they are enforced or allowed to be violated; what other or further legislation is necessary for the better government and needs of the said district and for the protection and well-being of its people; and any and all matters relating to the civil administration and future welfare of the people of Alaska.

Such committee shall have power to send for persons and papers, and to employ a stenographer; and shall make report with recommendations as to future legislation.

The necessary expenses consequent upon such inquiry and investigation shall be paid out of the contingent fund of the Senate when certified by the chairman of the committee and audited and allowed by the Committee to Audit and Control the Contingent Expenses of the Senate.

#### DIPLOMATIC CORRESPONDENCE WITH CHINA.

Mr. HOAR. If no other resolutions are to be introduced this morning, I move that the Senate proceed to the consideration of the resolution reported from the Committee on Privileges and Elections on the 25th of January in regard to the seat held by Mr. CHILTON from the State of Texas.

Mr. MORGAN. I have a resolution that I desire to offer, and I ask for its immediate consideration.

Mr. HOAR. Very well.

The VICE-PRESIDENT. The resolution submitted by the Senator from Alabama will be read.

The resolution was read, as follows:

*Resolved*, That the Secretary of State is directed to send to the Senate copies of the correspondence had with the Chinese Government relating to the non-acceptance of Hon. Henry W. Blair as minister of the United States to China.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none, and the question is on agreeing to the same.

Mr. HOAR. I should like to inquire of the Senator from Alabama if it is usual to direct the Secretary of State absolutely to communicate correspondence with foreign governments. It seems to me the resolution should go to the President, and he should communicate the information, if not, in his judgment, incompatible with the public interest.

Mr. MORGAN. We have sent a great many such resolutions to the Secretary of State. The rule is that the correspondence of the State Department with any foreign government upon any subject is considered secret until that Department chooses to publish it or until Congress calls for it. There is no question here as to whether it is proper, in consideration of the public interests, that this information should come to the Senate, for the transaction is completed; it has passed some time ago.

My object in seeking the information is merely to find out what the action of our Government was when objection was interposed by China to the admission or acceptance of Mr. Blair as minister to that country. Mr. Blair did not go to that country. I am informed he did not go because China objected to his going. He was therefore not *persona grata* to the Chinese Government; and I want to know the reasons that Government asserted against him, and what action our Government took upon that suggestion on the part of the Chinese Government.

So far as Mr. Blair is concerned I think I am at liberty to say here that he was confirmed instantly upon his name being presented to the Senate by the unanimous vote of this body very cordially given, and so far as the Senate of the United States is concerned there could not have been a stronger affirmation of his fitness to represent this Government in China or anywhere else than we gave. So I think the Senate must have been greatly surprised to find that the foreign government interposed an objection. The matter lingered along for some time, and Mr. Blair, feeling that it was due to his own personal dignity, resigned the position, but not until China had declined peremptorily or positively to accept him.

Now, it becomes a matter of important inquiry, in view of questions that are presented for public consideration, as to what is the established line of procedure on the part of the Government of the United States when it is notified that a gentleman of such high reputation amongst us has been commissioned to China and that he has been rejected by that Government. I merely desire to get at the precedent and the practice of our Government upon that subject, which without the assistance of this resolution I can not get.

There is certainly no matter connected with the diplomatic service of the country or with any current question or any future question between ourselves and China that would make it necessary for us to appeal to the President and say to him that unless the public good otherwise requires he should send in the correspondence; but it has been the uniform practice of the Senate, as I think the Senator must remember, to call upon the Department of State for any information that appears in the records of that Department on any completed transaction.

Mr. HOAR. I do not yield to the Senator from Alabama or to any other Senator in the matter of kindest feeling towards the late Senator from New Hampshire. I suppose what the Senator says may very likely be true, that the transaction to which he alludes is a completed one; but still it seems very clear to my mind that the uniform method of obtaining such information would be by request to the President to communicate it if in his judgment it be not inconsistent with the public interest.

The Senator thinks that the resolution merely calls for a correspondence completed. There may be, for aught we know, something in the correspondence affecting this question which our Government might desire to give an opportunity to China to withdraw or to reconsider before it shall be made public. Perhaps the attitude of China may yet be changed, and a publication of what has been already said by her representative would interfere with that possibility.

So it seems to me that always, where a matter not of domestic but of foreign concern has been the subject of a correspondence with a foreign government the Senate should pursue the course of making the request to the President. It would come undoubtedly to the same thing, if the Senator be right, as I presume he is, and I suggest to him to modify his resolution in that respect. Otherwise I shall be compelled to object to it and ask to have it go over.

Mr. MORGAN. I would very cheerfully accept the proposition of the Senator from Massachusetts but for the fact that it reverses in my recollection the entire action of the Senate. I dislike to oppose myself to such eminent authority upon a matter of this kind, but I am very clear in the statement that we are commonly in the habit in respect of closed transactions, of past transactions not now the subject of diplomatic intercourse, to call upon the Secretary of State and to direct him to send in the papers. I think that is the uniform practice as to closed transactions. I remember that when the great fisheries controversy was before the Senate we did not hesitate to demand of the Secretary of State the sending in of papers relating to that transaction, although the correspondence about it was then very recently closed.

I would modify the resolution merely to gratify the Senator from Massachusetts, but I do not think the objection is tenable. I would rather that it should go over and give me an opportunity to satisfy the Senator by a great many examples, some of which I dare say he is the author of himself, that we have acted uniformly upon the line of proceeding suggested in the resolution.

Mr. HOAR. I move to refer the resolution to the Committee on Foreign Relations, and then, if that committee find that it is in accordance with precedents, of which committee the Senator from Alabama is a member, they can report it back to the Senate, and it can be passed.

Mr. MORGAN. It is not a question to go to the Committee on Foreign Relations. It is a question as to how the Senate shall get the information by a formal resolution.

Mr. HOAR. I enter that motion, and shall insist on it.

Mr. MORGAN. I have not any doubt that the Committee on Foreign Relations would be just as anxious as I am to know what the precedent is in regard to the Chinese matter. It is some-

Also, thirty petitions from Pennsylvania, for the same purpose—to the Committee on Agriculture.

By Mr. HAUGEN: Petition of James Murphrey and others, of St. Croix County, Wis., in favor of free bimetallic coinage—to the Committee on Coinage, Weights, and Measures.

By Mr. HITT: Petition of National Woman's Christian Temperance Union, asking that no exposition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HOAR: Petition to accompany House bill 4808, for relief of James H. Willey—to the Committee on Invalid Pensions.

By Mr. HOOKER of Mississippi: Papers to accompany House bill 4709, for relief of D.K. Eggleston—to the Committee on Claims.

By Mr. HOPKINS of Pennsylvania: Eleven petitions of citizens of the State of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. HULL: Petition of John McCudden and 11 others, of Warren County, Iowa, for the passage of the Conger lard bill—to the Committee on Agriculture.

By Mr. JOHNSON of North Dakota: Petitions of the National Woman's Christian Temperance Union, asking that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. KENDALL: Petition of Mrs. Mary Stoner, of Montgomery County, Ky., to accompany House bill 4814—to the Committee on Claims.

By Mr. McCLELLAN: Petition of Samuel Bacon and 26 others, of Jefferson Township, Allen County, Ind., that free delivery of all mail matter be extended to every post-office in the settled portion of the country, with free collection of letters—to the Committee on the Post-Office and Post-Roads.

By Mr. MANSUR: Petition to accompany House bill 4725, asking for pension by special act for Mrs. Benjamin F. Meyer—to the Committee on Invalid Pensions.

By Mr. MARTIN: Affidavit of claimant to accompany House bill 3793, for relief of Philip H. Carr—to the Committee on Invalid Pensions.

By Mr. MEREDITH: Petition of Jesse Owings, for himself and the estate of Ann E. Harper, late of Alexandria County, Va., praying that their war claim may be referred to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

Mr. O'NEILL of Pennsylvania: Protest of the Pennsylvania Synod of the Presbyterian Church against opening the World's Columbian Exposition on the Sabbath—to the Select Committee on the Columbian Exposition.

By Mr. PATTON: Papers and documents to accompany House bill 4734, for the relief of Samuel Horner, late a private of Company E, Ninth Indiana Volunteers—to the Committee on Military Affairs.

By Mr. PARRETT: Petition of Humphrey Bullock, president, and C. Herin, secretary, of Assembly No. 31, Farmers' Mutual Benefit Association, of Warrick County, Ind., in favor of the passage of House bill 5353 of the Fifty-first Congress, known as the bill defining options and futures—to the Committee on Agriculture.

Also, petition in favor of a revenue tax on compound lard as provided in the bill known as the Conger lard bill—to the Committee on Agriculture.

Also, petition of sundry churches of Princeton, Ind., comprising 975 members, against opening the World's Columbian Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. PEEL: Petition of John F. Jackson to accompany House bill 4740, for a pension—to the Committee on Invalid Pensions.

By Mr. POWERS: Petition of President Brainard, Middlebury College, Vermont, and others, praying that the metric system of weights and measures be exclusively used in the customs service of the United States—to the Committee on Coinage, Weights, and Measures.

By Mr. REED: Papers to accompany House bill 4569 giving list of vessels wrecked at Cape Porpoise, Maine, from 1868 to 1888—to the Committee on Interstate and Foreign Commerce.

Also, papers in the claim of Geo. A. Emery, of Portland, Me., to accompany House bill 4824—to the Committee on Military Affairs.

By Mr. REILLY: Petition of E. D. Chaffer, of Orwell, Pa., and of 62 other citizens, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. REYBURN: Eleven petitions of citizens of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. STEVENS: Paper in the matter of the military record of Henry H. Baily, former member of Company H, First Massachusetts Heavy Artillery—to the Committee on Military Affairs.

By Mr. SHONK: Four petitions of citizens of the State of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. STEWART of Pennsylvania: Fourteen petitions of citizens of the State of Pennsylvania, praying for the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. SPERRY: Papers in the matter of application for pension for Jane E. Anderson, of Windsor Locks, Conn., daughter of William C. Anderson—to the Committee on Pensions.

By Mr. WILLIAMS of Illinois: Claim of Elias Cleveland, Company K, Eighty-seventh Illinois Infantry, for special act of Congress—to the Committee on Invalid Pensions.

Also, petition and affidavit of S. S. Brills, Ridgway, Gallatin County, Ill.—to the Committee on Invalid Pensions.

Also, claim of Patrick Smith, with affidavit and account—to the Committee on War Claims.

Also, paper to accompany House bill 4770—to the Committee on Pensions.

By Mr. WARWICK: Petition of citizens of Canton, Ohio, that the pay of letter-carriers may be equalized—to the Committee on Post-Offices and Post-Roads.

## SENATE.

THURSDAY, January 28, 1892.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

### HOUSE BILLS REFERRED.

The bill (H. R. 217) to amend an act entitled "An act for the construction of a railroad and wagon bridge across the Mississippi River at South St. Paul, Minn.," approved April 26, 1890, was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 2785) to amend an act entitled "An act to amend the general incorporation law of the District of Columbia," approved May 17, 1882, was read twice by its title, and referred to the Committee on the District of Columbia.

### BRIGHTWOOD RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in response to a resolution of the 18th instant, certain information in regard to the Brightwood Railway Company; which, with the accompanying papers, was referred to the Committee on the District of Columbia, and ordered to be printed.

### PETITION AND MEMORIALS.

The VICE-PRESIDENT presented a resolution of the Chamber of Commerce of the State of New York, reaffirming its opinion favoring the transfer of the Revenue Marine Service to the Navy Department; which was referred to the Committee on Naval Affairs.

He also presented a memorial of the New Orleans (La.) Cotton Exchange, remonstrating against the passage of the Washburn bill defining options and futures and imposing special taxes on dealers therein; which was referred to the Committee on the Judiciary.

He also presented a petition signed by Samuel W. Smallwood, president of the Cotton and Grain Exchange of New Berne, N. C., and sundry merchants, shipowners, and others, praying for the passage of the bill to transfer the Revenue Cutter Service from the Treasury to the Navy Department; which was referred to the Committee on Naval Affairs.

Mr. PASCO presented a petition of the Chamber of Commerce of Pensacola, Fla., praying for the transfer of the Revenue Marine Service from the Treasury to the Navy Department; which was referred to the Committee on Naval Affairs.

He also presented a petition of Wright Carlton and 20 other citizens of Nocatee, De Soto County, Fla.; the petition of D. T. Carlton and other citizens of Arcadia, De Soto County, Fla.; the petition of M. F. Mizell and 6 other citizens of Pine Level, De Soto County, Fla.; the petition of I. A. Silex and 25 other citizens of De Soto County, Fla.; and the petition of W. A. Semmes and 11 other citizens of Lee County, Fla., praying that the town of Trabue (Punta Gorda, Fla.) be made a port of entry; which were referred to the Committee on Commerce.

Mr. SHERMAN presented a petition of 72 citizens, 2 churches, and 1 society, and a petition containing 163 individual signatures and 900 represented indorsements of citizens of Ohio, praying that no exposition or exhibition for which an appropriation is made by Congress be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of citizens of College Township, Knox County, Ohio, remonstrating against the passage of the bill for the removal of Ute Indians from their present reservation in Colorado; which was referred to the Committee on Indian Affairs.

Mr. McMILLAN presented a petition of the National Woman's Christian Temperance Union of Adrian, Mich., signed by 420 members, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HARRIS presented a petition of Subordinate Grange No. 121, Patrons of Husbandry, of Hayward County, Tenn., praying for the passage of a bill defining options and futures and imposing special taxes on dealers therein; which was referred to the Committee on the Judiciary.

Mr. CULLOM presented a petition of John McCarty, late of Company A and Company B, One hundred and seventy-ninth Ohio Volunteer Infantry, praying that he be granted a pension; which was referred to the Committee on Pensions.

He also presented a petition of citizens of Randolph County, Ill., praying for the passage of the Conger land bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of citizens of Randolph County, Ill., praying for the passage of the Butterworth anti-option bill; which was referred to the Committee on the Judiciary.

Mr. PADDOCK presented a memorial of the New Orleans (La.) Cotton Exchange, remonstrating against the passage of the bill known as the Washburn bill, defining options and futures; which was referred to the Committee on the Judiciary.

Mr. KYLE presented a petition of the National Woman's Christian Temperance Union, signed by Mrs. J. C. Batcham, superintendent, Mrs. M. E. Catlin, and 26 others, of Redfield, S. Dak., praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PETTIGREW presented the petition of R. A. Rounseville and 17 other citizens of Kingsbury County, S. Dak., and the petition of Henry H. Bronelle and 31 other citizens of Spencer, McCook County, S. Dak., praying for legislation against dealing in options; which were referred to the Committee on the Judiciary.

He also presented a petition of R. A. Rounseville and other citizens of Kingsbury County, S. Dak., praying for the passage of the Conger land bill; which was referred to the Committee on Agriculture and Forestry.

Mr. CHILTON presented the petition of Goshen Grange, No. 800, Patrons of Husbandry, of Henderson County, Tex., praying for the passage of a declaratory act concerning the forfeiture of certain lands of the Northern Pacific Railroad Company, on the company's general route from Wallula, Wash., to Portland, Oregon; which was referred to the Committee on Public Lands.

Mr. HAWLEY presented the petition of the Centennial Board of Finance of the United States Centennial Commission, together with the draft of a bill to provide for its remaining funds and to end its corporate existence; which was referred to the Committee on the Judiciary.

Mr. PEPPER presented a petition of the National Woman's Christian Temperance Union, signed by Mrs. J. C. Batcham, superintendent, and 24 others, of Pomona, Kans., praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. TURPIE presented a petition of citizens of Boone County, Ind., praying for the passage of a bill prohibiting the dealing in options and futures; which was referred to the Committee on the Judiciary.

Mr. ALLISON presented the petition of John Christopher and other citizens of Story County, Iowa, praying for the passage of what is known as the option bill; which was referred to the Committee on the Judiciary.

He also presented a petition of members of the National Woman's Christian Temperance Union of Iowa, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of George Browne and other citizens of Howard County, Iowa, praying for the passage of what is commonly known as the Conger land bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of 39 members of the Baptist Young People's Society of Christian Endeavor of Boone, Iowa, praying

that the World's Columbian Fair be closed on Sunday; also, that the sale of liquors therein be prohibited, and that the art department be managed according to the American standard of purity in art; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of C. Flora and other citizens of Guthrie County, Iowa, and the petition of A. Van Pelt and other citizens of Iowa, praying for the passage of what is commonly known as the option bill; which were referred to the Committee on the Judiciary.

Mr. CAMERON presented a petition of the Young People's Christian Endeavor Society of Orwell, Pa., praying that the World's Columbian Fair be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of the Young People's Christian Endeavor Society of Smithfield, Pa.; a memorial of the Young People's Christian Endeavor Society of Troy, Pa.; and a memorial of the Young People's Christian Endeavor Society of Ulster, Pa., remonstrating against the exportation of liquor to Africa; which were ordered to lie on the table.

Mr. PERKINS presented additional papers to accompany the bill (S. 1114) granting a pension to Clark Barton; which were referred to the Committee on Pensions.

Mr. WASHBURN presented a petition of the Farmers' Alliance of Polk County, Minn., and a petition of the Farmers' Alliance of Bear Park, Minn., praying for the passage of what is commonly known as the option bill; which were referred to the Committee on the Judiciary.

Mr. McPHERSON presented a petition of Daniel Z. Morrison and 69 other members of the Belleville (N. J.) Congregational Church, remonstrating against the opening of the Columbian Exposition on the Sabbath; which was referred to the Committee on the Quadro-Centennial (Select).

#### PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 26th instant, approved and signed the joint resolution (S. R. 18) to fill vacancies in the Board of Regents of the Smithsonian Institution.

#### RELATIONS WITH CHILE.

Mr. O. L. PRUDEN, one of the secretaries of the President of the United States, communicated to the Senate sundry messages in writing.

The VICE-PRESIDENT. The Chair lays before the Senate a message from the President of the United States, which will be read.

The Chief Clerk read the message.

Mr. SHERMAN. I move that the message, with the accompanying papers, be referred to the Committee on Foreign Relations, and be printed. I desire to say that I suppose every member of the Senate heartily joins in congratulation over a hopeful honorable settlement to both parties of an unpleasant difference that has arisen between two sister Republics.

Mr. CHANDLER. I ask the unanimous consent of the Senate that the communication from Mr. Egan to the Secretary of State be read. It is not long.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the communication from the minister of the United States at Chile will be read.

The Chief Clerk read Mr. Egan's dispatch, which appears in the House proceedings.

The VICE-PRESIDENT. The message, with the accompanying papers, will be printed and referred to the Committee on Foreign Relations, if there be no objection. The Chair hears none.

#### REPORTS OF COMMITTEES.

Mr. CULLOM, from the Committee on Commerce, to whom was referred the bill (S. 1681) making an appropriation for the construction of two United States revenue cutters for service on the Great Lakes, reported it without amendment, and submitted a report thereon.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 692) authorizing the Secretary of War to procure and present suitable medals to the survivors of the "forlorn-hope storming party" of Fort Hudson, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 422) granting an honorable discharge to Harlow Brewer, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. COKE, from the Committee on Commerce, to whom was referred the bill (S. 1295) to authorize the construction of jetties, piers, and breakwaters at private expense in the Gulf of Mexico, at the mouth of Rope's Pass in the State of Texas, reported it with an amendment, and submitted a report thereon.



Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 552) to amend the act approved March 1, 1887, relating to the Hospital Corps of the Army, reported it without amendment, and submitted a report thereon.

Mr. HAWLEY. The bill (S. 1417) to amend the military record of Joseph H. Moore shows in the text thereof that he was in the naval force. The Committee on Military Affairs ask to be excused from the further consideration of the bill and that it be referred to the Committee on Naval Affairs.

The report was agreed to.

Mr. WHITE, from the Committee on Claims, to whom was referred the bill (S. 43) for the relief of the personal representatives of Adelia Cheatham, deceased, reported it without amendment, and submitted a report thereon.

Mr. CAMERON, from the Committee on Military Affairs, to whom was referred the bill (S. 256) for the relief of Augustus Boyd, reported it with amendments, and submitted a report thereon.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 1668) to authorize and regulate the construction of a bridge across the Kootenai River, at the town of Fry, county of Kootenai, State of Idaho, reported it with amendments.

Mr. BLODGETT, from the Committee on Pensions, to whom was referred the bill (S. 1220) granting a pension to Eliza K. Starr, reported it with amendments, and submitted a report thereon.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 113) to establish a military post near Little Rock, Ark., reported it with an amendment, and submitted a report thereon.

Mr. PALMER, from the Committee on Military Affairs, to whom were referred the following bills, reported adversely thereon, and the bills were postponed indefinitely:

A bill (S. 1002) for relief of William C. Gilpatrick;

A bill (S. 1510) for relief of Jacob Barr;

A bill (S. 1065) for the relief of James R. Mullikin, late captain Company K, Thirty-fifth Regiment Indiana Volunteers; and

A bill (S. 1145) for the relief of John W. Sturtevant.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 1608) to make Punta Gorda, Fla., a port of entry, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom the subject was referred, reported a bill (S. 1956) to amend an act entitled "An act establishing a customs collection district in Florida, to be known as the collection district of Tampa, and for other purposes," approved March 1, 1889, and to make Punta Gorda a sub-port of entry; which was read twice by its title.

#### BILLS INTRODUCED.

Mr. VEST introduced a bill (S. 1934) to amend an act entitled "An act to establish a court of private land claims, and to provide for the settlement of private land claims in certain States and Territories," approved March 3, 1891; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. CULLOM introduced a bill (S. 1935) to establish a railway bridge across the Illinois River, between a point at or near the city of Havana in Mason County, and a point on the opposite side of said river in Fulton County, in the State of Illinois; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1936) to recognize Elias J. Beymer as an enrolling officer and for relief of his widow and minor children; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1937) for the relief of James L. Williams; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1938) authorizing the restoration of the name of Wilbur F. Melbourne, late first lieutenant Fifteenth United States Infantry, to the rolls of the Army, and providing that he be placed on the list of retired officers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. VANCE introduced a bill (S. 1939) for the relief of Joseph C. Hogan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. PUGH introduced a bill (S. 1940) for the relief of R. B. Woodson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

Mr. TURPIE (by request) introduced a bill (S. 1941) for the relief of Nimrod D. Kincaid; which was read twice by its title, and referred to the Committee on Claims.

Mr. McMILLAN introduced a bill (S. 1942) for the relief of the

heirs of William A. Burt, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. POWER introduced a bill (S. 1943) for the relief of William Flannery; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1944) for the construction and completion of suitable school buildings for Indian industrial school in Montana; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1945) granting to the State of Montana 5 per centum of the net proceeds of the sales of public lands in that State; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1946) to amend the act of October 2, 1888, concerning the selection of reservoir sites, etc.; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1947) for the relief of John G. Evans; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. PERKINS introduced a bill (S. 1948) to authorize the Southern Kansas Railway Company to construct and maintain a pipe line from the North Fork of the Canadian River, Indian Territory, to said railroad; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. SAWYER introduced a bill (S. 1949) to amend section 3147 of the Revised Statutes of the United States in relation to the coasting trade on the Great Lakes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. MANDERSON introduced a bill (S. 1950) donating 20 acres of land from the Fort Sidney military reservation, on the northeast corner thereof, to the city of Sidney, Nebr., for cemetery purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1951) to relieve John Friedlin from the charge of desertion; which was read twice by its title, and, with the accompanying papers, and referred to the Committee on Military Affairs.

Mr. PASCO introduced a bill (S. 1952) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first and seventh sections thereof to the port of St. Augustine, Fla.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. COCKRELL (by request) introduced a bill (S. 1953) for the relief of Capt. Ceran St. Vrain's company of New Mexico Mounted Volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HAWLEY introduced a bill (S. 1954) for the relief of Lewis D. Allen; which was read twice by its title, and referred to the Committee on Claims.

Mr. MITCHELL introduced a bill (S. 1955) granting an increase of pension to Robert Steward; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WOLCOTT introduced a bill (S. 1957) for the relief of Meyer B. Haas; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TELLER introduced a bill (S. 1958) to submit to the Court of Claims the title of William McGarahan to the Rancho "Paucho Grande," in the State of California, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

#### PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. TURPIE, it was

*Ordered*, That the petition and accompanying papers of Mrs. Ellen A. King, of La Fayette, Ind., now on the files of the Senate of the last Congress, in relation to the correction of the military record of her late husband, Alexander King, be taken from the files and referred to the Committee on Military Affairs for consideration.

#### PRINTING OF SENATE BILLS, ETC.

Mr. PEPPER. I submit the following resolution, and ask for its immediate consideration:

*Resolved by the Senate*, That there be printed, in document form, one hundred copies each of the following: Senate bills Nos. 357, 358, 359, 1978, and 1989; also miscellaneous document No. 18 and Senate joint resolution No. 32, to be placed in the document room.

Mr. MANDERSON. The resolution should be referred to the Committee on Printing. It is necessary that it should be referred under the law.

Mr. PEPPER. Let the resolution be referred.

The VICE-PRESIDENT. The resolution will be referred to the Committee on Printing.

## SUBPOENAS FOR SENATE COMMITTEES.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Committee on Privileges and Elections be directed to prepare a proper form of subpoena for requiring the attendance of witnesses to be used by the Senate and the committees thereof, and to report the same for the information of the Senate.

## ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 28) to amend an act entitled "An act granting the right of way to the Hutchison and Southern Railroad Company through the Indian Territory;" and

A bill (H. R. 517) providing for the completion of the allotment of lands to the Cheyenne and Arapahoe Indians.

## LEAVE OF ABSENCE.

Mr. CARLISLE. Mr. President, I ask leave of absence from the sittings of the Senate for one week.

The VICE-PRESIDENT. Leave of absence will be granted to the Senator from Kentucky, if there be no objection. The Chair hears none.

## RECIPROCAL TRADE AGREEMENTS.

Mr. HALE. I desire to call up the resolution submitted by me a few days ago for the purpose of making some remarks. I ask the Secretary to read the resolution.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution submitted by Mr. HALE on the 18th instant, as follows:

*Resolved*, That the Secretary of State be, and is hereby, directed to send to the Senate, as early as is practicable, copies of all agreements made with other countries relating to an interchange of trade and commerce under the provisions of section 3 of an act entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890; and also to furnish the Senate with all information received as to the practical effect of such agreements.

Mr. HALE. Mr. President, in the present happy subsidence of the war note, I hope Senators will feel that it is fitting to turn our attention to some of the victories of peace.

The answer to the resolution offered by me in the Senate a few days since, and which has just been read, will furnish the information called for more in detail than can be known at present; but I have already possessed myself of information and facts sufficient, I believe, to justify me in setting forth something of the history of the reciprocity movement, the helping hand it has received, and the delays and hindrances which have been put in its pathway in certain quarters, and the tangible results up to the present time.

Touching this last, it must be borne in mind that the oldest treaty or agreement for reciprocity, under section 3 of the McKinley act, has been in force but nine months, and that the treaties or agreements following have some of them but just passed into actual operation.

The desire for extended trade, through the agency of reciprocity treaties, between the United States and her sister nations and dependencies of the American hemisphere, has moved in the minds of practical statesmen for many years. Different Administrations had made essays in this direction. Gen. Garfield, President Arthur, and others had looked with impatience upon the spectacle of a rapidly increasing trade and commerce among the nations of Central and South America, in which we had little part; but no way had been devised through which our trade with them could be augmented till near the closing days of the first session of the Fifty-first Congress.

On the 2d of September, 1890, I called up the original reciprocity amendment to the tariff bill, which was then under discussion, which I had introduced on the 19th of June previous, and which had been referred to the Committee on Finance. The amendment had been prepared at the State Department, and reads as follows:

And the President of the United States is hereby authorized, without further legislation, to declare the ports of the United States free and open to all products of any nation of the American hemisphere upon which no export duties are imposed, whenever and so long as such nation shall admit to its ports, free of all national, provincial (State), municipal, and other taxes, import, corn meal, and other breadstuffs, preserved meats, fish, vegetables and fruits, cotton-seed oil, rice, and other provisions, including all articles of food, lumber, furniture, and all other articles of wood, agricultural implements and machinery, mining and mechanical machinery, structural steel and iron, steel rails, locomotives, railway cars and supplies, street cars, refined petroleum or such other products of the United States as may be agreed upon.

It undoubtedly covered the plan which the State Department had in view to attain practical reciprocity.

The amendment gave rise to extended discussion, was carefully considered in the Committee on Finance, which later in the session reported the reciprocity feature in what is known as

the Aldrich amendment, which on the 9th day of September was adopted by the Senate and made a part of the tariff act, being the third section of that act.

The vote of the Senate showed that already one of the great national parties was found in substantial unanimity in favor of the scheme, while the other was arrayed in solid phalanx against it. That it may be seen how marked this line of difference was drawn I give the list of yeas and nays in the Senate upon the adoption of the amendment:

## YEAS—38.

Aldrich,	Dolph,	Mitchell,	Sherman,
Allen,	Eyre,	Moody,	Spooner,
Allison,	Hale,	Padlock,	Squire,
Cameron,	Hawley,	Pierce,	Stewart,
Casey,	Hiscock,	Platt,	Stockbridge,
Chandler,	Hoar,	Plumb,	Teller,
Cullum,	Ingalls,	Power,	Washburn,
Davis,	Jones, Nev.,	Quay,	Wilson, Iowa,
Dawes,	McMillan,	Sanders,	
Dixon,	Manderson,	Sawyer,	

## NAYS—29.

Bate,	Colquitt,	Harris,	Vance,
Berry,	Daniel,	Jones, Ark.,	Vest,
Blackburn,	Edmunds,	Morgan,	Voorhees,
Blodgett,	Everts,	Pasco,	Waithall,
Butler,	Faulkner,	Pugh,	Wilson, Md.,
Carlisle,	Gibson,	Ransom,	
Cockrell,	Gorman,	Reagan,	
Coke,	Gray,	Turpie,	

It is an illustration of what the world has seen for thirty years, that, even upon plain business propositions touching the common good of all the country, and the every-day life and prosperity of the people, upon which, if anywhere, there should be no party division, the Democratic party selects the darkness rather than the light for its standing ground.

As some attempt has been made to show that the original reciprocity amendment received rude treatment at the hands of the Senate and that its original authors were not considered in the legislation of Congress, I may state here that, after the changed condition resulting from the repeal of nearly all of the sugar duty, the Aldrich amendment was heartily accepted by the friends of the original amendment in the Senate, by the Secretary of State, and by the President.

The basis of the original amendment was the retention of the sugar duty till reciprocal treaties could be negotiated. When that basis was changed and the repeal became a fixed fact it is difficult to see what other plan than the Aldrich amendment could be devised. For one I voted most heartily for its incorporation into the McKinley bill and never had a doubt as to its beneficent operation.

The people of the United States, Mr. President, broad and large, gave a generous welcome to the reciprocity scheme from the moment that it appeared in Congress, and no measure of the present Administration has received more hearty public support than this. In fact, repeated expressions of public favor were needed before the project found favor in certain quarters. Influences ephemeral potential in the Republican party were arrayed against it, but all this disappeared when expressions in its favor came pouring in during the summer and early fall of 1890 from boards of trade and commerce, from district and State conventions, and indeed from all the places where the people gathered together to discuss and commend the reciprocity plan.

Attempts were made in certain quarters to show that the reciprocity plan was opposed to and interfered with the great doctrine of protection to American labor to which the Republican party is fully committed; but all this disappeared when it was seen by the people that what was comprehended in the scheme was an increased trade with countries that produce articles which we can not produce, which articles we can purchase with the products of our farms and mines and manufactories, which our southern sister nations need and which they can not produce. Reciprocity of this kind is in fact an aid to protection and broadens the field of the American laborer by opening new markets for his products to be paid for in articles which can never compete with his labor. The people all understand this, and they made their voice heard and their wishes known here and in the Chamber at the other end of the Capitol, and, except in the Democratic party, open opposition was drowned and no further hostile note was heard.

I do not hesitate, Mr. President, in stating here and now, as the result of my observation, that I firmly believe that section 3 of the McKinley bill, which contains the reciprocity feature, is the part of the measure which has floated the whole act, and which kept it from being swamped by the storm which, without reason, broke upon it from the day of its passage. The great merits of other parts of the McKinley bill might have sunk under a sea of obloquy and would never have been seen and appreciated if the reciprocity clause had not kept the whole structure from going down.

I come now to take up the situation which the Administration

rendered under direction of the Attorney-General, reported it without amendment.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1105) to incorporate the Washington and Deanwood Railway Company in the District of Columbia, reported adversely thereon, and the bill was postponed indefinitely.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 1492) to authorize the appointment of an inspector of plumbing in the District of Columbia, and for other purposes, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1884) to prevent fraud upon the water revenues of the District of Columbia, reported it without amendment, and submitted a report thereon.

Mr. ALLEN, from the Committee on Public Lands, to whom was referred the bill (S. 218) granting to the county of Clallam, State of Washington, certain public lands in trust, and for other purposes, reported it with an amendment, and submitted a report thereon.

Mr. PASCO, from the Committee on Claims, to whom was referred the bill (S. 44) for the relief of William Clift, reported it without amendment, and submitted a report thereon.

Mr. DOLPH. By direction of a majority of the Committee on Public Lands I submit a favorable report on the bill (S. 622) to amend an act entitled "An act for the relief of certain settlers on the public lands and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands."

Mr. BERRY. Is that the bill in regard to refunding money about forfeited lands?

Mr. DOLPH. It is.

Mr. BERRY. I desire to state that there is a minority report. There is no written report, but I wish it to be noted that there is a minority of the committee who do not agree to the favorable report.

Mr. DOLPH. I stated to the Senate that it is a majority report, and of course that carried the implication that a minority of the committee are opposed to the bill.

Mr. BERRY. All my purpose was to have it appear on the Calendar that there is a minority of the committee opposed to the bill, that the bill might not be passed in the absence of members of the committee. I did not hear the statement of the Senator from Oregon.

The VICE-PRESIDENT. It will not appear on the Calendar that there is a minority opposed to the bill, as there is no written report by majority or minority.

Mr. DOLPH. It is a bill that was early reported in the Senate during the last Congress and remained on the Calendar, never having been considered. Sometimes it was passed over when reached because it was understood that the Senator from Arkansas [Mr. BERRY] opposed the bill and desired to be heard upon it, and action upon it was postponed until so late that it was never taken up for consideration.

Mr. COCKRELL. I should like to suggest to the Senator from Arkansas that it can not appear on the Calendar that there is a minority report unless there is some writing filed to that effect.

Mr. BERRY. There is no written report submitted by the majority, I understand, and therefore the views of the minority will not be submitted in writing.

The VICE-PRESIDENT. The statement as to the views of the minority will appear in the the RECORD, of course. The bill will be placed on the Calendar.

Mr. DOLPH. From the same committee I report adversely on the bill (S. 217) for the relief of the purchasers from the United States of land in even-numbered sections within the forfeited portions of railroad grants, and the bill (S. 733) to reimburse settlers and purchasers of even-numbered sections of public lands within the limits of Congressional grants in cases of forfeiture of odd-numbered sections. These bills are reported adversely because, there being three bills on the subject, the majority of the committee prefer the bill which has been reported favorably.

The bills were postponed indefinitely.

Mr. VEST, from the Committee on the Judiciary, to whom was referred the bill (S. 1934) to amend an act entitled "An act to establish a court of private land claims, and to provide for the settlement of private land claims in certain States and Territories," approved March 3, 1891, asked to be discharged from its further consideration, and that it be referred to the Committee on Private Land Claims; which was agreed to.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 621) to provide for the collection, custody, and arrangement of the records of the American Revolution, reported it with amendments, and submitted a report thereon.

#### SENATOR FROM FLORIDA.

Mr. TURPIE, from the Committee on Privileges and Elections, to whom were referred the papers in the case of R. H. M. Davidson, contestant, against Wilkinson Call, contestee, concerning the right to a seat in the Senate from the State of Florida, submitted a report expressing "the opinion that Mr. Call was duly elected;" which was ordered to lie on the table and be printed.

#### DISTRICT FIRE INSURANCE COMPANIES.

Mr. VANCE. I am instructed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 2785) to amend an act entitled "An act to amend the general incorporation law of the District of Columbia," approved May 17, 1882, to report it with an amendment, and to ask for its present consideration, for the reason that the purpose of the bill is to extend to the corporate existence of certain fire-insurance companies here which are about to expire, to their great injury and the injury of their policy-holders, and to place them upon an equality with the foreign fire insurance corporations which do business in this District, and which have an unlimited existence. As it is necessary to incorporate an amendment in the bill, in order to save time and to secure to these corporations a continued existence for the benefit of the present policy-holders, I am requested to ask that the bill be considered now.

The VICE-PRESIDENT. The bill will be read for information, subject to objection.

The Chief Clerk read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The VICE-PRESIDENT. The amendment of the Committee on the District of Columbia will be stated.

The CHIEF CLERK. The committee report to add a new section as follows:

SEC. 3. Congress may at any time alter, amend, or repeal this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### COURTS IN NEW HAMPSHIRE.

Mr. WILSON. I am instructed by the Committee on the Judiciary, to whom was referred the bill (S. 821) to provide for a term of the circuit and district court at Littleton, N. H., to report it favorably, without amendment.

Mr. CHANDLER. I ask for the present consideration of the bill.

The VICE-PRESIDENT. The bill will be read for information.

The Chief Clerk read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### COURTS IN ARKANSAS.

Mr. WILSON. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 3931) to detach Montgomery County from the western and add it to the eastern district of Arkansas, to report it favorably, without amendment.

Mr. BERRY. Inasmuch as early action is necessary on account of the time the courts are held there, I ask that the bill just reported favorably by the Senator from Iowa be considered now. It is a very important measure, and there is no objection from any quarter to the bill.

The VICE-PRESIDENT. The bill will be read for information.

The Chief Clerk read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### UMATILLA INDIAN RESERVATION LANDS.

Mr. DOLPH. By direction of the Committee on Public Lands, to whom was referred the bill (S. 1134) for the relief of purchasers of lands within the limits of the Umatilla Indian Reservation, I report it favorably, without amendment. It is a very short bill, and is the unanimous report of the committee. It is a matter to which no one will object, and it is important that it should be acted upon at once. I ask for the immediate consideration of the bill. Let it be read for information.

The VICE-PRESIDENT. The bill will be read for information.

The Chief Clerk read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that hereafter all necessary affidavits

and proofs required by law of any purchaser of lands within the limits of the Umatilla Indian Reservation, in the State of Oregon, in order to perfect his title to the lands, may be made before any officer qualified to take proof in homestead cases.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. SAWYER introduced a bill (S. 1959) to promote the efficiency of the Revenue Cutter Service; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PAULKNER (by request) introduced a bill (S. 1960) relating to the office of the recorder of deeds of the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 1961) relating to the office of the register of wills of the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FRYE introduced a bill (S. 1962) granting an honorable discharge to William Pierce; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. WASHBURN introduced a bill (S. 1963) to incorporate the Yellowstone Park Company; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

Mr. ALLISON introduced a bill (S. 1964) to remove the charge of desertion from the military record of G. J. Shaffer; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CULLOM introduced a bill (S. 1965) to reimburse James M. Trotter, late recorder of deeds of the District of Columbia, for amount expended for record books of the office of recorder of deeds in said District; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1966) granting a pension to Susan E. Linderman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1967) granting a pension to Mrs. Susan Craig; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1968) for the relief of Dr. James Madison; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 1969) to provide for the disbursement of money appropriated by the acts of 1874 and 1878, making appropriation for the payment of workmen who worked on public improvements under the late board of public works of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HAWLEY introduced a bill (S. 1970) for the relief of Daniel C. Rodman and others, sureties on the bond of Ozias Morgan; which was read twice by its title, and referred to the Committee on Claims.

Mr. SHERMAN introduced a bill (S. 1971) providing for the appointment of representatives from the United States to the Columbian Historical Exposition at Madrid in 1892; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 1972) granting a pension to Frederick Robertson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1973) granting a pension to Mary Ann Beasley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1974) granting a pension to Harvey Evans; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PETTIGREW introduced a bill (S. 1975) for the protection of livery-stable-keepers and other persons keeping horses at livery within the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. DAVIS (by request) introduced a bill (S. 1976) for the relief of Charles Banzhaf; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PEPPER introduced a bill (S. 1977) to amend an act entitled "An act to provide additional regulations for homestead and pre-emption entries of public lands," approved March 3, 1879; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. FELTON introduced a bill (S. 1978) to provide additional artillery for the National Guard; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1979) to provide for the examination and survey for the improvement of navigable slough and the harbor thereof in the Bay of San Francisco, California; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CAMERON introduced a bill (S. 1980) to increase the pension of Mary A. Roder; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLPH introduced a bill (S. 1981) for the relief of B. F. Dowell; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1982) for the relief of Avery D. Babcock and wife, of Oregon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. CHANDLER introduced a bill (S. 1983) to provide for the purchase of a site and the erection of a public building thereon at Exeter, in the State of New Hampshire; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. COCKRELL introduced a bill (S. 1984) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

Mr. VANCE introduced a bill (S. 1985) for the relief of T. W. Knight, administrator of R. B. Knight; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. KYLE introduced a bill (S. 1986) to authorize the erection of post-office buildings, and for other purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. WALTHALL introduced a bill (S. 1987) for the relief of Samuel Collins; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. WILSON introduced a bill (S. 1988) to amend sections 2139, 2140, and 2141 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

He also (by request) introduced a bill (S. 1989) for the redemption of the outstanding certificates of the board of audit of the District of Columbia, and of sewerage certificates authorized by the Legislative Assembly; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BUTLER introduced a bill (S. 1990) for the relief of Henry E. Young, administrator of Thomas Aston Coffin, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. GIBSON of Louisiana introduced a bill (S. 1991) granting a pension to Jane M. Anderson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 1992) to reimburse the Indiana Miami Indians for money improperly withheld from them; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PALMER. At the request of Capt. John Cowden, a citizen of Illinois, I introduce a bill.

The bill (S. 1993) to develop and facilitate the interstate commerce of the whole country, and more especially that of the twenty-two States and two Territories which are in whole or in part drained by the Mississippi River and its tributaries, that has an area of 1,575,092 square miles and a present population of 35,946,901 and a total property value of \$11,874,442,264, when the total population of all the balance of the States and Territories is but 26,407,966, and their total property valuation is \$11,253,194,387, was read twice by its title.

Mr. PALMER. I ask that the bill lie on the table.

The VICE-PRESIDENT. It will be so ordered.

Mr. DANIEL. I introduce two bills at the request of my colleague [Mr. BARBOUR], who is detained from the Senate by sickness.

The bill (S. 1994) for the relief of John H. Redman, a citizen of King George County, Va., was read twice by its title, and referred to the Committee on Claims.

The bill (S. 1995) for the relief of Mrs. Agnes B. Jeter was read twice by its title, and referred to the Committee on Claims.

Mr. VEST introduced a bill (S. 1996) to provide for the purchase of a site, and the erection of a public building thereon, at Joplin, in the State of Missouri; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. WARREN introduced a bill (S. 1997) to increase the efficiency of the infantry, Army of the United States of America; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1998) to provide for the sale of stone lands in Wyoming, as provided in the States of California, Oregon, Nevada, and Washington under chapter 151 of the Sup-



plement to the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. McPHERSON introduced a bill (S. 1999) for the relief of John G. Rose; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. MANDERSON introduced a bill (S. 2000) to increase the pension of Lila L. Egbert, widow of the late Capt. Augustus R. Egbert, United States Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PERKINS. Early last month I had read at this desk a communication from our minister at Mexico, addressed to my late distinguished predecessor, Mr. Plumb, and it was referred to the Committee on Foreign Relations. I have now a joint resolution which I introduce, and there is also a communication accompanying it from Hon. William E. Curtis, of the State Department, which I should like to have read, to be referred with the joint resolution to the Committee on Foreign Relations or the Committee on Military Affairs; I am not certain as to which committee the reference should be made.

The joint resolution (S. R. 36) authorizing the President to return certain battle flags to the Republic of Mexico was read twice by its title.

The VICE-PRESIDENT. The letter accompanying the joint resolution will be read, if there be no objection.

The Chief Clerk read as follows:

BUREAU OF THE AMERICAN REPUBLICS,  
DEPARTMENT OF STATE.  
*Washington, U. S. A., January 28, 1892.*

DEAR SIR: According to a letter from the Secretary of War, dated January 19, 1889 (House Executive Document No. 102, Fiftyeth Congress, second session), it appears that there are in the museum of the United States Military Academy at West Point, twenty-one flags, captured by the United States Army in the war with Mexico. These flags were presented to the Military Academy by the President of the United States, December 23, 1848.

I beg to suggest that the return of these trophies to the Government of Mexico, as advocated by your lamented predecessor, would be a most graceful act on the part of the United States, and I submit herewith the draft of a joint resolution for that purpose.

Very truly, yours,

WILLIAM E. CURTIS.

To the Hon. BISHOP W. PERKINS,  
*United States Senate.*

Mr. SHERMAN. I move that the joint resolution, with the accompanying papers, be referred to the Committee on Foreign Relations.

The motion was agreed to.

AMENDMENT TO A BILL.

Mr. CAMERON submitted an amendment intended to be proposed by him to the agricultural appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Agriculture and Forestry.

PATENT OFFICE FUNDS.

Mr. FAULKNER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Interior be requested to furnish the Senate, at as early a date as practicable, with a statement of the amount of all moneys received by the United States Patent Office from inventors since the establishment of that Bureau up to the present time; what disposition has been made of the same; the amount of the surplus on hand, if any, and how, and in what manner it is invested.

POTTAWATOMIE INDIAN AGREEMENT.

Mr. PERKINS submitted the following resolution; which was referred to the Committee on Indian Affairs, and ordered to be printed:

*Resolved by the United States Senate, etc.*, That whereas the provisions of the articles of agreement by and between the United States and the citizen band of Pottawatomie Indians residing in Oklahoma Territory and elsewhere, ratified by Congress March 3, 1891, require that large sums of money be paid to them in said tract of country, which is construed to mean said Territory of Oklahoma; and whereas many members of said band of Indians reside in Kansas who through age, poverty, and sickness suffer great hardships by being compelled to go to said Territory to receive their payments; Therefore,

*Resolved*, That article 4 of said agreement be and the same is hereby construed so as to authorize and direct the proper officers of the Department of the Interior to make the payments as they fall due to the members of said band residing in Kansas at some point in their original reservation in said State as will accommodate the greatest number of said Indians.

DISTRICT SEWERAGE.

Mr. McMILLAN submitted the following resolution; which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed 700 additional copies of the report of the Board of Sanitary Engineers of the District of Columbia upon the sewerage of the District for the official use of the Commissioners of the District of Columbia.

EXECUTIVE BUSINESS.

Mr. MORGAN. I ask for the adoption of the following order:

*Ordered*, That Executive Document No. 23, Fifty-second Congress, first session, be withdrawn from the legislative files of the Senate and placed on the files of the executive clerk.

The VICE-PRESIDENT. The order will be agreed to, if there be no objection.

Mr. SHERMAN. What is the subject-matter of the document?

Mr. MORGAN. It is a message from the President of the United States relating to a claim of one of our citizens against a foreign government. It ought to be considered in executive session.

Mr. SHERMAN. Very well. The order does not describe it at all.

The order was agreed to.

ENTRANCE TO YAQUINA BAY, OREGON.

Mr. MITCHELL. I offer the following resolution simply calling for information, and I ask for its present consideration:

*Resolved*, That the Secretary of War be, and he is hereby, directed to furnish for the use of the Senate a copy of the report of Maj. G. L. Gillespie, United States Engineers, dated December 11, 1890, with the accompanying report of Assistant Engineer J. S. Polhemus, to the Chief of Engineers, on the subject of improving the entrance to Yaquina Bay, Oregon.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. COCKRELL. I ask if that information is not already in the report of the engineers?

Mr. MITCHELL. It is not and has never been printed. That is the reason why I offer the resolution.

The resolution was agreed to.

MARRIAGE AND DIVORCE.

Mr. KYLE. I give notice that on Wednesday next I shall ask the courtesy of the Senate to make some remarks upon the joint resolution (S. R. 29) proposing an amendment to the Constitution of the United States, relating to marriage and divorce.

PUBLIC BUILDING AT RENO, NEV.

The VICE-PRESIDENT. If there be no further morning business that order is closed, and the consideration of the Calendar under Rule VIII is in order.

The Senate as in Committee of the Whole resumed the consideration of the bill (S. 56) for the erection of a public building at Reno, State of Nevada, the pending question being on the amendments reported by the Committee on Public Buildings and Grounds, in line 11, before the word "thousand," strike out "one hundred" and insert the word "seventy-five;" so as to make the amount of the appropriation \$75,000.

Mr. STEWART. During the discussion the other day I suggested that I would consent to reduce the amount of the appropriation to \$60,000. I think with \$60,000 we might get along. I want to be as economical as possible in regard to it. I think it is very essential that we should have a public building at that point. We need it very much. Reno is a growing town, and it will be undoubtedly the largest town between Sacramento and Salt Lake. I move to amend the amendment of the committee by striking out "seventy-five" and inserting "sixty."

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. In line 11 it is proposed to strike out "seventy-five," before the word "thousand," which was reported as an amendment by the Committee on Public Buildings and Grounds, and insert in lieu thereof "sixty;" so as to read:

The sum of \$60,000, etc.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. STEWART. I wish to say before the bill is passed that when it was under consideration the other day some remarks were made by the Senator from New Jersey [Mr. McPHERSON] with regard to the large appropriations asked for by California in the bills which are pending on the Calendar. I was about to remark or did remark then that California had been put off from time to time and had not received the necessary appropriations for public buildings, particularly in San Francisco. Since that matter has been brought to the attention of the Senate, I think it is but fair that the Senator from California [Mr. FELTON] should be allowed to make a statement as to how California has been dealt with in regard to these appropriations, and I yield to him to make such a statement.

Mr. FELTON. Mr. President, in this connection I desire to say that I listened with some attention to the remarks of the Senator from New Jersey [Mr. McPHERSON] the other day in reference to the appropriations for public buildings in California, and it occurred to me if the facts as stated by the Senator were left unaccompanied by other facts relative thereto that the situation existing there might be misapprehended, that an impression might go abroad to the country and pervade the Senate that the State of California had been discriminated in favor of. Therefore I have gathered some statistics in relation to the matter which I desire to present to the Senate, and I apprehend that they

will be sufficient to prove that the statement made by the Senator from New Jersey in relation to the State of California is not founded on fact. To say the least, it would be misleading.

I find that up to the year 1885 the appropriations for public buildings in the State of California amounted to \$2,119,512.67. In the State of Illinois alone they amounted to \$11,939,258.10 for two public buildings, and in the State of Louisiana to \$4,808,202.06. It will be noted that the appropriations for Illinois for two public buildings were over five and a half times the amount of the appropriations for California, and that the appropriation for Louisiana of \$4,808,202.06 is twice that of California.

In Massachusetts for one building the amount appropriated was \$5,994,083, or two and a half times the amount appropriated for California. In the State of New York for two buildings there was appropriated \$19,311,567.96, over nine times that of California. In Philadelphia for a post-office building alone there was appropriated \$5,191,854, or nearly two and a half times the amount appropriated for California.

In the statement I have prepared will be found, in detail, the various buildings for which appropriations were made, and they are as follows:

*Expenditures for public buildings to 1885.*

CALIFORNIA.	
San Francisco appraiser's stores.....	\$ 839,968.13
San Francisco custom-house.....	99,598.14
San Francisco marine hospital.....	774,389.75
San Francisco subtreasury.....	298,700.11
	196,994.20
	2,119,740.33
ILLINOIS.	
Chicago post-office.....	6,064,764.10
Custom-house alone cost.....	5,874,491.00
	11,939,255.10
LOUISIANA.	
New Orleans custom-house.....	4,278,392.05
Marine hospital.....	529,810.00
	4,808,202.05
MASSACHUSETTS.	
Boston post-office.....	5,994,083.00
NEW YORK.	
New York custom-house.....	9,311,567.96
New York post-office, near.....	10,000,000.00
	19,311,567.96
PENNSYLVANIA.	
Philadelphia post-office.....	5,191,854.00

At the risk of repeating myself, I will say that while the foregoing figures include all the appropriations for public buildings in California, save the United States mint, to the date named, it does not in the States subsequently mentioned, as there have been erected in them numerous buildings not specified and a number of them involving large expenditures of public moneys. I have simply used those that I deemed sufficient to demonstrate that there has been no discrimination in favor of California, but to the contrary.

I find that the money expended in nine States, with a less mileage of seacoast than that of California, on rivers and harbors, from 1789 to 1892, amounted to \$42,090,765.60; whereas in the State of California for all the time up to 1882 there was appropriated for these purposes \$1,493,428.58, and since that time \$2,365,324.00, amounting to \$3,858,752.58, or less than 10 per cent of the appropriations for the States above mentioned, as will be seen by the following statement, which I submit:

*Money expended on rivers and harbors from 1789 to 1892.*

Maine, to 1882.....	\$1,404,889.26	
Maine, to 1892.....	1,076,813.60	
		\$2,481,702.86
Massachusetts, to 1882.....	2,928,779.88	
Massachusetts, to 1892.....	1,736,614.00	
		4,665,393.88
New Jersey, to 1882.....	987,496.58	
New Jersey, to 1892.....	1,362,183.00	
		2,349,679.58
New York, to 1882.....	9,539,973.95	
New York, to 1892.....	6,579,683.00	
		16,119,656.95
Rhode Island, to 1882.....	733,613.05	
Rhode Island, to 1892.....	851,917.00	
		1,585,530.05
Connecticut, to 1882.....	1,527,448.57	
Connecticut, to 1892.....	1,036,614.00	
		2,564,062.57
Delaware, to 1882.....	3,043,636.20	
Delaware, to 1892.....	757,419.00	
		3,801,055.20
Pennsylvania, to 1882.....	1,067,101.30	
Pennsylvania, to 1892.....	2,167,674.00	
		3,234,775.30
Maryland, to 1882.....	1,485,769.70	
Maryland, to 1892.....	3,723,498.00	
		5,209,267.70
		42,090,765.60
California, to 1882.....	1,493,428.58	
California, to 1892.....	2,365,324.00	
		3,858,752.58

I find also that in the appropriations for the harbor of Galveston, in Texas, there was appropriated \$4,068,218, or more than the entire appropriations for the State of California, including both rivers and harbors.

*Texas:* Galveston Harbor (alone), \$4,068,218. (More than the entire appropriations for the State of California, including both rivers and harbors.)

I also find that the appropriations for the Mississippi River from 1881 to 1891 were as follows:

*Appropriations for the Mississippi River, 1881-1891.*

1881.....	\$360,860.02
1882.....	2,142,955.60
1883.....	4,420,300.55
1884.....	2,517,480.79
1885.....	2,831,580.73
1886.....	423,563.29
1887.....	1,460,721.64
1888.....	\$1,608,004.67
1889.....	2,436,312.67
1890.....	2,809,692.76
1891.....	2,804,689.00
	24,436,294.72

Total amount expended during the same period on the rivers in California, \$726,736; less than 3 per cent.

*Light-house appropriations made during the Fifty-first Congress.*

1890.....	\$1,017,100.00
1891.....	449,400.00
	1,467,500.00
1890—California.....	250.00
1891—California.....	30,000.00
	30,250.00

Or 2.06 per cent of the total, including a seacoast of nearly 1,000 miles.

*For fortifications and buildings for military posts for sixteen years ending 1889.*

Atlantic and Missouri Divisions.....	\$30,501,769.37
Pacific Division.....	904,748.72
	21,496,518.09
	Per cent.
Atlantic and Missouri.....	95.79
Pacific.....	4.21
	100.00

The area of the Pacific Division is one-third that of the United States, 1,291,475 square miles, and there is not a protected harbor in 1,400 miles of coast.

I also find that from 1881 to 1891 California has paid into the Treasury of the United States nearly \$118,000,000, as will be seen by the following statement.

*Total receipts from customs and internal revenue paid into the United States Treasury from 1881 to 1892 by the State of California.*

1881.....	\$9,940,823.94
1882.....	12,093,828.75
1883.....	14,426,510.44
1884.....	10,443,198.05
1885.....	9,200,881.83
1886.....	8,033,961.13
1887.....	8,945,204.44
1888.....	11,651,280.85
1889.....	12,502,419.62
1890.....	10,518,209.67
1891.....	10,098,394.60
	117,957,015.82

This amounts to nearly ten and three-fourths millions per annum. One-half of the last year's payment, or 4½ per cent of the eleven years' payments, would be more than enough to pay for all the public buildings which California has asked for.

Mr. President, it is not my intention to take up the time of the Senate to discuss the merits of the bills which led to the remarks of the Senator from New Jersey. There will be time enough for that when the respective bills shall be under consideration by the Senate; but I will say that appropriations should be and usually are made for the necessities of the Government and for the benefit of the people at large. The nation has wealth enough to distribute in such shape as will be of advantage to the commercial interests of the country. I have instanced the case of Galveston and the Mississippi River, with no invidious purpose whatsoever, for I believe that these appropriations were wise. No Senator, I think, will contend that the preservation of that great valley and its great water ways for commercial purposes and to prevent a monopoly of transportation was unwise or that the great State of Texas and the commerce which goes to it should not be entitled to aid and to the advantages of a harbor which will let the products of that country out to the sea and to the world. Sir, in my opinion the amount of appropriations or the especial point or place of expenditure is measurably of less consequence than that the emergencies and necessities

to confer are of opinion that the language employed by the Senator from Wisconsin improves the clearness of the bill.

Mr. DOLPH. Let the amendments be read, and then the sense of the Senate can be taken on them in their order. Perhaps the Senator from Wisconsin does not understand that it is necessary to move the amendments; that they cannot be brought before the Senate without a motion.

Mr. VILAS. I was about to address the Chair for that purpose. If it be in order, I will move the amendments as they have been printed, calling attention to a correction which is necessary to be made to the second amendment, at the foot of the first page of amendments as printed, by striking out lines 10 and 11, so that the second amendment will read:

And, in case it be so determined, to bar and foreclose all claim in law or equity on the part of said La Abra Silver Mining Company, its legal representatives or assigns, to the money, or any such part thereof, received from the Republic of Mexico for or on account of such award.

The fourth amendment I will move as printed, except to strike out the words, in line 21, "as was made upon the claim of said company." Those words I omit upon the suggestion of the Senator from Oregon. I understand that the amendments have received the approbation of those members of the committee who have been consulted in respect to them.

Mr. DOLPH. Let the amendments be stated in their order.

Mr. MORGAN. Yes, let the amendments be reported and considered in their order.

The VICE-PRESIDENT. The amendments will be read and considered in their order. The first amendment moved by the Senator from Wisconsin will be stated.

The CHIEF CLERK. In section 1, line 13, it is proposed to strike out the word "or," where it occurs between the words "fraud" and "false," and insert in lieu thereof the words "effected by means of," so as to read:

And all persons making any claim to the award or any part thereof in this act mentioned, to determine whether the award made by the United States and Mexican Mixed Commission in respect to the claim of the said La Abra Silver Mining Company was obtained, as to the whole sum included therein or as to any part thereof, by fraud effected by means of false swearing or other false and fraudulent practices, etc.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. The next amendment in order will be stated.

The CHIEF CLERK. It is proposed, in section 1, line 15, after the word "assigns," to insert the following:

And, in case it be so determined, to bar and foreclose all claim in law or equity on the part of said La Abra Silver Mining Company, its legal representatives or assigns, to the money, or any such part thereof, received from the Republic of Mexico for or on account of such award.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was agreed to.

The VICE-PRESIDENT. The next amendment will be stated.

The CHIEF CLERK. In section 4, line 4, it is proposed to strike out the words "based upon or," and also in the same line strike out the word "or," where it occurs between the words "fraud" and "false," and insert in lieu thereof the words "effected by means of;" so as to read:

That in case it shall be finally adjudged in said cause that the award made by said Mixed Commission, so far as it relates to the claim of La Abra Silver Mining Company, was obtained through fraud effected by means of false swearing or other false and fraudulent practices of said company or its assigns, or by their procurement, the President of the United States is hereby authorized to release the Government of Mexico, etc.

Mr. CHILTON. Mr. President—

Mr. MORGAN. Before the Senator from Texas proceeds, I desire to move to strike out the words following the word "to," in line 7 of section 4, on page 4, being the words "release the Government of Mexico from the further payment thereof, to the extent that the same is so declared fraudulent, and to;" so as to read:

The President of the United States is hereby authorized to return to said Government any money paid by the Government of Mexico on account of said award, etc.

Mr. PLATT. It has all been paid?

Mr. MORGAN. It has all been paid up. I move that as an amendment to the amendment of the Senator from Wisconsin.

Mr. CHILTON. By consent of the Senator from Alabama, who has charge of the bill, in view of the action which has been taken upon the motion to strike out the clause providing for an appeal, and in order to cover any contingency which might arise if all the sections of this proposed law were held to be interdependent, I propose an amendment to the amendment which has been made. In section 5, line 25, after the words "and in case it shall be finally adjudged in said cause," I move to insert:

Either in the Court of Claims or in the Supreme Court of the United States.

The VICE-PRESIDENT. The Chair will call the attention of the Senator from Texas to the fact that the amendment proposed to section 4 has not yet been acted upon, and that is first in order.

Mr. GEORGE. I should like to inquire if the vote has been taken upon the amendment of the Senator from Massachusetts to strike out the third section?

The VICE-PRESIDENT. It has been taken.

Mr. GEORGE. The third section has been stricken out?

The VICE-PRESIDENT. The amendment was not agreed to. The pending question is on the amendment proposed by the Senator from Alabama to the amendment of the Senator from Wisconsin.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE-PRESIDENT. The amendment proposed by the Senator from Texas is now in order.

Mr. CHILTON. I move after the words "shall be finally adjudged in said cause" to insert "either in the Court of Claims or in the Supreme Court of the United States."

Mr. DOLPH. I should like to suggest to the Senator from Texas that that would be a little equivocal. Suppose it should be adjudged in the Court of Claims that the award was fraudulent and on appeal to the Supreme Court it was reversed, then the Secretary of State would undertake to return the money in the face of a judgment of the Supreme Court of the United States.

Mr. CHILTON. It is to be finally adjudged, the Senator will understand. The words I propose to insert are used in connection with the preceding language.

The VICE-PRESIDENT. The amendment submitted by the Senator from Wisconsin to the fourth section is first in order, and will be stated.

The CHIEF CLERK. In section 1, line 6, after the word "procurement," it is proposed to insert the words:

And that the said La Abra Silver Mining Company, its legal representatives or assigns, be barred and foreclosed of all claim to the money or any part thereof so paid by the Republic of Mexico for or on account of such award.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Wisconsin to the fourth section of the bill.

The amendment was agreed to.

Mr. DOLPH. Now let the amendment of the Senator from Texas be stated.

The VICE-PRESIDENT. The amendment of the Senator from Texas is in order as an amendment to the amendment of the Senator from Wisconsin to the fifth section of the bill. The amendment of the Senator from Wisconsin will be stated.

The CHIEF CLERK. In section 5 it is proposed to strike out from and including the words "and in case said court" to the end of the section, and insert in lieu thereof the words:

And in case it shall be finally adjudged in said cause that the award made by said Mixed Commission, so far as it relates to the claim of La Abra Silver Mining Company, or any definable and severable part thereof, was not obtained through fraud as aforesaid, then the Secretary of State shall proceed to distribute so much of the said award as shall be found not so obtained through fraud, or the proceeds thereof remaining for distribution, if any, to the persons entitled thereto.

Mr. CHILTON. I move to amend the amendment by inserting after the words "finally adjudged in said cause," in line 25, the words:

Either in the Court of Claims or in the Supreme Court of the United States.

So as to read:

And in case it shall be finally adjudged in said cause, either in the Court of Claims or in the Supreme Court of the United States, that the award made by said Mixed Commission, so far as it relates to the claim of La Abra Silver Mining Company, or any definable and severable part thereof, was not obtained through fraud as aforesaid, then the Secretary of State shall proceed to distribute so much of the said award as shall be found not so obtained through fraud, or the proceeds thereof remaining for distribution, if any, to the persons entitled thereto.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE-PRESIDENT. If there are no further amendments as in Committee of the Whole the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The VICE-PRESIDENT. The question is, Shall the bill pass?

Mr. VANCE. Let us have the yeas and nays upon the passage of the bill.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. I do not know how he would vote, but if he were present I should vote "nay."

Mr. DAWES (when Mr. HOAR's name was called). My colleague [Mr. HOAR] is detained from the Senate by sickness, and is paired with the Senator from Alabama [Mr. PUGH], who is also

detained by sickness. I do not know how either of them would vote.

Mr. MORGAN. My colleague [Mr. PUGH] is paired with the Senator from Virginia [Mr. DANIEL], but the Senator from Virginia voted "yea," as my colleague would have voted, and therefore the pair stands with the Senator from Massachusetts.

Mr. DAWES. My colleague did not intimate how he would vote; but he is detained on account of sickness.

Mr. KENNA (when his name was called). I am paired on all questions with the Senator from Colorado [Mr. WOLCOTT].

Mr. MITCHELL (when his name was called). I have a general pair with the junior Senator from New York [Mr. HILL]. I suppose this is not a political question, and I should be glad to vote.

Mr. FAULKNER and others [to Mr. MITCHELL]. You can vote.

Mr. MITCHELL. I vote "yea."

Mr. TURPIE (when his name was called). I am paired with the senior Senator from Minnesota [Mr. DAVIS], who is absent, and therefore I withhold my vote.

Mr. WALTHALL (when his name was called). I am paired with the Senator from Ohio [Mr. SHERMAN]. If he were here I should vote "yea."

The roll call was concluded.

Mr. CULLOM. I have a general pair with the Senator from Delaware [Mr. GRAY]. I therefore withhold my vote. I should vote "yea" if he were present.

Mr. BUTLER. I am paired with the Senator from Indiana [Mr. VOORHEES]. If he were present I should vote "yea," and I understand he would vote "nay."

Mr. ALLISON (after having voted in the affirmative). I have a pair usually with the Senator from Missouri [Mr. COCKRELL]. I do not see him in his seat, and therefore, having voted in the affirmative, I will withdraw my vote.

Mr. FRYE. I have a general pair with the senior Senator from Maryland [Mr. GORMAN]; but I feel at liberty in this case to vote, and I vote "yea."

Mr. ALLEN (after having voted in the affirmative). I should have announced, before voting, that I have a pair with the Senator from Tennessee [Mr. BATE], who was necessarily called from the Chamber. Before going out, however, he gave me the privilege of voting if I saw fit.

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN]. If he were present I should vote "yea."

Mr. PLATT. I have a pair with the Senator from Virginia [Mr. BARBOUR]. If he were present I should vote "yea."

The result was announced—yeas 43, nays 5; as follows:

## YEAS—43.

Allen,	Dawes,	Irby,	Poer,
Berry,	Dixon,	Jones, Ark.	Proctor,
Call,	Dolph,	Kyle,	Ransom,
Cameron,	Frye,	McMillan,	Sawyer,
Carey,	Gallinger,	McPherson,	Stockbridge,
Casey,	Gibson, La.	Mitchell,	Teller,
Chandler,	Gordon,	Morgan,	Vilas,
Chilton,	Hale,	Morrill,	Washburn,
Coke,	Harris,	Paddock,	White,
Colquitt,	Hawley,	Palmer,	Wilson,
Daniel,	Hiscock,	Pasco,	

## NAYS—5.

George,	Power,	Vance,	Vest
Higgins,			

## NOT VOTING—40.

Aldrich,	Cullom,	Hoar,	Sherman,
Albion,	Davis,	Jones, Nev.	Shoup,
Barbour,	Dubois,	Kenma,	Squire,
Bate,	Faulkner,	Manderson,	Stanford,
Blackburn,	Felton,	Perrins,	Stewart,
Blodgett,	Gibson, Md.	Pettigrew,	Turpie,
Brice,	Gorman,	Platt,	Voorhees,
Butler,	Gray,	Pugh,	Walthall,
Carlisle,	Hansbrough,	Quay,	Warren,
Cockrell,	Hill,	Sanders,	Wolcott,

So the bill was passed.

The VICE-PRESIDENT. The question is on agreeing to the preamble.

The preamble was agreed to.

The VICE-PRESIDENT. By unanimous consent Senate bill 606 was agreed to be taken up upon the conclusion of the bill just passed.

The Senator, as in Committee of the Whole, proposed to consider the bill (S. 606) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards under the convention between the United States of America and the Republic of Mexico," concluded on the 4th day of July, 1878.

Mr. MORGAN. I have some amendments to offer to the bill. In line 12, of section 1, I move to strike out the word "or," where

it occurs the second time in that line, between the words "fraud" and "false," and to insert "effected by means of;" so as to read:

Or as to any part thereof, by fraud effected by means of false swearing, or other false and fraudulent practices.

The amendment was agreed to.

Mr. MORGAN. In line 14 of the same section, I move to insert after the word "assigns"—

Mr. VILAS. If the Senator from Alabama will permit me, I will state that those amendments to the bill have been already printed.

Mr. MORGAN. I have them in print here. I move to insert after the word "assigns" the following:

And, in case it be so determined, to bar and foreclose all claim in law or equity on the part of said Weil, his legal representatives or assigns, to the money, or any such part thereof, received from the Republic of Mexico for or on account of such award as was made by said Mexican Mixed Commission upon the said claim.

Mr. VILAS. I call the attention of the Senator from Alabama to the fact that those last words, "was made by said Mexican Mixed Commission upon the said claim," were omitted from the provisions of the other bill as being perhaps somewhat misdescriptive.

Mr. MORGAN. I will modify the amendment by striking out the words indicated by the Senator from Wisconsin.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Alabama, as modified.

The amendment was agreed to.

Mr. MORGAN. In section 4, lines 3 and 4, I move to strike out the words "based upon or obtained through," and after the word "fraud," in line 4, to strike out the word "or" and insert "effected by means of;" so as to read:

That in case it shall be finally adjudged in said cause that the award made by said Mixed Commission, so far as it relates to the claim of Benjamin Weil, was effected by means of fraud, false swearing, or other false and fraudulent practices of said Benjamin Weil, or his assigns, etc.

The amendment was agreed to.

Mr. MORGAN. In section 4, line 6, after the word "procurement," I move to insert:

And that the said Weil, his legal representatives or assigns, be barred and foreclosed of all claim to the money or any part thereof so paid by the Republic of Mexico for or on account of such award as was made upon the claim of said Weil.

Mr. VILAS. I again call the attention of the Senator from Alabama to the fact that in the La Abra bill the similar amendment stopped at the words "such awards," and that the subsequent words were omitted.

Mr. MORGAN. I remember that now, and I will modify my amendment according to the suggestion of the Senator from Wisconsin.

The VICE-PRESIDENT. The amendment will stated as modified.

The CHIEF CLERK. In section 4, line 6, after the word "procurement," it is proposed to insert:

And that the said Weil, his legal representatives or assigns, be barred and foreclosed of all claim to the money or any part thereof so paid by the Republic of Mexico for or on account of such award.

The amendment was agreed to.

Mr. MORGAN. In section 4, line 7, after the word "to," I move to strike out the words "release the Government of Mexico from the further payment thereof to the extent that the same is so declared fraudulent, and to;" so as to read:

The President of the United States is hereby authorized to return to said Government any money paid by the Government of Mexico on account of said award remaining in the custody of the United States.

The amendment was agreed to.

Mr. MORGAN. I will ask the Senator from Wisconsin and the Senator from Texas if they will offer the amendment to the first part of section 4 in the form in which it was adopted on the preceding bill.

Mr. CHILTON. In section 4, line 2, after the word "cause," the first word in the line, I move to insert:

Either in the Court of Claims or in the Supreme Court of the United States.

So as to read:

That in case that it shall be finally adjudged in said cause, either in the Court of Claims or in the Supreme Court of the United States, that the award made by said Mixed Commission, so far as it relates to the claim of Benjamin Weil, etc.

The VICE-PRESIDENT. The question is on agreeing to the amendment moved by the Senator from Texas.

The amendment was agreed to.

Mr. CHILTON. The same clause should be inserted in the amendment offered by the Senator from Wisconsin, I understand.

Mr. MORGAN. I suggest to the Senator from Texas that that is hardly necessary, after having expressed it once in the section.

Mr. CHILTON. I presume not, only the other clause refers to the negative, that the decree was not obtained by fraud.

Mr. MORGAN. If I can have the ear of the Senator from

The amendment was agreed to.  
The resolution as amended was agreed to.

#### MISSISSIPPI RIVER BRIDGE AT SOUTH ST. PAUL.

Mr. WASHBURN. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 217) to amend an act entitled "An act for the construction of a railroad and wagon bridge across the Mississippi River at South St. Paul, Minn.," approved April 26, 1890. I ask unanimous consent for the present consideration of the bill.

Mr. COCKRELL. Let it be read for information.

Mr. WASHBURN. I will simply state that it is the amendment of an act passed in the last Congress for the construction of a bridge at South St. Paul, changing the location from one section to another and extending the time. The bill has passed the other House, and the report of the House committee accompanies the bill with the confirmation of the War Department. As the time expires very shortly, it is desirable that the bill shall be passed promptly.

The VICE-PRESIDENT. The bill will be read for information.

The Chief Clerk read the bill, and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. WASHBURN. I ask for the reading of the report of the House committee.

The VICE-PRESIDENT. The report will be read.

The Chief Clerk read as follows:

Mr. LIND, from the Committee on Interstate and Foreign Commerce, submitted the following report (to accompany H. R. 217):

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H. R. 217) to amend an act entitled "An act for the construction of a railroad and wagon bridge across the Mississippi River at South St. Paul, Minn.," approved April 26, 1890, submit the following report:

The only effect of this amendment is to extend the time for the commencement and completion of the bridge authorized by the act, and to change its location from points in section 10 to section 2 in the same town and range, less than 1 mile.

The United States Engineer Department reports that there is no objection to the passage of the bill.

Your committee therefore recommends that it do pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### SENATOR FROM IDAHO.

Mr. MITCHELL. In the matter of the contest initiated by Mr. William H. Clagett, involving a right to a seat in the Senate for the full term commencing March 4, 1891, now occupied by Senator Fred. T. Dubois, the Committee on Privileges and Elections have instructed me to submit a report. Accompanying the report, as a part of it, I am instructed to present two resolutions, numbered respectively 1 and 2, and to recommend their adoption.

I ask that the report and the resolutions may lie on the table for the present and that they be printed. I ask, however, that the resolutions be read at this time, and I give notice that at a very early date I shall call the matter up for consideration.

The VICE-PRESIDENT. The resolutions will be read.

The Chief Clerk read the resolutions, as follows:

1. *Resolved*, That Fred. T. Dubois is entitled to retain the seat he now holds as Senator from the State of Idaho for the full term commencing March 4, 1891.
2. *Resolved*, That William H. Clagett is not entitled to be admitted to a seat in the Senate from the State of Idaho for the term commencing March 4, A. D. 1891.

Mr. VANCE. I wish to have the resolutions lie on the table for a day or two, as there will be a minority report submitted as to the right of Mr. Dubois to the seat.

Mr. MITCHELL. That is satisfactory; and I ask when the views of the minority are submitted that they be printed in connection with the report of the committee.

The VICE-PRESIDENT. It will be so ordered.

#### BILLS INTRODUCED.

Mr. HALE introduced a bill (S. 2002) for the erection of a public building at Biddeford, York County, Me.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. FAULKNER (by request) introduced a bill (S. 2003) to incorporate the Washington Central Street Railway Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. KENNA introduced a bill (S. 2004) granting a pension to Mary Clare Kelly; which was read twice by its title, and referred to the Committee on Pensions.

Mr. JONES of Arkansas (by request) introduced a bill (S. 2005) to pension Alexander Mackey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. VILAS (by request) introduced a bill (S. 2006) for the relief of Samuel G. Cabell; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUAY introduced a bill (S. 2007) for a public building at Altoona, Pa., and appropriating money therefor; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2008) granting an increase of pension to J. C. Barker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2009) granting an increase of pension to Marie A. Birney; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 2010) granting an increase of pension to William H. Riland; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HAWLEY introduced a bill (S. 2011) for the relief of Eugene A. Baneroff; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PLATT introduced a bill (S. 2012) to correct the military record of Jesse H. Sprague; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SHEPHERD introduced a bill (S. 2013) to grant arrears of pensions in certain cases; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2014) granting a pension to M. E. Wood; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McMICHAEL introduced a bill (S. 2015) to amend the act incorporating the Washington and Georgetown Railroad Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. COCKRELL introduced a bill (S. 2016) for the relief of Jacob Swafford; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2017) granting a pension to Gabriella P. Moody; which was read twice by its title.

Mr. COCKRELL. I desire, in connection with the bill, to present a petition, numerously signed, the discharge of her son, Elish Estes, and two letters from the Pension Office. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. VOORHEES introduced a bill (S. 2018) granting a pension to Mary E. Law, widow of Capt. Richard L. Law, United States Navy; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DAWES introduced a bill (S. 2019) for the relief of Horace Brown, alias Magruder; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2020) to remove the charge of desertion now standing against Michael Keefe, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CALL introduced a bill (S. 2021) granting the right and authority to the Mexican Gulf, Pacific and Puget Sound Railroad Company, a company organized under the laws of the States of Florida and Alabama, to build one bridge over each of the following-named rivers in the State of Alabama, viz: The Alabama River, the Warrior River, the Sipsey River, and the Tennessee River; the said bridges to be used, operated for, and in behalf of the said Mexican Gulf, Pacific and Puget Sound Railroad Company to carry freight and passengers by rail and otherwise; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2022) granting the right of way to the Mexican Gulf, Pacific and Puget Sound Railroad Company over and through the public lands of the United States in the States of Florida, Alabama, Mississippi, and Tennessee, and granting the right of way to said railroad company over and through the United States naval and military reservations near Pensacola, in the State of Florida; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. DANIEL introduced a bill (S. 2023) to authorize the Norfolk and Western Railroad Company of Virginia to extend its line of road into and within the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PETTIGREW introduced a bill (S. 2024) authorizing the President to appoint and retire John W. Hines with the rank and grade of second lieutenant; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MANDERSON introduced a bill (S. 2025) granting an increase of pension to Nathaniel P. Dodge; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. TURPIE (by request) introduced a bill (S. 2026) for the re-



lief of Mary Stuart Lasselle; which was read twice by its title, and, with accompanying papers, referred to the Committee on Claims.

Mr. VANCE introduced a bill (S. 2027) to repeal all acts and part of acts discriminating in taxation against the circulating notes of State banks and State banking associations; which was read twice by its title, and referred to the Committee on Finance.

Mr. CAREY introduced a bill (S. 2028) for the erection of a reformatory and house of detention for women charged with and convicted of crimes and misdemeanors in the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PERKINS introduced a bill (S. 2029) to provide for the sale of surplus or unallotted lands of the western Miami Indians of the Indian Territory; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PALMER introduced a joint resolution (S. R. 37) proposing an amendment to the Constitution of the United States, relating to the election of Senators by the people; which was read twice by its title.

Mr. PALMER. I ask that the joint resolution lie upon the table, as I propose at some convenient day to address the Senate on the subject.

The VICE-PRESIDENT. The joint resolution will lie on the table.

#### PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. PROCTOR, it was

*Ordered*, That the petition and papers in the case of Mary A. Sands betaken from the files of the Secretary of the Senate and referred to the Committee on Pensions.

On motion of Mr. TELLER, it was

*Ordered*, That Mrs. Mary Jewett Telford have leave to withdraw the papers filed by her with the Committee on Pensions.

#### PRINTING OF INTERNATIONAL MARINE CONFERENCE BILL AND REPORT.

Mr. FRYE. I ask for the present consideration of the order which I send to the desk.

The order was read, as follows:

*Ordered*, That there be printed for the use of the Senate 300 additional copies of Senate bill 1755, to amend certain sections of Title LII of the Revised Statutes of the United States, and to carry into effect certain recommendations of the United States delegates to the International Marine Conference, and the report accompanying the same.

Mr. FRYE. I will simply say that the number printed before has been entirely exhausted.

Mr. MANDERSON. The proposed order includes not only the bill, but the report?

Mr. FRYE. It includes the bill and report.

Mr. MANDERSON. Is the Senator aware whether the cost will be less than \$500?

Mr. FRYE. It will surely be less than \$500, I should think.

Mr. MANDERSON. I have no objection to the order, except that I feared it might infringe the law.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent, and agreed to.

#### PERSONAL EXPLANATION.

Mr. VOORHEES. Mr. President, I hope that the Senate will indulge me a few moments in a matter personal to myself. I ask the Chief Clerk to read the matter marked in the Philadelphia Press of last Saturday, which I send to the desk. Read the headlines and the matter that is there marked.

The VICE-PRESIDENT. The matter will be read.

The Chief Clerk read as follows:

[Philadelphia Press, Saturday, January 30, 1892.]

WASHINGTON—THE SENATE WASTING TIME IN OBEDIENCE TO SENATORIAL COURTESY—MR. VOORHEES FAILS TO SUSTAIN HIS CHARGES—HIS SCHEME TO DEFEAT JUDGE WOODS'S NOMINATION NOT SUPPORTED BY THE REPUBLICANS HE HAD COUNTED UPON.

[Special dispatch to the Press.]

WASHINGTON, January 29.

The Senate Judiciary Committee wasted another session to-day, out of "Senatorial courtesy" to Senator VOORHEES of Indiana. The time was taken up in the examination of witnesses brought on here from the Hoosier State to prove that Judge Woods, nominated by President Harrison for the circuit bench, was a scoundrel because he had sent Sam Coy, the Democratic heeler and repeater, to prison, and had not sustained trumped-up charges against Col. W. W. Dudley. Not a single fact was proven. "Senatorial courtesy" was again exercised by adjourning until Monday, without action, in order that VOORHEES may have two more witnesses here. It is not at all certain that the witnesses will be here, but it is tolerably certain that if they come they will have nothing to add to the useless testimony of those already examined.

The committee will undoubtedly take up their judicial nominations on Monday and report them favorably. Not a Republican will vote against the confirmation of Judge Woods. The opposition of Senators VOORHEES and TRIPLE has been a mere farce, and illustrates to what ridiculous lengths that indefinite quality, "Senatorial courtesy," will go. A whole month has been wasted simply because VOORHEES was not in the city, and it would have been contrary to "Senatorial courtesy" to consider the case until he got back. Witnesses were summoned whose fees and mileage will amount to about \$600.

The attempt of Senator VOORHEES to form a coalition with the Republicans was a flat failure. He knew that some of the Republicans like QUAY, CAMERON, and HIGGINS were opposed to the nomination of George M. Dallas, and he made the proposition that if these disgruntled Republicans would induce enough of their party to aid the Democrats in defeating Judge Woods's nomination, the Democrats would reciprocate and aid in defeating Dallas. The plan would not work, however, and it is now reasonably certain that all the nominations will be confirmed next Monday without a dissenting vote among the Republicans.

Mr. VOORHEES. Mr. President, on the subject of the Senatorial courtesy which prevails in this body I have nothing to say, and nothing need be said. Senatorial courtesy, sneered at by blackguards and scurrilous people, is simply, I believe, the decencies of life which obtain among gentlemen. Some of this courtesy has been extended to me by the Committee on the Judiciary, for which I make my profound acknowledgments, but for not more than a week or ten days at the outside.

I have nothing either at this time to say about the case of Judge Woods. It is still under investigation; witnesses are yet to be examined; and how this newspaper man knows what the decision of that committee will be passes my understanding.

My principal object, however, in having the article read to which we have listened relates to the last paragraph. In the last paragraph the statement is made explicitly and unqualifiedly that I made a proposition to certain Senators, naming Senator QUAY of Pennsylvania, Senator CAMERON of the same State, and Senator HIGGINS of Delaware, that for their assistance in the defeat of the confirmation of Judge Woods, now here as an appointee for one of the United States circuit judgeships, I was in favor of joining in a movement on this side of the Chamber to defeat Judge Dallas, of Philadelphia.

A grosser lie than this statement would hardly be possible for his satanic majesty to conceive. Such a word or thought or suggestion, of course, has never emanated from my lips. On the contrary, had as I think the appointment of Judge Woods, improper and unfit as I conceive and know him to be for a judicial position, I would feel myself dishonored and disgraced beyond redemption to receive a suggestion, let alone to make one, to defeat an honest, upright, and competent man like Judge Dallas for the sake of getting clear of him.

If there are Senators in this body, those named or anybody else, who can say they have ever heard from me a single suggestion or thought of such a corrupt combination, I want that statement to be made now. If I were capable of making such a suggestion I should be a proper subject for expulsion from this body; and the miserable falsifier and scoundrel who makes such an accusation from that gallery ought to be expelled from the privileges of the Senate.

I call the attention of the Committee on Rules to this as one of the most flagrant outrages that have occurred in the long years that I have been a member of this body. I shall offer no resolution on the subject, for it is personal to myself, but it does create a question in every mind of how long and how much we are to stand of this kind of business.

I see that some men were yesterday put in prison by a court in a neighboring State for libeling a member of this body, and if the same rule and with the same severity were put in operation against a correspondent capable of concocting and publishing such a calumny as we have here, it would be better for public morals and better for the decencies and order of this country.

I simply wanted to brand this miserable creation of a dishonest heart and brain as I have, and with that I am done.

Mr. CAMERON. Mr. President, I had not read the article in the Philadelphia Press, for I scarcely ever read that paper, but I can say that, so far as my name is connected with it, it is a lie from beginning to end. The Senator from Indiana [Mr. VOORHEES] never spoke to me upon the subject of the judgeship, or as to the confirmation of Judge Woods or as to the rejection of Mr. Dallas.

Mr. QUAY. I desire merely to add to what my colleague has said my own statement of the absolute falsity of the charge made in relation to the alleged combination said to have been made between the Senator from Indiana [Mr. VOORHEES] and the Senators from Pennsylvania. It is utterly false and without any foundation. I have never heard of such a suggestion from the Senator from Indiana.

Instead of the senior Senator from Pennsylvania [Mr. CAMERON] and myself being willing or ready to enter into a combination of that kind, the fact is that we are both in favor, as I always have been in favor, of confirming the nomination of Mr. Dallas as judge.

Mr. HIGGINS. As disclaimers seem to be in order, Mr. President, I feel bound to say that there is no truth in the statement which has been read and no justification for its publication. I never heard a word from the Senator from Indiana or his colleague or any member of this body respecting any such subject whatever.

Mr. WILSON. I wish to say in behalf of the Committee on the

relating to Chinese," approved May 6, 1882," approved October 1, 1888 (by Mr. FELTON); and

A bill (S. 719) to absolutely prohibit the coming of Chinese persons into the United States, whether subjects of the Chinese Empire or otherwise (by Mr. MITCHELL).

Mr. PASCO, from the Committee on Claims, to whom was referred the bill (S. 798) for the relief of the legal representatives of John H. Jones and Thomas D. Harris, reported it with an amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 18) for the relief of Edward S. Armstrong, reported it without amendment, and submitted a report thereon.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 262) for the relief of Jabez Burchard, asked to be discharged from its further consideration and that it be referred to the Committee on Naval Affairs; which was agreed to.

Mr. MITCHELL. I am directed by the Committee on Claims, to whom was referred the bill (S. 177) for the relief of Hattie E. Winn, of West Carroll Parish, La., to report it adversely and recommend that it be indefinitely postponed. On examination we find that the claimants in this case have been paid the full amount of the claim in the bill.

The bill was postponed indefinitely.

Mr. MITCHELL. By direction of the Committee on Claims I report adversely the bill (S. 185) for the relief of Fanny B. Randolph and Dora L. Stark, of Avoyelles Parish, State of Louisiana, for stores and supplies taken by the military forces of the United States, and recommend its indefinite postponement.

I am further instructed, however, in the same case to report a resolution, accompanied by a written report, recommending that the case be referred to the Court of Claims.

The VICE-PRESIDENT. The bill being adversely reported will be indefinitely postponed.

Mr. MITCHELL. I ask that the resolution may be read and placed on the Calendar.

The VICE-PRESIDENT. The resolution will be read.

The resolution was read and ordered to be placed on the Calendar as follows:

*Resolved*, That the claim of Fanny B. Randolph and Dora L. Stark for stores and supplies taken by the military forces of the United States for their use during the war for the suppression of the rebellion be, and the same is hereby, referred, with all the papers in the case, to the Court of Claims under the provisions of the act of March 3, 1883, commonly known as the "Bowman act," as amended by the act of March 3, 1887, commonly known as the "Tucker act."

Mr. PETTIGREW, from the Committee on Public Lands, to whom was referred the bill (S. 695) to authorize the Secretary of the Interior to survey and mark the boundary between the State of Nebraska and that portion of the State of South Dakota which is embraced in the Pine Ridge and Rosebud Indian Reservations, reported it with amendments.

#### BILLS INTRODUCED.

Mr. COKE introduced a bill (S. 2030) for the relief of James Calvin Lipsecomb; which was read twice by its title, and referred to the Committee on Claims.

Mr. BLACKBURN introduced a bill (S. 2031) for the benefit of Richard H. Taylor; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 2032) to repeal the provisions of the act of Congress approved the 3d of March, 1891, entitled "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1891, and for prior years, and for other purposes," which provides for the forfeiture of the charter and the other rights of the Metropolitan Railroad Company of Washington, D. C.; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. DAWES (by request) introduced a bill (S. 2033) for the relief of the freedmen in the Chickasaw Nation, Indian Territory; which was read twice by its title, and, with the accompanying petition, referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2034) to provide for the care of dependent children in the District of Columbia, and to create a board of children's guardians; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. VANCE introduced a bill (S. 2035) to refund to property-holders on Pennsylvania avenue, between First and Fifteenth streets west, two-thirds of the assessment levied and paid under the act of Congress of July 8, 1870; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2036) for the relief of the heirs of R. D. Hay; which was read twice by its title, and referred to the Committee on Finance.

Mr. GALLINGER introduced a bill (S. 2037) to provide for the purchase of a site and the erection of a public building thereon at Keene, in the State of New Hampshire; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. SAWYER introduced a bill (S. 2038) construing the act of February 28, 1877, increasing the pensions in certain cases; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2039) granting a pension to Catharine W. Tennis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2040) granting an increase of pension to Fletcher S. Kidd; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SHERMAN introduced a bill (S. 2041) for the relief of W. H. Davis, first lieutenant, late Company H, Twenty-fifth Regiment Ohio Infantry Volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. QUAY introduced a bill (S. 2042) granting an increase of pension to Mrs. Helen G. Heimer; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BUTLER introduced a bill (S. 2043) for the relief of Carrie O. Wallace; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 2044) extending the privilege of bounty land to persons who served in the Indian wars of the United States subsequent to March 3, 1855; which was read twice by its title.

Mr. MITCHELL. I ask that the bill may be referred to the Committee on Public Lands.

Mr. DOLPH. I suggest to my colleague that I do not think the Committee on Public Lands has ever taken jurisdiction of that subject. The proper reference of the bill, I think, would be to the Committee on Military Affairs.

Mr. MITCHELL. I had some little question myself about that, and I am not quite certain to which committee it should be referred.

Mr. DOLPH. I should like to hear the title again read.

The Secretary read the title of the bill.

Mr. COCKRELL. That should go to the Committee on Military Affairs.

Mr. MITCHELL. Then I ask that the bill may be referred to the Committee on Military Affairs.

The VICE-PRESIDENT. The Chair is informed that similar bills have usually gone to the Committee on Pensions.

Mr. MITCHELL. Very well. Then I ask that the bill be referred to the Committee on Pensions.

The VICE-PRESIDENT. That order will be made.

Mr. McMILLAN introduced a bill (S. 2045) to provide for the rebuilding of the bridge across Rock Creek at M street northwest, in the District of Columbia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. CAMERON introduced a bill (S. 2046) to amend section 1417 of the Revised Statutes of the United States, in relation to the number of enlisted men in the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. VOORHEES introduced a bill (S. 2047) for the relief of the heirs and legal representatives of Bayless W. Hanna, deceased, late envoy extraordinary and minister plenipotentiary to the Argentine Republic; which was read twice by its title, and referred to the Committee on Claims.

Mr. MANDELSON (by request) introduced a joint resolution (S. R. 38) authorizing the publication of a history and digest of the international arbitrations to which the United States was a party; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Printing.

#### CLAIM OF ESTATE OF PRESTON ROSE.

Mr. COKE submitted the following resolution: which was referred to the Committee on Claims:

*Resolved*, That the claim of Mary A. Rose (widow), Kate Rose, Bettie Rose, Linda Rose, Wirt Rose, Frank Rose, and Eric Rose, children of Preston Rose, who died in 1890, testate, leaving his property to his widow and children, all of the State of Texas, said claim being for quartermaster and commissary stores and supplies, and other property alleged to have been taken and used by the United States Army during the late war from the plantation of said widow and children, at or near Victoria, in the county of Victoria and State of Texas, be referred to the Secretary of War, who shall investigate the justice and equity of said claim, and the loyalty of the claimants, and report the amount and value of the property taken and used by the said Army, and also what amount, if any, has been paid on the same, and that he report all the facts and evidence in the case for the further consideration of the Senate.

#### INDIAN SCHOOLS.

Mr. DAWES submitted the following resolution: which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Interior be directed to communicate to the Senate a copy of the report made by the Hampton Institute in response to the resolution of the Senate passed February 28, 1891.

## PURCHASE OF MONROE PAPERS.

Mr. CHANDLER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of State be requested to transmit to the Senate any information which may be within his possession concerning any existing unpublished correspondence and manuscripts of President James Monroe, with the opinion of the Secretary as to the expediency of the purchase of the same by the Government.

## PROHIBITION IN ALASKA.

Mr. DOLPH. Mr. President, a few days since I had occasion to make some remarks in regard to an article which I quoted from *The Voice*. I have since received a letter from Hon. John H. Keatley, of Sioux City, Iowa, who was at one time United States district judge of Alaska, which is full of information as to the condition of affairs there, an important subject, I think, for the consideration of the Senate, and in which he concurs in my views of the situation, and thinks that the license system there would accomplish something, whereas nothing is accomplished under existing law. I ask to make this letter a part of my present remarks that it may have full circulation and be seen by all Senators.

The VICE-PRESIDENT. The letter will be printed in the RECORD as part of the Senator's remarks, if there be no objection. The Chair hears none.

The letter is as follows:

SIOUX CITY, IOWA, January 30, 1892.

DEAR SIR: I have just carefully read your remarks in the Senate on the 26th instant, as published in the CONGRESSIONAL RECORD of the 27th instant, in reference to the regulation of the liquor traffic in Alaska.

As I was appointed United States judge of that district July 12, 1888, took the oath of office at Sitka August 25, 1888, and served until December 8, 1889, when my voluntary resignation took effect, and I was relieved by my successor. I perhaps know something about the troubles and difficulties in enforcing the prohibitory clause of the act of Congress approved May 14, 1884.

I was at Sitka when Collector Pracht, appointed by the present Administration, reached that place and assumed the duties of his appointment. As I understood it at the time, Mr. Pracht had had a conference with Mr. Windom, Secretary of the Treasury, before he left Washington for Alaska, and the Secretary expressed a strong desire that the regulations of the Department relating to the issuing of permits to introduce intoxicating liquors should be rigidly enforced.

Complaint had been made before that that Mr. Pracht's predecessor had been too liberal and indulgent in that respect, and a radical change was desired upon the part of the existing Administration. The consequence was that the collector practically denied all applications both at Sitka and through his deputies at other points. Not only that, whenever goods of that character were surreptitiously gotten ashore for saloon purposes, Mr. Pracht made vigilant search for the smuggled goods, and made seizures of the same, and condemnations quickly followed. I remember distinctly one instance where about \$500 worth of liquors (smuggled) were found in the loft of a saloon at Sitka, and were properly labeled, and upon a full hearing were condemned and ordered sold, under a decree which I made, as among the last of my official acts in Alaska. Watchmen of the utmost fidelity were placed by the collector in and about every mail steamer coming to Sitka, and during its stay of twenty-four hours, but owing to the fact that the natives (Indians) in their canoes came about the ship to barter with curios, etc., contraband liquors almost invariably found their way ashore, through the activity of seamen and roustabouts belonging to the steamers.

Under Governor Swinford, when I reached Alaska, in August, 1888, a system of saloon licensing was in practice. No case was ever made making it necessary for me to judicially pass upon the validity of that system of getting some revenue for the building of sidewalks at Sitka, which was the pretext, and the method of its expenditure, but in an informal and unofficial way, I expressed my opinion of the invalidity of the entire proceeding.

From the time of the arrival of Governor Knapp, in May, I think, 1889, until my departure early in December of the same year, I always understood that that system of issuing licenses had been abandoned.

As to the enforcing of the provisions of the act of May 14, 1884, and the general statutes of the United States, and the statutes of the State of Oregon, prohibiting both the sale or gift of intoxicating liquors to Indians, I made some observations. During the period of my official career no prosecutions were commenced, except in one or two minor instances, during November, 1888, to enforce the criminal provisions of the act of May 14, 1884, and those cases in that respect that I now recall in memory, were where several Indians, in two instances, one at Killisnoo, were detected in landing a bottle of whisky from the mail steamer.

Public sentiment in the Territory was strongly against either the sale or gift of intoxicating liquors to natives (Indians), and prosecutions before commissioners and in the district court were very frequent, and in few cases did the accused escape conviction and sentence. I do not now remember a single instance where a recognized saloon-keeper, at any of the towns and mining stations, were accused of this offense, except at Chitkat, or Pyramid Harbor, where there were no white people but the few in charge of the cannery. The most numerous violations were by individuals who are called, in the States, "boot-leggers."

The fact is that the recognized saloon-keepers (white men) were as persistent in enforcing the law against either selling or giving liquors to Indians as those who had no direct interest in the liquor business whatever.

To one who has lived on the frontier, and in contact with the Indian tribes and villages, the reason of that desire to prosecute and punish in such instances, is obvious. It is simply to guard against a danger common to all saloon-keeper and ordinary citizen, from such indiscriminate sale of this pernicious element in frontier society.

I do not hesitate to say that owing to the most peculiar topographical and geographical features of Alaska, with its numerous mountainous islands, its rugged and forbidding mainland, its infinite number of narrow straits and sounds, timbered to the very edge of the water, and with the whole of South-eastern Alaska, island and mainland, covered with a dense underbrush for hundreds of miles of coast line, and with every facility for smuggling and hiding, furnished by the bay trading posts in Northern British Columbia, it is practically impossible to arrest the illegal introduction of intoxicating liquors into our Alaska territory. If public sentiment were practically unanimous in favor of enforcing the law, which it is not by any means, there is no remedy, under existing conditions, in a prohibitory law, such as the act of May 14, 1884. A coast-guard of 5,000 men loyally attempting to do their whole duty could make it little better than it is now.

I believe far greater and more satisfactory results can be reached by an authorized license system, and this, in my opinion, would enlist every individual paying the license fee in the effort to rigidly enforce such a license system.

I shall be glad if you will see Senator JONES of Arkansas, who knows me well, and he will give you an idea of my general character.

Yours, respectfully,

JNO. H. KEATLEY.

Hon. J. N. DOLPH.

Senate Chamber, Washington, D. C.

## BUREAU OF AMERICAN REPUBLICS BULLETINS.

Mr. MANDERSON submitted the following concurrent resolution; which was referred to the Committee on Printing:

*Resolved*, by the Senate (the House of Representatives concurring therein), That there be printed 15,000 copies of the bulletins of the Bureau of American Republics submitted to Congress by the President in connection with the first annual report of that Bureau, of which number 4,000 shall be for the use of members of the Senate, 8,000 for the use of the Members and Delegates of the House of Representatives, and 3,000 for distribution under the direction of the Secretary of State.

## MARRIAGE AND DIVORCE.

Mr. KYLE. In pursuance of the notice given by me last Monday, I wish to call up the joint resolution (S. R. 29) proposing an amendment to the Constitution of the United States relating to marriage and divorce. I ask that the joint resolution be read.

The VICE-PRESIDENT. The joint resolution will be read.

The Chief Clerk read the joint resolution, as follows:

*Resolved* by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid as a part of the Constitution, namely:

## ARTICLE XVI.

"The Congress shall have exclusive power to regulate marriage and divorce in the several States, Territories, and the District of Columbia."

Mr. KYLE. Mr. President, it is with deference to long-established custom that I rise to address this honorable body. But my interest in the resolution under consideration, supported by the concern of a large body of our best citizenship for the perpetuity of the family, may answer for what appears to be an innovation.

How far it may be a custom in Congress to give attention to questions of this nature, and to what extent there may now be a willingness to consider a resolution of such importance, I know not.

But it is my belief, Mr. President, that we can well afford to turn from questions, such as claims and public buildings, to a subject which is eminently fitting to command the attention of our country's wisest and best minds. This is a proposition for an amendment to our national Constitution. In this there is nothing new or strange.

Since the framing of the Constitution fifteen amendments have been offered and adopted. But I venture the assertion that, as compared with those preceding, the proposed amendment stands preeminent as being of vital interest to the life of our Republic. Of the fifteen preceding amendments, ten were proposed by the First Congress in 1789, the eleventh in 1794, and the twelfth in 1803.

Many of these relate to the rights of citizens, and are, so to speak, the finishings of the Constitution. The last three adopted since 1865, relating to or growing out of the war, present the first real amendatory ideas not foreseen by the fathers of the Constitution. They refer to slavery, citizenship, and the electoral right, and are therefore of great moment. But the first institution given to mankind is greater than all questions touching subsequent rights between man and man. If the sacredness which has attached to marriage in the past is to be eliminated, the family is in peril, and the associate institutions of society rest upon insecure foundations.

It is not my purpose to-day to examine the moral side of the question, though I firmly believe in marriage as a moral institution. But from a secular standpoint and in the light of a civil contract, it is of vital interest to us that the sacredness of it be held inviolate. We have arrived at a period in the history of nations when problems of sociology supersede all others. Wars for conquest are practically ended. Governments are well defined and established. The eyes of nations are now turned from the external to the internal: from the objective to the subjective. Questions, such as crime in relation to society, confront us: temperance and society; the wage system and society; wealth and poverty in relation to society; education, charity, politics, and religion in the same relation. The basis of all sociological problems, however, is the family, and its preservation by proper laws regulating marriage and divorce. It is both moral and civil in its aspects; but being civil it is not divested of that which makes it a contract of a character different from others, and therefore demanding special legislative consideration. An eminent judge, Lord Bannatyne, says:

Though the origin of marriage is a contract, it is in a different situation from all others. It is a contract coeval with and essential to society, while



rollment act of 1863 who paid \$300 in money for substitutes; which was referred to the Committee on Military Affairs.

Mr. TURPIE presented a petition of Excelsior Assembly, No. 2672, Knights of Labor, of Washington, D. C., praying for an amendment of the Constitution of the United States, providing that Senators shall be chosen by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Excelsior Assembly, No. 2672, Knights of Labor, of Washington, D. C., praying for the passage of legislation which will prevent the immigration or importation of Chinese to the United States; which was referred to the Committee on Foreign Relations.

Mr. KYLE presented a petition of citizens of Black Hills, S. Dak., praying for the passage of a law prohibiting Chinese immigration or importation; which was referred to the Committee on Foreign Relations.

Mr. BRICE presented a petition of 37 ministers and 61 churches, representing 8,000 members of the Presbytery of Steubenville, Ohio, praying that any appropriation made for the World's Columbian Fair be on condition that the gates of the exposition shall not be opened to visitors on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented sundry petitions collected by the National Woman's Christian Temperance Union, signed by 321 citizens of Ohio, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of Summit Council, No. 19, Order of United American Mechanics, of Akron, Ohio, praying for the enactment of such laws as will prohibit the landing of any more emigrants in the United States unless such emigrants comply with certain requirements; which was referred to the Committee on Immigration.

Mr. FAULKNER presented the memorial of Katy Stuart, secretary, and 37 other members of the Young People's Society of Christian Endeavor of the Baptist Church of Clarksburg, W. Va., remonstrating against the opening of the World's Columbian Fair on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. QUAY presented a petition of the Young People's Union of Allegheny, Pa., praying for the closing of the World's Columbian Fair on Sunday, the prevention of the sale of liquor within its gates, and that the art department be managed according to the American standard of purity in art; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Methodist Episcopal Church of Elizabeth, Pa., praying that the World's Columbian Fair be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented sundry petitions collected by the National Woman's Christian Temperance Union, signed by 115 citizens of Pennsylvania, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented additional papers to accompany Senate bill 949, granting a pension to Julius M. Bates; which were referred to the Committee on Pensions.

Mr. KENNA presented a petition of the Young People's Society of Christian Endeavor of the Baptist Church of Clarksburg, W. Va., praying that the World's Columbian Fair be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. BLACKBURN presented the petition of James P. Hendrick and other citizens of Fleming County, Ky., praying for the ratification of the Brussels treaty looking to the suppression of the slave and rum traffic in the Congo Free State; which was ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. COKE, from the Committee on Commerce, to whom was referred the bill (S. 1646) making Laredo, Tex., a subport of entry, reported it without amendment.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 1644) authorizing the Continental Bridge Company to construct a bridge across the Rio Grande River at or near Brownsville, Tex., reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 1647) to authorize the Alabama Grand Trunk Railroad Company to bridge across the Tallapoosa and Coosa Rivers, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 442) to authorize the construction of a bridge across the

Missouri River at the city of Yankton, S. Dak., reported it with amendments.

Mr. WASHBURN, from the Committee on Commerce, to whom was referred the bill (S. 846) to authorize and regulate the construction of bridges across the Hudson River and the East River at the city of New York, and to prescribe the dimensions of the same, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 455) to authorize the New York and New Jersey Bridge Company to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey, reported adversely thereon, and the bill was postponed indefinitely.

Mr. FRYE subsequently said: There was a bill reported from the Committee on Commerce adversely authorizing the building of a bridge between New York and New Jersey and it was indefinitely postponed. The friends of the bill desire that that may be reconsidered and the bill placed on the Calendar with the adverse report. I have no objection.

The PRESIDENT *pro tempore*. There were two bills of that same description. Will the Senator designate the bill by number?

Mr. FRYE. It is Senate bill 455 for a bridge between New York and New Jersey. The other is a bill for a bridge between Brooklyn and New York.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee, if there be no objection, the action of the Senate by which it was indefinitely postponed being reconsidered, if there be no objection. It is so ordered.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 869) to provide an American register for the barge Sea Bird, of Perth Amboy, N. J., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1776) to constitute Newark, in the State of New Jersey, a port of immediate transportation, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1952) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first and seventh sections thereof to the port of St. Augustine, Fla., reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 1393) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first section thereof to the port of Fernandina, Fla., reported adversely thereon.

Mr. PASCO. I ask that that bill be placed on the Calendar with the adverse report of the committee.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 1516) granting the right to erect and maintain dams across the Kansas River, within Shawnee County, in the State of Kansas, reported adversely thereon, and the bill was postponed indefinitely.

Mr. ALLEN, from the Committee on Claims, to whom was referred the bill (S. 634) to authorize and direct the Secretary of War to investigate the claim made for fuel alleged to have been taken and used by the United States Army during the war from the property in Chattanooga known as "Cameron Hill," and to provide for the payment thereof, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 100) for the relief of Moses M. Bane, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (S. 319) granting an honorable discharge to Philip Kurtz, submitted an adverse report thereon, which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 52) to reimburse the States of California, Oregon, and Nevada for moneys by them expended in the suppression of the rebellion, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 184) for the relief of Daniel McClure, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1274) to correct the military record of John W. Taylor, reported it with amendments, and submitted a report thereon.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 1181) for the relief of A. J. Sampson, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1479) for the relief of George H. Murdoch, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (S. 769) for the relief of Irvine Carman, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. PALMER, from the Committee on Military Affairs, to whom was referred the bill (S. 92) for the relief of Bvt. Lieut. Col. J. Madison Cutts, reported adversely thereon; and the bill was postponed indefinitely.

Mr. CAREY, from the Committee on Education and Labor, to whom was referred the bill (S. 1768) to allow thirty days' leave of absence to employes in the Bureau of Engraving and Printing, reported it with amendments, and submitted a report thereon.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 985) to provide for the enlargement of the military post at Fort Wayne, Mich., reported it without amendment, and submitted a report thereon.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 521) granting to the State of Wyoming certain land in the Fort D. A. Russell military reservation for agricultural fair and industrial exposition grounds, and for other purposes, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 241) making appropriation for the improvement of the military reservation known as Fort Walla Walla, in the State of Washington, reported it without amendment, and submitted a report thereon.

#### STENOGRAPHER FOR COMMITTEE ON COMMERCE.

Mr. PADDOCK, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, reported it without amendment; and it was considered by unanimous consent, and agreed to:

*Resolved*, That the Committee on Commerce be, and the same is hereby, authorized to employ a stenographer, from time to time, as may be necessary, to report such hearings as may be had before said committee, and to have the same printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

#### BILLS INTRODUCED.

Mr. BLACKBURN introduced a bill (S. 2048) for the relief of Capt. I. B. Webster, of Louisville, Ky.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. DAWES introduced a bill (S. 2049) to authorize the Secretary of the Interior to carry into effect certain recommendations of the Mission Indian Commission, and to issue patents for certain lands; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. BRICE introduced a bill (S. 2050) providing for the erection of a monument at Put In Bay, Ohio, commemorative of Commodore Oliver Hazard Perry and those who participated in the naval battle of Lake Erie on the 10th day of September, 1813; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 2051) to provide for the construction of a public building at Fremont, Ohio; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2052) for the relief of Charles B. Stivers; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2053) for the relief of the Gendron Iron Wheel Company, of Toledo, Ohio; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2054) for the relief of Henry C. Cassidy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

Mr. HARRIS introduced a bill (S. 2055) to erect a post-office building in the city of Bristol, State of Tennessee; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. SAWYER introduced a bill (S. 2056) to repeal the provisions of an act entitled "An act to amend sections 4488 and 4489 of the Revised Statutes, requiring life-saving appliances on steamers," approved March 2, 1889, so far as they relate to steamers plying exclusively upon any of the lakes, bays, or sounds of the United States; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CHANDLER introduced a bill (S. 2057) for the relief of Mary E. Huestis, widow and executrix of David Huestis, deceased; which was read twice by its title, and referred to the Committee on Patents.

Mr. SHERMAN introduced a bill (S. 2058) to establish the rank of Arza B. Gilson, of Havana, Ohio, as major of the One hundred and sixty-sixth Ohio Volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2059) granting a pension to George W. Rager; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HISCOCK introduced a bill (S. 2060) granting an increase of pension to Daniel Peck; which was read twice by its title, and referred to the Committee on Pensions.

Mr. QUAY introduced a bill (S. 2061) for the relief of Terrence O'Laughlin; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2062) granting an increase of pension to Charles J. K. Rosenberg; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2063) granting an increase of pension to James W. Dunn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2064) granting an increase of pension to Henry J. Yates; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2065) granting an increase of pension to Enoch J. Lewis; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BUTLER introduced a bill (S. 2066) to pension Anthony M. Kennedy; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CAREY introduced a bill (S. 2067) granting a pension to John Reilly; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MANDERSON introduced a bill (S. 2068) extending relief to Indian citizens, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

#### JACOB BARR.

Mr. SHERMAN. I ask unanimous consent that the bill (S. 1510) for the relief of Jacob Barr, reported adversely from the Committee on Military Affairs, be placed upon the Calendar with the adverse report of the committee.

The PRESIDENT *pro tempore*. The bill will be placed upon the Calendar with the adverse report of the committee, if there be no objection. It is so ordered.

#### EULOGIES ON THE LATE SENATOR PLUMB.

Mr. PEPPER. I desire to offer a resolution. In explanation of it I wish to say that an order was entered some time ago naming the 20th day of this month for special services in memory of the late Senator Plumb, but upon consultation with a number of Senators who expect to take part in the exercises we have concluded to ask the unanimous consent of the Senate to change the day to the 18th from the 20th.

The PRESIDENT *pro tempore*. The resolution submitted by the Senator from Kansas will be read.

The resolution was read, as follows:

*Resolved by the Senate*, That the order heretofore entered naming Saturday, the 20th day of the present month, for special services in memory of the late Preston B. Plumb, be changed to Thursday, the 18th day of the present month.

The resolution was considered by unanimous consent, and agreed to.

#### EXECUTIVE SESSION.

Mr. HISCOCK. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After fifteen minutes spent in executive session the doors were reopened.

#### ADJOURNMENT TO MONDAY.

On motion of Mr. CAMERON, it was

*ordered*, That when the Senate adjourn to-day it be to meet on Monday next.

#### WEST VIRGINIA DIRECT TAX.

Mr. FAULKNER. Yesterday, in the absence of both the senior and junior Senators from Virginia, the joint resolution (S. R. 9) to direct the Secretary of the Treasury to pay to the governor of the State of West Virginia the sum appropriated by the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861," was passed by the Senate without objection from anyone. I understand that the junior Senator from Virginia [Mr. BARBOUR] has been sick and desires especially to consult

ing 200,000 inhabitants and over; which was referred to the Committee on Education and Labor.

Mr. TURPIE presented a petition of citizens of Jackson County, Ind., praying for the passage of what is known as the Conger lard bill; which was referred to the Committee on Agriculture and Forestry.

Mr. GIBSON of Maryland presented sundry petitions collected by the National Woman's Christian Temperance Union signed by 61 citizens of Maryland, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. BRICE presented a petition of 41 citizens of Knox County, Ohio, praying for the passage of what is commonly known as the option bill, prohibiting gambling in grain and other agricultural products; which was referred to the Committee on the Judiciary.

He also presented a petition of the Ohio State board of health, praying for the adoption of measures to establish a national department of health; which was referred to the Committee on Agriculture and Forestry.

Mr. GALLINGER presented a petition of the Congregational Church and Sunday school of Canterbury, N. H., praying for the ratification of the so-called Brussels treaty; which was ordered to lie on the table.

Mr. DANIEL presented a joint resolution of the Legislature of Virginia, praying that the interstate commerce act be extended; which was referred to the Committee on Commerce.

He also presented a joint resolution of the Legislature of Virginia, praying for the erection of a monument to Matthew Fontaine Maury upon the Rappahannock in Hampton Roads, off Old Point, Va.; which was referred to the Committee on the Library.

He also presented a joint resolution of the Legislature of Virginia, praying for the extension of the navy-yard and the location of a foundry at Norfolk, Va.; which was referred to the Committee on Naval Affairs.

Mr. TELLER presented a petition of the Chamber of Commerce of Denver Colo., praying for the cession of the arid lands to the various States for the encouragement of irrigation; which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

Mr. ALLISON presented a petition of Algona Grange, No. 1684, Patrons of Husbandry, of Kossuth County, Iowa, praying for the enactment of a law to restore the free bimetallic coinage of silver and gold coins; which was referred to the Committee on Finance.

He also presented a petition of Algona Grange, No. 1684, Patrons of Husbandry, of Kossuth County, Iowa; the petition of P. Lawson and other citizens of Clayton County, Iowa, and the petition of J. Stewart and other citizens of Black Hawk County, Iowa, praying for the passage of what is commonly known as the option bill; which were referred to the Committee on the Judiciary.

He also presented the petition of William J. Kruger and other citizens of Clayton County, Iowa, and the petition of A. W. Crouch and other citizens of Sac County, Iowa, praying for the passage of what is commonly known as the Conger lard bill; which were referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the Dubuque (Iowa) Trades and Labor Congress, favoring the proposition to elect Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented resolutions adopted by the Dubuque (Iowa) Trades and Labor Congress, favoring the passage of House bill 575, relating to immigrants, etc.; which were referred to the Committee on Immigration.

He also presented a resolution adopted by the Dubuque (Iowa) Trades and Labor Congress, favoring the passage of what is known as the Chandler bill to enlarge the ship room and increase the comfort of immigrants, etc.; which was referred to the Committee on Immigration.

He also presented resolutions adopted by the Dubuque (Iowa) Trades and Labor Congress, favoring the passage of a law excluding all Chinese laborers from coming into this country, and praying special attention to the existing law for that purpose, as it is not receiving proper attention; which were ordered to lie on the table.

Mr. SAWYER presented a petition of citizens of Barron County, Wis., praying for the passage of what is commonly known as the option bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Business Men's Association of Sturgeon Bay, Wis., praying for the purchase by the Government of the Sturgeon Bay Ship Canal, and that navigation thereof be made free; which was referred to the Committee on Commerce.

Mr. COCKRELL presented resolutions adopted by the Business Men's Association of Lexington, Mo., favoring the improvement of the Missouri and Mississippi Rivers and their navigable tributaries; which were referred to the Committee on Commerce.

#### WITHDRAWAL OF MEMORIAL.

Mr. PEPPER. I ask leave to withdraw a memorial that I had the honor to present a few days ago. It was the memorial of John Cowden, of Washington, D. C., relative to the construction of bridges across the Missouri River. It is a private matter and Mr. Cowden wishes to have it withdrawn.

The VICE-PRESIDENT. The Senator from Kansas will be permitted to withdraw the memorial referred to by him if there be no objection. The Chair hears none.

#### REPORTS OF COMMITTEES.

Mr. SHERMAN, from the Committee on Foreign Relations, to whom was referred the bill (S. 1971) providing for the appointment of representatives from the United States to the Columbian Historical Exposition at Madrid in 1892, reported it with an amendment.

Mr. McHILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 1450) to incorporate the Zoo Street Railway Company of the District of Columbia, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1477) to incorporate the Cross-Town Railroad of the District of Columbia, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. DOLPH. By direction of the Committee on Public Lands I report adversely the bill (S. 1534) to reserve township 18, range 9 west, 6th principal meridian of Kansas.

Mr. PERKINS. I ask that the bill may go on the Calendar. I recognize that the report is right with the information that we have at the time, but I hope that further investigation may justify the committee in changing the report.

The VICE-PRESIDENT. The bill will be placed upon the Calendar with the adverse report of the committee.

Mr. DOLPH. By direction of the Committee on Public Lands I report back the bill (S. 1963) to incorporate the Yellowstone Park Company. The committee is aware that measures relating to the Yellowstone Park have heretofore been referred to the Committee on Territories. Not wishing to divide the jurisdiction upon this question I am instructed by the Committee on Public Lands to report back the bill with the recommendation and request that it be referred to the Committee on Territories.

The report was agreed to.

Mr. PROCTOR, from the Committee on Military Affairs, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 329) granting an honorable discharge to Luther L. Martin; and

A bill (S. 519) for the relief of Francis Ursch.

Mr. PROCTOR also, from the Committee on Military Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1039) to define the grade of certain medical officers of the Army, and for other purposes; and

A bill (S. 1040) authorizing the Secretary of War to lease certain public property.

Mr. SANDERS. I am directed by the Committee on Public Lands to report back the bill (S. 667) changing the boundaries of the Yellowstone National Park, and for other purposes. The bill pertains to the public lands of the United States as well as to the Yellowstone National Park, and I report it with a recommendation that it be referred to the Committee on Territories, having charge of the park.

The report was agreed to.

Mr. WILSON, from the Committee on the Judiciary, to whom was referred the bill (S. 1988) to amend sections 2139, 2140, and 2141 of the Revised Statutes, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1418) to amend an act entitled "An act to divide the judicial district of North Dakota," reported it with an amendment.

Mr. MORRILL, from the Committee on Finance, to whom were referred the following bills, reported them severally without amendment, and submitted a report thereon:

A bill (S. 1538) for the relief of the heir of James S. Hunt; and

A bill (S. 1539) for the relief of the heirs of John W. Vose.

Mr. PEPPER, from the Committee on Claims, to whom was referred the bill (S. 567) for the relief of Paul McCormick, reported it with an amendment, and submitted a report thereon.

Mr. SAWYER, from the Committee on Post-Offices and Post-

Roads, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 479) for the relief of Mrs. E. Trask; and

A bill (S. 390) authorizing and directing the Secretary of the Treasury to pay to Frank Rother \$225 due him for services as route agent.

Mr. SAWYER, from the Committee on Commerce, to whom was referred the bill (S. 1310) to amend section 3117 of the Revised Statutes of the United States, in relation to the coasting trade on the Great Lakes, reported it without amendment.

Mr. FAULKNER, from the Committee on the District of Columbia, to whom was referred the bill (S. 1741) to vest the title to public square 1192, in the city of Washington, D. C., in the trustees of the Fourth Street Methodist Episcopal Church, and for other purposes, reported it without amendment.

Mr. HIGGINS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1931) to amend an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1882, and for other purposes," approved March 3, 1881, reported it without amendment, and submitted a report thereon.

Mr. VEST, from the Committee on Commerce, to whom were referred the following bills, reported them each with amendments:

A bill (S. 1643) authorizing the Velasco Terminal Railway Company to construct a bridge across the Brazos River, in the State of Texas; and

A bill (S. 1750) to authorize the construction of a bridge across the Missouri River at some accessible point within 2 miles north and 2 miles south of the city of Leavenworth, in the county of Leavenworth, in the State of Kansas.

He also, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1202) to increase the limit of cost for the erection of a public building in Camden, N. J.;

A bill (S. 1226) to provide for the construction of a public building in Bridgeton, N. J.; and

A bill (S. 1996) to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri.

Mr. MITCHELL, from the Committee on Transportation Routes to the Seaboard, to whom was referred the bill (S. 525) making an appropriation for the construction of a boat railway at The Dalles and Celilo Falls and Ten-Mile Rapids of the Columbia River, and for the improvement of Three-Mile Rapids, reported it with an amendment, and submitted a report thereon.

He also, from the Committee on the Judiciary, to whom was referred the bill (H. R. 1487) to remove the political disabilities of John R. F. Tatnall, reported it without amendment.

Mr. COKE, from the Committee on Commerce, to whom was referred the bill (S. 1645) making Velasco a subport of entry, reported it without amendment.

Mr. DANIEL, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1545) to provide for the erection of a public building at Bedford City, Va., reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1925) to provide for the erection of a post-office building at Fortress Monroe, Va., reported it without amendment.

Mr. PASCO, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 676) for the erection of a public building at Laredo, Tex., reported it without amendment, and submitted a report thereon.

#### USE OF LINE-CARRYING PROJECTILES.

Mr. SAWYER. I am directed by the Committee on Commerce, to whom was referred the bill (S. 2056) to repeal the provisions of an act entitled "An act to amend sections 4488 and 4489 of the Revised Statutes, requiring life-saving appliances on steamers," approved March 2, 1889, so far as they relate to steamers plying exclusively upon any of the lakes, bays, or sounds of the United States, to report it back favorably, without amendment; and I am also directed by the committee to ask for immediate action upon the bill, as it is important.

The VICE-PRESIDENT. The bill will be read for information subject to objection.

The Chief Clerk read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to repeal the provisions of an act entitled "An act to amend sections 4488 and 4489 of the Revised Statutes, requiring life-saving appliances on steamers," approved March 2, 1889, so far as they relate to the carrying of line-carrying projectiles and the means of propelling them on steamers

plying exclusively upon any of the lakes, bays, or sounds of the United States. But nothing contained in the act shall be construed to repeal or affect the provisions so far as they apply to ocean-going steamers.

Mr. COCKRELL. When was the bill reported—this morning?

The VICE-PRESIDENT. This morning.

Mr. COCKRELL. Let us have some explanation of it.

Mr. FRYE. The Committee on Commerce authorized the Senator from Wisconsin [Mr. SAWYER] to ask for the immediate consideration of the bill because the season in the lakes commences about the first of March, and we have been suspending this law so far as the lakes were concerned for the last three or four years. We have not reported in favor of a general repeal of the law because the matter related to human life, and the committee desired to go very slowly indeed in relation to it.

The Secretary of the Treasury, by resolution of the Senate, last year was requested to have this matter thoroughly investigated by experts and to report to the Senate. That investigation during vacation has been made, and they report very decidedly in favor of a repeal of the law so far as vessels exclusively used in lakes, sounds, and bays are concerned. This bill simply carries out that recommendation, repealing the law so far as steamships are concerned exclusively used in lakes, bays, and sounds.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. VANCE introduced a bill (S. 2069) for the relief of G. M. Woodruff; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. BUTLER introduced a bill (S. 2070) for the relief of the heir of Hamilton Slawson, jr.; which was read twice by its title, and referred to the Committee on Claims.

Mr. GIBSON of Maryland introduced a bill (S. 2071) granting a pension to Elizabeth M. Black; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 2072) to provide for the purchase of a site and the erection of a public building thereon at Pekin, in the State of Illinois; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2073) to remove the charge of desertion from the military record of Lewis D. Simmonds; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2074) for the relief of Eugene B. Payne; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ALLISON introduced a bill (S. 2075) granting a pension to Mrs. Mahala Wood; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2076) for the erection of a public building at Creston, Iowa; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2077) for the erection of a public building in Atlantic, Iowa; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. DIXON introduced a bill (S. 2078) creating the office of private secretary to the Commissioner of Patents; which was read twice by its title, and referred to the Committee on Patents.

Mr. SHERMAN introduced a bill (S. 2079) for the relief of Ebenezer Comstock; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2080) granting an honorable discharge to Barnes Robinson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. DAVIS introduced a bill (S. 2081) to grant the Duluth, Missabe and Northern Railway Company a right of way through the Fond du Lac Indian Reservation in the State of Minnesota, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. McMILLAN introduced a bill (S. 2082) to provide for the erection of a municipal building in the city of Washington, D. C.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. PROCTOR introduced a bill (S. 2083) to provide for the enlistment as part of the Army of a force not exceeding 3,000 Indians; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2084) to amend the Articles of War;

which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SHERMAN. I introduce a bill, prepared at the Treasury Department, to prohibit the coming of Chinese persons into the United States, and for other purposes. The bill was framed in the Department with a view to carry out the provisions of the existing laws in regard to Chinese immigration. It is accompanied by correspondence which sets out the objects and purposes of the bill. I ask that the accompanying papers be printed with the bill, and that it be referred to the Committee on Foreign Relations.

The bill (S. 2109) to prohibit the coming of Chinese persons into the United States, whether subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident in the United States, and fixing penalties and punishments for violation of this act, and providing for deportation of criminals, was read twice by its title.

Mr. DOLPH. I should like to ask the Senator from Ohio to state again the purpose of the bill.

Mr. SHERMAN. The bill was prepared at the Treasury Department to enable the Department more readily and properly to enforce the provisions of the existing laws in regard to Chinese immigration.

Mr. DOLPH. The Senator is aware that the Committee on Foreign Relations reported a bill covering that subject, which is on the Calendar.

Mr. SHERMAN. I know; but that relates simply to the extension of time and not to details, which are set out in this bill. It is quite a long bill. As a matter of course, it will be referred to the Committee on Foreign Relations, and the Senator will see it.

The VICE-PRESIDENT. The bill will be referred to the Committee on Foreign Relations, with the accompanying papers, which will be printed.

Mr. SHERMAN introduced a bill (S. 2110) for the relief of Henry Halteman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2111) to correct the record of Christopher Parish; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2112) granting a pension to Lucinda Roberts; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SANDERS introduced a bill (S. 2113) amending section 2139 of the Revised Statutes, relating to the sale of intoxicants to Indians; which was read twice by its title.

Mr. SANDERS. I ask that the bill be referred to the Committee on Indian Affairs.

Mr. WILSON. I desire to call the attention of the Senator from Montana to the fact that the Committee on the Judiciary reported a bill covering the entire subject of the sale of liquors to Indians in the Indian Territory, and that it is sufficiently comprehensive to include all classes of intoxicating liquors.

Mr. SANDERS. In that case I will ask that the bill be referred to the Committee on the Judiciary. I had contemplated that the Committee on Indian Affairs might examine it, possibly change it, and then ask to have it referred to the Committee on the Judiciary, to which it would ultimately appropriately belong.

Mr. WILSON. I will state that before referring the bill reported from the Judiciary Committee to that committee I consulted with the chairman of the Committee on Indian Affairs, and the bill to which I called attention has been reported unanimously by the Committee on the Judiciary.

The VICE-PRESIDENT. The bill will be referred to the Committee on the Judiciary.

Mr. SANDERS introduced a bill (S. 2114) for the relief of William H. Rhett; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2115) for the relief of Henry R. Horr; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2116) for the relief of Ellen P. Clark; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2117) to prevent the sale of firearms and ammunition to Indians and providing for their disarmament; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2118) restoring the name of Ellen De Witt Hatch to the pension rolls of the United States; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2119) granting a pension to Eliza Adelaide Ball; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2120) declaring the function of patents for lands in confirmation of statutory grants thereof in certain cases; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. WASHBURN introduced a bill (S. 2121) for the erection of a public building at Crookston, Minn.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. PELTON introduced a bill (S. 2122) making an appropriation for the improvement of Alviso River, or slough, in the State of California; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2123) to set apart a tract of land in the State of California for the use of the Lick Observatory of the astronomical department of the University of California; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PADDOCK introduced a bill (S. 2124) granting an increase of pension to Anne M. Abbott; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLIN (by request) introduced a bill (S. 2125) to authorize the construction of a bridge over the Anacostia River, in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2126) for the relief of Catherine E. Whitall; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 2127) granting an increase of pension to Clara B. Davidson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PASCO (by request) introduced a bill (S. 2128) for the relief of John S. Sammit; which was read twice by its title, and referred to the Committee on Claims.

Mr. WHITE (by request) introduced a bill (S. 2129) for the relief of Amire R. Hertzog, of Natchitoches, La., for stores and supplies taken from her by the military forces of the United States during the war for the suppression of the rebellion; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT introduced a bill (S. 2130) for the relief of Mrs. Mary P. C. Hooper; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Patents.

Mr. SAWYER introduced a bill (S. 2131) to correct the military record of Homer K. Nichols; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. BLACKBURN introduced a bill (S. 2132) for the relief of Thierman & Frost; which was read twice by its title, and referred to the Committee on Claims.

Mr. GEORGE introduced a bill (S. 2133) to repeal the internal-revenue tax on the circulation of bank notes issued under State authority; which was read twice by its title.

Mr. GEORGE. This bill is an exact copy of one I introduced at the last session and upon which the Committee on Finance made no report. Two other bills of a similar character have been introduced at this session and referred to the committee. I move that the bill be referred to the Committee on Finance with the hope that they will make a report upon it.

The motion was agreed to.

Mr. TURPIE (by request) introduced a bill (S. 2134) granting a pension to John F. Langenbough; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 2135) to provide for the sale of surplus or unallotted lands of the Ottawa Indians of the Indian Territory; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2136) to amend an act entitled "An act to incorporate the National Union Insurance Company of Washington," approved February 14, 1865; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. SANDERS introduced a joint resolution (S. R. 39) to provide for removing obstructions in the Clarke Fork of the Columbia River, and making an appropriation therefor; which was read twice by its title.

Mr. SANDERS. I move that the joint resolution be referred, for the present, to the Committee on Fisheries.

The motion was agreed to.

Mr. GIBSON of Louisiana. I introduce a joint resolution and ask that it may be read in full and referred to the Committee on Agriculture and Forestry.

The joint resolution (S. R. 40) creating a commission to inquire



into the causes of depression in the prices of agricultural products and how far they may be removed by legislation was read the first time by its title and the second time at length, as follows:

*Resolved by the Senate and House of Representatives, etc., That a commission is hereby authorized and constituted, to consist of five Senators, to be appointed by the Senate, seven members of the House of Representatives, to be appointed by the Speaker, and experts, not exceeding three in number, to be elected by and associated with them, with the authority to determine the times and places of meeting, and to take evidence, and whose duty it shall be to inquire into the depressed condition of the agricultural interest and low prices of agricultural products, especially of cotton, and the causes thereof, whether those causes are of a permanent character, and how far they have been created or can be remedied by legislation, and to report by bill or otherwise.*

The VICE-PRESIDENT. The joint resolution will be referred to the Committee on Agriculture and Forestry.

Mr. PETTIGREW introduced a joint resolution (S. R. 41) extending an invitation to the Presidents of the American Republics and the governors of the American Colonies to participate in the World's Columbian Exposition; which was read twice by its title, and referred to the Committee on the Quadro-Centennial (Select).

He also introduced a joint resolution (S. R. 42) extending an invitation to the King and Queen of Spain, and the descendants of Columbus, to participate in the World's Columbian Exposition; which was read twice by its title, and referred to the Committee on the Quadro-Centennial (Select).

He also introduced a joint resolution (S. R. 43) requesting the loan of certain articles for the World's Columbian Exposition; which was read twice by its title, and referred to the Committee on the Quadro-Centennial (Select).

He also introduced a joint resolution (S. R. 44) authorizing the Librarian of Congress to exhibit certain documents at the World's Columbian Exposition; which was read twice by its title, and referred to the Committee on the Quadro-Centennial (Select).

#### PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. PASCO, it was

*Ordered*, That the papers in the case of Mrs. Mary E. Boyd be withdrawn from the files of the Senate and referred to the Committee on Claims.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 410) to amend the charter of the Eekington and Soldiers' Home Railway Company;

A bill (H. R. 4107) to change the corporate name of the National Safety Deposit Company of Washington; and

A bill (H. R. 4429) to empower the Commissioners of the District of Columbia to grant respites and pardons in certain cases.

The message also announced that the House had passed a concurrent resolution providing for the printing of 10,000 copies of the addresses delivered in the House of Representatives on January 21, 1892, upon the presentation of the portraits of Hon. Galusha A. Grow and Hon. Samuel J. Randall by the Commonwealth of Pennsylvania.

#### ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 1604) to provide for the creation of a fourth judicial district in the Territory of Utah; and it was thereupon signed by the Vice-President.

#### REMOVAL OF UTE INDIANS.

Mr. DAWES submitted the following resolution: which was considered by unanimous consent, and agreed to:

*Resolved*, That there be reprinted for the use of the Senate Ex. Doc. No. 67 of the Fiftieth Congress, second session, and with it testimony taken for use of Committee on Indian Affairs at said session in relation to the removal of the Ute Indians.

#### TRANSFER OF REVENUE MARINE.

Mr. SHERMAN submitted the following resolution: which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Treasury is hereby directed to communicate to the Senate any information in his Department in respect to the expediency of transferring the Revenue Marine Service to the Navy Department and to express his opinion whether the public service would be promoted by such a change.

#### WEST VIRGINIA DIRECT TAX.

Mr. FAULKNER. Mr. President, several days ago there was passed by the Senate, in the absence of the two Senators from Virginia, the joint resolution (S. R. 9) to direct the Secretary of the Treasury to pay to the governor of the State of West Virginia the sum appropriated by the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress, approved August 5, 1861." The succeeding day, at their request, I entered a motion to re-

consider the vote by which the joint resolution was passed and moved to recall the joint resolution from the possession of the other House, to which it had been sent, the understanding at that time being that if requested by those Senators, after consultation, I would ask that the motion to reconsider be passed; that the joint resolution be reestablished on the Calendar as Order of Business No. 74, and that it be laid for consideration before the Senate.

In pursuance of that agreement, I now ask unanimous consent that the motion to reconsider be agreed to, that the joint resolution take its place on the Calendar as Order of Business No. 74, and that it be now laid before the Senate for its consideration.

The VICE-PRESIDENT. The Chair hears no objection, and lays the joint resolution before the Senate as in Committee of the Whole.

Mr. DOLPH. Has the resolution been referred to a committee and reported back?

Mr. FAULKNER. I will state to the Senator that the joint resolution has had the unanimous report of the Committee on Claims. It was on the Calendar for some time, and passed in the regular course of proceeding, and a motion to reconsider entered.

The VICE-PRESIDENT. The joint resolution is before the Senate as in Committee of the Whole.

Mr. DANIEL. Mr. President, I move to refer the joint resolution to the Judiciary Committee. This resolution, which was offered by the Senator from West Virginia [Mr. FAULKNER] and referred to the committee of which he is a member, was reported back to the Senate in an elaborate report made by him with the indorsement of the entire committee, is one that involves the relations of the Government of the United States as the holder of certain bonds signed by the State of Virginia in 1860, when both the States of Virginia and West Virginia were in the Commonwealth of Virginia.

It is a question of great financial interest to Virginia, involving, it may be, an expression of opinion on the part of the Senate which will apply to a much larger amount (running up into the millions) than that which West Virginia now asks to put into her treasury.

The question involved, apart from its pecuniary importance, is one that concerns two States and the Federal Government. In its legal aspect, if we regard that alone, it is a question of the highest dignity. The position which I occupy upon this subject is one which has been expressed by the Attorney-General of the United States in an opinion which I shall presently quote for the information of the Senate, and the report which was made by the honorable Senator from West Virginia is one which undertakes to override and to set aside the opinion of the Attorney-General of the United States.

This, Mr. President, can scarcely be regarded as in the nature of a claim which should properly in the first instance have been referred to the Committee on Claims. There was no question as to the facts of the case and no fact for it to investigate. The mere question was whether or not the Attorney-General of the United States, who is the highest legal officer in this Government in an advisory relation to the President, should be overridden and an amount acknowledged to be due by the Government should be paid in contravention of his opinion.

This being the attitude of this matter, it seems to me patent that the appropriate reference in the beginning was to the Judiciary Committee, and I ask that that reference may now be made; that a tribunal entirely impartial passing upon a judicial question shall be that tribunal selected by the Senate for such purpose.

Mr. MITCHELL. Will the Senator allow me to ask him a question?

Mr. DANIEL. With pleasure.

Mr. MITCHELL. What is the legal question involved in this case, in the opinion of the Senator from Virginia?

Mr. DANIEL. I will state the legal question involved, in the language of the Attorney-General, by reading his opinion to the Senate.

The VICE-PRESIDENT. The time of the Senator has expired.

Mr. STEWART. I hope the Senator will be allowed by unanimous consent to complete his statement in regard to the pending matter.

The VICE-PRESIDENT. Is there objection? [No objection.] The Chair hears none, and the Senator from Virginia will proceed.

Mr. DANIEL. The opinion of the Attorney-General, in a letter addressed to the Secretary of the Treasury, is as follows:

DEPARTMENT OF JUSTICE, Washington, D. C., August 12, 1891.

SIR: By your letter of April 13 last, you ask whether, under the law, the Secretary of the Treasury is authorized and required to retain the whole or any part of the amount due to the State of West Virginia on account of the refund of direct taxes, under the act approved March 2, 1891, by reason of the

are defined that he shall perform. I will suggest in reprinting the bill that those sections be transposed so as to make section 18 section 1, section 7 section 2, section 8 section 3, section 9 section 4, section 10 section 5, and then section 1 section 6, etc.

Mr. MANDERSON. I think the Senator is mistaken with regard to that matter. I know that some of the sections to which he refers describe the duties of the Joint Committee on Printing rather than of the Public Printer. I would sooner not make the transposition until we see the reprint of the bill.

Mr. GALLINGER. Very well; I have no objection to that. I will move an amendment in that form when the bill comes back.

The VICE-PRESIDENT. The order to print the bill as amended will be made in the absence of objection.

#### EXECUTIVE SESSION.

Mr. FRYE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 11, 1892, at 12 o'clock m.

#### NOMINATIONS.

*Executive nominations received by the Senate February 10, 1892.*

##### UNITED STATES CIRCUIT JUDGE.

Walter H. Sanborn, of Minnesota, to be United States circuit judge for the eighth judicial circuit, as provided by section 1, chapter 517, volume 26, laws 1891, United States Statutes at Large.

##### ASSOCIATE JUSTICE, SUPREME COURT OF OKLAHOMA.

John H. Burford, of Oklahoma Territory, to be associate justice of the supreme court of the Territory of Oklahoma, vice Abraham J. Seay, resigned.

##### UNITED STATES DISTRICT JUDGE.

Joseph Buffington, of Pennsylvania, to be United States district judge for the western district of Pennsylvania, vice James H. Reed, resigned.

##### COMMISSIONER FOR ALASKA.

William A. Kelly, of Portland, Oregon, to be a commissioner in and for the district of Alaska, to reside at Wrangel, vice James Sheakley, term expired.

##### REGISTER OF LAND OFFICE.

Henry L. Beese, of Butternut, Wis., to be register of the land office at Ashland, Wis., vice Gilbert W. Carrington, term expired.

#### CONFIRMATIONS.

*Executive nomination confirmed by the Senate February 8, 1892.*

##### POSTMASTER.

Louis G. Rathbun, to be postmaster at Elmira, in the county of Chemung and State of New York.

*Executive nominations confirmed by the Senate, February 10, 1892.*

##### POSTMASTERS.

Richard Butler, to be postmaster at Clinton, in the county of De Witt and State of Illinois.

John E. Chatten, to be postmaster at Oxford, in the county of Butler and State of Ohio.

#### HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 10, 1892.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

##### CORRECTION.

Mr. WIKE. I rise to correct the RECORD. I introduced yesterday, under the third clause of Rule XXII, a resolution or series of resolutions which I find are not printed in the RECORD this morning. Now, the point I desire to submit—

The SPEAKER. The Clerk informs the Chair that the title of the resolution appears in the RECORD.

Mr. WIKE. The title of the resolution is printed, but the resolution itself is not. Now, I wish to state in this connection that every resolution that has been introduced except the one that I introduced yesterday has been printed at length in the RECORD. I wish now to prosecute the inquiry as to what the standard is as to when a resolution is entitled to be printed.

I will say that the rule on this subject is a substantial if not a verbatim copy of the rule of the last Congress; and that under the practice of the last Congress all resolutions presented in this way were published in full. If there is any discretion as to these matters, I desire to find it out; and if the length of the resolution is to be measured by any man's foot or his hand, or, what may be more to the point, by his judgment, I want that clearly understood.

The SPEAKER. The Chair will state to the gentleman from Illinois that there is no provision in the rules for printing a resolution in full in the RECORD under such circumstances.

Mr. WIKE. I have stated that much myself.

The SPEAKER. Then what is the gentleman's complaint?

Mr. WIKE. Under the practice of the last House all resolutions were printed in full, every resolution submitted; and so far in this Congress since the adoption of the rules the same practice has been followed except in the case of my resolutions. There were four other resolutions introduced yesterday which are published in full in the RECORD, but mine are not. I desire to submit to the Chair what is to be the criterion—

The SPEAKER. The Chair will state to the gentleman that the attention of the Chair has never been called to this matter, but under the rules there is no provision for printing in the RECORD a resolution introduced in this way. Clause 3 of Rule XXII provides:

All other bills, memorials, and resolutions may in like manner be delivered, indorsed with the names of members introducing them, to the Speaker, to be by him referred, and the title and references thereof shall be entered on the Journal and printed in the RECORD of the next day.

Mr. WIKE. But, Mr. Speaker, if I may be indulged a moment, I desire to say that the present rule is a literal copy of the rule on this subject which prevailed in the Fifty-first Congress; and the practice then under the same rule was that all resolutions thus introduced should be published in full, and the practice thus far in this House since the adoption of our new rules has been the same.

The SPEAKER. The Chair will have to look into the matter—

Mr. WIKE. But I want to submit one further point. The Chair stated the other day in reference to permitting members to vote after a roll call had been completed, that he was disposed to follow what had been the ordinary practice on the subject notwithstanding the rule.

The SPEAKER. That is true, because such a practice was in the interest of justice; but the Chair can not, in the face of a strict rule of the House, permit a practice which might fill the RECORD with resolutions—

Mr. WIKE. Not necessarily.

The SPEAKER. The Chair does not see the propriety of such a course. The gentleman understands that if every resolution introduced were printed in full in the RECORD it might make that publication quite cumbersome.

Mr. RICHARDSON. I only wish to say that the gentleman from Illinois is altogether mistaken in saying that it was customary in the last Congress and in preceding Congresses to print resolutions in full in the RECORD when introduced in this way. Such has not been the practice since I have been a member.

Mr. WIKE. I call the gentleman's attention—

The SPEAKER. There is no question before the House.

Mr. WIKE. Before we leave this subject I ask indulgence to submit a request for unanimous consent that these resolutions be printed in the RECORD.

The SPEAKER. The Chair will submit that question. The gentleman from Illinois asks unanimous consent to print in the RECORD a resolution which he will send up, so that the title may be read by the Clerk.

The Clerk proceeded to read as follows:

By Mr. WIKE:

*Resolved*, That in the judgment of this House—

The SPEAKER. The Chair desires the title of the resolution only to be read. He will ask the gentleman to state what the resolution refers to.

Mr. WIKE. To the question of revenue and taxation.

The SPEAKER. The gentleman from Illinois asks unanimous consent that there be printed in the CONGRESSIONAL RECORD a resolution the title of which the Clerk will report.

Mr. RAINES. Let the resolution itself be read for information.

The SPEAKER. The Chair will first cease the title to be read, after which objection will be asked for to the request.

The Clerk read as follows:

Resolutions declaratory of some of the principles governing just taxation and instructing the Committee on Ways and Means to report a bill or bills enlarging the free list and reducing compensatory, specific, and ad valorem tariff duties; also to report a bill to levy a graduated income tax on all incomes in excess of \$5,000, to meet any increased demands of the Treasury arising from any such reduction of tariff duties or from any other cause whatever.



Mr. BUCHANAN of New Jersey. Is that the title of the resolution which has just been read by the Clerk?

The SPEAKER. It is.

Mr. BUCHANAN of New Jersey. If it bears any proportion to the length of the title I object to the printing of the resolution.

The SPEAKER. Objection is made.

#### RECIPROCITY TREATIES.

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Ways and Means:

*To the House of Representatives:*

I transmit herewith, in answer to the resolution of the House of Representatives of the 13th of January last, a report from the Secretary of State and accompanying papers.

BENJ. HARRISON.

EXECUTIVE MANSION, February 9, 1892.

#### REFUND OF CUSTOMS DUTIES.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting a detailed statement of the refund of customs duties, etc., for the year ending June 30, 1891: which was referred to the Committee on Ways and Means.

#### IMPROVEMENT, YAZOO RIVER.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, the report of the examination and surveys for the improvement of the Yazoo River, Mississippi; which was referred to the Committee on Rivers and Harbors.

#### IMPROVEMENT, CYPRESS BAYOU.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, the report of the examination and survey of Cypress Bayou to the lakes, between Jefferson, Tex., and Shreveport, La.: which was referred to the Committee on Rivers and Harbors.

#### RED RIVER OF THE NORTH.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, the report of the examination and survey of the Red River of the North and tributaries above Fergus Falls and Crookston, Minn., and Big Stone Lake, Minnesota and South Dakota; which was referred to the Committee on Rivers and Harbors.

#### DAVID MILLER VS. THE UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting the findings of the court in the case of David Miller against the United States; which was referred to the Committee on War Claims.

#### LIFE-SAVING APPLIANCES ON STEAMERS.

The SPEAKER also laid before the House the bill (S. 2056) to repeal the provisions of an act entitled "An act to amend sections 4488 and 4489 of the Revised Statutes, requiring life-saving appliances on steamers," approved March 2, 1889, so far as they relate to steamers plying exclusively upon any of the lakes, bays, or sounds of the United States; which was referred to the Committee on Interstate and Foreign Commerce.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted for ten days to Mr. POWERS, on account of important business; and also to Mr. NORTON, on motion of Mr. DOCKERY, indefinitely, on account of sickness.

#### LEAVE TO PRINT.

Mr. STOUT. Mr. Speaker, I ask unanimous consent that the resolution I have just sent to the desk may be read, and printed in the RECORD.

The SPEAKER. The Chair will cause the resolution to be read, after which objection will be asked for its printing in the RECORD.

The resolution was read at length.

The SPEAKER. Is there objection to the printing of the resolution in the RECORD?

Mr. RICHARDSON. It has never been customary to print resolutions in the RECORD, and I object.

#### COMMITTEE ON NAVAL AFFAIRS.

Mr. HERBERT. Mr. Speaker, I am instructed by the Committee on Naval Affairs to ask unanimous consent that the committee may have leave to sit during the sessions of the House.

The SPEAKER. Is there objection to the request of the gentleman from Alabama.

There was no objection, and it was so ordered.

#### BRIDGE AT BURLINGTON, IOWA.

Mr. SEERLEY. I ask unanimous consent for the immediate consideration of the bill H. R. 4631. It is a very short bill, and relates to the building of a bridge at Burlington.

The SPEAKER. The gentleman from Iowa [Mr. SEERLEY] asks unanimous consent for the present consideration of the bill which will be reported by the Clerk.

The Clerk read as follows:

A bill to amend an act entitled "An act to authorize the construction of a railroad, wagon, and foot-passenger bridge at Burlington, Iowa, approved August 6, 1888," as amended by act approved February 21, 1890.

*Be it enacted, etc.,* That the time for the commencement and completion of said bridge, authorized by said act entitled "An act to authorize the construction of a railroad, wagon, and foot-passenger bridge at Burlington, Iowa, approved August 6, 1888," as amended by act approved February 21, 1890, be, and is hereby, each extended two years from the passage of this act.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. SEERLEY, a motion to reconsider the last vote was laid upon the table.

#### CHANGE OF REFERENCE.

On motion of Mr. WISE, the bill (S. 297) to increase the accommodations at the marine hospital at Detroit, Mich., was, by unanimous consent, recalled from the Committee on Interstate and Foreign Commerce and referred to the Committee on Public Buildings and Grounds.

#### ADDITIONAL MESSENGERS, HOUSE OF REPRESENTATIVES.

Mr. RUSK. Mr. Speaker, I submit a privileged report from the Committee on Accounts, and ask its immediate consideration.

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

"The Committee on Accounts, to whom was referred the resolution entitled 'A resolution to appoint special messengers for the House of Representatives,' have examined and considered the same, and report it back to the House and recommend its passage:

*Resolved,* That the Doorkeeper of the House of Representatives be, and he is hereby, authorized and empowered to appoint two special messengers, to be employed as such generally in and about the business of the House during the Fifty-second Congress, who shall be paid a salary of \$400 each per month out of the contingent fund of the House, until other provision shall be made for such payments by order of the House or of Congress.

Mr. RUSK. Mr. Speaker, I will make a brief statement with reference to this resolution.

Mr. HOPKINS of Illinois. Mr. Speaker, I would like to call the attention of the gentleman from Missouri [Mr. DOCKERY] to the fact that this is a Congress of retrenchment and reform.

The SPEAKER. The gentleman from Maryland [Mr. RUSK] is entitled to the floor.

Mr. RUSK. Mr. Speaker, the Committee on Accounts have had the Doorkeeper of the House before them, and are satisfied from his statement that additional messengers are necessary. The messengers provided for in this resolution will bring the force up to the number in the last House. The Doorkeeper has informed the committee that he has been required to take men from the folding room and designate them to perform messengers' duty, while their services are required in the folding room. I will state further that the Committee on Accounts passed the resolution with the understanding that the messengers provided for in this resolution are to be accorded to the minority of the House.

Mr. McMLIN. Mr. Speaker, I rise to a question of order. There is so much confusion on the floor that it is impossible to hear what is being said.

The SPEAKER. The House will please be in order. The business transacted at this hour is sometimes extremely important, and members are entitled to hear what is going on.

Mr. RUSK. I had stated that it was apparently necessary from the statement of the Doorkeeper that there should be some slight increase in the force of messengers, and I was about to further state that the understanding was that the two messengers provided for in this resolution were to be accorded to the minority of the House. So far this session one messenger has been allowed to the minority of the House, and this provides two more, so as to bring the number up to the number of messengers allowed the minority in the last House.

Mr. HOPKINS of Illinois. I would like to ask the gentleman a question?

The SPEAKER. Does the gentleman yield for a question?

Mr. RUSK. For a question.

Mr. HOPKINS of Illinois. If that side desire to allow extra messengers to the minority, why not discharge two messengers that are already on the roll on the majority side, appointed by the majority, and fill the places with Republicans, without in-

on Invalid Pensions discharged, and referred to the Committee on Foreign Affairs.

A bill (H. R. 5428) for the relief of the widow and heirs of Samuel Kramer—Committee on Naval Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5288) for the relief of the sufferers by the wreck of the United States steamer Tallapoosa—Committee on Naval Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 4286) for the relief of Cora Robinson—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5505) to remove charge of desertion from the record of Winfield S. Barnett—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (S. 297) to increase the accommodations at the marine hospital at Detroit, Mich.—Committee on Commerce discharged, and referred to the Committee on Public Buildings and Grounds.

A bill (H. R. 5698) for the relief of Capt. John T. Bruen, late of Tenth Independent Battery of New York Volunteers—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 5089) providing for the adjustment and payment of the accounts of laborers and mechanics arising under the eight-hour law—Committee on Labor discharged, and referred to the Committee on Claims.

A bill (H. R. 5156) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law—Committee on Labor discharged, and referred to the Committee on Claims.

A resolution to reprint Executive Document No. 51, first session, Fiftieth Congress—Committee on Pacific Railroads discharged, and referred to the Committee on Printing.

#### RESOLUTIONS.

Under clause 3 of Rule XXII, the following resolutions were introduced and referred as follows:

By Mr. STOUT: To secure uniformity in regulating the organization and government of corporations—to the Committee on the Judiciary.

By Mr. BLAND: Making House bill 4426 the special order for Wednesday, February 17, 1892—to the Committee on Rules.

By Mr. BRODERICK: Concurrent resolution that article 4 of said agreement be, and the same is hereby, construed so as to authorize and direct the proper officers of the Department of the Interior to make the payments as they fall due to the members of said band residing in Kansas at some point in their original reservation in said State as will accommodate the greatest number of said Indians—to the Committee on Indian Affairs.

By Mr. WILLCOX: To employ a competent party to look after closet in the terrace, with adjacent corridor, to be under management of the Architect of the Capitol—to the Committee on Accounts.

By Mr. OTIS: Resolution calling upon the Committee of the Eleventh Census to collect information and furnish facts in relation to statistics upon mortgage indebtedness—to the Committee on Rules.

By Mr. SEERLEY: Resolution in reference to evidence in pension cases and providing that affidavits of privates shall receive the same consideration as the affidavits of officers—to the Committee on Invalid Pensions.

By Mr. RANDALL: Resolution to pay George B. Cooper the difference of salary of a page in folding room at \$40 per month and of clerk in folding room at \$75 per month—to the Committee on Accounts.

By Mr. WASHINGTON: That Walton W. Brown, of Tennessee, be appointed a page during the present Congress—to the Committee on Accounts.

#### MEMORIALS OF LEGISLATURES.

Under clause 3 of Rule XXII, the following memorial was introduced and referred as follows:

The Legislative Assembly of Utah, setting forth the intolerable political conditions of that Territory, and demanding relief therefrom in the form of home rule and statehood.

#### PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. BACON: A bill (H. R. 5765) to relieve Nathaniel H. Williams of the charge of desertion—to the Committee on Military Affairs.

By Mr. BUNTING: A bill (H. R. 5766) granting a pension to Miss Adda Boodger, of Lockport, N. Y.—to the Committee on Invalid Pensions.

By Mr. CABLE: A bill (H. R. 5767) to grant a pension to Kate L. Pearson, widow of Thomas Pearson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5768) for the relief of William H. Schriver, late of Company G, One hundred and twenty-sixth Illinois Volunteer Infantry—to the Committee on Military Affairs.

By Mr. CLARKE of Alabama: A bill (H. R. 5769) for relief of estate of Francis S. Jones, Marengo County, Ala.—to the Committee on War Claims.

By Mr. DAVIS: A bill (H. R. 5770) to remove the charge of desertion from the military record of John Marx, of Palmer, Kans.—to the Committee on Military Affairs.

By Mr. ELLIS: A bill (H. R. 5771) for the relief of Frank W. Clark—to the Committee on War Claims.

By Mr. ENLOR: A bill (H. R. 5772) for the relief of James M. Brandon—to the Committee on Military Affairs.

By Mr. EVERETT (by request): A bill (H. R. 5773) for the relief of W. H. Pierre—to the Committee on Invalid Pensions.

By Mr. FELLOWS (by request): A bill (H. R. 5774) for the relief of Mary A. Kennedy and others—to the Committee on Claims.

By Mr. FITHIAN: A bill (H. R. 5775) for the relief of Jacob Taylor—to the Committee on Military Affairs.

By Mr. FITCH: A bill (H. R. 5776) to purchase a portrait of Daniel D. Tompkins, late Vice-President of the United States, painted by Jarvis, in 1812—to the Committee on the Library.

By Mr. GROUT: A bill (H. R. 5777) granting a pension to Mary M. Hadley, late Mary M. Crozier, an army nurse—to the Committee on Invalid Pensions.

By Mr. HERBERT: A bill (H. R. 5778) for the relief of G. M. Hazen and others—to the Committee on War Claims.

By Mr. HULL: A bill (H. R. 5779) granting an increase of pension to Milton Iseman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5780) granting an honorable discharge to Wilson Kale—to the Committee on Military Affairs.

Also, a bill (H. R. 5781) granting an honorable discharge to John H. Randleman—to the Committee on Military Affairs.

By Mr. KENDALL: A bill (H. R. 5782) to increase the pension of Lucinda Stamper, of Lee County, Ky.—to the Committee on Invalid Pensions.

By Mr. LAGAN: A bill (H. R. 5783) for the relief of Catharine Dougherty—to the Committee on Invalid Pensions.

By Mr. LAYTON: A bill (H. R. 5784) for the relief of George W. Mannix—to the Committee on Military Affairs.

By Mr. O'FERRALL: A bill (H. R. 5785) for the relief of the estate of Joseph D. Crabill, deceased, Shenandoah County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 5786) for the relief of the estate of Benjamin Hoover, deceased, Shenandoah County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 5787) for the relief of Morris Lutz, of Shenandoah County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 5788) for the relief of Mrs. Vienna Roy, Warren County, Va.—to the Committee on War Claims.

By Mr. O'NEILL of Missouri: A bill (H. R. 5789) recognizing the Mound City Body Guards as United States soldiers—to the Committee on War Claims.

Also, a bill (H. R. 5790) for amendment of the military record of Thomas Kolhoe as a member of Company A, of the Sixty-first New York Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 5791) granting William Linderworth a pension—to the Committee on Invalid Pensions.

By Mr. RUSK: A bill (H. R. 5792) for the relief of Jennie Turut—to the Committee on Military Affairs.

By Mr. SMITH of Illinois: A bill (H. R. 5793) granting an increase of pension to Franklin Baldwin—to the Committee on Invalid Pensions.

By Mr. TUCKER (by request): A bill (H. R. 5794) for the relief of William Crosby, Augusta County, Va.—to the Committee on War Claims.

By Mr. WALKER: A bill (H. R. 5795) authorizing the Secretary of War to grant an honorable discharge to Thomas Saul, late second lieutenant Twenty-fifth Massachusetts Volunteers—to the Committee on Military Affairs.

By Mr. WINN: A bill (H. R. 5796) granting a pension to Emeline Howren—to the Committee on Invalid Pensions.

By Mr. WILSON of Kentucky: A bill (H. R. 5797) relative to the payment of pensions to widows of soldiers of the war of the rebellion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5798) making an appropriation for the improvement of the Cumberland River in Kentucky above Cumberland County—to the Committee on Rivers and Harbors.

By Mr. WRIGHT: A bill (H. R. 5799) authorizing the purchase of the Oordan & Kolb letter-engraving machine for the use of the Navy Department—to the Committee on Naval Affairs.

By Mr. WAUGH: A bill (H. R. 5800) to correct the military

record of George Coulson—to the Committee on Military Affairs.

Also, a bill (H. R. 5801) for the relief of James E. Southard—to the Committee on War Claims.

Also, a bill (H. R. 5802) granting a pension to Willis Alexander—to the Committee on Pensions.

Also, a bill (H. R. 5803) granting a pension to Louisa White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5804) granting a pension to Richard R. Jacobs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5805) granting a pension to William Scott—to the Committee on Pensions.

Also, a bill (H. R. 5806) to increase the pension of John Harding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5807) granting a pension to Joshua Jones—to the Committee on Pensions.

By Mr. EVERETT (by request): A bill (H. R. 5808) for the relief of Patrick Carroll—to the Committee on Claims.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ARNOLD: Petition of citizens of Bollinger County, Mo., praying Congress to place upon the pension roll the name of Corydon N. Brooks—to the Committee on Invalid Pensions.

Also, papers in the matter of George B. Stone, to accompany House bill 5689—to the Committee on Invalid Pensions.

By Mr. BABBITT: Petition of 125 citizens and shippers of Racine, Wis., for an appropriation of \$50,000 to improve Racine Harbor—to the Committee on Rivers and Harbors.

By Mr. BACON: Petition of Joseph Greenleaf and others, favoring a conference of governments to sit during the World's Fair—to the Committee on Foreign Affairs.

By Mr. BROSIUS: Petition of 55 citizens of Washington, against the passage of a bill to repeal the law prohibiting the sale of intoxicating liquors within one mile of the Soldiers' Home—to the Committee on the District of Columbia.

Also, petition of John C. L. Campbell, for increase of pension, to accompany House bill 5692—to the Committee on Invalid Pensions.

By Mr. BUNN: Papers in the claim of Frederick Goodwin, of Samuel Norris, and of William P. Forrest, of Wake County, N. C.—to the Committee on War Claims.

By Mr. BUSEY (by request): Petition of A. Y. Tragdon, of Paris, Ill., to simplify pension practice—to the Committee on Invalid Pensions.

By Mr. BYRNS: Petition of Eliza Korn for dependent mothers' special act, to accompany House bill 4656—to the Committee on Invalid Pensions.

By Mr. CAINE: Memorial of the Legislative Assembly of Utah, setting forth the intolerable political conditions of that Territory and demanding relief therefrom in the form of home rule and statehood—to the Committee on the Territories.

By Mr. COMPTON: Papers to accompany the claim of Zadock M. Waters—to the Committee on War Claims.

By Mr. DALZELL: Copy of the resolutions passed unanimously at the last session of the Legislature of Pennsylvania, approved May 23, 1891, by Robert E. Pattison, governor—to the Committee on Naval Affairs.

Also, memorial relative to an appropriation for a public building at McKeesport, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. FITCH: Papers to accompany House bill 5760, to authorize the registration of trade-marks and protect the same—to the Committee on Patents.

By Mr. FITZIAN: Papers to accompany House bill for the relief of Jacob Taylor—to the Committee on Military Affairs.

By Mr. FUNSTON: Petition, to accompany House bill, of the heirs of Christian Turner to refer their claim to the Court of Claims under the act of March 3, 1887 (Tucker act)—to the Committee on War Claims.

By Mr. GROUT: Petition of Mrs. M. M. Hadley, then Mary M. Craigen, for pension as army nurse—to the Committee on Invalid Pensions.

By Mr. HARRIES: Petition protesting against the opening of the World's Columbian Exposition on the Sabbath day—to the Select Committee on the Columbian Exposition.

Also, petition of F. Fitnes and 56 others, of Fillmore County, Minn., for the passage of a bill imposing a tax on compound land—to the Committee on Agriculture.

Also, petition of O. G. Clark and 24 others, of York, Fillmore County, Minn., in favor of imposing a revenue tax on compound land—to the Committee on Agriculture.

By Mr. HATCH: Petition of cotton-factors of the city of St. Louis, Mo., urging the speedy passage of House bill 2699, introduced by Mr. Hatch—to the Committee on Agriculture.

By Mr. HERBERT: Papers to accompany House bill 5752—to the Committee on Interstate and Foreign Commerce.

By Mr. HOOKER of New York: Petition of citizens of Forestville, N. Y., against the opening of the Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. JALLOWELL: Forty-eight petitions, containing 1,724 names, citizens of Pennsylvania, praying the enactment of a law by Congress subjecting oleomargarine to the provisions of the laws of the several States—to the Committee on Agriculture.

By Mr. KENDALL: Petition and proof of James O. Bryant, to accompany House bill—to the Committee on Invalid Pensions.

By Mr. MCCREARY: Petition of J. Baker Blumer and L. McIntyre and others, asking for the amendment of the laws to prevent the exportation of alcoholic liquors—to the Select Committee on the Alcoholic Liquor Traffic.

Also, papers to accompany House bill for the benefit of the Baptist Church at Nicholasville, Ky.—to the Committee on War Claims.

By Mr. MEREDITH: Papers in the matter of Washington Haines, for damage to property—to the Committee on War Claims.

By Mr. MORSE: Petition for an appropriation for the World's Fair on the condition that it be closed on Sunday, by Millard F. Johnson and other members of the Central Baptist Church of Middleboro, Mass.—to the Select Committee on the Columbian Exposition.

Also, petition of G. R. W. Scott and other members of the Young People's Society of Christian Endeavor, of Lowell, Mass., asking for the suppression of the alcoholic liquor traffic with Africa—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. OFFERRALL: Petition of citizens of Powhatan, of Bland, of Bedford, and of Hanover Counties, Va., for the free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

Also, petition of Noah Foltz, of Page County, Va., praying for the reference of his claim to the Court of Claims under act of March 3, 1883—to the Committee on War Claims.

By Mr. O'NEILL of Missouri: Petition of William Luidersworth, for the correction of his record of service—to the Committee on Invalid Pensions.

By Mr. OTIS: Petition of the Reform Presbyterian Church of Topeka, Kans., asking that \$5,000,000 be loaned to the Columbian Exposition provided it be closed to visitors on the Lord's Day—to the Select Committee on the Columbian Exposition.

By Mr. PAGE of Maryland: Petition for a survey of Black Walnut Harbor on Tilghmans Island, at the mouth of the Great Choptank River, with a view to finally deepen said harbor—to the Committee on Rivers and Harbors.

By Mr. STEWART of Texas: Petition of the voters of Red River County, Tex., asking for an appropriation for deep water at Sabine Pass—to the Committee on Rivers and Harbors.

By Mr. WILLIAM A. STONE: Petition of Fleming United Presbyterian Congregation, of Emsworth, Allegheny County, Pa., to close the World's Fair on the Sabbath—to the Select Committee on the Columbian Exposition.

Also, petition of Young People's Union of Allegheny, for closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. JOSEPH D. TAYLOR: Petition officially signed by the United Presbyterian Congregation of Ridge, Guernsey County, Ohio, representing 44 persons, praying that Congress take such action as will insure the closing of the World's Fair of 1892 and 1893 on the Lord's Day, in accordance with the law of God, the rights of man, and all precedent of American history—to the Select Committee on the Columbian Exposition.

Also, petition officially signed by the United Presbyterian Congregation of Clear Fork, Guernsey County, Ohio, representing 56 persons, praying that Congress take such action as will insure the closing of the World's Fair of 1892 and 1893 on the Lord's Day, in accordance with the law of God, the rights of man, and all precedent of American history—to the Select Committee on the Columbian Exposition.

By Mr. WEADOCK: Petition of Joseph Wackerly, for correction of his military record—to the Committee on Military Affairs.

By Mr. WILLIAMS of Illinois: Petition of John H. Humphrey, of Benton County, Ark., for removal of the charge of desertion—to the Committee on Military Affairs.

Also, claim of Mrs. Mary P. Waters, widow of Henry T. Waters, deceased, Company C, Sixtieth Illinois Volunteers—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Massachusetts: Petition of the professors of Yale University, relating to the appointment of the director of the United States Naval Observatory—to the Committee on Naval Affairs.

By Mr. WRIGHT: Petition of citizens of East Smithfield, Bradford County, Pa., against opening the World's Fair on Sundays—to the Select Committee on the Columbian Exposition.

whom was referred the bill (S. 882) to repeal the proviso in section 1 of the act of October 1, 1890, providing for the examination of certain officers of the Army and to regulate promotions therein, and to extend lineal promotion to first lieutenants, reported it without amendment, and submitted a report thereon.

Mr. PADDOCK, from the Select Committee on Indian Depredations, reported an amendment intended to be proposed by him to the bill (H. R. 5399) making appropriations to supply a deficiency in the appropriation for the expenses of the Eleventh Census, and for other purposes; which was referred to the Committee on Appropriations.

Mr. McMILLAN, from the Committee on the District of Columbia, to which was referred the bill (S. 2045) to provide for the rebuilding of the bridge across Rock Creek, at M street NW, in the District of Columbia, reported it with amendments, and submitted a report thereon.

Mr. ALLISON. The Committee on Appropriations instruct me to report back a document, being the findings filed by the Court of Claims in the case of the New York Indians *vs.* The United States, and ask to be discharged from its further consideration, and that it be referred to the Committee on Indian Affairs.

Mr. COCKRELL. Ought not that to go to the Committee on Indian Depredations?

Mr. ALLISON. No; it is a matter submitted to the Court of Claims by the Committee on Indian Affairs and reported back.

Mr. COCKRELL. All right.

The VICE-PRESIDENT. The paper will be referred to the Committee on Indian Affairs.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (S. 1678) for the relief of William Smith and others, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1496) for the relief of Gen. Napoleon J. T. Dana, reported it without amendment, and submitted a report thereon.

Mr. PALMER, from the Committee on Military Affairs, to whom was referred the bill (S. 671) to provide for the biennial publication of a book which shall be known as the Military Register of the United States of America, and for other purposes, reported adversely thereon, and the bill was postponed indefinitely.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 498) for the relief of Thomas F. O'Reilly, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (S. 917) for the relief of Francis J. Conlan, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 913) for the relief of Henry L. Mulvin, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. PLATT, from the Committee on Patents, to whom was referred the bill (S. 133) for the relief of Mrs. Sarah Elizabeth Holroyd, widow and administratrix of the estate of John Holroyd, deceased, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 131) referring to the Court of Claims the claim of William E. Woodbridge for compensation for the use by the United States of his invention relating to projectiles, for which letters patent were ordered to issue to him March 25, 1852, reported it without amendment, and submitted a report thereon.

#### BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 2147) for the relief of the heirs of Peter Poorman; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2148) to remove the charge of desertion against Edward Whitehouse, alias Edward Williams; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McPHERSON introduced a bill (S. 2149) for the relief of James McKeever; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2150) in regard to a monumental column to commemorate the battle of Princeton and appropriating \$30,000; which was read twice by its title, and referred to the Committee on the Library.

Mr. HARRIS (by request) introduced a bill (S. 2151) to perfect the military record of Capt. Jacob H. Hay; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PASCO introduced a bill (S. 2152) for the relief of the

estate of Sally Sterrett Tate, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. WHITE, by request, introduced a bill (S. 2153) conveying to Rafael Seguro, of Iberia Parish, La., the right, title, and interest of the United States in and to certain lands in said parish of Iberia; which was read twice by its title, and referred to the Committee on Public Lands.

He also (by request) introduced a bill (S. 2154) for the relief of the heirs of Joseph Nicholson Chambers, late a resident of the parish of East Feliciana, in the State of Louisiana; which was read twice by its title, and referred to the Committee on Claims.

Mr. MITCHELL introduced a bill (S. 2155) to amend an act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 2156) defining and permanently fixing the northern boundary line of the Warm Springs Indian Reservation, in the State of Oregon; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PADDOCK introduced a bill (S. 2157) for the relief of A. J. Campbell, son of Scott Campbell, deceased; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. GALLINGER introduced a bill (S. 2158) for the erection of an equestrian statue of Maj. Gen. John Stark in the city of Manchester, N. H.; which was read twice by its title.

Mr. GALLINGER. I ask that the bill lie on the table. I may have some brief observations to make upon it at a future time.

The VICE-PRESIDENT. The bill will lie on the table.

Mr. HAWLEY introduced a bill (S. 2159) to remove the charge of desertion and grant an honorable discharge to Hiram F. Stock; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CAREY introduced a bill (S. 2160) for the relief of Katharine E. Thomas; which was read twice by its title, and referred to the Committee on Claims.

Mr. PERKINS introduced a bill (S. 2161) to provide for and punish the crime of perjury before the United States local land officers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. VOORHEES introduced a bill (S. 2162) for the erection of an equestrian statue of Gen. Zachary Taylor; which was read twice by its title, and referred to the Committee on the Library.

Mr. CHARLESLE introduced a bill (S. 2163) to increase the pension of B. Otto Loeb; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 2164) authorizing the President to place upon the retired list of the Army James W. Long, late a captain in the United States Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CAMERON introduced a bill (S. 2165) authorizing the purchase of additional lots of ground adjoining or adjacent to the post-office building in the city of Philadelphia, Pa.; which was read twice by its title.

Mr. CAMERON. I ask that the bill be referred to the Committee on Appropriations.

Mr. HARRIS. Should not that bill go to the Committee on Post-Offices and Post-Roads?

Mr. CAMERON. I think not, as it requires the appropriation of money for the purchase of the ground.

Mr. HARRIS. So it does; but the policy of purchasing the ground ought to be considered in the first instance by the Committee on Post-Offices and Post-Roads. The appropriation must come later.

Mr. CAMERON. Very well; let the bill go to the Committee on Post-Offices and Post-Roads.

The VICE-PRESIDENT. The bill will be referred to the Committee on Post-Offices and Post-Roads, if there is no objection.

Mr. CAMERON introduced a bill (S. 2166) appropriating the sum of \$25,000 for the purpose of determining the quantity of the so-called hawm or blows of locomotive driving wheels; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 2167) to remove the charge of desertion standing against the name of Abram Smith and to correct his military record; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. COLQUITT (by request) introduced a bill (S. 2168) to prohibit the opening of any exhibition or exposition on Sunday where appropriations of the United States are expended; which was read twice by its title, and referred to the Committee on Education and Labor.

Mr. GIBSON of Louisiana introduced a bill (S. 2169) to improve

the navigation, and to afford ease and safety to the trade and commerce of the Mississippi River, and to prevent destructive floods, with an appropriation therefor: which was read twice by its title, and referred to the Committee on Commerce.

#### HOUSE BILL REFERRED.

The bill (H. R. 4631) to amend an act entitled "An act to authorize the construction of a railroad, wagon, and foot-passenger bridge at Burlington, Iowa," approved August 6, 1888, as amended by act approved February 21, 1890, was read twice by its title, and referred to the Committee on Commerce.

#### FLORIDA SENATORIAL ELECTION.

Mr. CALL. If the order of bills and joint resolutions is through, I offer a resolution, which I ask may be printed and lie upon the table, and I may have some remarks to make upon it.

The VICE-PRESIDENT. The resolution will be read.  
The Chief Clerk read the resolution, as follows:

*Resolved*, That the Committee on Privileges and Elections are hereby instructed to inquire and report to the Senate whether efforts were made by railway or other corporations, their agents, employes, or officers to control the election to the United States Senate by the Legislature of Florida in the year 1891; whether money and free transportation were used by them or any of them to influence the vote of the people for members of the Legislature, or to influence the votes of the members of the Legislature after their election; whether money was used by combinations of persons made under the influence of agents or persons acting in the interest of corporations to control the election of members of the Legislature and to control their votes after their election; whether newspapers were bought or subsidized by them or by persons acting in their interest or with money obtained either directly or indirectly from them or persons in any way connected with them to oppose the election of some persons and support the election of others; and to report to the Senate the evidence taken by them; and further to report what legislation, if any, either by an amendment to the Constitution or otherwise, is necessary to protect the people in their right to elect members of the Legislature, who are to choose Senators of the United States, and to protect the members elected from the influences of corporations and their foreign bondholders.

*Resolved*, That the committee have power to employ a stenographer, and to send for and compel the attendance of witnesses and the production of papers.

The VICE-PRESIDENT. What action is desired by the Senator on the resolution?

Mr. CALL. I ask that the resolution lie upon the table, and at an early day I will call it up and submit some observations in regard to it.

The VICE-PRESIDENT. The resolution will lie on the table and be printed.

#### AMOUNT OF CIRCULATING NOTES.

Mr. GEORGE submitted the following resolution: which was read and referred to the Committee on Finance:

*Resolved*, That the Committee on Finance be instructed to report a bill requiring the issue and keeping in circulation of legal-tender Treasury notes to an amount equal to \$10 per capita of the population of the United States, and that such issue shall be increased each year so as to keep pace with the yearly increase of said population.

#### PRIVATE CLAIMS AGAINST FOREIGN GOVERNMENTS.

Mr. MORGAN. I offer the resolution which I send to the desk, and I ask that it may be referred to the Committee on Foreign Relations.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution, as follows:

*Resolved*, That all private claims of citizens of the United States against foreign governments, presented to the Senate by petition or otherwise, shall be referred to the committee now styled the Select Committee to Inquire into all Claims of Citizens of the United States against the Government of Nicaragua, which shall be hereafter styled the "Committee on Private Claims against Foreign Governments," and is hereby made a standing committee of the Senate.

*Resolved*, That said committee shall receive any proofs that shall be offered in support of any such private claim and refer the same to the Department of State for consideration as to the legality and value of the same as evidence; and if said committee shall make any recommendation in respect of any such claim the same shall be reported to the Senate for consideration.

The VICE-PRESIDENT. The resolution will be referred to the Committee on Foreign Relations in the absence of objection.

Mr. SHERMAN. That resolution ought to go by the established custom of the Senate, to the Committee on Rules. While I am not a member of the Committee on Rules I think that is the custom.

Mr. MORGAN. I chose the Committee on Foreign Relations because this is an infringement upon its present jurisdiction. The Committee on Foreign Relations now exercises the jurisdiction provided here to be conferred upon the select committee.

Mr. SHERMAN. The chairman of the Committee on Rules not being here and as the custom has always been to refer these resolutions about rules to that committee, I think it should be so referred or it may lie on the table until the chairman of the committee comes in.

Mr. MORGAN. I will say to the Senator from Ohio that I would not introduce a resolution of this kind to take from the Committee on Foreign Relations any part of its jurisdiction without first consulting that committee, and therefore I wish the resolution to be referred to them for their consideration, and if

they approve it they can send it back here and send it to the Committee on Rules.

Mr. SHERMAN. I do not insist upon my suggestion. I will not stand upon a point of reference, but I think the resolution ought to go to the other committee.

The VICE-PRESIDENT. The resolution will be referred to the Committee on Foreign Relations, if there be no objection.

#### LANDS IN FLORIDA.

Mr. CALL submitted the following resolution:

*Resolved*, That the Committee on Public Lands are hereby instructed to report a bill providing for opening to settlement under the land laws of the United States the reservations alleged to have been made of public lands in the State of Florida under the act of Congress approved on the 17th day of May, A. D. 1856, entitled "An act granting alternate sections of the public lands to the States of Alabama and Florida to aid in the construction of certain lines of railroads in said States," and for granting patents to all bona fide homesteaders and all actual settlers who have made improvements on such lands, and further granting patents to all innocent purchasers in good faith of land in quantities not exceeding 2 sections of land not including the improvements and the settlement of any actual settler to the extent of 160 acres, and further providing that the corporations claiming said land under the said act of Congress shall have the right to bring suit in the circuit court of the United States with the right of appeal to the Supreme Court of the United States against the United States to decide whether under the said act of Congress and the acts of the Legislature of the State of Florida said railroad companies have ever acquired any right or title to said lands, and further providing that the Attorney-General of the United States shall bring suit against the corporations or the persons who have sold and appropriated the said public lands for their own use and benefit, and further for the indictment and prosecution under the acts of Congress of persons who have been engaged wilfully and maliciously in any conspiracy to defraud the United States and the actual settlers and homesteaders of the said public lands; and further to report such legislation as will protect actual settlers under the homestead laws of the United States who have been deprived of their homes under fraudulent practices and false statements either under the act of the 17th of May, 1856, or under the act of 1850 granting to the States the swamp or overflowed land thereby rendered unfit for cultivation to the States on condition that the proceeds of sale of said land should be applied to the construction of levees, ditches, and canals necessary for their reclamation and drainage or under any other laws of the United States.

Mr. CALL. I ask that that resolution lie upon the table.

The VICE-PRESIDENT. The resolution will lie upon the table and be printed.

#### EXTENSION OF NORTH CAPITOL STREET.

Mr. SHERMAN. I offer a resolution of inquiry and ask for its present consideration.

The Secretary read the resolution, as follows:

*Resolved*, That the Commissioners of the District of Columbia are directed to inform the Senate the cost of the proposed extension of North Capitol street to the Soldiers' Home Park, and of grading and regulating the same, and report upon the expediency of such extension.

By unanimous consent, the Senate proceeded to the consideration of the resolution.

Mr. COCKRELL. Is that a resolution of inquiry?

Mr. SHERMAN. Yes, purely.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

#### HEARINGS AS TO UTAH TERRITORY.

Mr. PLATT submitted the following resolution:

*Resolved*, That the Committee on Territories be authorized to employ a stenographer to report hearings on all bills relating to the Territory of Utah at the present session of Congress, and to print the testimony taken for the use of the committee, and that the expense of reporting such hearings shall be paid out of the contingent fund of the Senate when certified by the chairman of said committee when audited and allowed by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. PLATT. I inquire of the Chair if that resolution must not be referred to the Committee to Audit and Control the Contingent Expenses of the Senate?

The VICE-PRESIDENT. The Chair thinks so.

Mr. PLATT. Then I move that it be referred to that committee.

The motion was agreed to.

#### RECOMMITMENT OF A BILL.

Mr. PROCTOR. I ask unanimous consent to move a reconsideration of the vote by which the bill (S. 519) for the relief of Francis Irseh was indefinitely postponed, and that it be recommitted to the Committee on Military Affairs.

The VICE-PRESIDENT. That order will be made if there be no objection.

#### PUBLIC BUILDINGS FOR POST-OFFICES.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed and the Calendar under Rule VII is in order. The first bill on the Calendar will be stated.

The bill (S. 477) to provide for the erection of public buildings for post-offices in towns and cities where the post-office receipts for three years preceding have exceeded \$3,000 annually was announced as first in order.

Mr. SHERMAN. Mr. President, that bill has always excited debate, and therefore I think it ought to go over under Rule IX.

Mr. PADDOCK. I hope that course will not be taken. I call the attention of the Senator from Missouri [Mr. VEST] to this.



States of the Sturgeon Bay Ship Canal and making it forever free; which were referred to the Committee on Commerce.

Mr. STANFORD presented three petitions of the Traffic Association of San Francisco, Cal., praying for the passage of such legislation as will hasten the completion and secure the national control of the Nicaragua Maritime Canal; which were referred to the Committee on Foreign Relations.

Mr. DAWES presented the petition of the Woman's Christian Temperance Union of Ashburnham, Mass., praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills and joint resolution: in which it requested the concurrence of the Senate:

A bill (H. R. 1923) granting an honorable discharge to William W. Wedgwood;

A bill (H. R. 3867) to amend the act concerning officers of the National Home for Disabled Volunteer Soldiers, and for other purposes;

A bill (H. R. 5681) for the better control of and to promote the safety of national banks;

A bill (H. R. 4636) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1893; and

A joint resolution (H. Res. 81) investigating mining debris in California.

The message also announced that the House had passed a concurrent resolution for the printing of 6,000 copies of Executive Document No. 91, to include also part 2 of said executive document, containing message of the President of the United States respecting the relations with Chile, etc.

#### REPORTS OF COMMITTEES.

Mr. MANDERSON. I am directed by a majority of the Committee on Military Affairs, to whom was referred the bill (S. 258) for the relief of Lieut. Col. Michael P. Small, United States Army, to report it without amendment, with a written report, which I ask may be placed on the Calendar.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 1501) for the relief of William H. Atkins, formerly commissary sergeant, United States Army, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were indefinitely postponed:

A bill (S. 201) to increase the efficiency of the infantry of the Army;

A bill (S. 881) to reorganize the infantry of the Army and increase its efficiency;

A bill (S. 1037) to reorganize the artillery and to increase its efficiency; and

A bill (S. 1778) to reorganize the line of the Army.

Mr. MANDERSON. I am directed by the Committee on Military Affairs to report a bill to reorganize the artillery and infantry of the Army and to increase its efficiency. This is a bill in the nature of a substitute for the four bills which the Senate has indefinitely postponed. I ask that the bill be twice read and placed upon the Calendar with the written report.

The bill (S. 2170) to reorganize the artillery and infantry of the Army and to increase its efficiency was read twice by its title.

Mr. HALE. I report back from the Committee on Appropriations the bill (H. R. 5399) making appropriations to supply a deficiency in the appropriation for the expenses of the Eleventh Census, and for other purposes, with certain amendments. I ask that the amendments may be printed, and I give notice that I shall endeavor to call up the bill to-morrow morning.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. DOLPH, from the Committee on Commerce, to whom was referred the bill (S. 541) making appropriation for the improvement of the Columbia River, reported it with amendments, and submitted a report thereon.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 1607) to amend the charter of the Rock Creek Railroad Company, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2045) to amend the act incorporating the Washington and Georgetown Railroad Company, reported it with amendments, and submitted a report thereon.

Mr. STEWART, from the Committee on Mines and Mining, to whom was referred the bill (S. 1273) to authorize the entry of

lands chiefly valuable for building stone, under the placer-mining laws, reported it without amendment.

Mr. DAVIS. I am directed by a majority of the Committee on Military Affairs, to whom was referred the bill (S. 1026) for the relief of Sarah K. McLean, widow of the late Lieut. Col. Nathaniel H. McLean, to report it without amendment, and to submit a written report thereon.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. ALLISON, from the Committee on Appropriations, to whom were referred the following memorials, asked to be discharged from their further consideration, and that they be referred to the Committee on Fisheries; which was agreed to:

A memorial of the Legislature of Oregon for the establishment of a fish hatchery on the Upper Columbia or Snake Rivers; and  
A memorial of the Legislature of Oregon for the establishment of a fish hatchery on the Umpqua River.

Mr. PERKINS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1886) to authorize the Commissioners of the District of Columbia to grant pardons and respites in certain cases, reported it without amendment, and submitted a report thereon.

Mr. DANIEL, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1544) for the erection of a public building at the town of Lexington, Va., reported it with amendments, and submitted a report thereon.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 4631) to amend an act entitled "An act to authorize the construction of a railroad, wagon, and foot passenger bridge at Burlington, Iowa," approved August 6, 1888, as amended by act approved February 21, 1890, reported it with an amendment.

#### STENOGRAPHER FOR COMMITTEE ON NAVAL AFFAIRS.

Mr. CHANDLER. From the Committee on Naval Affairs, I report a resolution for reference to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE-PRESIDENT. The resolution will be read.

The resolution was read, as follows:

*Resolved*, That the stenographer employed to report the hearings before the Committee on Naval Affairs in relation to the bill transferring the Revenue Cutter Service to the naval establishment, be paid out of the contingent fund of the Senate.

The VICE-PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. COCKRELL. Has that hearing ever been printed?

Mr. CHANDLER. It has been printed so far as it has proceeded.

Mr. COCKRELL. I have not seen it, and I did not know.

Mr. CHANDLER. It is partially printed, and I shall take pains to furnish the Senator with a copy.

Mr. COCKRELL. I should be very glad to see it.

#### NATIONAL SAFE DEPOSIT COMPANY.

Mr. GIBSON of Maryland. I am instructed by the Committee on the District of Columbia to whom was referred the bill (S. 1929) to change the corporate name of the National Safe Deposit Company, of Washington, to report adversely thereon. I move that the bill be indefinitely postponed.

The motion was agreed to.

Mr. GIBSON of Maryland. I am instructed by the same committee, to whom was referred the bill (H. R. 4407) to change the corporate name of the National Safe Deposit Company, of Washington, to report it back favorably. I ask unanimous consent that the bill be put upon its passage.

The VICE-PRESIDENT. The bill will be read for information.

The Chief Clerk read the bill, and there being no objection, the Senate, as in the Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### CONDITION OF AGRICULTURE.

Mr. GEORGE, from the Committee on Agriculture and Forestry, to whom was referred a resolution submitted by himself on January 26, 1892, relative to the appointment of a committee to inquire into the cause of the low price of cotton and the depressed condition of agriculture in the States raising cotton, reported it with an amendment to make it read as follows:

*Resolved*, That the Committee on Agriculture and Forestry be, and they are hereby, authorized and directed, by one or more subcommittees, or otherwise, to ascertain in every practicable way, and to report from time to time to the Senate, the present condition of agriculture in the United States, and the present prices of agricultural products, and if there be any of which the prices are depressed, then the causes of such depression and the remedies therefor.

And for this purpose that they be authorized by subcommittee, or otherwise, to sit during the recess and sessions of the Senate, at such times and

places as they may deem advisable, and that they may employ a stenographer and such clerical assistance and experts as they may deem necessary, and they be authorized to send for persons and papers, and the expense of such investigation be paid from the contingent fund of the Senate.

#### DEALING IN FUTURES AND OPTIONS.

Mr. WILSON, from the Committee on the Judiciary, reported the following resolution: which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on the Judiciary, or any subcommittee of their number appointed for the purpose, be authorized to investigate the subject of dealing in futures and options, and for that purpose to send for persons and papers, and to employ a stenographer; and that the expenses be paid out of the contingent fund of the Senate.

#### MARITIME CANAL INVESTIGATION.

Mr. SHERMAN, from the Committee on Foreign Relations, reported the following resolution: which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the necessary expenses incurred under the resolution of the Senate of January 7, 1892, directing the Committee on Foreign Relations to make certain inquiries in regard to the Maritime Canal Company of Nicaragua, be paid from the contingent fund of the Senate.

#### MISSISSIPPI RIVER IMPROVEMENT.

Mr. GIBSON of Louisiana. I am directed by the Committee on Commerce to whom was referred the bill (S. 2169) to improve the navigation and to afford ease and safety to the trade and commerce of the Mississippi River, and to prevent destructive floods, with an appropriation therefor, to report it with amendments, and to submit a written report thereon.

I ask the indulgence of the Senate to make a brief explanation of the bill. Its purpose is to improve the Mississippi River in accordance with the plans of the engineers which have been matured after ten years of actual experiments and experience. This plan blends the jetty system, which has proved so successful at the mouth of the river, in fact wherever applied, with the levee system that has been equally successful wherever applied. The fact is a levee is called a jetty when placed in the bed of the river and the jetty a levee when placed on the banks. They are employed for the same purpose, and that is, to contract and maintain the width of the channel, the jetty in low water and the levee in high water, and thus to increase the velocity of the current and volume of discharge, and to deepen the bed of the river.

Wherever the river is narrow, say 3,000 feet wide, which is its normal width, there is deep water. Levees are necessary on its banks to hold the water in its channel at flood stages. When, by reason of crevasses, it has become unduly wide, say 10,000 feet, jetties are used to contract the channel to 3,000 feet, and thus to employ the increased velocity of the current to scour out the channel. At Plum Point and Lake Providence reaches, each of which is between 30 and 40 miles long, the depth has been doubled. There remain four others each reaches to be improved.

Besides improving the navigation this plan affords protection to the alluvial region against overflows. The effect will be not only to reclaim a territory larger than the State of Indiana and more fertile, now given over to destructive floods, but it will afford protection to all the vast regions already settled and cultivated.

The appropriation proposed to be made by the bill runs over a period of five years, so as to enable the engineers to carry on systematic and continuous work, for experience has demonstrated that great loss and wastage result from the biennial appropriations in the river and harbor acts.

It is confined to the Mississippi River, the main trunk line, into which discharge forty-three of the largest rivers in the world, which with their tributaries constitute a system of water ways navigable by steamboats for 16,000 miles and by barges, barks, and flatboats for 550,000 miles, the natural carriers for the products and commodities of the valleys that stretch from the Alleghany Mountains to the Rocky Mountains.

It is believed by those who have had the largest experience that the time has come when this work is indispensable to the people in this vast region of country, and especially to the farmers seeking European markets—should stand on its own merits before Congress, and that appropriations for this purpose, that so vitally concern so many millions of people, should not be hindered and complicated with appropriations for particular localities on its borders or for smaller streams, but that the appropriations for these particular works should be carried on in the regular river and harbor bill just as the harbors on the seas and lakes are provided for now.

Mr. ALLISON. I desire to ask the Senator from Louisiana, who makes this report, what amount is proposed to be appropriated by the bill?

Mr. GIBSON of Louisiana. There is an appropriation in the bill of \$10,000,000 for the river from the jetties at the mouth to Cairo, not over \$2,000,000 to be expended annually by the engineers. Then from Cairo up there is an appropriation of \$5,000,

000, not more than \$1,000,000 to be expended annually by the engineers.

Mr. ALLISON. From Cairo up how far?

Mr. GIBSON of Louisiana. Up to the mouth of the Illinois River.

Mr. ALLISON. Then there is no provision for appropriations above the mouth of the Illinois River?

Mr. GIBSON of Louisiana. Not in this bill.

Mr. ALLISON. It is intended that any appropriations above the mouth of the Illinois should be relegated to the river and harbor bill proper?

Mr. GIBSON of Louisiana. We have made no appropriation in this bill because it is desired to have the Mississippi River improved—the great trunk line, to which all the other rivers of the valley are tributary—before we attempt to make appropriations for stream in the upper valley.

Mr. ALLISON. I understand the Senator to say that this bill, so far as it relates to the Lower Mississippi, is to take the place of the annual appropriation in the river and harbor bill.

Mr. GIBSON of Louisiana. Yes, sir; if this bill is passed; but not otherwise.

Mr. ALLISON. And is to be excluded from the river and harbor bill. Of course I do not know that it is important, but it seems to me it may become important to provide for appropriations for the whole river in the same manner. I am in thorough sympathy with the Senator as respects this appropriation for the Mississippi River, but I do not like the idea of drawing the line of these appropriations at the mouth of the Illinois.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

#### BILLS INTRODUCED.

Mr. McPHERSON introduced a bill (S. 2171) to amend section 765 of the Revised Statutes of the United States; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

He also introduced a bill (S. 2172) for the relief of Edwin M. Hart; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. POWER introduced a bill (S. 2173) to authorize the Missouri River Power Company of Montana to construct a dam across the Missouri River which was read twice by its title, and referred to the Committee on Commerce.

Mr. STOKBRIDGE, by request, introduced a bill (S. 2174) to incorporate the Cross-Town Railroad of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2175) to pension Ann M. Green; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 2176) to extend the time for making an assessment of real estate in the District of Columbia outside the cities of Washington and Georgetown; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2177) to provide for the reassessment and relieving of taxes declared illegal and void, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2178) granting an increase of pension to Warren Hall; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CASEY introduced a bill (S. 2179) to reduce the fees on domestic money orders, and for other purposes; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 2180) declaring the construction of a road entitled "An act to repeal timber-culture laws, and for other purposes," approved March 3, 1891; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. VANCE introduced a bill (S. 2181) to release certain church property in the District of Columbia from arrears of taxation; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HARRIS (by request) introduced a bill (S. 2182) for the relief of James W. Turner; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DAVIS introduced a bill (S. 2183) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. SAWYER introduced a bill (S. 2184) authorizing the erection and maintaining a dam on the water-reserve lands and flowing the same on Tomahawk River, Wisconsin; which was read twice by its title, and referred to the Committee on Commerce.



Mr. VILAS introduced a bill (S. 2185) to amend section 4956 of the Revised Statutes of the United States, relating to copyrights; which was read twice by its title, and referred to the Committee on Patents.

Mr. GIBSON of Maryland introduced a bill (S. 2186) for the relief of Edgar H. Bates; which was read twice by its title, and referred to the Committee on Claims.

Mr. TURPIE introduced a bill (S. 2187) granting a pension to Margaret M. Rice; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 2188) providing for the prompt supply of all public documents to the designated depositories of documents; which was read twice by its title, and referred to the Committee on Printing.

Mr. ALDRICH introduced a bill (S. 2189) authorizing the President of the United States to appoint Louis N. Stodder a lieutenant-commander on the retired list of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2190) granting a pension to John Vars; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2191) granting an increase of pension to Mrs. Emily Williams; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PETTIGREW introduced a bill (S. 2192) in relation to ways of egress and means of escape from fire in certain buildings within the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2193) granting leaves of absence to clerks and employes in first and second class post-offices, and to employes in the Post-Office Department employed in the mail-bag repair shops connected with said Department; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 2194) authorizing the appointment of Dr. Ira L. Sanderson as assistant surgeon in the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2195) to authorize the Secretary of the Interior to ascertain the amount due the Flandreau Sioux Indians, and making an appropriation to pay the same; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2196) to remove the charge of desertion from the record of Richard M. Pierce; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. WHITE introduced a bill (S. 2197) for the improvement of Southwest Pass, Mississippi River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. KYLE introduced a bill (S. 2198) to amend an act entitled "An act to set apart certain tracts of land in the State of California as forest reservations," approved October 1, 1890; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. COCKRELL introduced a bill (S. 2199) for the relief of Isham T. Owen, of Missouri; which was read twice by its title, and referred to the Committee on Claims.

Mr. GORMAN introduced a bill (S. 2200) for the relief of the legal representatives of Lieut. Francis Ware, deceased, of the Revolutionary war; which was read twice by its title, and referred to the Committee on Revolutionary Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 2201) referring the claim of Mary Luckett to the Court of Claims;

A bill (S. 2202) for the relief of Sarah M. Shaw;

A bill (S. 2203) for the relief of John M. Robinson;

A bill (S. 2204) for the relief of Sarah A. Swart, executrix of Barnett T. Swart, deceased, late of the District of Columbia;

A bill (S. 2205) for the relief of Sarah C. Mitchell, widow of Richard T. Mitchell, deceased, late of Montgomery County, Md., for stores and supplies taken and used by the United States Army during the war for the suppression of the rebellion;

A bill (S. 2206) for the relief of C. M. Keedy *et al.*, executors of J. J. Keedy, deceased, late of Washington County, Md., for stores and supplies taken and used by the United States Army, and as reported by the Court of Claims under the provisions of the act of March 3, 1883, commonly known as the Bowman act;

A bill (S. 2207) for the relief of Lewis Trone, of Washington County, Md., for stores and supplies used by the United States Army, as reported by the Court of Claims under the provisions of the act of March 3, 1883, commonly known as the Bowman act;

A bill (S. 2208) for the relief of Charles W. Shreve, for the rent and occupation of land in Montgomery County, Md., by the United States Army, and reported by the Court of Claims under the provisions of the act of March 3, 1883, commonly known as the Bowman act;

A bill (S. 2209) for the relief of Henry Schreider, administrator of Philip Shearer, of Montgomery County, Md.;

A bill (S. 2210) for the relief of the Reformed Church of Sharpsburg, Washington County, Md., for the use and occupation of their building for hospital purposes during the war for the suppression of the rebellion, and for property used in the care of the sick and wounded; and

A bill (S. 2211) for the relief of R. A. Hurley, administrator of A. F. Hurley, being a claim for twenty-three head of cattle furnished to the Utah volunteers, as reported by the Court of Claims under the provisions of the act of March 3, 1883, commonly known as the Bowman act.

Mr. ALLISON introduced a bill (S. 2212) granting an honorable discharge to J. H. Randleman; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2213) for the relief of Adam Byram; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SHERMAN (by request) introduced a bill (S. 2214) for the benefit of officers of the United States Revenue Cutter Service; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CHILTON introduced a bill (S. 2215) to change and appoint by law the day for the meeting of the Congress of the United States; which was read twice by its title, and ordered to lie on the table.

He also (by request) introduced a bill (S. 2216) for the relief of Mary C. Williams; which was read twice by its title, and referred to the Committee on Pensions.

Mr. VOORHEES introduced a bill (S. 2217) for the relief of Lewis Deems; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2218) granting an increase of pension to Leander Woods; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PADDOCK introduced a bill (S. 2219) for the relief of Eunice M. Brown; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. KENNA introduced a bill (S. 2220) to provide for constructing a road to the national cemetery at Grafton, W. Va.; which was read twice by its title, and referred to the Committee on Appropriations.

Mr. TELLER introduced a bill (S. 2221) for the relief of Mary J. Neenan; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Lands.

Mr. HALE introduced a bill (S. 2222) to prohibit the sale or supplying of intoxicating beverages in military and naval institutions and branches of the National Home for Disabled Volunteer Soldiers, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2223) for the relief of Pay Clerk Charles Blake, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2224) for the relief of Paymaster James E. Tolfree, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. CALL introduced a bill (S. 2225) to require the auditing and payment of the volunteer soldiers who served in the Seminole Indian wars in Florida, and for horses and equipments lost in the service; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2226) to prohibit national banks from receiving or paying interest on deposits made by national banks; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 2227) to open the naval reservation in La Fayette County, Fla., to settlement and entry; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2228) to declare lands containing phosphate deposits to be mineral land and subject to disposal under the mining laws of the United States; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. DAWES introduced a bill (S. 2229) for the relief of the owners and crew of the Hawaiian bark *Aretic*; which was read twice by its title, and referred to the Committee on Commerce.

Mr. FAULKNER (for Mr. BARBOUR) introduced a bill (S. 2230) to incorporate the Washington Electric Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. McMILLAN introduced a joint resolution (S. R. 45) to regulate licenses to proprietors of theaters in the city of Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. KYLE introduced a joint resolution (S. R. 46) providing for an investigation relative to the slums of cities; which was read twice by its title, and referred to the Committee on Education and Labor.

Mr. PETTIGREW introduced a joint resolution (S. R. 47) authorizing the resubdivision of square 673 in the city of Washington; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. VOORHEES introduced a joint resolution (S. R. 48) authorizing the appointment of a commission as therein described and for the purposes therein stated; which was read twice by its title, and referred to the Committee on Education and Labor.

#### IMMIGRATION LAWS.

Mr. CHANDLER. I offer a concurrent resolution, and ask for its immediate consideration.

The concurrent resolution was read, as follows:

*Resolved by the Senate (the House of Representatives concurring). That the Senate Committee on Immigration and the House Committee on Immigration and Naturalization, be, and hereby are, authorized jointly to investigate the workings of the various laws of the United States relative to immigration from foreign countries, and the importation of contract laborers to the United States, and the expenditures made in connection therewith, and especially the recent admission of immigrants infected with typhus fever into the port of New York; the investigation to be conducted at such times and places as said committees may deem proper; and the committees are hereby authorized jointly, as full committees or through subcommittees thereof, to send for and examine persons, books, and papers, and to administer oaths to witnesses.*

The Senate, by unanimous consent, proceeded to consider the concurrent resolution.

Mr. CHANDLER. I ask unanimous consent to make a statement, and I ask the attention of the Senator from Tennessee [Mr. HARRIS], the chairman of the Committee on Epidemic Diseases.

I think there is urgent necessity for the passage of this resolution. I read from the New York Sun of February 12:

**A PLAGUE OF TYPHUS FEVER—FIFTY-SEVEN CASES AMONG IMPORTED RUSSIAN HEBREWS HERE—FIFTEEN STRICKEN IN ONE LODGING HOUSE. PARIENTS FOLLOW THEIR CHILDREN TO THE HOSPITAL ON NORTH BROTHER ISLAND—HOW THE DISEASE BRED BY RUSSIA'S FAMINE WAS BROUGHT TO EAST-SIDE TENEMENTS.**

On January 30 the steamship *Massila*, of the Fabre Line, landed at this port 717 immigrants, Italians and Russian Hebrews. The 450 Italians were taken aboard at Naples. The 267 Russian Hebrews had gathered at Odessa from all parts of southern Russia, and had arrived here after a long voyage of unusual roughness.

These Russian Hebrews were divided immediately among the seventeen lodging houses provided by the United Hebrew Charities' Association. Yesterday the board of health found that an epidemic of typhus fever, known under a dozen names as one of the most terrible fevers that can visit the human body and communicating itself by contagion as well as by infection, was raging among them. Fifty-seven of them, already down with typhus in its marked symptoms, have been taken to the hospital on North Brother Island, and the board of health is doing all in its power to stay the further spread of the disease. It is probable that preventive measures are already too late, and that it is now a question how far those infected for at least ten days have spread the fever among their friends whom they have been visiting in the crowded tenements of the lower east side.

I find in the Sun of the 13th the following statement:

All the Hebrew patients at North Brother Island will be supported at the expense of the United Hebrew Charities, which gave bond to Commissioner of Immigration Weber that the released Hebrew immigrants would not become a public charge within a year. It is likely that the bill against the organization will not be less than \$100,000.

Mr. President, it is perfectly clear that these immigrants infected with this dangerous and deadly disease should not have been allowed to land in New York City. The law passed on the 3d of March, 1891, is explicit in two particulars: No persons are allowed to come who are suffering from a loathsome or dangerous contagious disease; and no persons are allowed to come into the country and be landed in our ports who are likely to become a public charge. On either ground these infected immigrants should have been excluded.

It may well be that the commissioner of immigration may be able to demonstrate that his physician did not discover symptoms of typhus before the immigrants were admitted, but the commissioner of immigration did discover that these immigrants were likely to become a public charge, and it was his duty to detain them as such. He did detain them as such, and if he had continued to detain them the typhus fever would have broken out among them before they were distributed over the city of New York and the city of Brooklyn and throughout the country, to bring contagion and death to our citizens. But being waited upon by an agent of the Baron Hirsch Hebrew Charity Fund, and receiving from this agent assurance that these paupers would be taken care of for one year, he opened wide the doors of Castle Garden and let them come in. They were immediately taken by this charitable organization and distributed in various boarding houses in New York and in Brooklyn, acknowledged paupers, ac-

knowledge to be incapable of supporting themselves. They were placed there until this Hebrew charity society might make some provision for them, and within two days there came this outbreak of deadly typhus fever.

Mr. President, I shall not be behind any Senator or any citizen of the United States in regretting the sad fate of these poor people, nor, I trust, in condemning the policy of the Russian Government in driving them out. But, Mr. President, self-protection is the first law of nature. These men and women and children were infected with typhus at Odessa, went from Odessa to Constantinople, and Turkey refused them admission into that country. They went to Smyrna, and from there they were taken to Marseilles, and the French people refused to allow them to stay there. They could not go to England, for England, with all of her professed philanthropy, excludes the pauper Russian Hebrews, and so they took ship for America, and in contravention and disobedience of our laws they have been distributed from one end of the Eastern States to the other, perhaps to infect whole communities with typhus fever; and they have come in, in my judgment, much as I regret to say so, when they should have been excluded by the immigrant commissioner of New York City in the performance of his strict and imperative duties under a statute of the United States.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

Mr. HARRIS. I simply desire to say that I think it important that this investigation should be made and promptly made; and in all human probability, when made in the light of the facts developed by it, additional legislation will be found very necessary upon the general subject-matter. I hope the resolution will pass and pass promptly.

Mr. SHERMAN. I should like to have the resolution again read.

The VICE-PRESIDENT. The resolution will be again read.

The Chief Clerk read the resolution.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 566) to amend the internal-revenue laws, and for other purposes.

A bill (H. R. 1086) for the relief of Louisa Q. Lovell and others; and

A bill (H. R. 610) extending the privileges of the first and seventh sections of the act approved June 10, 1880, governing the transportation of merchandise without appraisement to the port of Ogdenburg, in the State of New York.

#### DRY DOCK NEAR ALGIERS, LA.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed, and the Calendar, under Rule VIII, is in order.

Mr. GIBSON of Louisiana. I am compelled to leave the city this evening, and I ask the indulgence of the Senate to take up Order of Business 165, being Senate bill 1900.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1900) for the establishment of a dry dock on the Government reservation near Algiers, La., with an appropriation therefor.

The bill proposes to appropriate \$350,000, to be expended under the direction of the Secretary of the Navy, toward the establishment of a dry dock on the Government reservation near Algiers, La., and to acquire such additional land as may be necessary for the site of a dry dock, in accordance with the recommendations of the two commissions appointed by the President under the provisions of the act approved September 7, 1888, and the act approved June 30, 1890, respectively, concurred in by the Secretary of the Navy.

Mr. ALLISON. That seems to be an important bill, and I trust the Senator from Louisiana will give us some explanation of it. It provides for the building of a dry dock by the Government. I should like to know the necessity for a dry dock at this point; and if there is such a necessity, why the Government of the United States should build it?

Mr. GIBSON of Louisiana. If the Senator so desires, the report can be read. It will show that this has been recommended by the Secretary of the Navy, that it has been recommended by two commissions appointed by the President of the United States, and that it is recommended by the unanimous voice of the Committee on Naval Affairs. I ask that the report may be read. It is a very short report.

gressional Library be supplied first, and then let the remainder of them go. Therefore I want the Senate library left out.

Mr. MANDERSON. I have no objection to that. I think the matter to which the Senator refers can very safely be left to the Congressional Librarian and the librarian of the Senate. Certainly it is not a matter with which the Committee on Printing has anything to do. We are not running the libraries.

Mr. COCKRELL. But we do not want the Senate library to be encumbered with a useless number of documents.

Mr. MANDERSON. I do not object to the amendment proposed, to except the Senate library.

Mr. COCKRELL. I move, after "Delegates," in line 12, to insert "and to the Senate library."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 12 of section 70, after the word "Delegates," insert the words "and to the Senate library;" so as to read:

Shall cause an invoice to be made of all books stored in and about the Capitol, other than those belonging to the quota of Members of Congress and Delegates and to the Senate library; and all such documents, etc.

The amendment was agreed to.

Mr. COCKRELL. In section 75, line 8, I move to strike out all after the word "rooms." The sentence reads:

All reports or documents to be distributed for Senators, Representatives, and Delegates shall be folded and distributed from the folding rooms.

I move to strike out the rest of the sentence and insert "unless otherwise ordered," so as to show specifically that a Senator can give an order for them; that they shall go to this place unless otherwise ordered.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After the word "rooms," in line 8, section 75, strike out the words—

under the general direction of the superintendent of documents, and whenever in his opinion it is advisable to fold and distribute any documents from the Government Printing Office, or the storehouses connected therewith, he shall so order—

and insert "unless otherwise ordered;" so as to read:

shall be folded and distributed to the folding rooms unless otherwise ordered.

The amendment was agreed to.

Mr. COCKRELL. I should like to ask the Senator from Nebraska if we did not make the amendment on page 43 in regard to the distribution of memorials. I was talking to the Senator about it, and I am not certain whether the formal amendment was made about the distribution of memorials.

Mr. MANDERSON. I think the amendment was made. The clerks can state.

Mr. COCKRELL. Have amendments been made there on page 43? I have it noted and I do not know whether I intended to put down "amended" or "amend." I think it was amended; that is my recollection. On page 43 of the bill it reads "there shall be printed of eulogies of deceased Members, Representatives, and Delegates."

Mr. MANDERSON. It is page 41 of the bill, commencing with with line 223.

The VICE-PRESIDENT. The paragraph will be read.

Mr. COCKRELL. That has been amended, I think.

The Chief Clerk read as follows:

There shall be printed of eulogies of deceased Senators, Representatives, and Delegates, 8,000 copies.

Mr. COCKRELL. That is all right. Then about either page 42 or 43 the clause in reference to the distribution of the CONGRESSIONAL RECORD was amended, was it not?

Mr. MANDERSON. I think so.

The VICE-PRESIDENT. The paragraph referred to will be read.

The Chief Clerk read as follows:

The Public Printer shall furnish the CONGRESSIONAL RECORD as follows: To the Vice-President and each Senator, 44 copies.

Mr. COCKRELL. That is right. Those amendments were made. What amendment has been made on page 63? I want to be sure about that. I refer to the last page of the bill, next to the last section.

No Government publications shall be delivered to officers and employes of Congress—

Mr. MANDERSON. "Except for the use of members thereof," is my impression of what was inserted.

Mr. COCKRELL. Let the Chief Clerk read the next to the last clause.

The VICE-PRESIDENT. The Chief Clerk will read as suggested.

The Chief Clerk read as follows:

No Government publications shall be delivered to officers and employes of Congress except for the use of members thereof unless authorized by this act.

Mr. COCKRELL. That is all right.

Mr. MANDERSON. In the last line of the bill I move to strike out the word "bill" and insert "act" in lieu thereof.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. In line 2 of section 102, page 59, strike out the word "bill" and insert the word "act;" so as to read:

All laws in conflict with the provisions of this act are hereby repealed.

The amendment was agreed to.

Mr. MANDERSON. I have one more amendment that I desire to offer. I think it should come in as an independent section, and I will move to insert it after section 98 of the changed bill.

Mr. COCKRELL. The sections will have to be renumbered, the Senator understands.

Mr. MANDERSON. Oh, yes.

The VICE-PRESIDENT. The amendment moved by the Senator from Nebraska will be stated.

The CHIEF CLERK. It is proposed to insert a new section as follows:

Sec. —. Heads of Departments are authorized to exchange surplus documents for such other documents and books as may be required by them, when the same can be done to the advantage of the public service.

Mr. MANDERSON. That is to enable heads of Departments who find they have an accumulation of duplicates in their libraries to exchange them for other works needed to complete sets. It is suggested by some of the Departments, and it seems to me that it is a desirable thing to be done.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. CALL. Mr. President, I do not propose to detain the Senate any length of time, but I desire to say that in my judgment there are objections to this bill which ought to prevent its passage in the form in which it now stands before the Senate.

The bill proposes by an act of Congress, to which the President's approval is required, that a Joint Committee on Printing shall be created, to consist of three members of the Senate and three members of the House of Representatives. The question arises how far it is competent for either House of Congress to divest itself of the power to control its own proceedings and its communication with the people. In my mind there is no doubt upon the subject. The Constitution requires that each House shall determine its own rules of proceeding. The language is:

Each House may determine the rules of its proceedings.

Is this a rule of proceeding? Is the printing or communication which either House of Congress may wish to have with the people a proceeding? Are the methods which it shall employ for the transaction of its business, the publication of its proceedings, of its bills, and its reports, proceedings, and are these methods to be determined by rules of proceeding or are they not?

It is clear, unquestionably, that it is a proceeding of each House; that the method by which it is to be done is a rule of proceeding, and that this is a perpetual power in each House of Congress which can not be divested by any action of anybody, either of the two organic bodies, with the assent of the President of the United States.

The proposed law appoints the committee. The proposed law is incumbent, if it be a law, upon this body to create a joint committee to prescribe the number of the committee; that they shall be three; and then it vests in this unauthorized body of a joint committee unknown to the Constitution and the laws certain powers. They are not an executive body; they are the creation of a law by which the two Houses of Congress and the President determine a rule of proceeding for each House, and takes away from them their power over their own rules of proceeding.

Mr. President, is it important that each House in our theory of government should have the control of its own proceedings and of its own rules of proceeding? Is that an object which should be carefully guarded and preserved? It may be at some time absolutely necessary that each House shall preserve its communication with the people for some important purpose; then this proposed law, if it be a law, will deprive either House of the power to do it.

Mr. MANDERSON. I should like to ask the Senator from Florida a question, with his permission.

Mr. CALL. Certainly.

Mr. MANDERSON. Is the Senator under the impression that this encroachment upon the privileges of either House by a general act is a matter that is new in this bill?

Mr. CALL. I suppose there are some instances to the contrary, but it is new in respect to the public printing of this body; that is, in the extent to which this bill carries it.

Mr. MANDERSON. I beg the permission of the Senator to make a correction.

Mr. CALL. Certainly; I am glad to be corrected if I am wrong.

Mr. MANDERSON. Section 1 of the bill is identical in language with a section of the general statutes that has been the law for nearly forty years. I refer the Senator to page 741 of the revision of 1878, section 3756:

There shall be a Joint Committee on Public Printing, consisting of three members of the Senate, appointed by the President of the Senate, and three members of the House of Representatives, appointed by the Speaker of the House, who shall have the powers hereinafter stated.

So, for nearly forty years this gross violation of the privileges of the Houses of Congress has obtained.

Mr. CALL. I was aware of the statute; but that statute does not proceed so far in its minutiae, in its details in reference to all the proceedings of this body, as does the bill under consideration. But the fact that it was formerly done does not deprive the objection of any of its force and validity. In this bill it is extended to all the proceedings of this body. It even limits the number which may be printed of some of the documents and reports and bills which may be desired by this body. Therefore, while the principle was equally violated forty years ago, it was not violated in the essential respects and in the limitations which this bill provides; and that is the objection to it.

Mr. President, whenever and however it may have been that this body was divested of its right to publish whatever number of public documents it saw fit to do, it was wrong, it was essentially wrong, and it ought not to be further continued. I do not know of any more essential right of any power more absolutely necessary to each house of Congress than the right to declare the number and the kind of communications which it may send forth to the people in vindication of its own proceedings. Yet the whole theory of this bill is that the present Congress shall deny to a future Congress the right to do this without a two-thirds vote; that the majority of this body shall to-day declare to all future Congresses that they shall not exercise this right except upon the consent of two-thirds of their members without the approval of the President of the United States.

Mr. President, without continuing this debate, I wish to say that I regard this as a fatal objection to the bill, and it derives no justification from the fact that it may have been incautiously adopted years ago in reference to some part of the public printing.

There is no necessity for the legislation proposed. The reductions which have been made in the number of copies and in the amount of printing to be done by the Public Printer may be very important. I give the chairman of the committee, the Senator from Nebraska, credit not only for his careful examination of this subject but for his intelligent conduct of the discussion upon this subject; but it does not follow from any of his observations that this precedent ought to be followed now, that this bill should be passed and all its details applied to the proceedings of this body, and that future Houses of Congress shall be prohibited from the publication of documents which they consider important or necessary for the public and for maintaining their own relations with the people at large.

All the proper objects of this bill may be attained equally by a joint committee reporting to each House, and dependent on their sanction and approval. Why not? Why is not the joint committee of the future Houses of Congress equally competent, with the majority of the present Congress, to prescribe limitations to the public printing and to its cost? An intelligent joint committee examining this subject, responsible to the people and to their respective Houses, may, with far better judgment, prescribe a rule for each Congress in reference to the number of public documents than can this Congress without knowledge of the peculiar circumstances and conditions which may surround the future Congresses.

Mr. President, I do not believe that this bill will effect any very great change in the cost of public printing or diminish it, because it creates a great number of additional officials. To my mind that would not be a very serious objection, because the Department of Public Printing is one peculiarly essential to the conduct of public business and useful to the people of the country at large. While a great many documents are published that are unnecessary, there are others of great value, and I should not object to the employment of whatever number of persons, upon an economical scale, may be necessary for the proper conduct of the business, but that they should be placed beyond the control of each House of Congress, that the Senate and the Houses which may assemble in future shall have no right to say anything upon this subject except by the repeal of this law, with the consent of the President or by a two-thirds vote, is, in my judgment, a very serious public evil and equally violative of the theory of our

Government constituting these two bodies, and of the Constitution of the United States.

Indeed, it may be said with truth that the preservation of the complete independence of the Senate and the House, and the absolute right of each to determine its rules of proceeding, is absolutely necessary to the continuance of our form of government. To subject their rules and their power to communicate with the people to the veto power of the President is a fatal mistake.

Mr. GALLINGER. Mr. President, while I do not agree with all the provisions of this bill, and if I had my way would make very radical changes in it in the line of greater simplicity and greater economy to the Government and to the people, yet I am impressed with the idea that as a whole it is good legislation and ought to be enacted into law. For one I am very glad of an opportunity to express my satisfaction with the very excellent work in the main that the committee have done and the painstaking care with which they have considered the various subjects connected with this proposed statute.

During the Fifty-fifth Congress it was my privilege, as a member of the other House, to be brought in contact with the Government Printing Office, and to learn something of the details of the work there carried on. One thing impressed me more than any other during the investigation of the office then had, and that was the necessity for a new printing house for the Government. I wish to devote a few minutes of time to calling the attention of the Senate to the urgent necessity that exists to-day, not only for legislation to codify the laws relating to printing, but more especially for legislation that will create a printing office that will be adequate to carry on economically and properly the work of the Government in this direction.

After leaving Congress I was exceedingly gratified to learn from the public prints that an appropriation had been made for the purchase of a site with a view to constructing a printing house for the Government. But I learned with great regret upon returning to Washington that for some reason or other that appropriation was not available, and that the construction of a new building was apparently as remote as it had been three years before.

A week or ten days ago I passed through Printing House Square in New York City. I looked with admiration upon the magnificent structures that private enterprise and private money have built for the purpose of accommodating the great newspapers which we are in the habit of reading every morning. There was the superb building which the Tribune Association has constructed, the elegant structure which the World has reared, and the buildings for the other great newspapers in that city, all of which have been built by private enterprise and with private means. I recalled to mind the fact that in the city of Boston the Globe and the Herald have palaces for the purpose of carrying on the work of those newspapers, where the operatives have every possible convenience, where sanitary arrangements are carefully attended to, and where the comfort, happiness, and care of the people who work in those buildings are looked after in every detail, and I remembered that the other large cities of the country are equally well supplied with modern printing establishments. Then my mind wandered back to Washington, and I saw the rickety old building over there on H street, the largest printing house, I believe, in the world, where nearly 3,000 men and women are employed, and I could not but feel that in contrast with what private enterprise has done, the condition of the Government Printing Office is a disgrace to the Congress of the United States.

Mr. President, not only is the Government Printing Office an utterly inadequate building so far as its capacity and comfort are concerned, but if my observations have been correct, its sanitary condition is extremely bad. It could not well be worse in that respect, and there is also great danger, according to the opinions of those who ought to know the facts, that some great calamity may befall the 3,000 people who are employed within those walls. I do not wish to be an alarmist, but nevertheless will venture to say that that printing house is not safe and ought to be condemned. There is danger every day that it may fall to the ground with the weight which is imposed upon it. I have it from a trusted official of the Government Printing Office that he has risen from his bed at night and gone to that building for the purpose of examining it, fearing that it would be crushed by the weight that is necessarily placed upon its floors.

Mr. President, it is a crime for the Government of the United States (and no other word will properly characterize it) to put 3,000 men and women within the walls of a building whose sanitary condition is as bad as that, and which is as unsafe as that building is.

I simply wanted to emphasize that point in rising at this time, and to say to the Senate of the United States that whether this legislation, of which I approve, is passed or not, whether the laws relating to the Government printing are collated and put into

proper form or not, an imperative duty rests upon the Joint Committee on Printing, and an equal duty rests upon the Congress of the United States to see to it that an appropriation is forthcoming that will give to the Government a building adequate and proper in which to carry on the printing work of the country. I trust that a liberal appropriation for that purpose may be made at an early day and that the disgraceful condition of things that now exist may be wiped out.

Then, Mr. President, all the operations of the Government Printing Office can be carried on under one roof. The superintendent of documents, provided for in this bill, can have a local habitation in immediate proximity to the other departments of the office, and genuine economy will be practiced through the use of modern appliances, comfortable work rooms, and intelligent supervision. It will be my most earnest desire, during the time I shall be a member of this body, to see the consummation of this much-needed reform; and certainly no effort of mine will be withheld to aid in its accomplishment.

The VICE-PRESIDENT. The question is, Shall the bill pass?

Mr. COKE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. PALMER (when his name was called). I do not understand the exact significance of pairs upon this question. I am paired with the Senator from North Dakota [Mr. HANSBROUGH], and I shall not feel at liberty to vote, unless I knew that Senator would vote as I should.

Mr. CASEY. I can say that my colleague Mr. [HANSBROUGH] would vote "yea" on this question.

Mr. PALMER. If I were at liberty to vote I should vote "nay."

Mr. PUGH (when his name was called). I have a general pair with the Senator from Massachusetts [Mr. HOAR]. On this question I am satisfied he would vote "yea," and I vote "yea."

Mr. SHERMAN (when his name was called). I am paired with the Senator from Kentucky [Mr. CARLISLE]; but I understand there is no politics in this vote, and as I believe he would vote the same way that I do, I vote "yea."

The roll call was concluded.

Mr. FAULKNER. I desire to state that my colleague [Mr. KENNA] is paired with the junior Senator from Colorado [Mr. WOLCOTT]. My colleague is necessarily detained from the Senate.

Mr. CALL (after having voted in the negative). I wish to inquire if the Senator from Vermont [Mr. PROCTOR] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. CALL. Then I withdraw my vote, as I am paired with him.

Mr. HISCOCK. I should like to inquire if a quorum has voted. I am paired with the Senator from Arkansas [Mr. JONES], with the right to vote to make a quorum.

The VICE-PRESIDENT. The Chair is informed that no quorum has yet voted.

Mr. HISCOCK. Then I vote "yea."

Mr. CASEY. I desire to state that my colleague [Mr. HANSBROUGH] is detained from the Chamber by sickness.

Mr. MANDERSON. I have voted notwithstanding my pair with the Senator from Kentucky [Mr. BLACKBURN], because I am satisfied that he would vote "yea" if he were here; and I also vote to make a quorum.

The result was announced—yeas 41, nays 6; as follows:

#### YEAS—41.

Allen,	Dolph,	Morgan,	Squire,
Alison,	Dubois,	Morrill,	Stewart,
Blodgett,	Frye,	Paddock,	Stockbridge,
Carey,	Gallinger,	Pasco,	Teller,
Casey,	Gibson, Md.,	Peffer,	Vest,
Chandler,	Harris,	Perkins,	Vilas,
Cockrell,	Hawley,	Pettigrew,	Walthall,
Colquitt,	Hiscock,	Pugh,	Wilson,
Davis,	Kyle,	Sanders,	
Dawes,	McMillan,	Sawyer,	
Dixon,	Manderson,	Sherman,	

#### NAYS—6.

Bate,	Chilton,	George,	Vance,
Berry,	Coke,		

#### NOT VOTING—41.

Aldrich,	Felton,	Jones, Ark.,	Shoup,
Barbour,	Gibson, La.,	Jones, Nev.,	Stanford,
Blackburn,	Gordon,	Kenna,	Turple,
Brice,	Gorman,	McPherson,	Voorhees,
Butler,	Gray,	Mitchell,	Warren,
Call,	Hale,	Palmer,	Washburn,
Cameron,	Hansbrough,	Platt,	White,
Carlisle,	Higgins,	Power,	Wolcott,
Cullom,	Hill,	Proctor,	
Daniel,	Hoar,	Quay,	
Faulkner,	Irby,	Ransom,	

So the bill was passed.

#### FOOD AND DRUG ADULTERATION.

Mr. PADDOCK. Pursuant to the understanding had several days ago, I now ask that Senate bill No. 1 be taken up.

The VICE-PRESIDENT. The bill will be laid before the Senate.

The Senate, as in Committee of the Whole, proceeded to consider the bill S. 1 for preventing the adulteration and misbranding of food and drugs, and for other purposes.

The VICE-PRESIDENT. The bill will be read at length.

Mr. PADDOCK. The amendment in the nature of a substitute is the bill which I desire to have considered.

The VICE-PRESIDENT. It will be read.

The CHIEF CLERK. The amendment of the Committee on Agriculture and Forestry is to strike out all after the enacting clause of the bill and insert:

That, for the purpose of protecting the commerce in food products and drugs between the several States and Territories of the United States and foreign countries, the Secretary of Agriculture shall organize in the Department of Agriculture a section to be known as the food section of the chemical division, and make necessary rules governing the same, to carry out the provisions of this act under direction of the chief chemist, whose duty it shall be to procure from time to time, under rules and regulations to be prescribed by the Secretary of Agriculture, and analyze or cause to be analyzed or examined samples of food and drugs sold or offered for sale in any State or Territory other than where manufactured. The Secretary of Agriculture is hereby authorized to employ such chemists, inspectors, clerks, laborers and other employees as may be necessary to carry out the provisions of this act.

SEC. 2. That the introduction into any State or Territory from any other State or Territory or foreign country of any article of food or drugs which is adulterated or misbranded within the meaning of this act is hereby prohibited, and any person who shall knowingly ship or deliver for shipment from any State or Territory or foreign country to any other State or Territory, or who shall knowingly receive in any State or Territory from any other State or Territory or foreign country, or who, having so received, shall knowingly deliver, for pay or otherwise, or offer to deliver to any person, any such article so adulterated or misbranded within the meaning of this act, shall be guilty of a misdemeanor, and for such offense be fined not exceeding \$500 for the first offense, and for each subsequent offense not exceeding \$300, or be imprisoned not exceeding one year, or both, in the discretion of the court.

SEC. 3. That the chief chemist shall make, or cause to be made, under rules and regulations to be prescribed by the Secretary of Agriculture, examinations of specimens of food and drugs which may be collected from time to time, under rules and regulations to be prescribed by the Secretary of Agriculture, and under his direction in various parts of the country, and publish in bulletins the results of such analyses. But the names of manufacturers or vendors of such foods or drugs analyzed shall in no case be published in such bulletins until after conviction in the courts of violation of this act. If it shall appear from such examination that any of the provisions of this act have been violated the Secretary of Agriculture shall at once cause a report of the fact to be made to the proper United States district attorney, with a copy of the results of the analysis duly authenticated by the analyst under oath.

SEC. 4. That it shall be the duty of every district attorney to whom the food section shall report any violation of this act to cause proceedings to be commenced and prosecuted without delay for the fines and penalties in such case provided, unless, upon inquiry and examination, he shall decide that such proceedings can not probably be sustained, in which case he shall report the facts to the food section.

SEC. 5. That the term "drug," as used in this act, shall include all medicines for internal or external use. The term "food," as used herein, shall include all articles used for food or drunk by man, whether simple, mixed, or compound. The term "misbranded," as used herein, shall include all drugs, or articles of food, or which enter into the composition of food, the package or label of which shall bear any statement purporting to name any ingredients or substances as not being contained in such article, which statement shall be false in any particular; or any statement purporting to name the substances of which such article is made, which statement shall not fully give the names of all the substances contained in such article in any measurable quantities.

SEC. 6. That for the purposes of this act an article shall be deemed to be adulterated—

In case of drugs:

First. If when sold under or by a name recognized in the United States Pharmacopoeia it differs from the standard of strength, quality, or purity according to the tests laid down therein.

Second. If when sold under or by a name not recognized in the United States Pharmacopoeia, but which is found in some other pharmacopoeia or other standard work on materia medica, it differs materially from the standard of strength, quality, or purity according to the tests laid down in said work.

Third. If its strength or purity fall below the professed standard under which it is sold.

Fourth. If it be an imitation of and sold under the specific name of another article.

In the case of food or drink:

First. If any substance or substances has or have been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength, so that such product, when offered for sale, shall be calculated and shall tend to deceive the purchaser.

Second. If any inferior substance or substances has or have been substituted wholly or in part for the article, so that the product, when sold, shall tend to deceive the purchaser.

Third. If any valuable constituent of the article has been wholly or in part abstracted, so that the product, when sold, shall tend to deceive the purchaser.

Fourth. If it be an imitation of and sold under the specific name of another article.

Fifth. If it be mixed, colored, powdered, or stained in a manner whereby damage is concealed, so that such product, when sold, shall tend to deceive the purchaser.

Sixth. If it contain any added poisonous ingredient or any ingredient which may render such article injurious to the health of the person consuming it.

Seventh. If it consists of the whole or any part of a diseased, filthy, decomposed, or putrid animal or vegetable substance, or any portion of an animal, unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or of an animal that has died otherwise than by slaughter.



*Provided*, That an article of food or drug which does not contain any added poisonous ingredient shall not be deemed to be adulterated.

First, in the case of mixtures or compounds which may be now or from time to time hereafter known as articles of food under their own distinctive names, and not included in definition fourth of this section;

Second, in the case of articles labeled, branded, or tagged, so as to plainly indicate that they are mixtures, compounds, combinations, or blends;

Third, when any matter or ingredient has been added to the food or drug because the same is required for the production or preparation thereof as an article of commerce in a state fit for carriage or consumption, and not fraudulently to increase the bulk, weight, or measure of the food or drug, or conceal the inferior quality thereof: *Provided*, That the same shall be labeled, branded, or tagged, as prescribed by the Secretary of Agriculture, so as to show them to be compounds and the exact character thereof: *And provided further*, That nothing in this act shall be construed as requiring or compelling proprietors or manufacturers of proprietary medicines to disclose their trade formulas;

Fourth, where the food or drug is unavoidably mixed with some extraneous matter in the process of collection or preparation.

SEC. 7. That every person manufacturing or exposing for sale or delivering to a purchaser any drug or article of food included in the provisions of this act shall furnish a sample of such drugs or articles of food to any person duly authorized by the Secretary of Agriculture to receive the same, and who shall apply to such manufacturer or vendor, or person delivering to a purchaser such drug or article of food for such sample for such use, in sufficient quantity for the analysis of any such article or articles in his possession, and shall tender him the full value thereof. And in the presence of such dealer and an agent of the food section, if so desired by either party, said sample shall be divided into three parts and each part shall be sealed by the seal of the food section. One part shall be left with the dealer, one delivered to the food section, and one deposited with the United States district attorney for the district in which the sample is taken. Said manufacturer or dealer may have the sample left with him analyzed at his own expense, and if the results of said analysis differ from those of the food section, the sample in the hands of the district attorney shall be analyzed by a third chemist, who shall be appointed by the president of the Association of Official Agricultural Chemists of the United States, in the presence of the chemist of the food section and the chemist representing the dealer and the whole evidence shall be laid before the court.

SEC. 8. That whoever refuses to comply, upon demand, with the requirements of section 7 of this act shall be guilty of a misdemeanor, and upon conviction, shall be fined not exceeding \$100 nor less than \$10, or imprisoned not exceeding one hundred nor less than thirty days, or both. And any person found guilty of manufacturing, or knowingly offering for sale, or selling an adulterated, impure, or misbranded article of food or drug under the provisions of this act shall be adjudged to pay, in addition to the penalties heretofore provided for, all the necessary costs and expenses incurred in inspecting and analyzing such adulterated articles which said person may have been found guilty of manufacturing, selling, or offering for sale.

SEC. 9. That in prosecutions for violations of any of the provisions of this act proof of the act done shall be held to imply knowledge and intent on the part of the accused, unless such knowledge and intent shall be disproved on the trial. If it be shown that said dealer is innocent of any intentional fraud, then the action in court shall be against the dealers having furnished the accused the articles in question, and these dealers shall be parties to the suit.

SEC. 10. That this act shall not be construed to interfere with commerce wholly internal in any State, nor with the exercise of their police powers by the several States.

SEC. 11. That for the purpose of enabling the Secretary of Agriculture to carry this law into effect, there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$100,000.

Mr. PADDOCK. In the last Congress, when this bill was reported by the Committee on Agriculture and Forestry, a somewhat extended report accompanied the bill. I desire to have read as the report for the bill at this time certain portions of that report which I have marked, and which I will send to the Secretary's desk.

Mr. BATE. There is no objection to that.

The PRESIDING OFFICER (Mr. PASCO in the chair). The parts marked in the report will be read if there be no objection. The Chair hears none.

The Chief Clerk read from the report submitted by Mr. PADDOCK, from the Committee on Agriculture and Forestry, June 16, 1890, as follows:

The object of the proposed law is to provide for the inspection and to prohibit the introduction of, adulterated or misbranded foods or drugs into any State or Territory, or the District of Columbia, from any other State or Territory, or foreign country, and to provide, through the Department of Agriculture, proper administrative machinery for its enforcement.

The Department of Agriculture was chosen as the Department to which the execution of the law should be properly assigned, because it has for several years been carrying on investigations and examinations of a character similar to that which it would be required to perform under the provisions of the proposed legislation. The division of chemistry has made exhaustive researches into food adulteration. Five bulletins already issued not only give evidence of the excellent equipment of the Department for scientific work of this nature, but furnish a mass of conclusive arguments for the enactment of the law itself. These investigations afford a startling exhibit of the prevalence of food adulteration throughout the country and the widespread extent of the sophistication of articles of daily consumption by the people.

If the National Government is to interpose, to prevent, as your committee believes it should, the damage to health and morals which the practices of dishonest dealers are working in every community, it seems desirable that the information already gained and the experience acquired in the Department of Agriculture should be utilized. As the proper enforcement of the law will depend very largely upon accurate scientific investigations, it was felt that the officers charged with its execution should be connected with a distinctly scientific department.

Another reason, equally strong, presented itself as an argument for placing the execution of the law under the Department of Agriculture. By far the greater part of the articles of food consumption which would be beneficially affected by legislation of the character proposed are the products of American agriculture. The American farmer is primarily most deeply interested as a producer in the passage of laws which will maintain the standard of purity which he sets up for himself in the productions of his dairy, his meadow, his apiary, and his swinepen. Declining prices and restricted markets, the results of the sophistication of foods after they have passed from his hands, withdrawal of the confidence of consumers, which is affect-

ing alike the reputation of the producer and the product, all have combined to arouse the American farmer to the necessity of such legislation by Congress as may be needed to supplement the imperfect and consequently ineffective legislation of the States.

The importance of the subject of adulteration has been conceded since the earliest times, and governments have been called to deal with it for centuries past. But it has only been since the great opportunities for fraud provided by modern science, and especially modern chemistry, have presented themselves that the sophistication of articles of commerce has reached its present height. Science has been called upon in the interest of honesty to trace and detect the frauds of scientific dishonesty, and the microscope, test tube, retort, and chemical reagent have opened to view the grave and growing consequences of a greed for gain which is assailing the public health, affecting the pocket of the consumer, and undermining what is so aptly denominated by Dr. Hassall as the very foundation of trade, viz., "Faith in commercial integrity." The report upon House bill 10320, from the Committee on Agriculture, Fifth Congress, tersely sums up the situation as follows:

"That one of the first considerations of every civilized government is its food supply can not be controverted, nor can it be contested that the purity of the supply is as important as the supply itself. Quantity alone will not meet the demand; quality, within certain limits, is as necessary to health and the prolongation of life as quantity is to its preservation.

"The recent exhaustive examination into the alleged adulteration of food by this committee demonstrated the prevalence of covetous and dishonest practices in the degeneration, counterfeit, and substitution of commodities by which inferior, cheaper, and sometimes injurious articles were made to represent those of standard quality and absolute purity.

"This state of facts amounts not only to a premium upon dishonesty, but is a threat to national health. Honest manufacturers and dealers are placed at a disadvantage or are forced into a reckless competition with fraud. Legitimate trade is handicapped and demoralized. It tends to make an Ishmaelite of both manufacturer and dealer, and the hand that is raised against competitors in trade falls in the case of the meat industries of the country necessarily upon the seven millions and over of farmers who produce the supply and fraudulently upon the entire population that consumes it at second hand."

"The same application can be made to every other manufactured food product which is the subject of fraudulent compounding and sophistications; and investigation has established that few articles of diet are exempt. While it is true that by far the greater proportion of these adulterations are commercial frauds, and not necessarily poisonous in character, it is undisputed that trickery and dishonesty have not stopped at the line of mere sophistication, and that in many instances unscrupulous manufacturers, manipulators, compounders, and dealers have not hesitated to color, stuff, and revamp their wares with dyes, drugs, and minerals of a death-dealing nature.

"A great variety of such substances," says Dr. Hassall, the eminent English expert, "are used for the purpose of adulteration. We have ourselves detected among others the following: The three chromates of lead, the three chromic blues, which are mixtures of the chromates of lead and indigo or Prussian blue, red oxide of lead or red lead, arsenite of copper, etc." "The list, it will be observed, contains the names of some of the most virulent poisons."

The Special Agent of the Agricultural Department, in Bulletin No. 25 of the division of chemistry, Department of Agriculture, after an exhaustive investigation of the subject, says:

"The investigations of the writer show, as will, I think, be conclusively proved by the evidence adduced, that adulteration of our food products is generally and steadily increasing. That most of these adulterations belong to the second class, namely the noninjurious to health, is a cause for congratulation, and in many cases of adulteration prejudicial to health the use of such adulterants ought to be charged rather to ignorance than to malice. The result to the consumer, however, is just as grievous, and calls as loudly for his protection from deleterious compounds fraudulently introduced into food, drink, and drugs as though he were the victim of malice.

"It may be noted here that among the most poisonous adulterants in use are those used to color and cheapen confectionery and liquors. Now, setting aside for a moment the consideration of this most grievous sort of adulteration, by which the public health is injured, we find what we have styled "non-injurious adulteration" so common that estimates as to the amount of which the American people are annually defrauded in this manner are simply appalling. Several features of this great and growing evil demand special consideration. First, this fraud bears most heavily upon the uneducated and the poor. While the poor man is compelled to patronize cheap stores, and in his struggle for existence and his endeavor to provide the quantity necessary to supply the daily wants of himself and family, is driven to purchase cheap goods, the rich man can to a certain extent protect himself by confining his dealings to the most reputable tradesmen and paying the highest prices.

"Again, we find that adulteration of many of our food products results in cheapening the product of the turn, thus lessening the profits of the husbandman and robbing both consumer and producer. It must not be forgotten, too, that even though adulterated with matter not positively injurious to health, such food, drugs, or liquors can not be as nutritious and wholesome as the pure articles, and especially important does this feature of adulteration become in the matter of drugs used to prevent or cure disease. To be fed on debased and poisoned food, tainted or diseased meat, until the body sinks is surely bad enough without the efforts of the physician to prevent or allay disease being frustrated by his inability to secure unadulterated drugs and remedies fitted to do his work."

The charge made by English chemists and the parliamentary commission that adulteration and sophistication was prevalent in every class of food products examined has been fully borne out in this country. A mere glance over the articles analyzed by state and national chemists with the results of the analyses is sufficient to show the startling prevalence of fraud in the manufacture and sale of products in daily consumption in our homes. It is shown that from bread to wine, through the whole commercial alphabet, dishonest and mercenary manufacturers are busily engaged in robbing the public to increase profits. In England, Hassall, and in our country Prof. Sharpless, the chemists of the Bureau of Agriculture and of various State boards of health have printed classified lists of adulterants commonly found in articles of food.

Of articles of food subject to adulteration the proportion which is adulterated is nothing if not startling. Dr. Lattimore, analyst of the New York State Board of Health, reported that of 375 articles of diet in daily use in every household 255, or more than two-thirds, were found to be adulterated. Of 265 samples of so-called cream of tartar analyzed, only 53 were unadulterated.

These reports are fully borne out by the investigations made by the American Society for the Prevention of the Adulteration of Food, which has done brave work in attracting public attention to the crying need of a national law to prevent these commercial frauds. The chemist of the society gives the following results of examinations made by himself and compared with the similar work of other examining analysts:

"Average of the per cent of adulteration of the more common articles of

food and drugs: Olive oil, 60 per cent; castor-oil, 20 per cent; blue ointment, 61 per cent; tincture opium, 58 per cent; spices and condiments, 68 per cent; candies, 33 per cent; sirups, 50 per cent; cream tartar 40 per cent; baking powder, 44 per cent; butter, 40 per cent; bread and pastry, 15 per cent; milk, 40 per cent; lower grade sugar, 20 per cent; lard 70 per cent; tea, 40 per cent; ground coffee, 49 per cent; cider vinegar, 80 per cent; ice cream, 55 per cent; chocolate, 38 per cent; honey, 24 per cent; wine, 40 per cent; beer, 45 per cent; spirituous liquors, 33 per cent."

The enormous amount of adulterated food products under false pretenses can not be questioned in the face of the facts presented, or the menace to health in many of the adulterations used. But there is another point of view as important as it is practical, viz, the effect of these practices upon the pocket of the consumer. It is manifest from the investigations made that price no longer guarantees purity. But even where this is the case the wealthy alone reap the benefits. The purchasers of the inferior, because the cheaper, articles are naturally those of most moderate means. The robbery through food adulteration therefore falls most heavily on the poor. The annual sum gained by these commercial pickpockets is startling.

It is estimated by one of the leading trade journals of the United States that 2 per cent. of the entire food supply of this country is sophisticated. Taking the conservative estimate of \$1,500,000,000 as the total value of the food supply consumed in the United States annually, there is, upon this basis of estimation, \$90,000,000 a year of fraudulent food products foisted upon consumers. Dr. Abbott, of the Massachusetts board of health, asserts that in that State, as the result of stringent food and drug inspection laws, there has been a saving of 5 per cent. to the people in the increased purity of food products.

If the same results of deterrent legislation could prevail throughout the country, the annual saving to the consumer through pure food would reach a stupendous sum.

But there is another standpoint hardly less vital from which the importance of the subject presents itself. That is from the side of the food producer whose products are sophisticated and misbranded and whose market for a pure product is restricted because of the suspicion of fraud which discredits the purity of the products subject to adulteration. Both Houses of Congress have been deluged with petitions from farmers' organizations during the present session praying for legislation which will compel the manufacturers of hog products to conform to the laws of commercial honesty. They complain, and justly, that the sale of compounded products under the name of the genuine article is destroying a remunerative market for their hogs by displacing millions of pounds of pure lard with articles of a cheaper quality sold under the same name.

Our export market is already suffering from the discredit thrown upon American food products. Prosecutions in England of tradesmen selling adulterated American food has cast suspicion on other products. National inspection abroad is so rigid and thorough that its absence in this country is taken as evidence of a studied disinclination on the part of our Government to protect consumers against commercial avarice and fraud. In consequence there is an alarming decrease noticeable in the export demand of articles most subject to adulteration and which need most inspection to assure their edibility and healthfulness. Nothing but Congressional action can relieve the situation.

The demand for legislation by Congress to prevent dangerous adulterations and the sophistication of foods and drugs has been yearly increasing since attention has been directed by various State boards of health and commissions to the alarming prevalence of fraud in the preparation and sale of foods and medicines. In nine States pure-food laws are already operative. There is no dissent to the verdict that their operation and application have within the limited lines of State jurisdiction been productive of good, both by materially decreasing fraud through the fear of exposure and in inculcating greater watchfulness on the part of the purchasers and consumers. But, however efficient State regulation has been, it has entirely failed to meet the requirements of the situation, owing to the Federal restrictions against interference by local authorities with interstate commerce.

Repeated decisions of the courts have so contracted the surveillance of the States as to leave a wide and steadily growing margin which State legislation is incompetent to reach. But barely one-fourth of the States have awakened to the need of stamping out fraud in the manufacture and sale of these products, or have exercised their rights of inspection to the extent of their capacity. As a result throughout the greater part of the country, as shown by the most careful national investigation, the adulteration and sophistication of foods continue but slightly checked. The recent decision of the Supreme Court of the United States in the case of *Lelsy vs. Hardin*, better known as the original liquor package case, and the Minnesota dressed beef cases make legislation by Congress imperative if any legislation is to be effective.

The bill reported by your committee is believed to be at once conservative and comprehensive. It is drawn, in my judgment, alike in the interests of the honest manufacturer and of the general consuming public. It will render unnecessary the enactment of laws directed against special interests or designed to supplement trade jealousies. By its passage, adulteration and sophistication in foods and drugs will, it is believed, be reduced to the minimum, commercial integrity bulwarked by the detection and punishment of dishonest dealers, and millions of dollars annually saved now abstracted from the pockets of consumers. Supplemented as it has been by legislation dealing with the inspection of products of the slaughter houses intended for foreign sale, it will strengthen and build up a declining export trade in American food products and materially lighten the load now carried by the American farmer.

Mr. SAWYER. I move that the Senate proceed to the consideration of executive business.

Mr. PADDOCK. I ask the Senator to yield to me for a moment.

Mr. SAWYER. All right; I withdraw the motion for the present.

Mr. PADDOCK. I desire simply to state that I understand the arrangement to be that this bill will go over as the unfinished business until to-morrow after the morning hour, and that it will come up at 2 o'clock as the regular order.

The PRESIDING OFFICER. That is the parliamentary situation of the bill.

Mr. PADDOCK. I yield to the Senator from Wisconsin [Mr. SAWYER].

#### EXECUTIVE SESSION.

Mr. SAWYER. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in

executive session the doors were reopened, and (at 4 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 16, 1892, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate February 15, 1892.*

#### ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Rowland B. Mahany, of New York, to be envoy extraordinary and minister plenipotentiary of the United States to Ecuador.

#### UNITED STATES CIRCUIT JUDGE.

Joseph McKenna, of California, to be United States circuit judge for the ninth judicial circuit, vice Lorenzo Sawyer, deceased.

#### ASSISTANT SURGEON IN THE NAVY.

Merritt Wright Barnum, a resident of New York, to be an assistant surgeon in the Navy, to fill a vacancy in that grade.

#### POSTMASTERS.

Samuel B. Boder, to be postmaster at Boulder, in the county of Boulder and State of Colorado, in the place of Valentine Butsch, whose commission expires February 28, 1892.

Le Baron B. Willard, to be postmaster at Greeley, in the county of Weld and State of Colorado, in the place of Rudolph H. Johns, whose commission expires February 28, 1892.

Samuel F. Cole, to be postmaster at Pella, in the county of Marion and State of Iowa, in the place of John H. Stubenrauch, whose commission expires February 24, 1892.

Joseph H. Reynolds, to be postmaster at Harlan, in the county of Shelby and State of Iowa, in the place of Jonathan B. Stutsman, whose commission expired February 9, 1892.

Edward Hall, to be postmaster at Havre de Grace, in the county of Harford and State of Maryland, in the place of Joseph F. Woodrow whose commission expired February 9, 1892.

Henry A. Talbot, to be postmaster of Franklin, in the county of Norfolk and State of Massachusetts, in the place of James M. Freeman, whose commission expired January 16, 1892, and who has also resigned.

Edward F. H. Pearson, to be postmaster at Pontiac, in the county of Oakland and State of Michigan, in the place of James G. Buchanan, whose commission expired January 31, 1892.

Hanson H. Barnes, to be postmaster at Castle, in the county of Meagher and State of Montana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Frank J. Nesbitt, to be postmaster at Bozeman, in the county of Gallatin and State of Montana, in the place of George Budd, deceased.

Samuel E. Fouts, to be postmaster at Westerville, in the county of Franklin and State of Ohio, in the place of William Rowe, whose commission expired January 16, 1892.

Lewis B. Landmesser, to be postmaster at Wilkes Barre, in the county of Luzerne and State of Pennsylvania, in the place of Mary E. P. Bogert, whose commission expired December 21, 1891.

William T. Lewis, to be postmaster at Austin, in the county of Potter and State of Pennsylvania, in the place of Nelson H. Hastings, deceased.

J. Clarence Reeve, to be postmaster at East Greenwich, in the county of Kent and State of Rhode Island, in the place of John F. Galvin, whose commission expired January 23, 1892.

John S. Fenn, to be postmaster at Port Angeles, in the county of Clallam and State of Washington, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Edwin D. Coe, to be postmaster at White Water, in the county of Walworth and State of Wisconsin, in the place of Edward F. Donnelly, whose commission expires February 24, 1892.

Levi R. Davis, to be postmaster at Newcastle, in the county of Weston and State of Wyoming, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1891.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate February 15, 1892.*

#### POSTMASTERS.

Hanson H. Barnes, to be postmaster at Castle, Meagher County, Mont.

Frank J. Nesbitt, to be postmaster at Bozeman, Gallatin County, Mont.

Edwin D. Coe, to be postmaster at White Water, Walworth County, Wis.



## HOUSE OF REPRESENTATIVES.

MONDAY, February 15, 1892.

The House was called to order at 12 o'clock m. by the Clerk, Hon. JAMES KERR, who read the following communication:

Hon. JAMES KERR,  
Clerk House of Representatives.

I name Hon. BRENTON McMELEN to perform the duties of the Chair for this day.

CHARLES F. CRISP, Speaker.

Mr. McMELEN accordingly took the chair as Speaker *pro tempore*.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Saturday was read and approved.

## WILLIAM McDONALD VS. THE UNITED STATES.

The SPEAKER *pro tempore* laid before the House a letter from the assistant clerk of the Court of Claims, transmitting the findings of the court in the French spoliation claims case of William McDonald vs. The United States; which was referred to the Committee on Claims.

## LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:  
To Mr. TAYLOR of Tennessee, for ten days, on account of important business.

To Mr. BACON, indefinitely, on account of sickness.

To Mr. SCOTT, indefinitely, on account of sickness in his family.

To Mr. WILLIAMS of Illinois (on motion of Mr. SCOTT), indefinitely, on account of sickness.

## DISTRICT OF COLUMBIA SUBURBAN RAILWAY COMPANY.

Mr. RICHARDSON, by unanimous consent, from the Committee on the District of Columbia, submitted a report to accompany the bill (H. R. 429) to incorporate the District of Columbia Suburban Railway Company; which was ordered to be printed, and referred to the House Calendar.

## ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The Chair will direct the Clerk to read the first clause of Rule XXVIII, which defines the order of business for this day's session.

The Clerk read as follows:

No standing rule or order of the House shall be rescinded or changed without one day's notice of the motion therefor, and no rule shall be suspended except by a vote of two-thirds of the members present; nor shall the Speaker entertain a motion to suspend the rules except on the first and third Mondays of each month, preference being given on the first Monday to individuals, and on the third Monday to committees, and during the last six days of a session.

The SPEAKER *pro tempore*. The Chair will, under the rule just read, call the committees for motions to suspend the rules. Under this rule authority from the committee is required in order to entitle a member to make the motion to suspend the rules.

## PORT OF OGDENSBURG, N. Y.

Mr. WISE (when the Committee on Interstate and Foreign Commerce was called). Mr. Speaker, on behalf of the Committee on Interstate and Foreign Commerce, I move to suspend the rules and pass the bill (H. R. 610) extending the privileges of the first and seventh sections of the act approved June 10, 1880, governing the transportation of merchandise without appraisement to the port of Ogdensburg, in the State of New York.

The SPEAKER *pro tempore*. The bill will be read.

The bill was read, as follows:

*Be it enacted, etc.*, That the privileges of the first and seventh sections of the act approved June 10, 1880, governing the transportation of merchandise without appraisement, be, and the same are hereby, extended to the port of Ogdensburg, in the State of New York.

Mr. WISE. I will simply state, Mr. Speaker, that the bill has been referred to the Secretary of the Treasury. It involves no expenditure—

Mr. RICHARDSON. Mr. Speaker, I believe debate is not in order.

The SPEAKER *pro tempore*. Debate is not in order at this time. The question is on the motion of the gentleman from Virginia to suspend the rules and pass the bill. Is a second to the motion demanded?

Mr. RICHARDSON. I demand a second, but am perfectly willing, Mr. Speaker, that a second may be considered as ordered.

Mr. LIND. Mr. Speaker, I object to that.

The SPEAKER *pro tempore*. Then the question is on seconding the demand of the gentleman from Virginia, and the Chair will appoint as tellers the gentleman from Virginia, Mr. WISE, and the gentleman from Tennessee, Mr. RICHARDSON.

Mr. OATES. Let the title of the bill be again read.

The title of the bill was again read.

Mr. LIND. Mr. Speaker, I withdraw my demand for a second. It was made under a misapprehension as to the bill.

The SPEAKER *pro tempore*. If there be no further demand for a second it will be considered as ordered.

There was no further demand.

The SPEAKER *pro tempore*. Under the rule thirty minutes are now allowed for debate, fifteen on either side; and the Chair will recognize the gentleman from Virginia to control the time in support of the motion.

Mr. OATES. Mr. Speaker, will the gentleman from Virginia, before he proceeds, have the act to which this bill refers read for information?

Mr. WISE. I will state to the gentleman that I have sent for the act, and will have it read as soon as it reaches me.

Mr. Speaker, I want to say nothing except that this bill has been referred to the Secretary of the Treasury and meets his approval; it involves no expenditure, but is simply designed to extend to this port of Ogdensburg the same privilege that has been extended to numerous other ports in the United States.

I have now before me the act in question to which the gentleman from Alabama refers.

Mr. OATES. I hope the gentleman will have it read.

Mr. WISE. Mr. Speaker, I will have the first and seventh sections of the act read for the information of the gentleman from Alabama [Mr. OATES]. They are the sections which it is proposed to amend.

The SPEAKER *pro tempore*. The Clerk will report the sections.

The Clerk read as follows:

*Be it enacted, etc.*, That when any merchandise, other than explosive articles, and articles in bulk not provided for in section 4 (1) of this act, imported at the ports of New York, Philadelphia, Boston, Baltimore, Portland and Bath, in Maine, Chicago, Port Huron, Detroit, New Orleans, Norfolk, Charleston, Savannah, Mobile, Galveston, Pensacola, Florida, Cleveland, Toledo, and San Francisco, shall appear by the invoice or bill of lading and manifest of the importing vessel to be consigned to and destined for either of the ports specified in the seventh section of this act, the collector at the port of arrival shall allow the said merchandise to be shipped immediately after the entry prescribed in section 2 of this act has been made.

Mr. McCREARY. Now, Mr. Speaker, I ask for the reading of the bill.

The SPEAKER *pro tempore*. The bill has been read, but if there be no objection it will be reported again.

The bill was again read.

Mr. HOLMAN. I hope the report will be read.

Mr. OATES. Let the Clerk read the seventh section of the act.

The SPEAKER *pro tempore*. The Clerk will report section 7. The Clerk read as follows:

Sec. 7. That the privilege of immediate transportation shall extend to the ports of New York and Buffalo, in New York; Burlington, in Vermont; Boston, in Massachusetts; Providence and Newport, in Rhode Island; New Haven, Middletown, and Hartford, in Connecticut; Philadelphia and Pittsburg, in Pennsylvania; Baltimore, Crisfield, and Annapolis, in Maryland; Wilmington and Seaford, in Delaware; Salem, Massachusetts; Georgetown, in the District of Columbia; Norfolk, Richmond, and Petersburg, in Virginia; Wilmington and New Bern, in North Carolina; Charleston and Port Royal, in South Carolina; Savannah and Brunswick, in Georgia; New Orleans, in Louisiana; Portland and Bath, in Maine; Portsmouth, in New Hampshire; Chicago, Cairo, Alton, and Quincy, in Illinois; Detroit, Port Huron, and Grand Haven, in Michigan; St. Louis, Kansas City, and St. Joseph, in Missouri; St. Paul, in Minnesota; Cincinnati, Cleveland, and Toledo, in Ohio; Milwaukee and La Crosse, in Wisconsin; Louisville, in Kentucky.

Mr. WISE. Mr. Speaker, I do not think it is necessary to read that seventh section any further. It simply shows that since the original act was passed this privilege has been extended to numerous ports, and there are other acts by which it has also been extended to other ports than those named in the seventh section. I want to state also that this does not involve the expenditure of another dollar.

Mr. HOLMAN. This is already a port of delivery?

Mr. WISE. Yes, sir.

Mr. OATES. And it does not interfere with customs collections.

Mr. WISE. Not at all. It is unanimously reported by the Committee on Interstate and Foreign Commerce, and there can certainly be no objection to it.

Mr. OATES. I have no objection.

The SPEAKER *pro tempore*. Does the gentleman from Virginia [Mr. WISE] desire the remainder of the section read?

Mr. WISE. No, sir; I do not think so. My friend from Alabama does not wish it read any further.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Virginia [Mr. WISE] to suspend the rules and pass the bill which has been reported.

The question was taken and two-thirds voting in favor thereof the rules were suspended and the bill passed.

## ORDER OF BUSINESS.

The Committee on Rivers and Harbors having been called—

Mr. BLANCHARD said:

Mr. Speaker, I am directed by the Committee on Rivers and

## SENATE.

TUESDAY, February 16, 1892.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.  
The Journal of yesterday's proceedings was read and approved.

## CREDENTIALS.

The VICE-PRESIDENT presented the credentials of JOHN SHERMAN, chosen by the Legislature of Ohio a Senator from that State for the term beginning March 4, 1893; which were read, and ordered to be filed.

## EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a communication from the chief of the division of stationery, printing, and blanks of that Department, stating that the Public Printer has informed the Department that the Treasury allotment of \$285,000 for printing and binding for the current fiscal year is exhausted, estimating that it will require the additional sum of \$100,000 for that service for the remainder of the fiscal year, and recommending that an appropriation of that amount be included in the urgent deficiency bill; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of War, transmitting, with a favorable recommendation, a letter from the Acting Judge-Advocate-General of the Army, submitting a draft of a bill to authorize the administration of oaths by certain civil and military officers of the United States; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

## PETITIONS AND MEMORIALS.

Mr. BLODGETT presented petitions collected by the National Woman's Christian Temperance Union, signed by 50 citizens of New Jersey, and petitions collected by the National Woman's Christian Temperance Union, signed by 133 citizens of New Jersey, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. FAULKNER presented a petition of Forest Grange, No. 29, Patrons of Husbandry, of Jefferson County, W. Va., praying for the passage of the pure-food bill now pending in the Senate; which was ordered to lie on the table.

Mr. FAULKNER. I present a petition, signed by B. F. Eshleman and 31 other citizens of New Orleans, La., praying that the present postal law which provides for third and fourth class mail matter may be changed so as to consolidate both classes into one, to be designated as the third class, and that the rate of postage be fixed at 1 cent for 2 ounces. I also present a similar petition, signed by J. L. Lyons & Co. and 40 other citizens and firms of New Orleans, La., making the same prayer. I will state that I present these petitions at the request of the junior Senator from Louisiana [Mr. WHITE], who was unexpectedly called from the city yesterday. I move that the petitions be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

Mr. GORDON presented a resolution adopted by the Savannah Cotton Exchange, indorsing the action of the convention held at Kansas City, Mo., December 15 and 16, 1891, in reference to the improvement of the Missouri River; which was referred to the Committee on Commerce.

Mr. DOLPH presented a petition of the Board of Trade, of Oregon City, Oregon, praying that increased appropriations be made for the improvement of the Columbia River and other rivers of Oregon; which was referred to the Committee on Commerce.

Mr. PADDOCK presented a petition of the State Beet Sugar Convention of Nebraska, praying that an appropriation of \$50,000 be made for the establishment of a sugar school at Lincoln, Nebr.; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Board of Trade of Tampa, Fla., praying that an appropriation be made for maintaining the special fast railway mail service between New York and Florida; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the State Grange of Nebraska, Patrons of Husbandry, praying for the prompt passage of the pending pure-food bill, or some similar measure, to protect the people against the adulteration of food and drugs; which was ordered to lie on the table.

Mr. PERKINS presented a petition of the Ministerial Union of Topeka, Kans., praying for the prohibition of the liquor traffic

in the national capital; which was referred to the Committee on Education and Labor.

Mr. WILSON presented a petition of 21 citizens of Monroe County, Iowa, praying for the passage of what is commonly known as the Conger land bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of 8 citizens of Salt Lake City, Utah, remonstrating against the passage of the so-called Faulkner-Caine and Teller bills in reference to the Territory of Utah; which was referred to the Committee on Territories.

Mr. ALLEN presented a petition of the Chamber of Commerce of Port Townsend, Wash., praying that suitable appropriation be made for the completion of the customs building at that place in accordance with the original design of the Supervising Architect of the Treasury Department; which was referred to the Committee on Public Buildings and Grounds.

He also presented a resolution passed at a special meeting of the Thurston County (Wash.) Farmers' Alliance, held at Tumwater, Wash., favoring the free delivery of mail in rural districts and the extension of the money-order system to all fourth-class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. MANDERSON presented a petition of citizens of York County, Nebr., praying for the passage of what is known as the Butterworth option bill; which was referred to the Committee on the Judiciary.

Mr. SHERMAN presented a petition of the congregation of the United Presbyterian Church of Salineville, Ohio, praying for the passage of legislation looking to the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. BRICE presented a petition of 15 citizens of Carroll County, Ohio, praying for the passage of what is commonly known as the option bill; which was referred to the Committee on the Judiciary.

He also presented a petition of Farmers' Grange, No. 13, Patrons of Husbandry, of Wayneville, Ohio, praying for the passage of the measure known as the anti-option bill; which was referred to the Committee on the Judiciary.

He also presented a petition of 28 citizens of Johnston, Ohio, praying that no exposition where United States funds are expended be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 42 citizens of Carroll County, Ohio, praying for the passage of what is commonly known as the Conger land bill; which was referred to the Committee on Agriculture and Forestry.

Mr. HANSBROUGH presented a memorial of the officers and members of the congregation of the Gurley Memorial Presbyterian Church of Washington, D. C., remonstrating against the proposed repeal of the act prohibiting the sale of liquor within one mile of the Soldiers' Home grounds; which was referred to the Committee on the District of Columbia.

## REPORTS OF COMMITTEES.

Mr. VANCE. The bill (S. 141) providing an income tax to pay pensions and the salaries of retired officers was referred to the Committee on Finance. I am instructed by that committee to report it back adversely and to move its indefinite postponement on the ground that it is a revenue bill and should originate elsewhere.

The report was agreed to.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 741) to incorporate the Eclectic Medical Society of the District of Columbia, reported it with an amendment, and submitted a report thereon.

Mr. VILAS, from the Committee on Indian Affairs, to whom was referred the bill (S. 574) to change the boundaries of the Uncompahgre Reservation, reported it with an amendment, and submitted a report thereon.

Mr. MORGAN. I am instructed by the Committee on Indian Affairs, to whom was referred the bill (S. 1518) to extend the jurisdiction of the Supreme Court of the United States, as the same is defined in section 709 of the Revised Statutes of the United States, to include the judgments and decrees of the highest courts of the Cherokee, Creek, Seminole, Choctaw, and Chickasaw tribes of Indians, respectively, to report it without amendment. Within a few days I shall ask permission to present a written report thereon.

The VICE-PRESIDENT. The bill will be placed on the calendar.

## WASHINGTON MARKET COMPANY.

Mr. McMILLAN. From the Committee on the District of Columbia I report favorably, with an amendment, the resolution submitted by the Senator from Alabama [Mr. MORGAN] directing the Commissioners of the District of Columbia to inform the

Senate in regard to the pavement of B street, between Seventh and Ninth streets NW., in front of the Center Market. I ask for the immediate consideration of the resolution.

Mr. DAWES. I have not risen for the purpose of making any opposition to that report. It is a subject-matter which to those of us who have been here some time it is not new; it has all been under investigation. I rose simply to ask to have read at the desk the answer of the market company to this proposition, that it may appear in connection with the resolution.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

The Senate, by unanimous consent, proceeded to consider the resolution.

The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution submitted by Mr. MORGAN on the 10th instant, as follows:

*Resolved by the Senate.* That the Commissioners of the District of Columbia are hereby directed to inform the Senate under what authority and under what appropriation B street, between Seventh and Ninth streets NW., in front of the Center Market, has been paved 20 feet out from the footwalk on each side, while the rest of the carriage-way is left as heretofore. Also, under what authority of law the Washington Market Company has been allowed to obstruct the footwalks of said B street, in front of said market house, by the erection of an elevator, a stairway, and an eating house thereon, and the width of said footwalks and the number of feet said obstructions are extended out from the building line, with the amount of rental received per month by said market company for said eating house.

Also, under what law the said market company is allowed to space off and rent out the footwalks on B and Ninth streets, around the Center Market, to farmers and others, and what is the total amount received annually by said market company for rent of said spaces, and what disposition is made of the money.

Also, if the corporation attorney for the District of Columbia, or his assistant, has given an opinion adverse to the right of said market company to jurisdiction over the footwalks outside of its walls, or to collect rents for the use thereof; and, if so, what action, if any, has been taken upon said opinion.

Also, the amount of franchise rental paid to the District of Columbia by said market company for the year ending June 30, 1891; whether said franchise rental has been reduced, which was fixed in amount and set aside by act of Congress for the benefit of the poor of Washington; and, if so, how much, and for what reason or reasons.

Also that said Commissioners furnish a statement showing the assessed value of the land and improvements of the Washington Market Company under the assessment recently made.

And also, a statement of the rental paid said market company for the District militia armory during the year ending June 30, 1891, and the amount paid said market company by farmers and others for the use of footwalks covering the same period, stated separately, with the total of said amounts, and whether they do not amount to more than the franchise rental received from said company for the benefit of the poor during the same period.

Also under what law or permit the Washington Market Company has been granted permission to erect a bridge leading from Pennsylvania avenue on the line of Eighth street to said market, with the number of square feet of land occupied by said bridge, its market value, and what rental is paid for the use of the same, and if said bridge was not erected for the purpose of giving access to certain rooms over said market building, to enable said market company to rent said upper rooms to the District government for an armory, and if the amount of rental paid for said upper rooms does not amount to more than the entire rental paid for all the other District buildings that are used for executive or clerical purposes.

Also, a statement showing under what law said market company is allowed to hold possession of the two squares of ground bounded by Tenth and Twelfth streets, B street, and Ohio and Louisiana avenues, given by act of Congress to the city of Washington for a wholesale market; the present assessed value of said squares; what rental said market company receives for them, and what proportion of said rentals, if any, is paid over to the District of Columbia; and why farmers are not required to sell their produce on said squares, as required by act of Congress approved May 29, 1870, instead of selling said produce on the public streets, in violation of law, and to the great obstruction thereof.

Also, the date of the establishment of a cold storage and ice plant by said market company, and the extra quantity of water used in consequence thereof, with the date that water meters were put on to measure water used by said company, and if there was any increase in the water rents charged against said company in consequence of the extra water used by said plants up to the time meters were put on, and if there was no increase in said water rents the reason why said market company has not been required to pay its just proportion of water rents as private citizens are required to pay.

Also, if said market company is in arrears for special assessment or other taxes, and if so, to what amount, how long such taxes have been due, and why they have not been collected.

The VICE-PRESIDENT. The amendment reported by the Committee on the District of Columbia will be stated.

The CHIEF CLERK. At the end of line 13, on the third page, add the following:

And why private parties are allowed to sell produce on the side-walks of Louisiana avenue and B street between said squares and Ninth street?

Mr. DAWES. Now I ask that the answer of the market company may be read. I shall offer no opposition to the passage of the resolution.

The VICE-PRESIDENT. The letter will be read.

The CHIEF CLERK read as follows:

OFFICE OF THE WASHINGTON MARKET COMPANY,  
CENTER MARKET, SEVENTH STREET WING,  
Washington, D. C., February 13, 1892.

SIR: The officers of the Washington Market Company have noticed the reference by the Senate to your committee of a resolution making sundry inquiries of the District Commissioners concerning the affairs of the company, and they direct me to write you that they have no objection to the passage of the resolution. They recognize, however, in the movement another of those acts of hostility to the company which were frequent during the first years of its existence, and which were all successfully met and shown to be without just foundation.

The subjects mentioned for the first time in the resolution are without importance, but all the others have been fully investigated at different times. The attention of the committee is called to the following reports and papers:

1. No. 5, committee reports, house of delegates, first session of the Legislative Assembly of the District of Columbia by the committee on laws and judiciary.

2. Senate Report No. 449, of the first session of the Forty-third Congress, June 13, 1874, by Committee on Public Buildings and Grounds.

3. Memorial to Congress of the stockholders and officers of the Washington Market Company, January 16, 1875.

4. House of Representatives Report, No. 277, at the second session of the Forty-third Congress, March 3, 1875, by the Committee on the Judiciary.

5. House of Representatives Report, No. 139, second session of the Forty-third Congress, by the Committee on the District of Columbia.

6. Senate Report, No. 661, second session, Forty-third Congress, February 17, 1875, by the Committee on the Judiciary.

There was also an investigation during the session of 1870-1871, by the House Committee on Appropriations, but no written report was made. It is needless to notice any of the frequently offered resolutions in the House of Representatives touching the affairs of the company, except the one of December 4, 1877, which instructed the Committee on the District of Columbia to inquire into five alleged breaches of its charter by the market company, and gave it power to send for persons and papers. The evidence collected by said committee was transmitted to the Senate to accompany act, H. R. 4126, and was printed in 1878 by order of the Senate for use of the Committee on the District of Columbia.

Various questions relating to the rights, duties, and proceedings of the company, especially that of the legality of the reduction of the original rental to be paid by the company, in consideration of the transfer by the company to the District of the most valuable front land on Pennsylvania and Louisiana avenues to be used for the erection of a District building thereon, have been considered by the courts of the District and, on appeal, by the Supreme Court of the United States, and in every case the final decision of the latter court has fully justified the company. (See District of Columbia vs. The Washington Market Company, 108 U. S. Rep. Hoffman vs. The Washington Market Company, No. 38, October term, 1879.) As to the inquiry relating to the squares known as the wholesale market grounds, granted for that purpose by Congress, in the sixteenth section of the market company's charter, all questions at issue between the District of Columbia and the market company are now before the courts upon an amicable equity suit, which ought to satisfy fair-minded citizens, at least until a decision is reached by the courts.

The company will gladly give to the District Commissioners and to the committee all the information in its possession on the subjects covered by the resolution of inquiry.

Respectfully,

N. G. ORDWAY,

President of the Washington Market Company.

Hon. JAMES McMILLAN,

Chairman of the Senate Committee on the District of Columbia.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The resolution as amended was agreed to.

#### POTTAWATOMIE INDIAN AGREEMENT.

Mr. DAWES. From the Committee on Indian Affairs I report favorably, with a verbal amendment, a resolution relative to the Pottawatomie Indian agreement, and as time is of great importance, I ask that it may be considered now, if there be no objection.

The VICE-PRESIDENT. The resolution will be read.

The resolution, submitted by Mr. PERKINS on the 1st instant, was read, as follows:

*Resolved by the United States Senate, etc.* That whereas the provisions of the articles of agreement by and between the United States and the Citizen band of Pottawatomie Indians residing in Oklahoma Territory and elsewhere, ratified by Congress March 3, 1891, require that large sums of money be paid to them in said tract of country, which is construed to mean said Territory of Oklahoma; and whereas many members of said band of Indians reside in Kansas, who through age, poverty, and sickness suffer great hardships by being compelled to go to said Territory to receive their payments: Therefore,

*Resolved.* That article 4 of said agreement be, and the same is hereby, construed so as to authorize and direct the proper officers of the Department of the Interior to make the payments as they fall due to the members of said band residing in Kansas at some point in their original reservation in said State as will accommodate the greatest number of said Indians.

The Senate, by unanimous consent, proceeded to consider the resolution.

The VICE-PRESIDENT. The amendment of the Committee on Indian Affairs will be stated.

The CHIEF CLERK. In the fourth line strike out the word "and" and in lieu thereof insert "the Secretary of the Interior in his discretion to;" so as to read:

That article 4 of said agreement be, and the same is hereby, construed so as to authorize the Secretary of the Interior in his discretion to direct the proper officers, etc.

The amendment was agreed to.

Mr. DAWES. I move to strike out the words making it a simple Senate resolution and to insert the ordinary words which are prefixed to a joint resolution.

The VICE-PRESIDENT. That change will be made, if there be no objection.

The resolution as amended was changed to a joint resolution (S. R. 49) construing article 4 of the agreement with the Citizen band of Pottawatomie Indians in Oklahoma Territory and elsewhere.

The VICE-PRESIDENT. The joint resolution will be regarded as having been read twice, and it is before the Senate as in Committee of the Whole and open to amendment.

The joint resolution was reported to the Senate, ordered to be engrossed for a third reading, read the third time, and passed.

## SENATOR FROM IDAHO.

Mr. MITCHELL. I desire to give notice that when the hour of 2 o'clock arrives to-day and after the pending measure is taken up I shall ask that that measure be laid aside temporarily and that the Senate proceed to the consideration of the contested case of Clagett vs. Dubois, from Idaho.

Mr. PADDOCK. I shall ask at 2 o'clock that the pure-food bill be laid before the Senate.

Mr. MITCHELL. Certainly.

Mr. PADDOCK. With the understanding that temporarily I shall yield for the purpose suggested by the Senator from Oregon.

Mr. MITCHELL. Certainly. I shall ask that the regular order be laid aside temporarily.

Mr. HALE. I will state to the Senator from Oregon that there is an appropriation bill which will come up after the morning business, and that we shall proceed with, I hope, until it is completed. I do not expect that it will take much time.

Mr. MITCHELL. We shall probably get through with the appropriation bill by 2 o'clock.

Mr. HALE. We will get through with it by 2 o'clock, I think.

## BILLS INTRODUCED.

Mr. WILSON (by request) introduced a bill (S. 2231) to release certain church property in the District of Columbia from arrears of taxation; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PROCTOR introduced a bill (S. 2232) to provide more frequent payments to the enlisted men of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McMILLAN introduced a bill (S. 2233) granting an increase of pension to James Dredge; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2234) in relation to special assessments for local improvements in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HARRIS introduced a bill (S. 2235) for the relief of Samuel Feagins and others, of Tennessee; which was read twice by its title, and referred to the Committee on Claims.

Mr. SHERMAN introduced a bill (S. 2236) granting a pension to James D. Thurston; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2237) for the relief of the legal representatives of Thomas L. Young; which was read twice by its title, and referred to the Committee on Claims.

Mr. HANSBROUGH introduced a bill (S. 2238) to provide an all-night street-car service for the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. DAWES (by request) introduced a bill (S. 2239) to provide for the partition to those members of any Indian tribe who are persons having less than one-half Indian blood, and able to read and write intelligently, or who have completed the course of education in any school or college prescribed or used by the Government for the education of Indians, such persons being over the age of 21 years, and desiring to become citizens of the United States, their pro rata share in value of the tribal lands and other property, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also (by request) introduced a bill (S. 2240) to extend the jurisdiction of courts in Oklahoma Territory over certain classes of crimes, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. BLODGETT introduced a bill (S. 2241) for the relief of Mary H. Noonan, of Jersey City, N. J., for the payment of her claim for rent and occupation of property in the city of New Orleans by the military forces of the United States, as reported by the Court of Claims under the provisions of the Bowman act; which was read twice by its title, and referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 2242) increasing the pension of Azor A. Smith; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 2243) for the relief of W. G. Piper, of Moscow, Idaho; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GEORGE introduced a bill (S. 2244) for the relief of Thomas H. Christmas, administrator of James R. West, deceased, of Holmes County, Miss.; which was read twice by its title, and referred to the Committee on Claims.

Mr. MANDERSON introduced a bill (S. 2245) to increase the efficiency of the Inspector-General's Department, and to provide

for the more thorough examination of accounts; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PERKINS introduced a bill (S. 2246) to correct the military record of Henry C. Seaman; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HISCOCK introduced a bill (S. 2247) to provide for the sale of navy-yard lands in the city of Brooklyn; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2248) to appropriate \$18,184.57 for the completion and dedication of the monument commemorating the surrender of Burgoyne at Saratoga; which was read twice by its title, and referred to the Committee on the Library.

Mr. PADDOCK introduced a bill (S. 2249) for the appointment of a corps of superintendents of construction and repairs of public buildings under the direction of the Secretary of the Treasury; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. VOORHEES introduced a bill (S. 2250) to extend the time for adjudicating certain claims arising from Army or Navy service; which was read twice by its title, and referred to the Committee on Military Affairs.

## AMENDMENT TO A BILL.

Mr. STOCKBRIDGE submitted an amendment intended to be proposed by him to the urgent deficiency appropriation bill; which was referred to the Committee on Appropriations.

## DISTRICT WATER SUPPLY.

Mr. SHERMAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the report of the Chief of Engineers of the United States Army of the date of January 29, 1892, in respect to the completion of the tunnel in process of construction in the District of Columbia, be referred to the Committee on the District of Columbia, with instructions to inquire into the expediency of completing and testing said tunnel and of appropriating out of the sum already appropriated the sum of \$50,000 for testing said tunnel.

## HEIRS OF HON. JOSHUA HILL.

Mr. GORDON submitted the following resolution; which was referred to the Committee on Privileges and Elections:

*Resolved*, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay to the legal heirs of Joshua Hill, late a Senator from the State of Georgia, the amount due him from the beginning of his term on the 4th day of March, 1867, until the 29th day of July, 1878, the date from which he was paid; said payment to be made from a special appropriation for the contingent fund of the Senate.

## EX-SENATOR H. R. REVELS.

Mr. GEORGE. I wish to introduce a resolution by request, and to state that it seems to me to be one like that offered by the Senator from Georgia [Mr. GORDON], to get some back pay by a former Senator. I offer the resolution and ask that it be referred to the Committee on Privileges and Elections.

The VICE-PRESIDENT. The resolution will be read.

The resolution was read, and referred to the Committee on Privileges and Elections, as follows:

*Resolved*, That the Secretary be, and is hereby, authorized and directed to pay to Hon. H. R. Revels, late a Senator from Mississippi, \$—, the amount due him as Senator in the Fortieth Congress from the 4th of March, 1867, till he was paid, said payments to be made from the miscellaneous items of the contingent fund of the Senate.

## URGENT DEFICIENCY APPROPRIATIONS.

Mr. HALE. I move that the Senate proceed to the consideration of the urgent deficiency appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5339) making appropriations to supply a deficiency in the appropriation for the expenses of the Eleventh Census, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. HALE. I ask that the formal reading of the bill be dispensed with, and that it be proceeded with and considered as the amendments are reached in the reading.

The VICE-PRESIDENT. That course will be pursued in the absence of objection.

The Chief Clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "Eleventh Census," on page 1, after line 9, to insert:

For the work of the division of farms, homes, and mortgages, \$50,000

The amendment was agreed to.

The next amendment was, under the head of "Indian affairs," on page 2, line 8, before the word "hundred," to strike out "fifty thousand five" and insert "forty-three thousand nine" so as to read:

For subsistence of the Sioux, as per agreement ratified by act of Congress approved February 25, 1877; being for the service of the fiscal year 1892, \$143,914.17, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 2, line 10, after the word "necessary," to strike out:

And the sum of \$25,000 which remains of the allotment for the establishment of substations from the appropriation for subsistence of the Sioux Indians for the fiscal year 1892 shall also be used for the purchase of subsistence for said Sioux Indians.

The amendment was agreed to.

The next amendment was, on page 2, line 17, after the word "shall," to insert "include in his annual," so as to make the clause read:

*Proviso*, That hereafter the Commissioner of Indian Affairs shall include in his annual report to Congress the names of all employees under the supervision and direction of the Indian Bureau, under what lawsaid employees are appointed, the amount of compensation paid to each, and the services rendered by them.

The amendment was agreed to.

The next amendment was, on page 2, after line 21, to insert:

To pay the expense of purchasing goods and supplies for the Indian service, including rent of warehouse and pay of necessary employees; advertising, at rates not exceeding regular commercial rates; inspection, and all other expenses connected therewith, including telegraphing, being for the service of the fiscal year 1892, \$12,000.

The amendment was agreed to.

The next amendment was, on page 3, after line 3, to insert:

To enable the Secretary of the Interior to complete the ascertainment of damages resulting to any person who had settled upon the Crow Creek and Winnebago Reservations, in South Dakota, between February 27, 1885, and April 17, 1886, as authorized by the act approved October 1, 1890, \$2,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 3, after line 11, to insert:

To enable the Secretary of the Interior to cause the lands embraced within the diminished Fort Berthold Reservation, in North Dakota, or such portion thereof as may be necessary, to be surveyed for allotment to the Indians of said reservation, as provided in article 3 of the agreement with said Indians, of December 14, 1886, and ratified by act of Congress approved March 3, 1891, \$5,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 3, after line 20, to insert:

#### TREASURY DEPARTMENT.

For paper for internal-revenue stamps, freight, and salary of superintendent, messenger, and watchman, fiscal year 1892, \$10,000.

For transportation of silver coin, including fractional silver coin, by registered mail or otherwise, fiscal year 1892, \$5,000, to be expended under the same limitations provided for the appropriation for this purpose for said fiscal year.

The amendment was agreed to.

The next amendment was, on page 4, after line 4, to insert:

#### NATIONAL ZOOLOGICAL PARK.

For care, subsistence, and transportation of animals for the National Zoological Park, and for the purchase of rare specimens not otherwise obtainable, including salaries or compensation of all necessary employees and general incidental expenses not otherwise provided for, being a deficiency for the fiscal year 1892, \$1,434; to reimburse the Smithsonian fund for assuming the expenses of labor and materials for repairs urgently necessary for the preservation of the Holt mansion, \$49.45; in all, \$1,933.45; one-half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

The amendment was agreed to.

The next amendment was, on page 4, after line 20, to insert:

#### FISH COMMISSION.

Green Lake Station, Maine: For payment of outstanding bills, purchase of lands and rights, completing ponds, repairs to quarters, and for dist. gas, pump, and well, \$2,150.

The amendment was agreed to.

The next amendment was, at the beginning of page 5, to insert:

#### DEPARTMENT OF STATE.

To enable the Government of the United States to be properly represented at the International Art Exhibition to be held in Munich, in the Kingdom of Bavaria, from June 1 to October 31, 1892, \$5,000.

The amendment was agreed to.

The next amendment was, on page 5, after line 6, to insert:

#### DEPARTMENT OF JUSTICE.

For salary and expenses in defense of the Indian depredation claims, fiscal year 1892, \$10,000.

The amendment was agreed to.

The next amendment was, on page 5, after line 10, to insert:

#### DEPARTMENT OF LABOR.

For per diem, in lieu of subsistence, of special agents while traveling on duty outside of the District of Columbia, at a rate not to exceed \$2 per day, and for their transportation, and for expenses of officers and employees made necessary by services rendered the Senate Committee on Finance, fiscal year 1892, \$10,000.

The amendment was agreed to.

The next amendment was, on page 5, after line 18, to insert:

#### BOARD OF ORDNANCE AND FORTIFICATION.

To pay the salary of the civilian member of the Board of Ordnance and Fortification for the fiscal year 1892, \$5,000.

The amendment was agreed to.

The next amendment was, on page 5, after line 22, to insert:

#### SENATE.

For expense of inquiries and investigations ordered by the Senate, including compensation to stenographers to committees, fiscal year 1892, \$10,000.

The amendment was agreed to.

The VICE-PRESIDENT. If there be no further amendments the bill will be reported to the Senate.

Mr. SHERMAN. Before the bill is reported to the Senate there is one provision in it that I should like to have read, that in relation to the Zoological Garden, and to call the attention of the Senate to it.

The VICE-PRESIDENT. The part referred to by the Senator from Ohio will be read.

The Chief Clerk read as follows:

#### NATIONAL ZOOLOGICAL PARK.

For care, subsistence, and transportation of animals for the National Zoological Park, and for the purchase of rare specimens not otherwise obtainable, including salaries or compensation of all necessary employees and general incidental expenses not otherwise provided for, being a deficiency for the fiscal year 1892, \$1,434; to reimburse the Smithsonian fund for assuming the expenses of labor and materials for repairs urgently necessary for the preservation of the Holt mansion, \$49.45; in all, \$1,933.45; one-half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Mr. SHERMAN. Does the provision about the payment of one-half of the expenses apply to the Zoological Garden?

Mr. HALE. Yes, that applies to the Zoological Garden.

Mr. SHERMAN. That question ought to be met, and I think it ought to be met now. It seems to me it is an act of gross injustice to the people of this District, who are getting to be pretty heavily taxed, to have to pay one-half of the expenses of the Zoological Garden. I think this is about as good a time as any to make the question whether it is right and just that the expenses of the Zoological Garden, the creature of the United States, belonging as much to the people of one State as another, certainly as much as to the people of the District of Columbia, should be required to be paid one-half by the people of the District. I have no doubt it will be a somewhat expensive toy to the people of the United States, but is it right, is it just, to take from the limited means of the people of the District of Columbia to pay for this thing?

It is not in any sense a part of the government of this District. It is admitted on all hands that the city of Washington, a city of 200,000 inhabitants, is totally unable to maintain a zoological garden. The city of London can do it, the city of Paris can do it, and some other cities have undertaken the task, but most of them have made failures. The great cities of the world which maintain zoological gardens for the instruction and for the interest of the inhabitants of the empire to which those cities belong are very large and wealthy; but to charge one-half of this expense—and an expense constantly growing and increasing—upon the District, is unjust. The Government establishes this entirely under its own management. The Commissioners of the District have nothing to do with it. We have an organized force for the purpose of maintaining and caring for it. I hope now the Senate will at least take the ground that it will not put this expense upon the District of Columbia, upon the few people here. Let it be borne by the people of the United States, where it will be a very small addition to their burden, while to the people of the District it might be a very serious one before it goes very far.

Mr. HALE. Does the Senator from Ohio move to strike out the clause?

Mr. SHERMAN. I move to strike out so much as relates to the District of Columbia paying one-half for the Zoological Garden.

Mr. HALE. The committee in reporting this bill has taken a new ground on the subject.

The provision that is found at the end of the amendment which obliges the District to pay half of the bills for the running of the Zoological Garden is the present law, the present rule, and all action in regard to that park was taken deliberately in the last Congress. It was discussed most fully.

Mr. SHERMAN. This is a mere limitation in an appropriation bill.

Mr. HALE. Of course it can be changed at any time. It is law so far as appropriations have been made heretofore and which did not pass *sub silentio*. It was thoroughly debated here and in the other branch during the Fifty-first Congress, and the deliberate decision of Congress was that this park was so largely for the benefit of citizens of Washington, for the benefit of the taxpayers of Washington and their families, that the next which should be asked of the General Government was that it should pay one-half of the bills and the District the other half.

I suppose, Mr. President, that the action for the purchase of this property, the movement which resulted finally in its purchase, and the setting it up as a great institution and a great feature of Washington, came largely from the citizens of the District.

But I do not choose to go largely into that question now, only saying to the Senate that the Committee on Appropriations has simply followed in the line that was set for it in the last Congress, and it is for the Senate to decide now. It is a question



The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT HELENA, MONT.

The bill (S. 786) to provide for the erection of a public building in the city of Helena, Mont., was announced as next in order on the Calendar.

Mr. SANDERS. I move that that bill be recommitted to the Committee on Public Buildings and Grounds, and I ask that it may not lose its number on the Calendar by reason of the recommitment.

The VICE-PRESIDENT. The bill will be recommitted to the committee, retaining its place on the Calendar when reported, if there be no objection. The Chair hears none.

#### PUBLIC BUILDING AT OMAHA, NEBR.

The bill (S. 196) to increase the appropriation for the purchase of a site and the erection of a public building at Omaha, Nebr., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### WILLIAM R. WHEATON AND CHARLES H. CHAMBERLAIN.

The bill (S. 1216) for the relief of William R. Wheaton and Charles H. Chamberlain, of California, was considered as in Committee of the Whole.

It provides for the payment to William R. Wheaton, ex-register, and to Charles H. Chamberlain, ex-receiver, of the land office at San Francisco, Cal., jointly, of \$3,800, being a portion of the amount deposited in the Treasury of the United States by them as fees for testimony which was taken by clerks whose compensation was paid from the private funds of the ex-register and ex-receiver.

Mr. BERRY. Mr. President, in my opinion the bill ought not to pass, and if I can get the attention of the Senate for a moment, I will state that it is a proposition to appropriate \$3,800 to Mr. Chamberlain and Mr. Wheaton, formerly register and receiver of the land office at San Francisco, Cal.

Under the law in existence at the time they were holding these offices there was, I think, a \$500 salary provided for each of these officers, and furthermore certain fees, and if the fees and the salary combined amounted to more than \$3,000 a year, then the excess was to be paid into the Treasury of the United States, each of these officers being permitted to receive the sum of \$3,000 a year, but no greater sum under any circumstances.

There was also then and is to-day a law in existence that these officers had no authority to employ any clerk unless the order had previously been made by the Commissioner of the General Land Office, or unless they were authorized to do it by previous authority.

In 1864 certain fees were provided for the land offices, 15 cents a hundred words for copying testimony taken in contested and other cases. For some cause or other, but certainly directly in the face of the law, for a number of years the receivers and registers were permitted to use these fees to employ clerks. It was directly contrary to the law; it was in the face of the statute which provided that they should not receive more than \$3,000 per annum each, and that they should not pay for any clerk under them unless previously authorized so to do.

In 1877, however, the General Land Office made a correct ruling that the fees arising from taking testimony should be paid into the Treasury of the United States, and the officers were so informed. That, as I have said, was in 1877, and it ordered that thereafter these fees must be paid into the Treasury, and they would not be permitted to retain them to pay for clerk hire where they were not authorized to employ such clerks. These two officers in the State of California disregarded that order of the Commissioner of the General Land Office, refused for the time being to turn over the fees, but still retained them until some time in 1879, when a peremptory order was made requiring them to turn over all fees received after this notice had been given them. They thereupon paid the fees into the Treasury of the United States, the amount of fees between those two dates, amounting to, I think, something over \$5,000.

This bill seeks to pay these officers \$3,800, which it is claimed they paid clerks between 1877 and 1879, between the dates when they were notified that these fees should be paid into the Treasury of the United States, and when they refused to comply with it.

Now, they claim that they employed these clerks, and that they paid two of them \$100 a month each during that time. That is proven by the testimony of one witness, one of the clerks swearing he was paid that sum and that he had knowledge that another clerk was.

These are the facts of the case, that these officers, directly in

the face of the law, for a number of years retained fees to which they were not entitled; these officers, after they had received due notice that they would not thereafter be permitted to retain these fees, did retain them in the face of the order of the Commissioner of the General Land Office, and when they were compelled to pay them into the Treasury they come to the Congress of the United States and ask this Government to give them \$3,800 out of the people's money when they had openly, notoriously, and knowingly violated the law in retaining these fees.

This bill passed this body before and was vetoed by Mr. Cleveland. It came back here, vetoed on two grounds. It was insisted by the friends of the bill that it was only vetoed on one ground; that is, that the proof was insufficient as to the amount paid, but it was vetoed upon the ground that these parties had notice in 1877, and also upon the further ground that the proof was insufficient, and if the Senator from Oregon will read the veto message he will find that both causes were put down as the reasons why the bill should not become a law.

I ask the Senate to bear in mind that we are not seeking to make these parties pay back the clerk hire which they retained from 1864 to 1877, because they were permitted to do that under the ruling of the Department here, but they were required, after they had received due notice that thereafter the fees must be paid into the Treasury, and the law upon its face says that they should not employ clerks unless they were authorized to do so previously. Therefore there is no shadow of claim, as I conceive, against the Government of the United States on behalf of these parties.

Now, Mr. President, it is true that if the Senate of the United States wants to donate to these two officers the sum of \$3,800 it has doubtless the power to do so; but if it is done under any theory that the Government is indebted to these parties, I protest against any such idea, because the proof shows that we do not owe them equitably or legally \$1. I therefore think that this bill ought not to pass. It is true the sum is not very great, but it is like hundreds of other claims that come here of parties seeking year after year to get money, not that the Government owes them, but upon some theory of equity that they have paid it out in the face of the law, and therefore the Government should make it good.

It is true, as I said, the sum is not great, but it will set a precedent for hundreds of other cases, and if we are going to give away money, I do not know any claim that Mr. Wheaton and Mr. Chamberlain have to have it given to them over and above any other citizens of the United States.

These are the objections I have to the passage of the bill.

Mr. DOLPH. I shall not take up the time of the Senate at any length, but I should like to be heard on this bill.

It is strange how people will differ in regard to a matter. I think that the Government of the United States would be dishonored if it should refuse to pay to the parties named in this bill the amount for which the bill is reported. I believe that the Senator who has just spoken would charge an individual with being a dishonest man who would refuse to pay money under similar circumstances.

This bill has repeatedly passed the Senate. It passed both Houses in the first session of the Fiftieth Congress and was sent to the President of the United States within ten days before Congress adjourned, was not approved, and therefore failed to become a law. It again passed both Houses of Congress during the next session. It was returned with a veto, the principal objection of the President being that the proof was not ample in his judgment to show that the amount proposed to be paid to these parties was paid out by them for the United States. That proof was filed, and the bill passed the Senate over the President's veto by a vote of 35 yeas to only 8 nays.

Mr. President, the facts are as follows: Prior to the date mentioned by the Senator who has just spoken, registers and receivers were allowed to use the fees received by them in taking testimony for the purpose of clerk hire. At the date mentioned a different ruling was made by the Department. It is alleged by the Senator that the register and receiver in this case were notified of the ruling. They deny that that notice was received.

Mr. BERRY. Will the Senator permit me to interrupt him there?

Mr. DOLPH. No; not at all. I did not interrupt the Senator.

Mr. BERRY. Will the Senator permit an interruption in order to correct a misstatement?

Mr. DOLPH. There is nothing to show that that notice was received; and if it had been received it would not have changed the facts so as to affect the merits.

This register and receiver afterwards paid into the Treasury \$5,000 and over earned by the very clerks the compensation of whom it is proposed to refund to the register and receiver in taking testimony during a period of a little over a year, during

which time the register and receiver paid out to two clerks \$100 each per month, or \$200 per month. It is now proposed to refund to them, out of the fees so earned for clerical work, the sum paid out by them for clerk hire during this time for the benefit of the United States. The United States, after refunding this clerk hire, will make a profit of more than \$1,000 out of the labor of these clerks. As soon as the register and receiver were required to pay this money into the Treasury, and at the expiration of the time for which they claim to be reimbursed for payments made to clerks, the Interior Department authorized the employment of two clerks at \$100 per month each, which has been continued from that time, to perform the very same labor performed by these clerks. I repeat, if the honorable Senator was aware that any private individual refused to pay money under such circumstances he would charge him with being a dishonest man and a thief.

Mr. BERRY. Mr. President—

The VICE-PRESIDENT. Under the rule a Senator is entitled to speak but once.

Mr. BERRY. I ask unanimous consent to make a few remarks in reply to the Senator from Oregon.

The VICE-PRESIDENT. Is there objection?

Mr. DOLPH. I object.

The VICE-PRESIDENT. Objection is made.

Mr. BERRY. Who made the objection?

Mr. DOLPH. I withdraw it.

Mr. BERRY. I want to know what Senator made the objection.

The VICE-PRESIDENT. The objection is withdrawn, and the Senator will proceed.

Mr. BERRY. Mr. President, the Senator from Oregon says these gentlemen denied that they received the notice in 1877. I state to the Senate there is no denial in the record nor in the papers anywhere nor can the Senator find it, but on the contrary the Commissioner of the General Land Office, a Republican Commissioner, says that they did have notice, and that this particular office had notice in 1877 that thereafter they could not retain these fees for the purpose of paying clerk hire. The law furthermore said that they should have no clerks unless they were previously authorized.

I repeat that the record shows that they were notified in 1877, that they refused to obey the order of the Commissioner of the General Land Office, that they continued for sixteen or eighteen months to employ these two clerks in the face of the law, in the face of the notice, and now they come here and say that the Government should pay them this money.

The Senator says a man would be dishonest in private life if he refused to do this. I say that I do not think there is a man anywhere who would have the check to come to a private individual after he had received due notice that he could not have this thereafter, that the law does not authorize it and he must pay it into the Treasury, and notwithstanding that notice still retain it, and when eighteen months afterwards he was forced to pay it in, then he comes back begging this Government to return to him the money that he says he paid to these clerks which the law did not authorize him to pay. These are the facts.

As I said before, if this Senate wants to give these gentlemen \$3,800 they have the power to do so, but in the name of all that is just and honorable, do not give it under false pretenses or under any idea that we owe it, but give it straight out like men.

President Cleveland vetoed this bill, and said it was unjust and ought not to pass. I agree with him in that. I think they have no shadow of claim against the Government of the United States, and the sooner the Senate sits down on such claims the better it will be for the country, and the fewer of these people will be lobbying around the Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, and read the third time.

The VICE-PRESIDENT. The question is, Shall the bill pass?

Mr. BERRY. I ask for the yeas and nays on the final passage of the bill.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE]. If he were present, I should vote "yea."

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. KENNA (when his name was called). I am paired on all questions with the Senator from Colorado [Mr. WOLCOTT].

Mr. MANDELSON (when his name was called). I ask if the Senator from Kentucky [Mr. BLACKBURN] has voted?

The VICE-PRESIDENT. He has not.

Mr. MANDELSON. I am paired with that Senator, and therefore withhold my vote.

Mr. MITCHELL (when his name was called). I have a general pair with the junior Senator from New York [Mr. HILL].

Mr. POWER (when his name was called). I am paired with the Senator from Louisiana [Mr. WHITE].

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR].

Mr. SHERMAN (when his name was called). I am paired with Senator from Kentucky [Mr. CARLISLE].

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. I do not see him present, and therefore withhold my vote.

The roll call was concluded.

Mr. ALLISON. I am paired with the Senator from Missouri [Mr. COCKRELL]. Not knowing how he would vote if present, I withhold my vote.

Mr. CAREY. I am paired with the Senator from South Carolina [Mr. IRBY] on political questions only; so I will vote "yea" on this question.

Mr. PROCTOR. I am paired with the Senator from Florida [Mr. CALL], and therefore withhold my vote.

The result was announced—yeas 30, nays 19; as follows:

#### YEAS—30.

Allen,	Dolph,	Higgins,	Squire,
Brice,	Dubois,	McMillan,	Stewart,
Carey,	Felton,	Paddock,	Stockbridge,
Casey,	Frye,	Peffer,	Teller,
Chandler,	Gallinger,	Platt,	Warren,
Cullom,	Hale,	Sanders,	Washburn,
Dawes,	Hansbrough,	Sawyer,	
Dixon,	Hawley,	Shoup,	

#### NAYS—19.

Barbour,	Daniel,	Kyle,	Vance,
Bate,	George,	McPherson,	Vest,
Berry,	Gray,	Morgan,	Voorhees,
Chilton,	Harris,	Palmer,	Walthall,
Coke,	Jones, Ark.	Pasco,	

#### NOT VOTING—39.

Aldrich,	Davis,	Jones, Nev.	Quay,
Allison,	Faulkner,	Kenna,	Ransom,
Blackburn,	Gibson, La.	Manderson,	Sherman,
Bodgett,	Gibson, Md.	Mitchell,	Stanford,
Butler,	Gordon,	Morrill,	Turpie,
Call,	Gorman,	Perkins,	Vilas,
Cameron,	Hill,	Pettigrew,	White,
Carlisle,	Hiscock,	Power,	Wilson,
Cockrell,	Hoar,	Proctor,	Wolcott,
Colquitt,	Irby,	Pugh,	

So the bill was passed.

Mr. DOLPH. In regard to this bill, I ask, in view of the vote which has just been had, to have inserted in the RECORD, as part of my remarks on the bill, the vote of the Senate on the question as to whether the bill should pass over the veto of President Cleveland, and let the two votes be contrasted.

The VICE-PRESIDENT. Is there objection?

Mr. PALMER. I ask for information; does that request refer to the bill just passed?

The VICE-PRESIDENT. It does refer to the bill just passed.

Mr. BERRY. The vote was taken before the Senator from Oregon submitted his request.

Mr. PALMER. I think it proper that we should understand this matter. I think it may place those of us who have voted against this bill in a very false position to insert in the RECORD evidence that we have never seen. I endeavor to act in regard to matters of this sort with something like judicial fairness, and I should dislike to have it appear that I had voted against a measure, where, if the evidence had been before us when the subject was under consideration, I might have voted otherwise. I object to the request of the Senator from Oregon.

The VICE-PRESIDENT. Objection is made.

Mr. BERRY. The only thing that the Senator from Oregon proposes to insert in the RECORD is the vote that was taken upon a similar bill at a previous time for the purpose of showing, I suppose, that certain Senators have changed their minds.

Mr. PALMER. I withdraw my objection.

Mr. HARRIS. That record will show that I voted just as I vote now. It may show that some others did not; but the bill has passed, the debate is ended. This proposition is in the nature of continuing the debate, and I object to it.

The VICE-PRESIDENT. Objection is made.

Mr. DOLPH. Mr. President, the first time I get the floor I will put it in with some pertinent remarks upon the action of the Senate on this bill.

#### EULOGIES ON L. C. HOUK.

The PRESIDING OFFICER (Mr. BERRY in the chair) laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

*Resolved by the House of Representatives (the Senate concurring). That there be printed the eulogies delivered in Congress upon Leonidas C. Houk, late a Representative from the State of Tennessee, 12,500 copies, of which 2,500*



copies shall be for the use of the Senate and 10,000 for the use of the House of Representatives; and the Secretary of the Treasury be, and he is hereby, directed to have printed, at the earliest date possible practicable, a portrait of the said Leonidas C. Houk, to accompany said eulogies. That of the quota of the House of Representatives the Public Printer shall set apart 50 copies, which he shall have bound in full morocco, with gilt edges, the same to be delivered when completed to the family of the deceased.

#### SENATOR FROM IDAHO.

Mr. MITCHELL. I move that the Senate proceed to the consideration of the contested-election case of Clagett vs. Dubois.

The VICE-PRESIDENT. The question is on the motion of the Senator from Oregon.

The motion was agreed to.

The VICE-PRESIDENT. The resolution will be reported.

The Chief Clerk read the resolution as reported by the majority of the Committee on Privileges and Elections, as follows:

*Resolved*, That Fred T. Dubois is entitled to retain the seat he now holds as Senator from the State of Idaho for the full term commencing March 4, 1891.

*Resolved*, That William H. Clagett is not entitled to be admitted to a seat in the Senate from the State of Idaho for the term commencing March 4, A. D. 1891.

#### LICENSES TO THEATERS IN WASHINGTON.

Mr. McMILLAN. I am instructed by the Committee on the District of Columbia to report with amendments the joint resolution (S. R. 45) to regulate licenses to proprietors of theaters in the city of Washington, D. C.

Mr. MITCHELL. If it will lead to no discussion I shall not object.

Mr. McMILLAN. I think there will be no discussion upon it.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. R. 45) to regulate licenses to proprietors of theaters in the city of Washington, D. C.

The amendment reported by the Committee on the District of Columbia was, after the word "Columbia," in line 2, to strike out the remainder of the joint resolution and insert:

To proprietors of theaters or other public places of amusement in the city of Washington, D. C., and now in force be, and the same are hereby, terminated, unless the persons holding such licenses shall within ten days after due notice comply with such regulations as may be prescribed for the public safety by the Commissioners of the District of Columbia.

SEC. 2. That the Commissioners of the District of Columbia are hereby authorized and empowered to make and enforce all such reasonable and usual police regulations, in addition to those already made under the act of January 26, 1887, as they may deem necessary for the protection of the lives, limbs, health, comfort, and quiet of all persons, and the protection of all property within the District of Columbia.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

On motion of Mr. FAULKNER, the title was amended so as to read: "A joint resolution to regulate licenses to proprietors of theaters, and for other purposes."

#### SENATOR FROM IDAHO.

Mr. MITCHELL. I call for the regular order.

The VICE-PRESIDENT. The question is on agreeing to the resolution reported by the Committee on Privileges and Elections.

Mr. PADDOCK. What is the regular order? What are we to understand about that?

Mr. MITCHELL. The Clagett-Dubois contested-election case.

Mr. PADDOCK. How does it become the regular order?

Mr. MITCHELL. It has been taken up by the vote of the Senate.

Mr. HARRIS. There is no unfinished business in the morning hour. There is no objection, I imagine, to taking up the contested-election case again, but that is the method and the only method by which we can proceed with it.

Mr. MITCHELL. It is a privileged question, and has been taken up by a vote of the Senate.

Mr. HARRIS. As a privileged question the Senator can insist on taking it up, but it is not unfinished business in the technical sense and therefore does not come under that designation.

Mr. MITCHELL. No Senator has claimed that it is the unfinished business that I know of. It is the pending measure, taken up by a vote of the Senate.

The VICE-PRESIDENT. The question is on agreeing to the resolution reported by the Committee on Privileges and Elections.

Mr. GRAY. Mr. President, the question that is before the Senate is one, as has just been stated, of the highest privilege and one of very great importance. It concerns the regularity and legality of the election of a Senator from a State of this Union, and therefore challenges the serious attention of Senators, who are made by

the Constitution the sole judges of the elections and returns of members of this body. It concerns the interpretation of a law passed by the Congress of the United States more than twenty-five years ago under the grant of power conferred by the Constitution of the United States upon Congress practically to regulate the time and manner of electing Senators.

This law was passed after discussion; it was carefully framed, and was meant to meet irregularities and mischiefs that had been recognized very widely in the then practice of electing Senators to this body. The necessity for that law being thus recognized and the practice under it having been settled for more than a quarter of a century, as the minority of the committee conceive, it becomes a matter of very serious moment to the Senate when the suggestion is made that that practice, thus settled, should be changed, or that anything of confusion should be restored to this high function of electing a Senator, a confusion which the law was intended to remove.

The facts in the case that is now before us lie within a very narrow compass. The State of Idaho, one of the last to enter the sisterhood of States, was admitted under an act of Congress passed on July 3, 1890, which, after reciting that the people of the Territory of Idaho had theretofore, by a convention assembled for that purpose, formed a constitution for themselves, which was duly ratified by the people of the said Territory, proceeded to state:

Whereas said convention and the people of said Territory have assented the admission of said Territory into the Union of States on an equal footing with the original States in all respects whatever: Therefore,

*Be it enacted, etc.*, That the State of Idaho is hereby declared to be a State of the United States of America, and is hereby declared to be admitted into the Union, etc.

Section 20 of said act, admitting the State, reads as follows:

That the Legislature of the said State may elect two Senators of the United States, as provided by the constitution of the said State.

The constitution of the State provides that—

Within ten days after the organization of the Legislature both houses of the Legislature shall then and there proceed to elect, as provided by law, two Senators of the United States for the State of Idaho.

So that this state of things came about, that in filling what may be called the original vacancies in the office of Senator from the State of Idaho the act of Congress superseded the general law on that subject which was passed in July, 1866, so far as to authorize the election of two Senators within ten days after the organization of the Legislature; whereas the general law for the election of Senators provides that the election for Senators shall be initiated on the second Tuesday after the meeting and organization of the Legislature. The enabling act provides that they shall proceed to elect within ten days after the organization, as "provided by law;" that is, I take it, that the manner of electing was to conform to what was prescribed in the act of 1866; but the time of election, which is the other feature of the election that is committed to the regulation of Congress by the Constitution, was to be within ten days, instead of the second Tuesday, after the organization. That was all.

It was necessary that, as soon as this State was admitted and entitled to representation in the Senate, those two original vacancies, so called, should be filled, and this enabling act and the constitution of the State, which the enabling act recognized in that regard, provided for a speedy performance of that duty. On this point there is no difference in your Committee on Privileges and Elections.

We find that within the ten days prescribed by the enabling act and the constitution of the State the Legislature of Idaho did proceed to perform the duty thus imposed upon it, to fill immediately the positions of Senators of the United States who were immediately to represent that State. I repeat, we find that on the 16th of December, within the ten days, the Legislature having met upon the 8th of that month, the Legislature proceeded to perform the duty thus imposed upon it by the act of Congress, to elect two Senators. So we find that on the 13th this concurrent resolution was passed by the Senate:

*Resolved by the senate (the house concurring)*, That the senate and house of representatives proceed to elect, as provided by law

Quoting the very language of the enabling act—

United States Senators at the hour of 12 o'clock m., on Tuesday, the 16th day of December, 1890.

And the house concurred in that resolution on the morning of the 16th by passing it in the words I have just read. The houses met separately on the 16th, which happened to be Tuesday. They each, as evidenced by their journals, proceeded to vote for Senators agreeably to this concurrent resolution, which was read in each house. Having taken one vote without result, they adjourned to meet in joint assembly upon the next day, which was Wednesday, and which it was their duty to do, because the enabling act, as well as the constitution of the State, said that they should proceed to elect in "the manner provided by law." "The manner provided by law" is the statute of the United States

regulating the manner of electing Senators, which prescribed that after the vote had in the separate houses, the next day the members of the two houses shall meet in joint assembly, and the record shall be read by the clerks of the houses respectively, and if it shall appear that any one has been elected by the votes of the two houses separately, when combined, it shall be so declared, but if there shall have been no election, or if either house shall have failed to vote, then the joint assembly shall proceed.

So they met on the next day, which was Wednesday, to perform another part in the process of electing Senators under this enabling act. Nothing had been said up to that time, so far as the journals of either house disclose, in regard to the election of a third Senator, that is, of a Senator to fill the vacancy that would occur by the expiration of the term of that Senator, or who should be elected for the shortest term; nothing had been mentioned in either house by any member thereof, so far as the journals show, in regard to proceeding with that election.

Mr. MITCHELL. Will the Senator allow me?

Mr. GRAY. With great pleasure.

Mr. MITCHELL. Will the Senator not agree, in addition to what has just been stated, which is correct, that nothing was said in the resolution which passed the two houses separately, or by any other resolution or any other statement, which limited in any manner the number of Senators that they proposed to elect? There was nothing said about electing two Senators only.

Mr. GRAY. I have not said that. I have simply read, in the first place, what the enabling act and the constitution of the State prescribe, that within ten days after the organization they shall proceed to elect. Let me read it again. The constitution of the State prescribes:

Within ten days after the organization of the Legislature both houses of the Legislature shall then and there proceed to elect, as provided by law, two Senators of the United States for the State of Idaho.

Mr. MITCHELL. From what is the Senator reading?

Mr. GRAY. I am reading from the constitution of the State. The enabling act says:

That the Legislature of the said State may elect two Senators of the United States, as provided by the constitution of the said State.

May elect two Senators of the United States, as provided by the Constitution of the United States.

The Legislature met upon the 8th of December. Upon the 13th of December this concurrent resolution was passed by the senate:

That the senate and house of representatives proceed to elect, as provided by law, United States Senators at the hour of 12 o'clock m., on Tuesday, the 16th day of December, 1890.

Which was within the ten days prescribed in the constitution and in the enabling act.

So, up to the time of the meeting of the joint assembly, nothing, so far as we can gather from the journal, had been said or done by either branch of the Legislature in regard to the election of any other Senators than those that were required to be elected within the ten days to fill the original vacancies; but when the joint assembly met upon Wednesday they proceeded in the manner prescribed under the Revised Statutes, that being the manner prescribed by law. Having voted—I do not recall now whether once or twice—

Mr. MITCHELL. Once.

Mr. GRAY. They failed in electing any one to either place, and therefore they adjourned to meet upon the next day, which was the 18th.

Mr. MITCHELL. There were two ballots on Wednesday.

Mr. GRAY. It is immaterial. Then there were two ballots. I did not recollect. They failed, however, to elect. They then adjourned to meet upon the next day, which was Thursday. That was December 18. Up to that time nothing had been said as to the election of any other Senators than the Senators to fill the original vacancies; but on December 18, the second day of the meeting of the joint assembly of the two houses, Senator Gunn offered in joint assembly the following resolution:

*Resolved by the joint assembly of the senate and house of representatives of the Legislature of the State of Idaho, That we proceed to elect two United States Senators to fill vacancies, and that after such elections we immediately proceed to elect one United States Senator to fill vacancy occurring March 4, 1891.*

That was debated somewhat, as appears by the journal of the joint convention. An amendment was moved and voted down, and the resolution finally passed in about that shape. So, after the election of the two Senators, whom, as the minority contend, they were met to elect, they did proceed to do what neither house had authorized them to do, what the enabling act certainly did not authorize them to do, and which, if legally done, could only have been done under the general statute in regard to the election of United States Senators as to time as well as manner.

Now, there does not seem to have been any discussion in that joint assembly in regard to the day upon which this third Senator was to be elected; the point does not seem to have been raised; and I agree with the Senator from Oregon, that so far as this record

discloses anything, there is not one single syllable in it from one end of it to the other to indicate that any protest was made or any argument had in regard to the time for the election of the third Senator being contrary to the statute in that case provided, but all through that record there is the clear demonstration that its members were acting under the belief that the election of a third Senator was prescribed and imposed upon that Legislature and the joint assembly by the enabling act of Congress and the constitution of the State of Idaho. In other words, it is a clear inference from everything that is disclosed by that journal of the joint assembly that the controlling opinion in that assembly was that the election of the third Senator within ten days was just as lawful and just as peremptory upon that assembly in its obligation as the election of two Senators to fill the original vacancies.

Mr. MITCHELL. Will the Senator allow me?

Mr. GRAY. In one moment I will. It is, therefore, on that account that we are here to-day with the duty imposed upon us to inquire and decide whether in that view of their duty they were mistaken or not. I am not here, nor do the necessities of this case fortunately require me, to impute motives to one of these contestants or the other.

Mr. MITCHELL. The Senator says that this record taken altogether justifies the inference that all parties at that time were proceeding upon the theory that they were acting not under the Revised Statutes, but under the constitution of the State and the enabling act. Now, does not the record justify another inference fully as much as the one referred to by the Senator? Does it not justify the inference that the parties, at least those favoring Mr. Clagett, were proceeding on the theory that that Legislature had no right to elect more than two? Then, again, is not the fact that the majority of the Legislature did actually elect three not only an inference but positive testimony to refute the inference put forth by my friend from Delaware? In other words, does not the very fact that they elected three show at least a majority of the Legislature believed that they were proceeding under the Revised Statutes, because if they were proceeding under the other acts they had only the right to elect two, according to the Senator's theory?

Mr. GRAY. Mr. President, the inferences which the Senator from Oregon draws from the facts disclosed by this record were fully stated yesterday and have been stated very emphatically again to-day. I am only contending that he was wrong, and that the reasonable inference to be drawn from this whole record and from the facts and circumstances that are in evidence here before the Senate is, that inasmuch as we find a resolution passed by both houses of the Legislature to proceed under the enabling act, and a joint assembly that met in pursuance of that resolution and the election of Senators to fill original vacancies under it, and that afterwards the same joint assembly proceeded to elect a third Senator, that that election of a third Senator was also presumably under the supposed authority of the enabling act. I do not see any other inference to be drawn from it in the absence of any express declaration to the contrary.

I am fortified in the inference that I draw from the record by the contention of Mr. Dubois, the sitting member. I am fortified in that view of it by the statement made by the Senator from Oregon yesterday, which as he has made it I am at liberty to repeat it, that in the Committee on Privileges and Elections there was a difference of opinion, some of its members stoutly contending that the election of the third Senator was properly held under the enabling act and under the constitution; that the time prescribed, within ten days after the organization, governed the election of the third Senator as well as of the two Senators to fill the original vacancy. But that was abandoned afterwards in the report of the committee. So far as the committee is concerned we are unanimous now; I believe there is no dissent. The committee report and find that the election of the third Senator to be legal must have been held under the Revised Statutes and not under the enabling act.

Mr. CHANDLER. Mr. President—

Mr. GRAY. One word. When I get through with this point in a moment I shall be very glad to hear the Senator from New Hampshire. I was proceeding to say that I am also fortified in the opinion that I have by the fact that the contestee, Mr. Dubois, himself, in the brief which he has submitted to the Committee on Privileges and Elections, takes that view, for he says, on the second page of his brief:

*The time for the election of a Senator of the United States by the Legislature of Idaho was not fixed by the Revised Statutes of the United States, but was fixed by the constitution of Idaho and the act of Congress admitting that State to the Union.*

What, then, are we to say in the face of the declaration by the contestee himself, that that was the theory upon which the joint assembly proceeded that elected him to a seat in this body? He tells you so in his brief and argument produced before the Committee on Privileges and Elections; and therefore I think that

country; which was referred to the Committee on Military Affairs.

Mr. STEWART presented the petition of George S. Sawyer and 44 other citizens of Lincoln County, Nev.; the petition of Robert M. Clarke and 46 other citizens of Ormsby County, Nev.; the petition of A. Summerfield and 40 other citizens of Esmeralda County, Nev.; the petition of J. A. Blossom and 104 other citizens of Lander County, Nev.; the petition of J. W. O'Brien and 106 other citizens of Washoe County, Nev.; and the petition of Charles M. Wiley and 2 other citizens of Churchill County, Nev., praying for the ceding to the States of certain public lands for the purposes of irrigation and reclamation; which were referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also presented a petition of citizens of Wells, Nev., praying that Congress provide or guarantee such necessary means as will assist, protect, and hasten the completion and secure the national control of the Nicaragua Maritime Canal; which was referred to the Committee on Foreign Relations.

Mr. GALLINGER presented the petition of A. F. Chadwick and 32 other citizens of Rindge, Cheshire County, N. H., praying for the free delivery of mails in country districts; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. FELTON presented a petition of the board of supervisors of Alpine County, Cal., praying that an appropriation be made to mark the boundary line between California and Nevada; which was referred to the Committee on Appropriations.

Mr. PROCTOR presented the petition of A. H. Riley and other citizens of Fairfax, Vt., praying for the free delivery of mails in country districts; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. MORRILL presented a petition of citizens of Fairfax, Vt., praying for the free delivery of mails in country districts; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. PADDOCK presented the petition of J. C. Watson, of Nebraska City, Nebr., and the petition of Paul Schminke, of Nebraska City, Nebr., praying for the passage of an act to reclassify the Railway Mail Service; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial adopted by the Milwaukee (Wis.) Chamber of Commerce, and a memorial of the Board of Trade of Chicago, Ill., remonstrating against the passage of Senate bills 1757 and 1268 and House bill 2699, commonly known as the option bills; which were referred to the Committee on the Judiciary.

Mr. SAWYER presented a memorial adopted by the Milwaukee (Wis.) Chamber of Commerce, remonstrating against the passage of Senate bills 1757 and 1268, and House bill 2699, commonly known as the option bills; which was referred to the Committee on the Judiciary.

Mr. COKE presented a petition signed by owners and agents of steamships and the principal merchants of Galveston, Tex., praying for the passage of the bill for the transfer of the Revenue Cutter Service to the naval establishment; which was referred to the Committee on Naval Affairs.

Mr. MITCHELL presented a petition of the Linn County (Oregon) Business Council, Patrons of Husbandry, praying that an appropriation be made for the improvement of the Willamette River, in the State of Oregon; which was referred to the Committee on Commerce.

He also presented a petition of the Oregon City (Oregon) Board of Trade, praying that an appropriation be made for the improvement of the channel of the Willamette River, between Oregon City and Portland, Oregon; which was referred to the Committee on Commerce.

He also presented resolutions recently adopted by the Oregon City (Oregon) Board of Trade, urging appropriations generally for the improvement of the various rivers and harbors of the State of Oregon; which were referred to the Committee on Commerce.

Mr. HANSBROUGH. I present a petition of citizens of North Dakota, praying for the passage of legislation authorizing the removal of the Chippewa Indians from Turtle Mountain and the settlement of their claim to lands in that region. I ask unanimous consent that the body of the petition be printed in the RECORD.

Mr. HARRIS. I object.

Mr. HANSBROUGH. I ask, then, that the petition be printed as a document.

The VICE-PRESIDENT. If there be no objection the petition will be printed as a document, and referred to the Committee on Indian Affairs. The Chair hears none.

Mr. HISCOCK presented a petition of C. E. Smith and other citizens of the United States; a petition of the New York State Woman's Christian Temperance Union of Attica, N. Y., and other places; and a petition of Abram M. Calyer and other cit-

izens of New York and elsewhere, praying for the passage of legislation looking to the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the New York State Woman's Christian Temperance Union of Masonville, N. Y.; a petition of the New York State Woman's Christian Temperance Union of Wappingers Falls, N. Y.; a petition of the New York State Woman's Christian Temperance Union of Walworth, N. Y.; a petition of the New York State Woman's Christian Temperance Union of Allegany, N. Y.; a petition of the New York State Woman's Christian Temperance Union of Baldwinsville, N. Y.; a petition of the New York State Woman's Christian Temperance Union of Little Valley, N. Y.; a petition of the New York State Woman's Christian Temperance Union of East Ashford, N. Y.; a petition of the New York State Woman's Christian Temperance Union of Caldwell, N. Y.; a petition of the New York State Woman's Christian Temperance Union of Fulton County, N. Y.; and a petition of the New York State Woman's Christian Temperance Union, praying for the ratification of the so-called Brussels treaty; which were ordered to lie on the table.

He also presented the petition of Thomas R. Arnold and other citizens of Eatonville, and other places in New York, praying for the passage of a law similar to the so-called Hiseock bill, subjecting oleomargarine to the provision of the laws of the States, etc.; which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the Chamber of Commerce of New York, favoring the transfer of the Revenue Cutter Service to the Navy Department; which was referred to the Committee on Naval Affairs.

He also presented resolutions adopted by the Brewers' Association of Buffalo, N. Y., favoring the reduction of the duty on barley to 10 cents a bushel; which were referred to the Committee on Finance.

He also presented resolutions adopted by the Chamber of Commerce of Rochester, N. Y., favoring the establishment of naval reserves on the northern frontier as well as on the seaboard, and praying Congress to make suitable provision therefor; which were referred to the Committee on Commerce.

He also presented a resolution adopted by the nineteenth annual session of the New York State Grange, Patrons of Husbandry, favoring the construction of a ship canal around Niagara Falls and the further construction of a deep water way from Lake Ontario to the Hudson River; which was referred to the Committee on Commerce.

He also presented a petition numerously signed by citizens of New York, praying that the necessary action be taken to have a conference of the governments of the world to sit during the World's Columbian Exposition to advance and promote the cause of arbitration for the settlement of international disputes; which was referred to the Committee on Foreign Relations.

He also presented a petition of the committee on internal trade and improvement of the Chamber of Commerce of New York, praying for the consolidation of third and fourth class mail matter; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Gates Grange No. 421, Patrons of Husbandry, of New York; the petition of B. W. Rowe and other citizens of Dansville, N. Y., and the petition of T. V. Weld and other citizens of Big Creek, N. Y., praying for the free delivery of mail in country districts; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. GRAY presented a petition of citizens of Kent County, Del., praying for the passage of what is commonly known as the option bill; which was referred to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 1935) to establish a railway bridge across the Illinois River, between a point at or near the city of Havana, in Mason County, and a point on the opposite side of said river, in Fulton County, in the State of Illinois, reported it with amendments.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 2251) for the relief of Francis W. Wickham, reported it without amendment, and submitted a report thereon.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the bill (S. 1796) to ratify and confirm an agreement with the Tonkawa tribe of Indians in Oklahoma Territory, and to make an appropriation to carry the same into effect, reported it with an amendment.

Mr. STOCKBRIDGE, from the Committee on Fisheries, to whom was referred the bill (S. 1028) to continue in force the provisions of an act approved March 2, 1885, and entitled "An act to

protect the fish in the Potomac River in the District of Columbia, and to provide a spawning ground for shad and herring in the said Potomac River," reported it without amendment.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 2229) for the relief of the owners and crew of the Hawaiian bark *Arctic*, asked to be discharged from its further consideration, and that it be referred to the Committee on Foreign Relations; which was agreed to.

He also, from the same committee, to whom was referred the bill (H. R. 610) extending the privileges of the first and seventh sections of the act approved June 10, 1880, governing the transportation of merchandise without appraisement to the port of Ogdensburg, in the State of New York, reported it without amendment.

He also, from the same committee, to whom was referred the joint resolution (H. Res. 81) investigating mining debris in California, reported it without amendment.

He also, from the same committee, to whom was recommended the bill (S. 1393) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1880, by extending the privileges of the first section thereof to the port of Fernandina, Fla., reported it without amendment.

Mr. FRYE. From the Committee on Commerce I report back adversely the bill (S. 2099) to amend section 4114 of the Revised Statutes relating to inspectors of hulls and boilers, and ask that it be indefinitely postponed, the adverse report being for the reason that the provisions of the bill are contained in another bill already reported and on the Calendar.

The report was agreed to.

Mr. WALTHALL, from the Committee on Military Affairs, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 1809) to authorize the Secretary of War to amend the military record of commissioned officers of the late war under certain circumstances, and for other purposes; and

A bill (S. 1938) authorizing the restoration of the name of Wilbur P. Melbourne, late first lieutenant Fifteenth United States Infantry, to the rolls of the Army, and providing that he be placed on the list of retired officers.

Mr. BATE, from the Committee on Military Affairs, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 584) for the relief of Charles Squire Wood, of the city of New York; and

A bill (S. 499) for the relief of Jonathan Myers.

Mr. PETTIGREW, from the Committee on Indian Affairs, to whom was referred the bill (S. 697) to provide for building and maintaining an Indian industrial school at or near Chamberlain, in the State of South Dakota, and at or near Rapid City, in the State of South Dakota, and to provide a farm in conjunction therewith, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, reported an amendment intended to be proposed to the Indian appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also, from the Committee on Public Lands, reported an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### TREATY RIGHTS OF FOREIGN RESIDENTS.

Mr. SHERMAN, from the Committee on Foreign Relations, reported the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That so much of the President's annual message communicated to the present Congress as relates to criminal offenses committed within the United States against the treaty rights of foreigners domiciled in the United States be referred to the Committee on Foreign Relations, with instructions to report such provisions of law as will empower the Federal courts to try all such causes involving the consideration of international questions, and with such police and judicial process as will enable the Government of the United States to use its constitutional power to define and punish crimes against treaty rights conferred upon such foreigners.

#### AFFAIRS IN ALASKA.

Mr. PADDOCK, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, submitted by Mr. PLATT, January 27, 1892, reported it favorably without amendment:

*Resolved*, That the Committee on Territories, or any subcommittee thereof, is hereby authorized and instructed to institute and conduct an investigation and inquiry into the resources of the district of Alaska; the character, occupations, and social condition of its inhabitants, white, Indian, and of mixed blood; its form and system of government; whether the same is adapted to the present and prospective development of the district; its laws and whether they are enforced or allowed to be violated; what other or further legislation

is necessary for the better government and needs of the said district and for the protection and well-being of its people; and any and all matters relating to the civil administration and future welfare of the people of Alaska.

Such committee shall have power to send for persons and papers, and to employ a stenographer; and shall make report with recommendations as to future legislation.

The necessary expenses consequent upon such inquiry and investigation shall be paid out of the contingent fund of the Senate when certified by the chairman of the committee, and audited and allowed by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. PADDOCK. I ask for the present consideration of the resolution. It will take but a moment.

Mr. HALE. Let that resolution lie over for a day.

The PRESIDING OFFICER (Mr. TURPIN in the chair). The resolution will lie over, objection to its consideration being made.

#### BILLS INTRODUCED.

Mr. DOLPH introduced a bill (S. 2275) for the relief of purchasers of timber and stone lands under the act of June 3, 1878; which was read twice by its title.

Mr. DOLPH. The act of June 3, 1878, is known as the timber and stone act. The bill simply proposes to give purchasers under that act the right to take affidavits and make final proof before any officer authorized to take proofs in homestead entries. I move that the bill, with the accompanying papers, be referred to the Committee on Public Lands. The motion was agreed to.

Mr. FELTON introduced a bill (S. 2276) granting an increase of pension to Mary E. Mallett; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2277) granting an increase of pension to Margaret Hayes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2278) granting a pension to Robert Turnbull, father of William Turnbull, late of the United States ship *Baltimore*; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2279) granting an increase of pension to Mrs. H. A. de Russy; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 2280) to amend sections 727 and 729 of the Revised Statutes relating to the District of Columbia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2281) regulating the sale of distilled and fermented liquors in the District of Columbia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. PERKINS introduced a bill (S. 2282) to provide for the sale of surplus or unallotted lands of the Eastern Shawnee Indians, of the Indian Territory; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2283) to authorize the Denison and Northern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. GALLINGER introduced a bill (S. 2284) for the relief of C. M. Gilbert & Co.; which was read twice by its title, and referred to the Committee on Finance.

Mr. CULLOM introduced a bill (S. 2285) to increase the pension of Capt. Henry S. La Tourrette, late a captain in Company G, Eighty-fifth Regiment of Illinois Volunteer Infantry; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CARLISLE introduced a bill (S. 2286) to grant right of way through the Yellowstone National Park to the Montana Mineral Railway Company; which was read twice by its title, and referred to the Committee on Territories.

Mr. GIBSON of Maryland introduced a bill (S. 2287) removing the charge of desertion against Philip Bradley, late of Company F, Seventy-second New York Volunteer Infantry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. MITCHELL introduced a bill (S. 2288) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

Mr. ALLISON introduced a bill (S. 2289) to grant to the State of Iowa a certain meandered pond in Greene County, Iowa, in trust, for drainage purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. HISCOCK introduced a bill (S. 2290) granting a pension to Celeste A. Boughton, widow of Bvt. Brig. Gen. Horace Boughton, late of the United States Army, retired; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 2291) for the relief of

inform us whether or not this was all the legislation which they expected to report on this subject at this session?

Mr. SHERMAN. So far as I know, it is; but I can not say what the Senate may send to us to be considered hereafter.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to continue in force all existing laws prohibiting and regulating the coming into this country of Chinese persons and persons of Chinese descent for a period of ten years, and for other purposes."

HENRY ZELL.

The bill (S. 209) to place Henry Zell on the retired list of the Army was considered as in Committee of the Whole.

It proposes to authorize the Secretary of War to place Henry Zell, late a private of Company D, Third Regiment United States Infantry, on the retired list of the Army, to date from February 14, 1885, he to have from that date the benefits and allowances given under the provisions of "An act to authorize a retired list for privates and noncommissioned officers of the United States Army who have served for a period of thirty years and upwards," approved February 14, 1885, having served in the Army of the United States for more than thirty years prior to his last discharge therefrom on April 1, 1879.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ROAD TO NATIONAL CEMETERY, PENSACOLA, FLA.

The bill (S. 78) making an appropriation for the improvement of the road to the national cemetery near Pensacola, Fla., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEGAL REPRESENTATIVES OF S. W. MARSTON.

The bill (S. 12) to authorize the Secretary of the Interior to settle the claims of the legal representatives of S. W. Marston, late United States Indian agent at Union Agency, Ind. T., for services and expenses, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MRS. S. B. DUVAL.

The bill (S. 478) for the relief of Mrs. S. B. Duvall, widow of the late Rev. W. P. Duvall, deceased, was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments, in line 8, after the word "dollars," to strike out "a" and insert the words "upon satisfactory evidence being presented to the proper accounting officers of the Treasury that said;" and in line 10, after the word "sum," to insert "is;" so as to make the bill read:

*Be it enacted, etc.,* That Mrs. S. V. Duvall, widow of the late Rev. W. P. Duvall, late principal in charge of the Indian boarding school for the Sac and Fox Indians of Kansas, be allowed and paid, out of any moneys accruing from the sale of their lands or any other funds belonging to them in the Treasury, the sum of \$757, upon satisfactory evidence being presented to the proper accounting officers of the Treasury that said sum is due for the boarding, clothing, and care of the Indian children belonging to that tribe for the years 1863, 1864, and 1865, and this shall be received in full payment of the claim.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN McBEAN.

The bill (S. 734) for the relief of John McBean, of Umatilla County, Oregon, was considered as in Committee of the Whole. It proposes to direct the Secretary of the Interior to allot to John McBean, for a long time an interpreter at the Umatilla Indian Reservation, in the State of Oregon, a tract of land not exceeding in amount 160 acres, out of the lands of the Umatilla Reservation, which lands, when so selected by the Secretary of the Interior, shall be patented to McBean on the same terms and conditions as patents are issued to the Indians selecting lands on such reservation in pursuance of existing law; but the consent of the Umatilla Indians upon the reservation to such allotment is to be first obtained in manner and form satisfactory to the Secretary of the Interior.

Mr. CHILFON. I see nothing in the shape of a report accompanying this bill, and there is nothing in the bill itself to give any information as to the facts connected with it. I should be glad if some Senator familiar with the facts would state them.

Mr. DAWES. The facts in reference to the McBean case are these: McBean is an old interpreter, a white man, in that reservation, who has spent all his life there as an interpreter. He has become very much attached to the Indians and the Indians to him. He desires very much to make his abiding place, his home, there. He is too old to act as interpreter for the Government.

The Indians would like to have him among them, and he would like to take an allotment just as an Indian does. He can not do it because he is a white man, and with the consent of the Indians the consent of the Government is asked that he may take 160 acres just like an Indian.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SIoux INDIAN RESERVATION.

The bill (S. 698) to authorize the Secretary of the Interior to carry out, in part, the provisions of "An act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations, and to secure the relinquishment of the Indian title to the remainder, and for other purposes," approved March 2, 1889, and making appropriations for the same and for other purposes, was announced as next in order.

Mr. COCKRELL. Let that be passed over.

The VICE-PRESIDENT. The bill will be passed over.

PUBLIC BUILDING AT SPOKANE FALLS, WASH.

The bill (S. 617) providing for the erection of a public building at the city of Spokane Falls, in the State of Washington, was announced as next in order.

Mr. ALLEN. My colleague [Mr. SQUIRE], having that bill more especially in charge, wished it to be passed over without prejudice. On account of a death in his family he was of necessity called from the Chamber. I wish the bill to retain its place without prejudice.

The VICE-PRESIDENT. The bill will be passed over, retaining its place on the Calendar.

PUBLIC BUILDING AT TACOMA, WASH.

The bill (S. 1136) providing for the erection of a public building at the city of Tacoma, in the State of Washington, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EFNICE TRIPLER.

The bill (S. 298) for the relief of Eunice Tripler, widow of Charles S. Tripler, was considered as in Committee of the Whole. It provides for the payment to Mrs. Eunice Tripler, widow of Surg. Charles S. Tripler, United States Army, of \$3,000, for services by Charles S. Tripler in his lifetime in preparing, superintending, and directing the publication of a manual for the medical officers of the United States; and this payment shall be a bar to any further claim against the Government for the use of the book referred to.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ROBERT H. MONTGOMERY.

The bill (S. 780) for the relief of Robert H. Montgomery was considered as in Committee of the Whole. It provides that Robert H. Montgomery, major of cavalry, United States Army, shall be entitled to credit, for all purposes of pay and allowances, for the period of time from November 19, 1863, to February 16, 1865, during which time he was a prisoner of war in the hands of the enemy, the same as though he had actually been in the military service of the United States as a second lieutenant of cavalry during that period.

The same section proposes to remit and discharge the judgment of the Court of Claims in the case of Robert H. Montgomery vs. The United States, rendered April 7, 1884, against Montgomery for the sum of \$1,651.37, upon a counter-claim presented by The United States, that sum having been received by him as pay for the period during which he was a prisoner of war.

The bill was reported to the Senate without amendment.

Mr. COCKRELL. Mr. President, I should like to call the attention of the Senator from Nebraska to this bill. The object of it is all right, to give this officer credit for the sum of \$1,651.37; but the first section of the bill authorizes him to be allowed this amount for the purposes of pay and allowances. Then the second section wipes out the judgment against him. If that remits the judgment, which is for this identical sum, would he not then turn around and get the \$1,651.37? He has already been paid that amount, as I understand.

Mr. MANDERSON. The bill is in the form in which it passed the Senate before.



Mr. COCKRELL. I know that.

Mr. MANDERSON. I ask that it be passed over. I will look into the question.

Mr. COCKRELL. I wanted to call the attention of the Senator to that point.

Mr. MANDERSON. I ask that it be passed over not to make any delay, and I will call it up again.

#### LIEUT. COL. CHARLES G. SAWTELLE.

The bill (S. 547) for the relief of Lieut. Col. Charles G. Sawtelle, deputy quartermaster-general, United States Army, was considered as in Committee of the Whole.

It is a direction to the proper accounting officers, in settling and adjusting the accounts of Lieut. Col. Charles G. Sawtelle, deputy quartermaster-general, United States Army, to credit him with the sum of \$126.40, being the amount of internal-revenue tax due from employes of the United States, employed by Maj. Gen. E. R. S. Canby, at New Orleans, in the secret service, in the year 1865, and paid by Sawtelle, the same amount appearing to have been withheld from those employes, but no receipt of the Commissioner of Internal Revenue being presented for the amount as required by law.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### HENRY E. RHOADES.

The bill (S. 247) for the relief of Henry E. Rhoades, was considered as in Committee of the Whole. It proposes to empower the Secretary of the Navy to place Assistant Engineer Henry E. Rhoades upon the list of officers of the Navy who have been retired on account of incapacity resulting from long and faithful service, from wounds or injuries received in the line of duty, or from sickness and exposure therein, as provided for in section 1588 of the Revised Statutes of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### HOWARD D. POTTS.

The bill (S. 1079) for the relief of Assistant Engineer Howard D. Potts, United States Navy, was considered as in Committee of the Whole. It proposes to authorize the President of the United States to place the name of Assistant Engineer Howard D. Potts on the retired list of the Navy "for disabilities incurred in the line of duty from sickness or exposure therein."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### ORDER OF BUSINESS.

Mr. PETTIGREW. Mr. President, I should like to know what disposition was made of Senate bill 698, relative to the Sioux lands in Dakota?

Mr. COCKRELL. It was objected to by me and passed over. The VICE-PRESIDENT. The Chair understood the bill to have been passed over without prejudice.

Mr. PETTIGREW. Do I understand that it was passed over without prejudice?

Mr. COCKRELL. I objected to it emphatically because there was no report with it. If the Senator desires that it should go over without prejudice, I have no objection to that.

Mr. PETTIGREW. I should like to have it passed over in that way.

The VICE-PRESIDENT. It was the understanding of the Chair that it was passed over without prejudice.

Mr. COCKRELL. I objected to it unconditionally. That is what I intended to do, and I did not put any conditions in it.

#### JOSEPH G. UTTER.

The bill (S. 337) to remove the charge of desertion standing against the name of Joseph G. Utter was considered as in Committee of the Whole. It proposes to remove the charge of desertion standing against the name of Joseph C. Utter, late a music boy, general service, United States Army, and to have issued to him by the Secretary of War an honorable discharge; and that Utter shall be held to have been regularly mustered into Company F, Fifth Regiment Ohio Volunteer Infantry, as of the date of such discharge.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### THOMAS H. CARPENTER.

The bill (S. 614) authorizing the restoration of the name of Thomas H. Carpenter, late captain Seventeenth United States Infantry, to the rolls of the Army, and providing that he be placed on the list of retired officers, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### HENRY UNTERLEITER.

The bill (S. 333) for the relief of Henry Unterleiter, alias Cook or Koch, was considered as in Committee of the Whole. It proposes to authorize the Secretary of War to remove from the record of Henry Unterleiter, alias Henry Cook or Koch, late a member of Company B, Fifty-second New York Volunteers, any charge of desertion that may exist against him, and to issue to him an honorable discharge as of date January 1, 1864.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### SURETIES OF WILLIAM J. STOKES.

The bill (S. 46) for the relief of William B. Stokes, M. M. Brien, sr., Thomas Waters, and William T. Haskins was considered as in Committee of the Whole. It proposes to release William B. Stokes, M. M. Brien, sr., Thomas Waters, and William T. Haskins, sureties on the bond of William J. Stokes as pension agent at Nashville, Tenn., their heirs, executors, and administrators, from all liability to the United States upon the bond.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### THOMAS A. McLAUGHLIN.

The bill (S. 246) for the relief of Thomas A. McLaughlin was considered as in Committee of the Whole. It proposes to authorize the Secretary of War to revoke and set aside Special Orders No. 298, War Department, Adjutant-General's Office, Washington, September 8, 1864, dismissing First Lieut. Thomas A. McLaughlin, One hundred and second Pennsylvania Volunteers, for absence from hospital at Annapolis, Md., without proper authority, and conduct unbecoming an officer and gentleman, and to accept the resignation of McLaughlin as of date August 15, 1864, and to issue to him a certificate of honorable discharge of the last-named date.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### DULUTH AND MANITOBA RAILROAD COMPANY.

The bill (S. 1094) granting the right of way to the Duluth and Manitoba Railroad Company across the Fort Pembina Reservation, in North Dakota, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### ARREARS OF PAY AND BOUNTY.

The bill (S. 1190) to facilitate the settlement of claims for arrears of pay and bounty, was considered as in Committee of the Whole.

It declares that nothing in section 277 of the Revised Statutes of the United States shall be so construed as to prevent the Second Auditor of the Treasury from disallowing claims for arrears of pay and bounty in cases where it appears from the records and files of his office that payment in full has already been made to the soldier himself or to his widow or legal heirs. But if any person whose claim may be disallowed be dissatisfied with the action of the Auditor, he may, within six months, appeal to the Second Comptroller; otherwise the Auditor's action shall be deemed final and conclusive and be subject to revision only by Congress or the proper courts.

Mr. MITCHELL. What is the necessity for that bill, I should like to know?

Mr. COCKRELL. I will explain the necessity of it. There have been thousands and hundreds of thousands of claims presented to the Second Auditor by soldiers for arrears of pay and bounty. A great many of those claims have been investigated two, three, four, and five times. At one time it was the procedure in the Auditor's office only to allow the particular item applied for by the soldier, and if a soldier applied for arrears of pay no allowance was made to him for bounty, although the record showed bounty due him; if he applied for bounty and not for arrears of pay, no adjustment of his pay account was made, although the record showed that pay was due him. That, however, has been changed under the present Auditor, if not before, and now, when a soldier applies for an adjustment of his claim for arrears of pay or bounty, his claims of all kinds under the jurisdiction of the Second Auditor are adjusted. They have been adjusted time and again under a decision of the Second Auditor.

When a soldier applies the second, or third, or fourth, or fifth

this country is taxed to make men who are fortunate enough to have made good investments in the suburbs of Washington City richer than they already are by taking the taxes of the people and improving that property so that they may sell it; but if we have got to go into that sort of thing let us go into it on that basis which will be least burdensome to the people of the United States. I suppose that when we take into consideration this fine capital, this great city, and all that sort of thing, the capital of a nation of 65,000,000 people, and see how grand it is when we come up to Congress to live in a grand city and get away from the poor people at home who are making all the money by which the country is kept up—when we remember all that, I suppose it would be going too far to hope that any consideration for the laboring and toiling masses of this country will prevent us from making this appropriation. If it has got to be, let us make it so that it will hurt the people of this country as little as possible.

Will any man dispute here now to-day—if there is such a one I should like him to get up and say so—that we can borrow this \$4,000,000 without paying one cent of interest? If you will just issue the obligations of the Government in the shape of legal-tender Treasury notes in sums of five and ten and twenty dollars, you will get your money, you will pay for your improvements, and the people who are not able to own \$500,000 in nontaxable bonds and \$1,000 in nontaxable bonds will give their property, their labor, for these five and ten and twenty dollar notes of the Government, and charge no interest—not only not charge any interest, but will thank the Congress of the United States for giving them the poor privilege of getting these notes without interest. Why not do it? I should like to hear a sensible reason why we should not do it. Will any man say that that means inflation; that that means fiat money, and all that sort of thing?

If it does, my answer is that the \$4,000,000 increase will not affect in quantity materially the amount now in circulation, and next, that owing to the increase of our population year by year—I believe it is about a million and a half—owing to the tremendous activities and enterprise of our people as exhibited everywhere and at all times, more and more of what we call money is needed, not money locked up in thousand-dollar bonds or five-hundred-dollar bonds, but money in small sums fit for circulation among the class of people who earn the money of this country.

Why not give the people in this country a chance to get this \$4,000,000 without interest? I should like to hear a sensible reason why not. You pay for the improvements necessary in order to enable these men who are expecting to grow rich out of these improvements; you pay for these improvements; they are just as good made in that way as when made by gold borrowed upon the bonds. Why not do it? Then, Mr. President, the controversy between the distinguished Senator from Missouri and the distinguished Senator from Ohio as to the rate of interest would be all settled. We do not want any interest. The people do not want to pay any interest. They only want to have a chance by labor, by toil, by self-denial, to acquire some of the obligations of the Government which circulate as money, which will enable them to transact their business in life.

I shall say no more. I shall vote for the amendment of 2 per cent offered by the Senator from Missouri. If that is voted down, then, at the proper time, I shall offer an amendment to strike out all of this bond business, and let the legal-tender Treasury notes be put out in payment of these improvements.

Mr. HARRIS. I am not at liberty, representing the committee, to accept the amendment of the Senator from Missouri, but if the majority of the Senate think it safe to make the experiment of a 2½ per cent bond I certainly shall not antagonize it.

Mr. KYLE. Mr. President, I had not thought of saying anything at this time, as the question was being discussed so well by the Senator from Missouri [Mr. COCKRELL], by the Senator from Arkansas [Mr. BERRY], and by the Senator from Mississippi [Mr. GEORGE], but I want to say this, that it does not take a Western man very long to see through the plan which is on foot as set forth by the provisions of this bill. It is a scheme for the purpose of improving the streets in the suburbs of the District of Columbia. I have seen perhaps as many cities boomed in the West as any man upon the floor of the Senate, and I know the plans also by which they are improved and the streets made.

In the city of Chicago and in all the cities of our Northwest we have had additions platted one after the other in the suburbs. Real-estate firms are there in large numbers, advertising their various advantages and putting up their blocks of lots and acres of lots for sale. The plan is to lay out the lots and the streets, grade them, put down the sidewalks, and then offer the blocks for sale. It would be a very fine thing for speculators in Chicago, or Minneapolis, or St. Paul, or any Western city, to have their streets laid out, graded, and improved by the State or by the United States, but they do not have the face to ask this, as do some of the capitalists in this vicinity.

Now, in the District of Columbia I believe the scheme is this:

Real-estate speculators have interests lying outside the city of Washington. Here are corporations who own large tracts of land just adjoining the city. These tracts would be materially advanced in value by the construction of highways as proposed in the bill now before us.

Mr. President, the plan is that the United States shall aid in constructing these highways by issuing bonds and throwing them upon the market.

I object to this, because I believe it is bad financial policy. Out in the West we are told that our farmers have adopted a bad financial policy. They are living beyond their means. They are buying more lands than they really need to live. We were told only a few days ago by the distinguished Senator from Vermont [Mr. MORRILL] that the cause of our farm mortgages in the West is that we have been borrowing money upon our farms for the purpose of adding other quarter sections, and that machinery was being bought perhaps before we were able to pay for it. Such a policy was thought unsound.

Now, I believe what is economy for the farmer, what is economy for the municipality, is economy for the Government. I believe that it is bad financial policy for us to issue bonds for the purpose of extending or improving the streets in the District of Columbia. We have staring us in the face at the present time an empty Treasury. If we have not the money in the Treasury of the United States to improve these streets, and if they need to be improved, then by all means let us wait until the money is on hand and we can pay for it like men, and not saddle bonds upon us and upon our children.

If there is one subject in the United States at the present time upon which the people are tender it is the subject of bonds. Ever since the war of the rebellion, twenty-five or thirty years ago, we have had nothing but bonds and interest upon bonds, and now we have before us a provision for the issuing of more bonds, the people to pay the interest upon them, and to run for a period of twenty or perhaps thirty, forty, or fifty years.

Mr. President, I believe that this principle is wrong. I think a wise economy should be practiced by the Government of the United States as well as by corporations and individuals. Only within two days we have had bills up before the Senate of an extravagant kind. One appropriated a half million of dollars to the city of Salt Lake in Utah Territory, and to-day a bill which passed the Senate appropriates \$400,000 to the city of Tacoma in the State of Washington. I have furthermore read upon my Calendar that one of our Western cities, Chicago, comes forward and has the modesty to ask for \$4,000,000 for the purpose of erecting a post-office building.

We have spent much valuable time during the past two months passing public-building bills, appropriating twenty-five or thirty millions, as though our Treasury were overflowing. It is time for us to call a halt when we are confronted by an empty Treasury and are asked to issue bonds to pay the small sum of \$2,000,000.

If in one week we can appropriate \$4,000,000 of cash for public buildings, why do we have to issue bonds running twenty to thirty years for the purpose of paying \$2,000,000 to improve the streets of the District of Columbia, intended, as I think, to advance the property of individuals and corporations? Real-estate men, for aught I know, are behind this bill and are urging its passage by the Senate.

Mr. President, if it is necessary to have these streets extended, and the money must be forthcoming, then I will take the position of the Senator from Arkansas and the Senator from Mississippi, and declare for the issuance of legal-tender notes that shall bear no interest, and which will very materially increase the volume of our currency. Our people want more money and less bonds, and therefore I think the bill should not pass.

Mr. FAULKNER and Mr. ALLISON addressed the Chair.

The PRESIDING OFFICER (Mr. PLATT in the chair). Does the Senator from West Virginia yield to the Senator from Iowa?

Mr. ALLISON. I do not wish to interfere with the Senator from West Virginia. I merely desired to make a motion to adjourn.

Mr. FAULKNER. I do not feel that I should detain the Senate at this late hour by any remarks, but I desire to answer some allusions made by the Senator from Mississippi [Mr. GEORGE], and the Senator from South Dakota [Mr. KYLE], who has just taken his seat, in reference to the character of this bill. It has been entirely misunderstood, as I conceive, and I do not like the use of the term "scheme" and terms of that sort when applied to a bill that has my name attached to it, especially as I do not own a dollar's worth of property in this District. However, I will now give way to a motion to adjourn and make my remarks when the bill again comes up.

Mr. ALLISON. I move that the Senate do now adjourn.

The motion was agreed to: and (at 4 o'clock and 15 minutes p. m.) the Senate adjourned until Tuesday, February 23, 1892, at 12 o'clock m.



## HOUSE OF REPRESENTATIVES.

FRIDAY, February 19, 1892.

The House was called to order at 12 o'clock m. by the Clerk, Hon. JAMES KERR, who read the following communication:

SIR: I name Hon. BENTON McMILLIN, of Tennessee, to perform the duties of the Chair for this day.

CHARLES F. CRISP,  
Speaker

Hon. JAMES KERR,  
Clerk House of Representatives.

Mr. McMILLIN accordingly took the chair as Speaker *pro tempore*.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

## LEAVE TO PRINT.

Mr. LODGE. Mr. Speaker, I desire to offer certain resolutions of the Legislature of Massachusetts, and I ask unanimous consent that they be printed in the RECORD.

The SPEAKER *pro tempore*. Is there objection?

Mr. RICHARDSON. Mr. Speaker, I do not like to object to these requests every morning; but it has been unusual to print such resolutions in the RECORD, and I do not think it proper to cumber that publication with matters of this kind that are not immediately before the House for consideration. I object.

Mr. MORSE. Mr. Speaker, I think the gentleman from Tennessee will not object to my request. I am ill and am necessarily going away for a few days, but would like to print in the RECORD a few remarks which I propose to submit with regard to the pending amendment to the interstate-commerce law.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. MORSE, indefinitely, on account of sickness; to Mr. MOSES, for twelve days, from Tuesday, February 23, and to Mr. LIVINGSTON, for the same period.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its secretaries, announced that the Senate had passed the bill (S. 1209) to provide for the purchase of a site and the erection of a public building thereon, at Ogden, in the Territory of Utah; in which concurrence was requested.

It also announced that the Senate had passed the following resolutions:

*Resolved*, That the Senate has heard with profound sorrow of the death of Preston B. Plumb, late a Senator from the State of Kansas.

*Resolved*, That as a mark of respect to the memory of the deceased, the business of the Senate be now suspended to enable his associates to pay proper tribute of regard to his high character and distinguished public services.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives.

## EULOGIES ON THE LATE SENATOR PLUMB.

Mr. FUNSTON. Mr. Speaker, I desire to ask unanimous consent to introduce for immediate consideration a resolution fixing a day for eulogies on the late Senator Plumb.

The SPEAKER *pro tempore*. The resolution will be read, after which the Chair will ask for objections.

The Clerk read as follows:

*Resolved*, That Saturday, March 12, 1892, beginning immediately after the reading of the Journal, be set apart for tributes to the memory of Hon. Preston B. Plumb, late a Senator from Kansas, and that the Senate resolutions remain on the Speaker's table until that day.

The SPEAKER *pro tempore*. The Chair desires to call the attention of the gentleman from Kansas to the following order which has been already made by the House with reference to the date named in his resolution.

The Clerk read as follows:

*Resolved*, That Saturday, March 12, beginning at 2 o'clock p. m., be set apart for paying tribute to the memory of Hon. John R. Gamble, late a member of the House of Representatives at large from the State of South Dakota.

Mr. FUNSTON. Then, Mr. Speaker, I desire to change the date to the 19th, one week later than the date fixed in the resolution.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution of the gentleman from Kansas as amended?

There being no objection, the resolution was considered and adopted.

## THEATER LICENSES, DISTRICT OF COLUMBIA.

The SPEAKER *pro tempore* also laid before the House the joint resolution (S. R. 45) to regulate licenses to proprietors of theaters in the city of Washington, D. C.

Mr. HEMPHILL. Mr. Speaker, I would like to ask unanimous consent for the present consideration of the resolution just laid before the House.

The SPEAKER *pro tempore*. The resolution will be read, subject to objection.

The Clerk read as follows:

*Resolved, etc.*, That all licenses issued by the Commissioners of the District of Columbia, pursuant to paragraph 41, section 21, of the act of the Legislative Assembly approved August 23, 1871, to the proprietors of all theaters in the city of Washington, D. C., and now in force, be, and the same are hereby, terminated, and the use of such building prohibited until such time as the owner or lessees of the same shall comply with such provisions relative thereto for the public safety as the Commissioners of the District of Columbia shall prescribe.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. ENLOE. I do not want this day to be taken up with other business.

Mr. HEMPHILL. This, I will state to the gentleman from Tennessee, will take but a moment, I think.

Mr. ENLOE. With the understanding that it shall be withdrawn if there is discussion upon it, I will not object.

Mr. HEMPHILL. If it leads to any debate I will withdraw it. I ask unanimous consent for its present consideration.

There being no objection, the joint resolution was considered, read a third time, and passed.

On motion of Mr. HEMPHILL, the motion to reconsider the vote last taken was laid on the table.

## REPRINT OF A BILL.

Mr. BLAND. I ask to have reprinted the bill (H. R. 4426) for the free coinage of gold and silver, for the issue of coin notes, and for other purposes. There have been a great many calls for it, and it is not to be had in the document room. I ask also that 5,000 copies of the majority and minority reports be printed with it. A great many members are asking for it.

Mr. TRACEY. Mr. Speaker, I do not desire to object, but I think that number is scarcely sufficient.

Mr. DICKERSON. I wish the gentleman would make it 10,000 copies. There is a general demand from all over the country for copies of this bill and the report.

Mr. BLAND. I would like to have 10,000 copies if the House will order it.

Mr. TRACEY. I would like to suggest to the gentleman from Missouri [Mr. BLAND] an amendment—to make it 10,000 copies.

The SPEAKER *pro tempore*. Is there objection to the proposition of the gentleman from Missouri, as amended by the gentleman from New York, for the reprint of the bill, and to make the number of the majority and minority reports to be printed 10,000? [After a pause.] The Chair hears no objection, and it so ordered.

Mr. RICHARDSON. I do not object, but I simply want to say that if it costs over \$500 the House can not order it by a simple resolution.

Mr. BLAND. If it costs more than that the Committee on Printing can rectify it.

Mr. RICHARDSON. If it costs more than \$500, it will take a concurrent resolution.

The SPEAKER *pro tempore*. The Chair hears no objection, and the order is made.

Mr. COBB of Alabama. Mr. Speaker, I want to suggest that those reports when reprinted should be equally distributed among the members.

The SPEAKER *pro tempore*. If there be no objection, that distribution will be ordered.

There was no objection.

## PRINTING DEFICIENCY.

The SPEAKER *pro tempore* laid before the House a letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Public Printer, with inclosures, submitting estimates of deficiency in appropriations for the public printing; which was referred to the Committee on Appropriations.

## ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The Chair will now call the committees for reports. This being private bill day, only reports of a private nature are in order.

Mr. ENLOE. Mr. Speaker, only reports of a public nature are required to be presented in the open House. Reports of a private nature go through the petition box.

The SPEAKER *pro tempore*. The Chair will examine the rule. [After a pause.] The Chair finds upon examination that the new rule that was adopted does authorize the submission of the reports on private bills through the petition box, and does not require them to be publicly reported.

Mr. BYNUM (after conferring with the Speaker *pro tempore*). I move to dispense with the call of committees for reports.

submit for the consideration of Congress what amounts can be profitably expended during the coming year to carry out the recommendations made by the Commission of Engineers, United States Army, appointed under the provisions of an act of Congress approved October 1, 1888, entitled "An act to investigate mining débris in California," for "restriction works, dams and wing dams, to restrain the mining débris where now situated, and prevent its lodgment in the rivers of California, to the injury of navigation and commerce."

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. ALLISON. I should be glad to have the joint resolution read again, and I ask for information respecting the matter. Is it reported from a committee?

Mr. FRYE. It is a House joint resolution. It passed the House of Representatives.

The VICE-PRESIDENT. It was reported favorably by the Senator from Maine [Mr. FRYE].

Mr. FRYE. It was referred to the Committee on Commerce, and reported favorably from that committee.

Mr. ALLISON. I ask that the joint resolution be again read.

Mr. FELTON. I wish to say to the Senator from Iowa that the measure carries no appropriation with it. It is simply a joint resolution for obtaining some information from the Secretary of War.

Mr. SHERMAN. Let it be read again.

The VICE-PRESIDENT. The joint resolution will be again read.

The Chief Clerk read the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that Hon. BENTON McMILLIN, a Representative from the State of Tennessee, had been elected Speaker *pro tempore*, to serve during the temporary absence of the Speaker.

JOHN W. BLAKE.

The VICE-PRESIDENT. The Senate will now proceed to the consideration of bills on the Calendar under Rule VIII.

The bill (S. 356) for the relief of John W. Blake was announced as first in order on the Calendar.

Mr. VOORHEES. In the absence of my colleague [Mr. TURPIE], I want that ease to go over without prejudice. I am under the impression that that claim has been allowed at a former Congress. In fact, Judge TURPIE told me so the other day. He is not in his seat. Let it pass over for the present, and when he comes in, if we are mistaken about it, the bill can be taken up again.

The VICE-PRESIDENT. The bill will go over without prejudice.

Mr. TURPIE subsequently said: I wish to call attention to Order of Business 133, being the bill (S. 356) for the relief of John W. Blake. I move that that bill be indefinitely postponed.

The motion was agreed to.

#### PUBLIC BUILDING AT NEWPORT NEWS, VA.

The bill (S. 602) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, in lines 13 and 14, to strike out the words "and fifty" where they occur, so as to make the amount in each case \$100,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BUILDING FOR DISTRICT GIRLS' REFORM SCHOOL.

The bill (S. 1351) to provide for the purchase of a site and the erection of buildings for the Girls' Reform School of the District of Columbia was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with an amendment, in line 5, after the word "appropriated," to insert "one-half of which sum shall be charged against the revenues of the District of Columbia," so as to make the bill read:

*Be it enacted, etc.*, That the sum of \$75,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, one-half of which sum shall be charged against the revenues of the District of Columbia, for the purchase of a site and the erection or alteration and furnishing of buildings for the Girls' Reform School of the District of Columbia, said sum to be expended by the Commissioners of the District of Columbia and to be immediately available.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### CONDITION OF AGRICULTURE.

Mr. GEORGE. Mr. President, some ten days ago, by the direction of the Committee on Agriculture and Forestry, I reported a resolution with an amendment authorizing certain investigations as to the condition of agriculture in the United States. I suppose there will be no objection to the passage of the resolution, and I should like to have it called up and passed. I ask that that be done.

Mr. COCKRELL. What is the resolution?

Mr. GEORGE. It is a resolution for investigating the cotton question.

Mr. SHERMAN. I have not been able to understand what the resolution refers to.

Mr. HARRIS. Let it be read.

Mr. GEORGE. It is a resolution which has been reported from the Committee on Agriculture and Forestry.

The VICE-PRESIDENT. The title of the resolution will be stated.

The CHIEF CLERK. Order of Business 304, resolution by Mr. GEORGE, for the appointment of a select committee to inquire into the cause of the low price of cotton and the depressed condition of agriculture, etc.

Mr. SHERMAN. That should go to the Committee on Contingent Expenses.

Mr. GEORGE. It was referred to the Committee on Agriculture and Forestry, and they reported it with an amendment.

Mr. SHERMAN. The law requires that such a resolution should go to the Committee on Contingent Expenses. That will not occasion much delay.

Mr. GEORGE. Does the Senator suggest that the resolution be referred to the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. SHERMAN. Yes. In order to get any money the resolution must be referred to that committee.

Mr. PADDOCK. Under the rule that is necessary.

Mr. GEORGE. Very well.

The VICE-PRESIDENT. The resolution will be so referred.

C. M. SHAFFER.

The bill (S. 268) for the relief of C. M. Shaffer was considered as in Committee of the Whole. It provides for paying to C. M. Shaffer, of Berkeley County, W. Va., \$1,500 for rent and occupation of his warehouse, in the town of Martinsburg, as a commissary storehouse during the war of the rebellion.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### ESTATE OF A. H. HERR, DECEASED.

The bill (S. 657) for the relief of the estate of A. H. Herr, deceased, late of the District of Columbia, was considered as in Committee of the Whole. It proposes to pay to the estate of A. H. Herr, deceased, late of the District of Columbia, \$17,288.53, allowed by the Secretary of War for the use of his premises, known as Herr's Island, near Harpers Ferry, by the Army during the late war.

Mr. PLATT. Is there a report in that case?

The VICE-PRESIDENT. There is.

Mr. PLATT. If the report is not long, I should like to have it read.

The VICE-PRESIDENT. The report will be read.

The Secretary read the report submitted by Mr. FAULKNER January 25, 1892, as follows:

The Committee on Claims, to whom was referred the bill (S. 657) for the relief of the estate of A. H. Herr, have considered the same and respectfully report.

Your committee adopt the report submitted by them during the first session of the Fifty-first Congress, and recommend that the bill do pass. The bill passed the Senate last Congress.

The adopted report is as follows:

"This claim has been before Congress since the first session of the Forty-second Congress, and has received favorable consideration in both the House and Senate.

"The report of Mr. Rowell, made to the House of Representatives at the first session of the Forty-eighth Congress, is so full and conclusive that your committee have adopted it as a fair statement of the grounds for relief. He states:

"This claim is for the use and occupation of Herr's Island, near Harpers Ferry, W. Va., by Federal troops from February, 1862, to February, 1865.

"The property in question was a very extensive and valuable estate embracing 12 acres of land, thirty-two dwelling houses, a large four-story cotton factory building, a large iron foundry, sawmill, and many other buildings, and was all occupied at various times during the period named and under control of acting quartermasters in the United States Army.

"Mr. Herr, the owner of the property, was a loyal citizen, who for his loyalty suffered imprisonment at the hands of the rebels, and many other vexations—besides great destruction of property.

"February 28, 1866, Maj. Gen. W. S. Hancock made an order commanding a board of officers to examine and report upon the condition of property in

the department lately used by the Government, under the direction of the Quartermaster's Department, with a view of determining what would be required to put it in the same condition as when first occupied by the Government.

"In accordance with such order, the board convened and proceeded to examine the various property covered by the order, and on July 3, 1895, entered upon a critical examination of the property involved in this case, and of the evidence of its occupation, and its rental value; and reported in detail each building occupied, the time of its occupancy, and the rental value. The result of this examination was a report of a total rent of \$17,288.53.

"This report was not approved by the Quartermaster-General, but the claim was by him referred to Gen. Blunt, chief Quartermaster, Department of the Potomac, who, on December 27, 1893, made a term of his conclusions, in which he stated that he had made personal examination of the premises, accompanied by his agent, and was satisfied that the buildings were occupied for military purposes for the whole of the time alleged in the claim. He expressed the opinion that the occupation tended to preserve the buildings from being destroyed by the rebels, and also says that the works not being in operation would prevent the owner from deriving any material benefit from it. Yet, he says, the Government derived material benefit from its use, and he carefully recites the estimates of the board of officers and recommends the allowance of \$15,243.58.

"Upon receipt of this report, Acting Quartermaster-General Rickard disallowed \$8,408.33 of the claim, and recommended the payment of \$6,835.25.

"This reduction was made upon the statement in the report of Gen. Blunt, that the occupancy of the property by the Army had the effect to protect it from destruction by the rebels, and the assumption that the works were not in operation, and therefore were of little use to their owner.

"This finding was approved by Quartermaster-General Meigs, but the claimant refused to accept the amount.

"Subsequently, the whole matter was referred to Deputy Quartermaster-General Ekin, who, on June 7, 1899, made an elaborate report upon the findings of the board of officers, the report of Gen. Blunt, and the action of the Quartermaster-General on the same. He also considered additional evidence, which showed that the supposed facts in regard to the operation of this property by the owner, as reported by Gen. Blunt, did not in reality exist, and that the condition of the property, with reference to its use by the owner had been misunderstood.

"The report also contains the idea that its occupancy by the Union troops tended to preserve it from destruction.

"After reviewing the history of the case, and reciting the evidence upon which his findings were based, the report concludes with a recommendation of an allowance of \$15,000.

"This report is returned by the Quartermaster-General to Gen. Ekin, with a suggestion that it is like another case cited. Whereupon Gen. Ekin makes response as follows:

"The ruling in the Murfreesboro decision could be made applicable in this case, but in view of the fact that it has been the custom of this Department to pay rent for property at Harpers Ferry, which was occupied by the United States during the war, and in the absence of any law or order prohibiting its payment, I can not perceive any just reason why Mr. Wilson should not be paid such rent as may be found to be due him."

"March 16, 1874, the claim was taken before the Secretary of War for review, who, upon an examination of all the papers in the case, approved the finding of the board of officers convened by Gen. Hancock, but on reference to the accounting officers the Third Auditor reported adversely, and the claim was disallowed by the Comptroller April 7, 1874.

"On the ground that the prohibitory act of February 19, 1867, was not repealed by the joint resolution of July 28, 1866, extending the benefit of the act of July 4, 1874, to the counties of Jefferson and Berkeley, W. Va.

"On reargument this decision was reaffirmed May 26, 1874.

"The case was finally reviewed by the Comptroller July 23, 1875. In that review he says:

"There is but one question now to be determined in the case. The claimant's loyalty and ownership, the occupancy of the property by the Federal forces, the proper administrative action in the War Department, and perhaps the amount of compensation to be allowed, are all sufficiently shown."

"After reciting the various acts of Congress bearing upon the right to adjust and pay his claim the report says:

"It [the act of 1867] expressly prohibits the settlement of certain claims originating in a State, or part of a State, described in the proclamation of July 1, 1862. \* \* \* Jefferson County, Virginia, is among the counties described in that proclamation, and the prohibition, it seems to me, is as positive as if the act had repeated the words of the proclamation."

"And so this claim was rejected—not because it ought not to be paid, but because the Department before which it was pending was expressly prohibited by act of Congress from settling claims of this character."

"The committee are of the opinion that the allowance of this claim is an act of justice which ought no longer to be delayed for want of a tribunal in which to enforce it.

"Claimant's property was occupied by United States troops without any express agreement as to the amount of compensation. Its use was of great value to the Government, and effected a saving of much more than the amount claimed. Its occupancy was a necessity at the time. The officers taking possession and the claimants both supposed that reasonable rent was to be paid. Large damage was done to the property, for which no claim is made."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM F. WILSON.

The bill (S. 284) for the relief of William F. Wilson, was considered as in Committee of the Whole. It provides for paying to William F. Wilson, of Berkeley County, W. Va., \$1,530, in full, for the use and value of his house at Harpers Ferry, Jefferson County, W. Va., during the war of the rebellion.

Mr. COCKRELL. Let the report be read in that case.

The VICE-PRESIDENT. The report will be read.

The Secretary read the following report, submitted by Mr. FAULKNER January 25, 1892:

The Committee of Claims, to whom was referred the bill (S. 284) for the relief of William F. Wilson, have considered the same and respectfully report: We adopt the report hereto annexed, made by this committee in the first session of the Fiftyeth Congress and also in the first session of the Fifty-first Congress, and recommend the passage of the bill.

[Senate Report No. 200, Fiftyeth Congress, first session.]

Mr. Wilson, in 1864, was a foreman in the armory at Harpers Ferry, W. Va. In 1868 he filed his claim against the Government in the office of the Quar-

master-General, and Special Agent Thomas P. Chiffelle was appointed to examine into the merits of the claim and the loyalty of the claimant. His report is as follows:

*Claim of William F. Wilson, Harpers Ferry, Jefferson County, W. Va.*

1864—Dec. For use and occupation of house and lot from March, 1862,	
to December, 1864, 33 months, at \$40 per month.....	\$330
Destruction of dwelling, outbuildings, fences, etc., .....	1,200
Total .....	1,530

The above claim is instituted for the purpose of recovering the sum of \$1,530, alleged to be the amount due the claimant for the use and occupation of his premises, and for the destruction of his dwelling, etc., by United States troops.

The claimant in the above case, Mr. William F. Wilson, was at the time this claim originated a resident of Harpers Ferry, in Jefferson County, W. Va., and the owner of a very fine one-and-a-half story brick dwelling and of the lot on which it was built, situated upon a hill known as Camp Hill, overlooking the village of Harpers Ferry.

Mr. Wilson bears a very high reputation amongst his neighbors for being a person of strict integrity of character and honesty of purpose. He has always been, both during and since the rebellion, loyal to the United States.

Mr. Wilson, previous to the war, was employed in the United States service in the armory at Harpers Ferry as one of the foremen in the rifle works. On the breaking out of the rebellion he was very active in his exertions in endeavoring to secure to the United States the arms and ammunition deposited there. By his course, as well as by the warm and hearty support which he gave to the General Government, he made himself very obnoxious to several of the citizens of Harpers Ferry, and on the occupation of this place by the rebel forces he was forced to flee for his life. He succeeded in reaching Washington and obtained employment in the navy-yard, where he remained for some time; afterwards he was employed, up to the close of the war, at Hagerstown, Pa., by Alfred Jenks & Son, in superintending their musket works.

His witnesses are all men of standing and character in Harpers Ferry, were loyal during the war, and are registered as voters in that district.

It appears upon examining this claim that in the year 1862 Col. Benjamin Huger, U. S. Army, then in charge of the armory at Harpers Ferry, sold at public auction, by authority of the Department, to Mr. Wilson, a brick house and a lot in that village, situated on Camp Hill, at the corner of Ellmore and McDowell streets, for the sum of \$600. The building was a one-and-a-half story brick dwelling, 22 by 28 feet, containing some six rooms, with a small one-story brick kitchen attached thereto. The premises not being in very good repair at the time of purchase Mr. Wilson expended in repairing and improving the property by painting, by the erection of a front porch, a stable, a large brick cistern, and a garden house, and also enclosing the entire lot with a good and substantial post-and-rail fence, some 5,000 feet of putting the buildings and lot when completed cost him nearly \$1,400. I have obtained from all the information that I can gather, that the same character of dwelling, together with the outbuildings, can not be erected at this time for less than \$1,800, and therefore think that Mr. Wilson's charge of \$1,200 is not only reasonable but just.

It further appears that on or about the month of March, 1862, this house and lot was taken possession of by the United States troops and used by them until December, 1864, as a hospital and quarters for officers and soldiers; that the interior of the dwelling, the outbuildings, and the fence having been entirely destroyed during the occupancy by the soldiers, Gen. Stevenson, United States Army, commanding, gave permission to Col. Graham, Fifth New York Heavy Artillery, to pull the building down and to use the material of which it was composed in the construction of winter quarters for his command. The permission or order was, so well and effectually complied with that there is nothing now remaining to designate the former site but a portion of the foundation of the main dwelling.

Mr. A. Cox, now a resident of Harpers Ferry, but during the war a lieutenant in the Fifth New York Heavy Artillery, stated to me that while stationed at Harpers Ferry, he, by order of Col. Graham, assisted in superintending the tearing down of Mr. Wilson's dwelling and in the subsequent use of its material in the construction of winter quarters for his command.

It still further appears that on February 27, 1866, Capt. W. G. Young, military storekeeper for United States ordnance, by direction of the Ordnance Department, sold the bricks from Mr. Wilson's dwelling, together with others belonging to different individuals, at public auction in Harpers Ferry, for and on account of the United States, and accounted for the proceeds of the sale on his property return for that month.

The amount of rent charged by Mr. Wilson for the time his premises were occupied by the United States troops is also exceedingly reasonable; it is somewhat less than that for which similar buildings rented for at that time in Harpers Ferry.

I see no reason for recommending any alteration in the account. The claim seems to be in every respect just and proper.

Respectfully submitted,

THOMAS P. CHIFFELLE, Agent.

BY: Maj. Gen. STEWART VAN VLIET,

*Deputy Quartermaster-General, U. S. Army.*

This report, on April 21, 1868, was endorsed as follows:

Respectfully forwarded to the Quartermaster-General, with the recommendation that Mr. Wilson's claim be allowed in full.

STEWART VAN VLIET,

*Deputy Quartermaster-General, Baltimore, Md.*

The Quartermaster-General, in a letter to the Secretary of War dated June 2, 1868, approved the claim for \$330 for rent, but the item for the destruction of the building was disapproved, as there was no appropriation out of which the sum could be paid. The recommendation of the Quartermaster-General was approved by the Secretary of War. The Third Auditor, on the 13th of January, 1870, disapproved the claim, holding that the act of February 19, 1867, which construed the act of July 4, 1864, extended to the counties of Jefferson and Berkeley, in West Virginia, and that all claims "on account of occupation or injury to real estate could not be entertained by the accounting officers of the Treasury when such claims originated in either of said counties and during the war of the rebellion." This view was concurred in by the Second Comptroller of the Treasury.

The report of the special examiner shows this to be a most meritorious claim, and the bill is therefore reported favorably, with the recommendation that it do pass.

Mr. COCKRELL. I should like to ask the Senator from West Virginia, reporting this case, if I understand the case properly, if I do, it is that this claimant in 1862 purchased from the Government a lot and house in Harpers Ferry at and for the sum of \$600; that thereupon he moved into the house, made improvements costing, as alleged, between seven and eight hundred dol-

Idaho and the enabling act, and without reference to the act of Congress. That is plain, it seems to me, to any man who will judicially examine the journal and the evidence in this case, and I say that those proceedings, in consequence of a combination, were abandoned and the election of a member to fill the long term beginning on the 4th of March, 1891, was sprung upon the house without having gone through the initial process of a separate vote in the two houses, and was not begun on the right day at that. Therefore, the proceeding is void.

Suppose that we take it for granted that the statute requiring a separate vote of the two houses is waste paper, is *brutum fulmen* in the air, and is not to be obeyed, then let us see if the statute is to be obeyed in regard to the beginning of the proceedings on the second Tuesday after the meeting and organization. The one is to the manner and the other is to the time.

I was wonderfully interested, Mr. President, as we all were, in the eloquent and astute argument of the Senator from Indiana [Mr. TURPIE] on the matter of organization. I must say, as much as I expected, I was surprised at the knowledge he displayed. It is a great gratification and satisfaction to me to know anything. George Selwyn, the English wit, said: "If I was as cocksure of anything as Brougham is of everything, how happy I would be." I have often wondered at and regretted the ignorance of the swineherds of Admetus, who, when Apollo stalked among them, did not know that they were honored by the society of the sun god. They were not what I have heard termed "knowledgeable people."

Now, sir, the people of America have lived in ignorance ever since the formation of their Government, and perhaps ever since the first organization of a town meeting after the landing at Plymouth Rock and Roanoke Island, of all these facts of organization which the Senator from Indiana threw open to us and with which he enlightened us yesterday. He said that it was not necessary to have any officers at all to effect an organization; that they were organized as soon as the members of the house or the senate were sworn in. The expression of the Senator from Illinois [Mr. PALMER] was, I believe, that they were organized as soon as they were assembled. We were treated yesterday to a philological disquisition about the use of the words "two" and "either," "either one of two," and the moons of Jupiter, and so on and so on, and these "creatures" who sit around here, the clerks and pages and reporters, sergeant-at-arms, and so on—the idea that they were a part of the National Congress was laughed out of court.

Mr. President, I want to say this, that if a body is organized as soon as it comes together, without doing anything else, nobody in America except the Senator from Indiana and the Senator from Illinois has ever found it out yet. Since the establishment of legislative communities in America, colonial or State, there never has been a body assembled for legislative business in this country that was not organized by the election of some officers to preside over the body, to record its will, and to execute its behests.

In my own personal experience I remember to have sat nine long weeks in the House of Representatives in the vain endeavor to procure what we called an organization. We had no Speaker. We did not know any better. We did not undertake to pass any bills. We could not even draw a dollar of our salaries. We were for nine long weeks on the borrow from one another and from everybody else. Why? We had all met. There was no doubt about it in the world. We had all been sworn in. A good many of us had been sworn in and a good many cursed out, but we could not draw a dollar of money; we could not pass a bill; we could not entertain a motion for nine long weeks, simply because we were not organized, yet we had all met in due form, and as for swearing in, I reckon there was about as much swearing done about that time as there ever had been in the history of the American Congress. [Laughter.]

On another occasion the House of Representatives had a Clerk to die. We were not organized on the previous occasion to which I have just referred because we had no Speaker, but on this occasion we had a Clerk to die. Howell Cobb, of Georgia, a man of no mean talents and ability, was Speaker of the House of Representatives, and what were the proceedings there? Excuse me for reading them again. They are set out in the report, but they are peculiarly and specially and religiously applicable to the argument of the Senator from Indiana [Mr. TURPIE] on the subject of organization. After the death of the Clerk had been announced, on the day following a deputy clerk began to read the Journal. Objection was made, and the inquiry was propounded to the Speaker by what authority that individual read the Journal:

The SPEAKER. The Chair will state to the House that the Journal has been prepared as usual under the direction of the Speaker. The individual at the desk, who was reading the Journal, was one of the subordinate officers of the late Clerk of the House of Representatives. The positions occupied by these officers previous to the death of the Clerk are still, in the judgment of the

Chair, occupied by them. They are not authorized, however, to discharge the duties of Clerk. In the opinion of the Chair until a Clerk—

One of these "creatures" who are no part of the organization of a Legislature—

shall have been elected the House is not organized, and no business can be transacted until an election shall have taken place.

Was that the opinion of Speaker Cobb alone? Certainly not. A motion was made to repeal a resolution concerning the organization of the House, which was thought to be in the way. The Speaker refused, and decided the motion out of order.

The SPEAKER. In the opinion of the Chair no resolution, no business is in order until a Clerk shall have been elected, and the House cannot take action upon no subject whatever until the election of a Clerk, that being necessary to the organization of the House.

Then from that decision an appeal was taken to the judgment of the House, and the House without a division sustained the Chair, and it became the opinion of the House of Representatives.

Now, what a pity it was that that House of Representatives did not know the fact that they were already organized, if only they had had the sense and the perspicacity to see it. There they were in that disorganized condition, the wheels of legislation stopped, and all the time, while they were perishing for water, all they had to do was to let down their buckets over the side and take up enough to drink.

When the act of Congress of 1866 was under discussion I believe it was introduced and managed by Mr. Clark, a Senator from New Hampshire.

I read from the proceedings as follows:

Mr. CLARK. I move now to take up for consideration the bill (S. 414) to regulate the times and manner of holding elections for Senators in Congress.

That was July 11, 1866.

The motion was agreed to, etc.

Here is what Mr. Fessenden said, another name which I suppose it will be admitted carries some weight with it as a lawyer and a statesman:

I would suggest to the Senator who called up this bill that one provision of it may lead to trouble. It provides that the Legislature "shall, on the second Tuesday after the meeting thereof, proceed to elect a Senator in Congress." It not infrequently happens—it has happened, I think, twice or three times in my own State—that the Legislature does not succeed in organizing until several weeks after the regularly appointed day for the meeting.

That great man did not know, he had not any idea, that there could be such a thing as that as soon as they met and were sworn they were organized. Afterward, in the same debate, this occurred. On the next page, 3731, Mr. Trumbull, another name of very considerable consequence and authority in legal matters, said what I shall read. I will first, however, read what Mr. Clark said just one paragraph previous. Mr. Clark quoted from the bill, as follows:

And if a vacancy shall happen during the session of the Legislature, then on the second Tuesday after the Legislature shall have been organized and shall have notice of the vacancy—

They shall proceed to elect, etc.

Mr. TRUMBULL. I suggest to the Senator from New Hampshire that that can hardly be necessary. This provision is, "if a vacancy shall happen during the session of the Legislature." Is it a "session" of the Legislature until it is organized?

Mr. Trumbull, you will notice, doubted if there could be a "session" without "organization," but—

Mr. CLARK. It may be. The Legislature may be together and sitting, but not organized. I want to avoid that difficulty.

These poor deluded souls were under the impression, Mr. President, that you and I are under, that it was necessary for a legislative body when it came together to organize; that there was something more meant by organizing than to merely meet together and take the oath of office. They thought it was something more, and they spoke so, and they provided for it in this very bill.

Mr. STEWART. Would it interrupt the Senator if I should call attention to a provision of the constitution of Idaho?

Mr. VANCE. Not at all. I would be very glad to be interrupted, or to yield for a motion to adjourn.

Mr. STEWART. I wish to call attention to that ninth section of the constitution of Idaho, which is as follows:

A quorum being in attendance, if either house fail to elect an organization within the first four days thereafter, the members of the house so failing shall be entitled to no compensation from the end of the said four days until an organization shall have been effected.

Mr. VANCE. You see the men who made the constitution of Idaho were ignorant of the fact that all they had to do to organize was to come together.

Mr. GEORGE. Will the Senator from North Carolina allow me to move an adjournment?

Mr. VANCE. Certainly.

Mr. GEORGE. Unless some Senator desires to have an executive session, I will move that the Senate adjourn.

Mr. VOORHEES. Mr. President, is that motion amendable? The PRESIDING OFFICER (Mr. BERRY in the chair). It is not.

Mr. VOORHEES. I move that when the Senate adjourn it adjourn to meet on Monday next.

Mr. MITCHELL. I hope that motion will not be insisted on by the Senator from Indiana.

Mr. VOORHEES. I will not insist on it if the Senator from Oregon wishes to go on with the privileged question to-morrow.

Mr. MITCHELL. I am urged on all sides to go on to-morrow. As I am in charge of the matter, and as I shall be compelled to be absent at the beginning of the coming week, I am very desirous of bringing it to a vote as soon as possible.

Mr. VOORHEES. There is urgency in that case. I withdraw the motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from Mississippi that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 26, 1892, at 12 o'clock m.

## HOUSE OF REPRESENTATIVES.

THURSDAY, February 25, 1892.

The House met at 12 o'clock noon, and was called to order by the Speaker. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

### WORLD'S COLUMBIAN EXPOSITION.

The SPEAKER laid before the House a message, in writing, from the President of the United States, relative to the World's Columbian Exposition; which was read at length, ordered to be printed, and referred to the Committee on the World's Columbian Exposition.

[For the message, see Senate proceedings of yesterday.]

### IMMIGRATION STATISTICS.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting information to the House of Representatives, pursuant to resolution of January 16, 1892, relative to immigration, etc.; which was referred to the Committee on Immigration and Naturalization.

### LIEUT. COL. G. H. ELLIOTT.

The SPEAKER also laid before the House a letter from the Acting Secretary of War, transmitting a copy of a letter from Lieut. Col. G. H. Elliott to the Chief of Engineers, relating to the suspension of \$40 against him in the settlement of his account, and recommending favorable action upon the accompanying draft of a bill for the relief of said officer; which was referred to the Committee on Claims.

### SENATE BILLS REFERRED.

The SPEAKER. The Chair will state that a large number of Senate bills were received yesterday, the titles of which have been printed in the RECORD. If there be no objection, they will be appropriately referred by the Chair without reading each title or laying them before the House. Is there objection?

There was no objection.

The bills were referred as follows:

A bill (S. 12) to authorize the Secretary of the Interior to settle the claims of the legal representatives of S. W. Marston, late United States Indian agent at Union Agency, Indian Territory, for services and expenses—to the Committee on Claims.

A bill (S. 17) for the relief of John F. W. Dette—to the Committee on Claims.

A bill (S. 46) for the relief of William B. Stokes, M. M. Brien, sr., Thomas Waters, and William T. Haskins—to the Committee on Claims.

A bill (S. 78) making an appropriation for the improvement of the road to the national cemetery near Pensacola, Fla.—to the Committee on Military Affairs.

A bill (S. 111) for the relief of Orin R. McDaniel—to the Committee on Military Affairs.

A bill (S. 209) to place Henry Zell on the retired list of the Army—to the Committee on Military Affairs.

A bill (S. 216) granting to the State of Washington certain lands therein situated for the purpose of a fish hatchery—to the Committee on the Public Lands.

A bill (S. 246) for the relief of Thomas A. McLaughlin—to the Committee on Military Affairs.

A bill (S. 247) for the relief of Henry E. Rhoades—to the Committee on Naval Affairs.

A bill (S. 268) for the relief of C. M. Shaffer—to the Committee on War Claims.

A bill (S. 273) for the relief of the trustee of St. Joseph's Catholic Church at Martinsburg, W. Va.—to the Committee on War Claims.

A bill (S. 276) for the relief of the trustees of the Methodist Episcopal Church of Martinsburg, W. Va.—to the Committee on War Claims.

A bill (S. 284) for the relief of William F. Wilson—to the Committee on War Claims.

A bill (S. 298) for the relief of Eunice Tripler, widow of Charles S. Tripler—to the Committee on Claims.

A bill (S. 318) for the relief of Joseph Johnson—to the Committee on Military Affairs.

A bill (S. 333) for the relief of Henry Unterleiter, alias Cook or Koch—to the Committee on Military Affairs.

A bill (S. 337) to remove the charge of desertion standing against the name of Joseph G. Utter—to the Committee on Military Affairs.

A bill (S. 352) for the relief of George F. Roberts, administrator of the estate of William B. Thayer, deceased, surviving partner of Thayer Brothers, and others—to the Committee on Claims.

A bill (S. 478) for the relief of Mrs. S. B. Duvall, widow of the late Rev. W. P. Duvall, deceased—to the Committee on Claims.

A bill (S. 540) to continue in force all existing laws prohibiting and regulating the coming into this country of Chinese persons and persons of Chinese descent for a period of ten years, and for other purposes—to the Committee on Immigration and Naturalization.

A bill (S. 547) for the relief of Lieut. Col. Charles G. Sawtelle, deputy quartermaster-general, United States Army—to the Committee on Claims.

A bill (S. 592) to provide for the erection of a public building in the city of Bismarck, N. Dak.—to the Committee on Public Buildings and Grounds.

A bill (S. 602) for the erection of a public building for the use of the custom-house and post-office at Newport News, in the district of Newport News, Va.—to the Committee on Public Buildings and Grounds.

A bill (S. 657) for the relief of the estate of A. H. Herr, deceased, late of the District of Columbia—to the Committee on War Claims.

A bill (S. 726) for the relief of P. B. Sinnott, late Indian agent at Grand Ronde Agency, State of Oregon—to the Committee on Claims.

A bill (S. 730) for the relief of H. W. Shipley—to the Committee on Claims.

A bill (S. 734) for the relief of John McBean, of Umatilla County, Oregon—to the Committee on Private Land Claims.

A bill (S. 743) to establish a marine board for the advancement of the interests of the merchant marine—to the Committee on Merchant Marine and Fisheries.

A bill (S. 744) to amend "An act to amend section 4400 of Title LI of the Revised Statutes of the United States, concerning the regulation of steam vessels," approved August 7, 1882—to the Committee on Foreign Commerce.

A bill (S. 756) for the relief of the heirs of Charles B. Smith, deceased—to the Committee on Claims.

A bill (S. 780) for the relief of Robert H. Montgomery—to the Committee on War Claims.

A bill (S. 781) for the relief of John Little and Hobart Williams, of Omaha, Nebr.—to the Committee on Claims.

A bill (S. 859) for the relief of Capt. James Regan, United States Army—to the Committee on Military Affairs.

A bill (S. 860) for the relief of Wells C. McCool—to the Committee on War Claims.

A bill (S. 1061) for the relief of the legal representatives of Lewis W. Washington, deceased—to the Committee on War Claims.

A bill (S. 1062) to refund to the State of West Virginia the money paid to officers of the One hundred and thirty-third Regiment West Virginia Militia for services rendered during the rebellion—to the Committee on War Claims.

A bill (S. 1079) for the relief of Assistant Engineer Howard D. Potts, United States Navy—to the Committee on Naval Affairs.

A bill (S. 1094) granting the right of way to the Duluth and Manitoba Railroad Company across the Fort Pembina Reservation in North Dakota—to the Committee on Military Affairs.

A bill (S. 1136) providing for the erection of a public building at the city of Tacoma, in the State of Washington—to the Committee on Public Buildings and Grounds.

A bill (S. 1189) for the establishment of a beacon light on the Government breakwater recently constructed at Bridgeport, Conn.—to the Committee on Interstate and Foreign Commerce.

A bill (S. 1196) to facilitate the settlement of claims for arrears of pay and bounty—to the Committee on War Claims.



A bill (S. 1222) to protect the wages of seamen—to the Committee on Merchant Marine and Fisheries.

A bill (S. 1241) to amend an act entitled "An act relative to the Minneapolis Industrial Exposition, to be held annually in the city of Minneapolis, State of Minnesota," approved March 3, 1887—to the Committee on War Claims.

A bill (S. 1280) to amend an act entitled "An act to amend section 4178, Revised Statutes, in relation to the marking of vessels' names at bow and stern, and also to provide for marking the draft," approved February 21, 1891—to the Committee on Merchant Marine and Fisheries.

A bill (S. 1351) to provide for the purchase of a site and erection of buildings for the Girls' Reform School of the District of Columbia—to the Committee on Public Buildings and Grounds.

A bill (S. 1498) for the establishment of additional aids to navigation in Tampa Bay, Florida—to the Committee on Interstate and Foreign Commerce.

A bill (S. 1631) to establish a life-saving station at Gay Head, on the coast of Massachusetts—to the Committee on Interstate and Foreign Commerce.

A bill (S. 1632) for the establishment of a light and fog-signal station near Butler Flats, New Bedford, Mass.—to the Committee on Interstate and Foreign Commerce.

A bill (S. 1775) to fix the compensation of keepers and crews of life-saving stations—to the Committee on Interstate and Foreign Commerce.

A bill (S. 2315) to protect foreign exhibitors at the World's Columbian Exposition from prosecution for exhibiting wares protected by American patents and trade-marks—to the Committee on Patents.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. SNOW, for one week, on account of a death in his family.

#### PRINTING FOR COMMITTEE ON NAVAL AFFAIRS.

Mr. HERBERT. Mr. Speaker, I am instructed by the Committee on Naval Affairs to ask unanimous consent for the immediate consideration of the resolution which I send to the Clerk's desk to be read.

The Clerk read as follows:

*Resolved*, That the Committee on Naval Affairs be, and is hereby, authorized to have printed and bound such documents and papers for the use of such committee as may be deemed necessary in connection with subjects considered or to be considered by the committee during the Fifty-second Congress.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

#### DISEASES OF THE HORSE.

Mr. PICKLER. Mr. Speaker, I desire to offer a resolution and ask for its immediate consideration.

The resolution was read at length. It provides for the printing of 300,000 additional copies of the work entitled "Special Report on the Diseases of the Horse."

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. RICHARDSON. I object.

Mr. PICKLER. I move that it be referred to the Committee on Printing, with instructions to report within five days upon this resolution.

The SPEAKER. That motion would not be in order, because, unless the House gives unanimous consent for the consideration of the resolution, it must come in through the channel prescribed by the rules.

Mr. PICKLER. I move to refer to the committee with instructions.

The SPEAKER. That motion is not in order, because the resolution is not before the House. It was read merely for information, in order that the request for unanimous consent for present consideration might be made. If the House had given that consent, then a motion to postpone, or to recommit with instructions, would have been in order.

Mr. PICKLER. Will it be referred to the Committee on Printing?

The SPEAKER. Yes, to the Committee on Printing.

#### PENSION INVESTIGATION.

Mr. WHEELER of Michigan. Mr. Speaker, the special committee to investigate the Pension Bureau desire leave to sit during the sessions of the House.

The SPEAKER. The gentleman from Michigan [Mr. WHEELER], chairman of the special committee to investigate the Pension Bureau, asks leave for the committee to sit during the sessions of the House. Is there objection?

There was no objection.

The committees were then called for reports.

#### NORTHERN JUDICIAL DISTRICT OF GEORGIA.

Mr. RAY, from the Committee on the Judiciary, reported, as a substitute for the bill H. R. 2787, the bill (H. R. 6491) to amend an act entitled "An act to create a new division in the northern judicial district of Georgia;" which was read a first and second time, and, with the accompanying report, ordered to be printed and referred to the House Calendar.

#### SECTION 828, REVISED STATUTES.

Mr. RAY also, from the Committee on the Judiciary, reported, as a substitute for the bill H. R. 5569, the bill (H. R. 6492) to amend section 828 of the Revised Statutes of the United States; which was read a first and second time, and, with the accompanying report, was ordered to be printed and referred to the House Calendar.

By unanimous consent, the original bills were ordered to lie on the table.

#### DEPOSITIONS IN CRIMINAL CASES.

Mr. POWERS, from the Committee on the Judiciary, reported, as a substitute for the bill H. R. 3871, the bill (H. R. 6493) providing for the taking of depositions in criminal cases; which was read a first and second time, and, with the accompanying report, ordered to be printed and referred to the House Calendar.

#### ENGINEER CORPS OF THE NAVY.

Mr. HERBERT, from the Committee on Naval Affairs (for Mr. McALEER), reported back with a favorable recommendation the bill (H. R. 378) terminating the reduction in the numbers of the Engineer Corps of the Navy; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### FUNDING ACT OF ARIZONA.

Mr. SMITH of Illinois, from the Committee on the Territories, reported back with amendments the bill (H. R. 5499) to amend an act entitled "An act approving, with amendments, the funding act of Arizona," approved June 25, 1890; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### UNITED STATES CIRCUIT AND DISTRICT COURT AT LITTLETON, N. H.

Mr. STOCKDALE, from the Committee on the Judiciary, reported back with a favorable recommendation the bill (S. 821) to provide for a term of the circuit and district court at Littleton, N. H.; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### SUBPORT OF ENTRY AND DELIVERY AT WEST POINT, VA.

Mr. WISE, from the Committee on Interstate and Foreign Commerce, reported back with an amendment the bill (H. R. 4004) to establish West Point, Va., a subport of entry and delivery in the collection district of Richmond, Va.; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

The SPEAKER. This concludes the call of committees for reports.

#### MESSAGE FROM THE PRESIDENT.

A message, in writing, from the President of the United States, was communicated to the House by Mr. PRUDEN, one of his secretaries.

#### CONTESTED ELECTION CASE—CRAIG vs. STEWART.

Mr. BROWN. Mr. Speaker, I desire, on behalf of the Committee on Elections, to call up the contested-election case of Craig vs. Stewart.

The SPEAKER. The Clerk will report the resolutions of the majority.

The Clerk read as follows:

*Resolved*, That Andrew Stewart was not elected as a Representative to the Fifty-second Congress from the Twenty-fourth district of Pennsylvania, and is not entitled to the seat.

*Resolved*, That Alexander K. Craig was duly elected as a Representative from the Twenty-fourth district of Pennsylvania to the Fifty-second Congress, and is entitled to his seat as such.

Mr. JOHNSON of Indiana. Before the gentleman from Indiana proceeds to make his speech I think it would be proper that some arrangement be made as to the distribution of time.

Mr. BROWN. Mr. Speaker, the Committee on Elections have directed me to request that there be four hours on each side for debate, and that at the close of the debate the previous question shall be considered as ordered and the vote taken.

Mr. JOHNSON of Indiana. I want to say, Mr. Speaker, that so far as the minority is concerned it is likely that that is more than sufficient time, and more than might be used by this side.

The SPEAKER. The gentleman from Indiana asks unanimous consent that there be allowed four hours debate on each side, and that at the close of the debate the previous question shall be considered as ordered and the vote taken. Is there objection?

Mr. MILLER. I object.

Mr. O'FERRALL. What is the objection?

The SPEAKER. Objection is made by the gentleman from Wisconsin.

Mr. MILLER. We do not need so much time.

Mr. O'FERRALL. I suppose that after such time is consumed in the discussion of the case as is desired the previous question can be demanded.

The SPEAKER. It is entirely within the power of the House to regulate the time before demanding the previous question. Unanimous consent is asked that at the expiration of eight hours the previous question be considered as ordered. Of course the committee have it in their power and control, with the approval of the House, to terminate debate by demanding the previous question.

Mr. COBB of Alabama. Does this end the matter for the time or not? I do not understand.

The SPEAKER. Objection was made to the request for unanimous consent; therefore the Chair recognizes the gentleman from Indiana to proceed with his argument.

Mr. COBB of Alabama. Without limit?

The SPEAKER. Only under the rule. Debate will be limited when the House so desires by ordering the previous question.

Mr. HAUGEN. I would like to have the attention of the gentleman from Indiana. There are a number of members on this side who want to understand definitely about the time the gentleman will move the previous question. If no arrangement is made they will not know.

Mr. BROWN. I can not make any promise about that. I may do so as soon as I get through.

Mr. HAUGEN. I want to ask the gentleman if he will promise not to move it before 1 o'clock to-morrow.

Mr. BROWN. I hope the gentleman from Wisconsin will withdraw his objection, because it is desired by all hands, and we may not take up that much time.

Mr. MILLER. Mr. Speaker, I would like to make an inquiry. Is the power to move the previous question limited? Is only the gentleman from Indiana entitled to move the previous question, or can it be moved by any member?

The SPEAKER. Any gentleman having the floor in his own right can demand the previous question.

Mr. HAUGEN. Do I understand the gentleman from Indiana to say that he will not move the previous question before 1 o'clock to-morrow?

Mr. BROWN. I can not make any promise.

Mr. HAUGEN. I hope the gentleman from Indiana will be able to make that promise.

Mr. MILLER. Mr. Speaker, after consulting with gentlemen around me, it has been proposed that the gentleman from Indiana call it three hours on a side. I would not object to that.

Mr. BROWN. There can be no agreement reached as to the time.

The SPEAKER. The gentleman from Indiana—

Mr. JOHNSON of Indiana. Mr. Speaker, it is impossible to hear what the gentleman from Indiana said.

Mr. BROWN. I said that no agreement could be reached.

Mr. DALZELL. Why can not the gentleman from Indiana agree to make it three hours?

Mr. HAUGEN. There is no objection made on this side about the time. We will agree to any time the gentleman from Indiana suggests.

Mr. BROWN. I can only suggest what the committee agreed to, that was four hours on a side.

Mr. HAUGEN. Well, then, it is safe to say that the previous question will not be moved to-day.

Mr. BROWN. I can not make any agreement. The only one I am authorized to make, as a member of the Committee on Elections, is the one I have suggested. I am not authorized to make any other agreement.

Mr. HAUGEN. Then I will ask unanimous consent that the previous question shall not be called to-day.

Mr. BROWN. I decline to yield the floor.

The SPEAKER. The gentleman from Indiana will proceed; his time is going on.

Mr. JOHNSON of Indiana. If the gentleman will yield to me for a minute—

Mr. BROWN. The trouble is on your side and not on ours.

Mr. HAUGEN. It is not on our side; it is on your side. The gentleman from Indiana labors under a misapprehension if he thinks the objection is raised on this side. It comes from the gentleman's own side.

Mr. BUCHANAN of New Jersey. The objection comes from this side of the aisle, not this side of the House.

Mr. HAUGEN. It may be the objection is made on this side of the center aisle, but it is not made on this side of the House.

The SPEAKER. The Chair will state that the object sought may be accomplished by simply announcing that, by direction of the Committee on Elections, at the expiration of eight hours the gentleman will demand the previous question, if that is the wish of the committee.

Mr. BROWN. I can make no agreement except that which I am authorized to make. That I have offered to make, and it has been objected to.

Several MEMBERS. Try it over again.

Mr. BROWN. I repeat that I am directed by the Committee on Elections to ask unanimous consent of the House that four hours on each side be allowed for debate, and that at the expiration of that time the previous question be considered as ordered and the vote be taken.

Mr. JOHNSON of Indiana. Mr. Speaker, I wish to state that so far as the minority are concerned they do not insist upon anything except that it be definitely understood before the debate commences how long a time is to be consumed and how it is to be apportioned; and I trust that my colleague from Indiana [Mr. BROWN] will not begin his remarks until that question has been determined.

The SPEAKER. The Chair will again submit the request. The gentleman from Indiana [Mr. BROWN], on behalf of the Committee on Elections, asks consent that the debate on the pending case be continued for eight hours, at the expiration of which time the previous question shall be considered as ordered. Is there objection?

Mr. MILLER. I object.

The SPEAKER. Objection is made. The gentleman from Indiana [Mr. BROWN] will proceed.

Mr. BROWN. Mr. Speaker, this is a contest from the Twenty-fourth Congressional district of the State of Pennsylvania—

Mr. JOHNSON of Indiana. Mr. Speaker, there seems to be still some misunderstanding as to the time for debate. Will the gentleman [Mr. BROWN] please announce the agreement?

The SPEAKER. Does the gentleman from Indiana [Mr. BROWN] yield?

Mr. BROWN. I can not. I have twice tried to reach an agreement as to time.

Mr. JOHNSON of Indiana. Then, Mr. Speaker, I understand that the debate proceeds without an agreement as to the time?

The SPEAKER. It does.

Mr. BROWN. Mr. Speaker, this contest is from the Twenty-fourth Congressional district of the State of Pennsylvania. The district is composed of the counties of Fayette, Greene, Washington, and part of the county of Allegheny. The election was held on the 4th day of November, 1890, and the record shows that, on the face of the election returns, contestee, Andrew Stewart, appeared to have been elected over the contestant, Alexander K. Craig, by a plurality of 123 votes. The total vote of the district was 11,288 votes.

The grounds on which the contestant bases his contest, as stated in his notice of contest, are, chiefly, that the election officers in a large number of the polling places of the district received the votes and accepted and counted the ballots of a large number of persons whose names did not appear on the registry list of voters, and who did not make, or have made, the affidavits required by the tenth section of the act of January 30, 1874, of the laws of Pennsylvania applicable in such cases. That the election officers of such polling places received the ballots, and counted them for contestee, of a large number of persons who were not legally entitled to vote at the election, because they had not severally paid a State or county tax within two years preceding such election, which they severally were required to pay by the laws of the State of Pennsylvania to entitle them to vote at said election. That the election officers of such polling places received and counted the votes for contestee of a large number of persons who were not legally entitled to vote at said election, because they were not citizens of the United States.

On the 10th day of January, 1891, the contestee filed his answer to contestant's notice of contest, in which he specifically denied all the statements contained in contestant's notice of contest, and, in addition averred that a large number of votes were received, accepted, and counted for contestant which were illegal for substantially the same reasons given in contestant's notice of contest.

On the 26th day of January, 1891, the contestee filed an additional answer to contestant's notice of contest, in which he averred that a large additional number of votes were received, accepted, and counted for contestant which were illegal for the reasons already given; and further, that many of the election officers of some of the foregoing precincts and polling places were not qualified to hold the election, because the oath of each of such election officers was not attested by the officer who administered the oath, if any oath was administered.

The first question in the case I deem worthy of consideration



the Secretary of War to issue him an honorable discharge; which was referred to the Committee on Military Affairs.

He also presented a memorial of the Buffalo (N. Y.) Merchants' Exchange, remonstrating against the passage of the bill to prohibit dealing in future contracts, etc.; which was referred to the Committee on the Judiciary.

He also presented the petition of William P. Clyde & Co., of New York; the petition of the Quintard Iron Works of New York; the petition of Samuel E. Ward & Co., and other citizens of New York, praying for the passage of the bill to transfer the Revenue Marine to the Navy; which were referred to the Committee on Naval Affairs.

He also presented the petition of D. Harrington and other citizens of New Berlin, N. Y.; the petition of S. K. Jones and other citizens of Cortland, N. Y., and the petition of D. C. Morrell and other citizens of New York City, praying for an adoption of an amendment to the Constitution prohibiting any State from passing any law respecting an establishment of religion, etc.; which were referred to the Committee on Education and Labor.

He also presented the petition of W. E. Brown and other citizens of East Windsor, N. Y.; the petition of G. W. Calkins and other citizens of West Sand Lake, N. Y.; the petition of John E. Fort and other citizens of Saratoga County, N. Y.; the petition of William B. Lewis and other citizens of Madison County, N. Y., and the petition of E. B. Sanders and other citizens of Montgomery County, N. Y., praying for the passage of legislation providing for the free delivery of mails in country districts; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of E. H. Mead, president of the Pennsylvania Coal Company, and 100 other citizens of New York, praying that the Secretary of War be authorized to contract with Charles Stoughton for the completion of the Harlem River improvement and for the construction of the Harlem Kills Canal; which was referred to the Committee on Commerce.

Mr. HAWLEY presented the petition of Charles W. Hodges and other citizens of Fairfield County, Conn., praying for the free and more frequent delivery of mails in country districts, and for the classification of mail matter into two parts, viz. written and printed; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of H. P. Stearns and 37 other citizens of Hartford, Conn., praying for the adoption of an amendment to the Constitution forbidding the establishment of religion by any State; which was referred to the Committee on Education and Labor.

Mr. CULLOM presented a memorial of the Elgin (Ill.) Board of Trade, remonstrating against the passage of the free-coinage bill; which was ordered to lie on the table.

Mr. GEORGE presented a petition of T. W. Moore and 20 other citizens of Iuka, Tishomingo County, Miss., praying for the passage of what are commonly known as the Washburn-Hatch anti-option bills; which was referred to the Committee on the Judiciary.

Mr. TELLER presented a petition of the Chickasaw Indians, relative to the President's message of February 17, 1892, praying for the passage of certain legislation for their protection and relief; which was referred to the Committee on Indian Affairs, and ordered to be printed.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had this day approved and signed the following act and joint resolution:

An act (S. 1183) to extend the privileges of the transportation of dutiable merchandise without appraisement to the port of Sandusky, Ohio; and

A joint resolution (S. R. 45) to regulate licenses to proprietors of theaters in the city of Washington, D. C., and for other purposes.

#### REPORTS OF COMMITTEES.

Mr. MORRILL, from the Committee on Public Buildings and Grounds, to whom were referred the following bills and joint resolutions, reported them severally without amendment:

A bill (S. 1758) to provide for the erection of an additional fire-proof building for the National Museum;

A bill (S. 828) authorizing the purchase of a site for a building for the accommodation of the Supreme Court of the United States; and

A joint resolution (S. R. 15) for the erection and location of a bronze statue of Christopher Columbus, and the removal of the Naval Monument to a new site.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 1866) to incorporate the Georgetown, Arlington and Falls Church Railway Company

of the District of Columbia, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. HIGGINS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1715) to amend "An act to authorize the Commissioners of the District of Columbia to make police regulations for the government of said District," approved January 26, 1887, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. DOLPH, from the Committee on Foreign Relations, to whom was referred the bill (S. 2169) to prohibit the coining of Chinese persons into the United States, whether as subjects of the Chinese Empire or otherwise, and to provide for registration and certificates of residence, and determine the status of all Chinese persons now resident in the United States, and fixing penalties and punishments for violation of this act, and providing for deportation of criminals, reported adversely thereon; and the bill was postponed indefinitely.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the bill (S. 1651) to amend an act approved February 28, 1891, entitled "An act to prohibit the granting of liquor licenses within 1 mile of the Soldiers' Home," reported adversely thereon; and the bill was postponed indefinitely.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 1721) to increase the pay of certain noncommissioned officers of the Army, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the joint resolution (S. R. 13) to authorize the Secretary of War to issue ordnance and ordnance stores to Howard University, submitted an adverse report thereon, which was agreed to; and the joint resolution was postponed indefinitely.

Mr. CAREY. I am directed by the Committee on Public Buildings and Grounds, to whom was recommitted the bill (S. 333) to provide for the purchase of a site and the erection of a public building thereon at Boise City, in the State of Idaho, to report it with amendments and submit a report thereon. Under the order of the Senate the bill is to be restored to its former place on the Calendar.

The PRESIDING OFFICER. The bill will be placed on the Calendar as ordered.

Mr. MORRILL, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 699) for the erection of a public building at Brockton, Mass., reported it without amendment, and submitted a report thereon.

Mr. VEST, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1574) to provide for the purchase of a site and the erection of a public building thereon at Grand Island, in the State of Nebraska, reported it without amendment.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed a concurrent resolution providing for the printing of 12,500 copies of the eulogies delivered in Congress upon Hon. W. H. F. Lee, late a Representative from the State of Virginia.

#### BILLS INTRODUCED.

Mr. DAWES introduced a bill (S. 2352) to punish intruders in either of the five civilized tribes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MITCHELL introduced a bill (S. 2353) for the relief of Narsario Gonzales; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

Mr. SHERMAN introduced a bill (S. 2354) to restore the pension of George Lucius Felch; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 2355) to amend the laws relating to shipping commissioners, seamen, and owners of vessels, and for other purposes; which was read twice by its title.

Mr. FRYE. I ask that the bill be referred to the Committee on Commerce. I wish to say in relation to it that it is a bill which I have not read. It was sent to me by the secretary of the Sailors' Union of the Pacific, and in his letter sending it he says:

This bill has been drafted by a committee of seamen sailing before the mast on the Pacific coast, men who have sailed in American vessels to all parts of the world, thereby gaining the experience that nothing else could furnish. We, by experience, know how the present maritime law affects the sailors; hence these amendments, which are the result of careful research into the marine laws of other nations, more especially the English, German, Danish, and Swedish.

The bill will be referred to the committee, and then by the committee submitted to the Commissioner of Navigation for his opinion in reference to it.

The PRESIDING OFFICER. The bill will be referred to the Committee on Commerce.

Mr. CULLOM introduced a bill (S. 2356) granting an increase of pension to William Polk; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2357) granting a pension to Matthias Reed; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2358) for the relief of legal representatives of John Wightman, deceased; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2359) to place John M. Cunningham on the retired list; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALLEN introduced a bill (S. 2360) to increase the pension of Benjamin Brink; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FELTON introduced a bill (S. 2361) to provide for the sale of a portion of Lime Point Reservation, adjoining the town of Sausalito, in the county of Marin, Cal.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PROCTOR introduced a bill (S. 2362) to restore to the pension roll the name of Mary F. Prindler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 2363) granting a pension to Nancy Patterson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2364) to provide for allotment of lands in severalty to the Seneca Indians, in the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2365) making appropriations for fulfilling treaty stipulations with the Seneca Nation of Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. HISCOCK introduced a bill (S. 2366) for the relief of Robert Swan; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. WASHBURN introduced a bill (S. 2367) granting a pension to Charles H. Webster; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 2368) to punish false swearing before trial boards of the Metropolitan police force and fire department of the District of Columbia, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. HAWLEY introduced a bill (S. 2369) granting a pension to Newton M. Allen, guardian of John M. Allen, insane; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2370) correcting the military record of Ireneus Shortridge; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PUGH introduced a bill (S. 2371) for the relief of the heirs of Dr. Nathan Fletcher; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. RANSOM introduced a bill (S. 2372) to provide for the settlement of accounts with the Atlantic and North Carolina Railroad; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. WARREN introduced a bill (S. 2373) to establish the boundaries of the Yellowstone National Park, and for other purposes; which was read twice by its title, and referred to the Committee on Territories.

Mr. COCKRELL introduced a bill (S. 2374) for the relief of Ernest Ulrich; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McMILLAN introduced a joint resolution (S. R. 55) to encourage the establishment and endowment of institutions of learning at the national capital; which was read twice by its title, and referred to the Committee on the District of Columbia.

#### CONDITION OF DISTRICT BRIDGES.

Mr. McMILLAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Commissioners of the District of Columbia be instructed to report to the Senate the condition of the various public bridges in the District of Columbia as regards strength and safety under the loads they are required to bear; and also whether, in the judgment of the Commissioners, the regulation that horses shall not pass over said bridges faster than a walk is a necessary one in all cases, and especially in the case of the new bridge across the Eastern Branch of the Potomac.

#### REGULATION OF STEAM VESSELS.

The PRESIDING OFFICER. If there be no further morning business, the Calendar under Rule VIII is in order.

Mr. FRYE. Mr. President, I desire to say a word or two in reference to a bill which is pending in Congress. It is the bill

(S. 1755) to amend certain sections of Title LII of the Revised Statutes of the United States and to carry into effect certain recommendations of the United States delegates to the International Marine Conference, introduced by me and referred to the Committee on Commerce, where it now is. Senators are inquiring of me every day in reference to this bill, they having received criticisms from their constituents. I desire to make a statement in reference to that bill so that Senators can answer inquiries without difficulty.

We had in this city a maritime congress a few years ago which made certain recommendations for amendment in shipping laws; and in addition to that, our own delegates made additional suggestions in the same direction. The Committee on Commerce considered the recommendations of that congress and of our delegates, and so far as they could understand and approve them reported them by bills favorably to the Senate. The bills have passed the Senate and the most of them have become laws. But of course there were many recommendations it was utterly impossible that Senators could understand anything about. They were technical largely—the inspection of boilers and engines, signals, laws of the road, and things of that kind.

The Committee on Commerce directed me to offer a resolution in the Senate directing the Secretary of the Treasury to appoint a board of experts to take into consideration all of the recommendations of that congress not acted upon and report by bill. A committee of experts was appointed. The committee had been some five or six months in consideration of those questions, and at the early part of this Congress made a report of a bill. That bill was presented by me without ever having read a line of it. It was referred to the Committee on Commerce, and then by the Committee on Commerce the experts were requested to make a report to accompany the bill. That report was finally made, and then both bill and report were sent to every expert, every large owner and builder of ships, every board of trade, and every maritime association known to the committee or the clerks of the committee, with the request that they would examine it with care and send to the committee such criticisms as they had to make on the bill.

Those criticisms have been coming in now for the last four weeks, and when they seem to be completed then the committee will refer all of the criticisms to the same board of experts for their reply and report; and the country may rest assured that the Committee on Commerce will report to the Senate no bill changing and affecting the existing laws unless that committee is fully satisfied by evidence before it that such changes and amendments ought to be made.

#### INTERNATIONAL BIMETALLIC CONFERENCE.

The joint resolution S. R. 24 to provide for an international bimetallic agreement was announced as first in order on the Calendar, and the Senate, as in Committee of the Whole, resumed its consideration.

The PRESIDING OFFICER. The question pending is upon the amendment of the Senator from Nevada [Mr. STEWART] to the amendment reported by the Committee on Finance. Is the Senate ready for the question?

Mr. GORMAN. Let it be read.

Mr. SHERMAN. I should like to have it read.

Mr. COCKRELL. I wish to call the attention of the Senator from Nevada [Mr. STEWART] to his amendment, so that he will know what action is being taken upon it.

The PRESIDING OFFICER. The Secretary will report the pending amendment to the amendment of the committee.

The CHIEF CLERK. In the amendment reported from the Committee on Finance, line 4, after the word "and," strike out the words "to maintain at all times a parity in the value of its coins of both metals," and insert:

The established policy of the United States to maintain the two metals on a parity with each other upon the present legal ratio, or such ratio as may be provided by law.

Mr. SHERMAN. In the absence of the chairman of the Committee on Finance and the other members of that committee, I hope that the joint resolution will not be acted upon at the present time. I hope it will be put over for the present. How does it come up?

Mr. FRYE. It is the regular order on the Calendar.

Mr. COCKRELL. I think the joint resolution had better lie over. I do not think the Senate is ready for a discussion of it this morning, and it can not well be discussed under the five-minute rule anyway.

Mr. SHERMAN. The chairman of the committee is not here; the subject is a very important one, and I think it ought not to be taken up in this hurried way. I think the joint resolution had better lie over.

The PRESIDING OFFICER. Holding its place on the Calendar?

Mr. SHERMAN. Yes, sir; going over without prejudice.

The PRESIDING OFFICER. If there be no objection that

tunnel, submitted a report thereon, which was ordered to be printed.

He also, from the same committee, to whom was referred the joint resolution (S. R. 55) to encourage the establishment and endowment of institutions of learning at the national capital, reported it with amendments.

#### BILLS INTRODUCED.

Mr. GRAY introduced a bill (S. 2448) receding to the State of Delaware a certain old and abandoned pier, in the river Delaware, at Newcastle; which was read twice by its title, and referred to the Committee on Commerce.

Mr. VOORHEES introduced a bill (S. 2449) to correct the muster of A. G. Robb as second lieutenant, Twenty-sixth Indiana Volunteers; which was read by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2450) granting increase of pension to Henry Reiter; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 2451) authorizing the Secretary of the Treasury to reconvey to Lucius N. Maltby and Louise W. Maltby, his wife, Margaret Elizabeth Lucas, and the Sea Girt Land Improvement Company, a piece of land selected as a site for the Squan Inlet light-station, New Jersey, but found to be unsuitable for the purposes of said station; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

He also introduced a bill (S. 2452) authorizing the Secretary of the Interior to place the name of Joshua Daggett upon the pension roll of the United States; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. COKE introduced a bill (S. 2453) for the relief of William S. McKnight and James W. Richardson; which was read twice by its title, and referred to the Committee on Claims.

Mr. SHERMAN (by request) introduced a bill (S. 2454) for the application of the accretions of the Caracas awards of 1868 to the new awards made in 1889 and 1890; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Foreign Relations.

He also introduced a bill (S. 2455) granting a pension to Angelina Hyde; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 2456) to authorize the extension of Massachusetts avenue, and the construction of a bridge across Rock Creek on Massachusetts avenue extended; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2457) to provide for the erection of a building for a flower market in the city of Washington, in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. MANDERSON introduced a bill (S. 2458) for the relief of William W. Lowe; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. MANDERSON. I introduce a bill to amend a section of the Revised Statutes punishing corporations and individuals for making or using private scrip or metal tokens of denominations less than \$1 in payment of labor or other debts. The object of the bill (and I desire to call attention to it for a moment) is to prevent the issue by corporations or individuals of what are known as trade tokens, trade certificates, by which those who labor are compelled to take pay for their labor in what is known as store pay. This measure is to reach that evil, and I ask its reference to the Committee on the Judiciary for their consideration of the subject.

The bill (S. 2459) to amend section 3583 of the Revised Statutes of the United States and to prevent and to punish corporations, associations, and individuals for making or using private scrip or metal tokens of denominations less than \$1 in payment for labor or other debts, was read twice by its title, and referred to the Committee on the Judiciary.

Mr. GALLINGER introduced a bill (S. 2460) to repeal the license tax of \$25 per year now imposed upon produce dealers in the markets of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PERKINS introduced a bill (S. 2461) granting an honorable discharge to James Parrish; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2462) granting relief to William Gregory; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2463) granting a pension to An-

drew Smith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WARREN introduced a bill (S. 2464) to grant to the Pan-American Transportation Company a right of way through the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. FAULKNER introduced a bill (S. 2465) for the relief of D. T. Farnsworth, of Upshur County, West Virginia; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2466) for the relief of the county court of Berkeley County, West Virginia; which was read twice by its title, and referred to the Committee on Claims.

Mr. CHILTON introduced a bill (S. 2467) to fix terms of holding courts in the eastern district of Texas; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. STANFORD introduced a bill (S. 2468) directing the purchase of silver bullion and the coining thereof; which was read twice by its title, and referred to the Committee on Finance.

Mr. BUTLER introduced a bill (S. 2469) for the relief of the heirs of William Laval; which was read twice by its title, and referred to the Committee on Pensions.

#### STATUE OF GEN. STARK.

Mr. GALLINGER. On the 11th day of February I introduced a bill (S. 2158) for the erection of an equestrian statue of Maj. Gen. Stark in the city of Manchester, N. H., and it was laid on the table. I ask that the bill be taken from the table, and referred to the Committee on the Library.

The VICE-PRESIDENT. The bill will be so referred.

#### ELECTION OF SENATORS.

Mr. WALTHALL submitted the following resolution: which was referred to the Committee on Privileges and Elections:

*Resolved*, That the Committee on Privileges and Elections be directed to inquire and consider whether further legislation is not necessary to put at rest such questions as have from time to time arisen out of the construction of the existing law regulating the time and manner of holding elections for United States Senators, and that said committee have leave to report by bill or otherwise.

#### ESTATE OF HON. A. H. STEPHENS.

Mr. GORDON submitted the following resolution: which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary be, and hereby is, authorized and directed to pay to the estate of the late Hon. Alexander H. Stephens \$—, the same being for expenses incurred by him while prosecuting his claim for a seat in the United States Senate, said payment to be made from the miscellaneous items of the contingent fund of the Senate.

#### SUPPLY OF CIRCULATION.

Mr. DOLPH. I desire to give notice that on Friday next, one week from to-day, if it be the pleasure of the Senate to hear me, I shall call up the bill (S. 1204) to provide the Government with means sufficient to supply the national want of a sound circulating medium, introduced by the Senator from California [Mr. STANFORD] and now on the table, for the purpose of submitting some remarks. While I shall incidentally in the course of my remarks refer to the bill, they will be mainly directed to a consideration of the present condition of the agricultural interests of this country as compared with those of other countries and with their condition at previous periods, to the measures which Congress has taken to encourage agriculture, and what it is practicable to do to promote our agricultural interests by Congressional legislation.

#### ADJOURNMENT TO MONDAY.

On motion of Mr. JONES of Arkansas, it was

*ordered*, That when the Senate adjourn to-day it adjourn to meet on Monday next.

#### DISTRICT APPROPRIATION BILL.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed a bill (H. R. 6746) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1893, and for other purposes; in which it requested the concurrence of the Senate.

On motion by Mr. ALLISON, the bill was read twice by its title and referred to the Committee on Appropriations.

#### FOOD AND DRUG ADULTERATION.

The VICE-PRESIDENT. If there be no further morning business, that order is closed, and the Calendar under Rule VIII is in order.

Mr. PADDOCK. Pursuant to an understanding yesterday evening before the Senate adjourned, I ask that the regular order, Senate bill No. 1, be now laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate the regular order.

The Senate, as in Committee of the Whole, resumed the con-

sideration of the bill (S. 1) for preventing the adulteration and misbranding of food and drugs, and for other purposes.

Mr. PADDOCK. I understand that the Senator from Missouri [Mr. VEST] is entitled to the floor.

Mr. VEST. Mr. President, when the Senate adjourned yesterday evening I was endeavoring to give my understanding as to the scope and compass of the measure pending before the Senate. I was unfortunate enough, as I see by the morning papers, to have made the impression that I was arguing in behalf of the bill. I had not stated what my opinions were as to the general tendency of such legislation or as to this specific bill, but had contented myself so far with simply examining the scope and compass of the provisions of the bill if enacted as it now stands before the Senate. I was particularly addressing myself to the question of what is interstate commerce, or, as the Constitution expresses it, "commerce among the States." I took issue with my friend from Texas [Mr. COKE] when he stated that everything throughout the entire country is the subject of commerce among the States. It is true that everything in the United States may become the subject of commerce among the States.

Mr. COKE. That is exactly what I stated, if the Senator will permit me.

Mr. VEST. Then we were unfortunate in not understanding each other. As I understand the decisions of the Supreme Court and the plain language of the Constitution itself, everything throughout the country which is the subject of commerce in the States or out of the States may be the subject of interstate commerce, or commerce among the States, quoting the language of the Constitution. But that is very different from what has already become the subject of commerce among the States. The Supreme Court of the United States have decided that diseased meat, poisonous substances, deleterious to health or life, can not be the subject of commerce among the States. It is impossible that they should be the legitimate subject of commerce anywhere, either among the States or with foreign nations. But that is a subject of commerce among the States which is in a healthy condition or a legitimate subject of commerce and has passed into the hands of a common carrier or is in process of transportation from one State or Territory to another.

Therefore, if we adopt the amendment proposed now by the Senator in charge of the bill and interpolate the words "the subjects of interstate commerce," then the pending bill would simply be narrowed and restricted to articles which have gone into the possession of a common carrier or are in process of transmission from one State to another.

Mr. PADDOCK. Will the Senator permit me to ask him a question?

Mr. VEST. Certainly.

Mr. PADDOCK. I should like to ask the Senator if he thinks the act would be narrowed down beyond what it is already narrowed down by the provisions of section 10, if the bill shall pass with the amendment to which he is addressing his remarks?

Mr. VEST. Of course not, and I understand that section 10 of the bill simply attempts in general terms to restrict the operation of the bill to the subjects of interstate commerce.

Mr. PADDOCK. That amendment was simply in the direction of definiteness to satisfy some of our friends who are hypercritical in respect to matters of this kind.

Mr. VEST. Waiving the term "hypercritical," Mr. President, permit me to say that as I understand the Senator from Nebraska now, he does not propose that this measure shall affect any except articles which are the subject of commerce among the States.

Mr. SHERMAN. Or which may become the subject.

Mr. PADDOCK. As to that I shall state further when I come to make some remarks. I do go a good way beyond that.

Mr. VEST. If it means anything further than that, it is unconstitutional, unless you find the power to pass an inspection law by Congress in the "general-welfare" clause of the Constitution. I was peculiarly unfortunate if that is the construction intended by the Senator from Nebraska in being reported this morning as favoring any such bill. I do not belong to the school, to use the expression, to the party which, from the beginning of this Government, has believed that under the general-welfare clause of the Constitution Congress could do anything. I have never believed for an instant that that was a separate and independent grant of power in the Constitution. Without going into that much debated and discussed field, I simply content myself with saying now that if that is the meaning of the Senator from Nebraska, and he puts this power of national inspection upon the general-welfare clause of the Constitution, I can not go with him in any such construction.

I assume that he gets this power under the interstate-commerce clause, for in his amendment he interpolates the words "subjects of commerce among the States;" and if that be so, then the irresistible conclusion is that nothing except an article the subject of interstate commerce can be touched for inspection. I said

yesterday that if, under that construction, any United States inspector coming from the Department of Agriculture should go into any retail or wholesale establishment in any State and demand the right to inspect any package, he would immediately be met with the unanswerable statement "by what authority do you come inside of a State with a national power in order to make me exhibit my goods to you as an officer of the United States Government?"

Every Senator will see how utterly impotent is this legislation if confined to the regulation of the subjects of interstate commerce or commerce among the States. If it be—and I admit that it is greatly to be desired—necessary to establish inspection as to all articles of drink and food in the United States, in the interest of the public health, then the only sure and safe way in which to do it is to use the instrumentalities and exercise the power which I believe the Constitution of the United States intended to leave to the States in the shape of police regulations. In the case of *Gibbons vs. Ogden*, 9 Wheaton, which is the leading case, and was decided by Chief Justice Marshall, that great jurist stated that all the powers as to quarantine, as to inspection, as to the health and morals of the people, belonged to that large class of powers called the police powers, that are reserved by the States.

There has been no question about which there has been such diversity of opinion among jurists and between the judges of the Supreme Court as in regard to the line between the police powers of the States and the commercial power of the General Government or of Congress. In the case of *Leisy vs. Hardin*, decided in 135 United States Reports, the Supreme Court divided, with five judges on one side and four on the other, and that division arose as to what was the effect of the Congress of the United States declining to legislate as to intercommercial regulations and whether that gave the States the power to make such regulations, and also as to the distribution between the powers conferred under the commerce clause of the Constitution upon Congress and the police powers reserved by the States.

Mr. PADDOCK. I should like to ask the Senator a question, if he will yield.

Mr. VEST. Certainly.

Mr. PADDOCK. Does the Senator say that either of the powers may not be used to supplement the other in order to carry out the special purpose or the particular purpose as it may be of either?

Mr. VEST. Mr. President, that is another question. The Supreme Court has decided that the quarantine laws and the inspection laws of a State, and the instrumentalities used for that purpose by the States, may be used by the General Government, but it is no concession of power to the State. That is simply a question of using certain means to effect an end. We are discussing now the question of whether the General Government, under the commerce clause of the Constitution, exercise the police powers of the States. I do not propose to read all these decisions, but if any Senator is curious on the subject I refer him to the last decision made, which he will find in 140 United States Reports, and in which Chief Justice Fuller delivered the opinion of the court. I will not read from it except to give the syllabus. This is the case in *re Rohrer*, and in it Chief Justice Fuller summarized this whole discussion in the following words, quoting from a decision of Justice Catron:

And here is the limit between the sovereign power of the State and the Federal power. That is to say, that which does not belong to commerce is within the jurisdiction of the police power of the State; and that which does belong to commerce is within the jurisdiction of the United States. And to this limit must all the general views come, as I suppose, that were suggested in the reasoning of this court in the cases of *Gibbons vs. Ogden*, *Brown vs. The State of Maryland*, and *New York vs. Miln*. What, then, is the assumption of the State court? Undoubtedly, in effect, that the State had the power to declare what should be an article of lawful commerce in the particular State, and, having declared that ardent spirits and wines were deleterious to morals and health, they ceased to be commercial commodities there, and that, then, the police power attached, and consequently the powers of Congress could not interfere. The exclusive State power is made to rest, not on the fact of the state or condition of the article, but that it is property usually passing by sale from hand to hand, but on the declaration for what the State laws, and asserted as the State policy, that it shall be excluded from commerce. And by this means the sovereign jurisdiction in the State is attempted to be created, in a case where it did not previously exist.

If this be the true construction of the constitution, then the paramount power of Congress to regulate commerce is subject to a very material limitation; for it takes from Congress, and leaves with the States, the power to determine the commodities, or articles of property, which are the subjects of lawful commerce. Congress may regulate, but the States determine what shall not be regulated. Upon this theory, the power to regulate commerce, instead of being paramount over the subject, would become subordinate to the State police power. It is obvious that the power to determine the articles which may be the subjects of commerce, and thus to prescribe its scope and operation, is, in effect, the controlling one. The police power would not only be a formidable rival, but, in a struggle, must necessarily triumph over the commercial power, as the power to regulate is dependent upon the power to fix and determine upon the subjects to be regulated.

I shall not quote any further from this decision, and I quoted so much for the purpose of showing what the Supreme Court has

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—referred to the Committee on Finance.

Mr. KYLE presented a petition of 200 citizens of Milbank, S. Dak., praying for the passage of a bill making certain issues of money full legal tender in payment of all debts; which was referred to the Committee on Finance.

He also presented a petition of citizens of Milbank, S. Dak., praying for the passage of a bill to prohibit gambling in agricultural products; which was referred to the Committee on the Judiciary.

Mr. GORMAN presented the petition of Rev. E. P. Huntley and sundry other ministers of Maryland, praying for the passage of the proposed sixteenth amendment to the Constitution providing that no State shall pass any law respecting an establishment of religion or prohibiting the free exercise thereof; which was referred to the Committee on the Judiciary.

He also presented the following petitions of Flintstone, Beltsville, Locust Grove, Elkton, and Centennial Granges, Patrons of Husbandry, of Maryland:

Petitions praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petitions praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—referred to the Committee on Finance.

Mr. BATE presented the memorial of O. S. Mitchell and others, citizens of the United States, remonstrating against the passage of Senate bill 362, providing for the removal of the Southern Ute Indians from their present fertile reservation in Colorado to a proposed mountainous, largely sterile, and inaccessible reservation in Utah; which was referred to the Committee on Indian Affairs.

Mr. ALLISON presented a petition of the United Presbyterian Congregation of Crawfordville, Iowa, containing 170 signatures; a petition of the Presbyterian church of Villisca, Iowa; a petition of the Young People's Society of Atlantic, Iowa, and a petition of the Young People's Society of Christian Endeavor of the First Presbyterian Church of Winterset, Iowa, praying for the closing of the World's Columbian Exposition on Sunday, that the sale of intoxicating liquors be prohibited thereat, and that the art department be conducted in accordance with the American standard of purity in art; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the following petitions of the Live and Let Live Grange, Patrons of Husbandry, of Iowa:

Petition praying for the passage of a law to prevent the adulteration of food and drugs—referred to the Committee on Agriculture and Forestry.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a law to prevent gambling in farm products—referred to the Committee on the Judiciary.

Mr. VILAS presented the petition of J. J. Gorham and 492 other citizens of Tomah, Wis., and vicinity, praying that an appropriation be made to buy additional land and to build additional buildings for the Indian school established there; which was referred to the Committee on Indian Affairs.

He also presented a memorial of the Board of Trade of La Crosse, Wis., and a memorial of the Board of Trade of Milwaukee, Wis., remonstrating against the free coinage of silver; which were referred to the Committee on Finance.

Mr. SQUIRE presented a petition of citizens of Anacortes, Wash., praying for the passage of legislation to insure the early and economical building and operation of the Nicaraguan Maritime Canal; which was referred to the Committee on Foreign Relations.

Mr. SQUIRE. I present a petition of citizens of the United States resident in and near Anacortes, State of Washington, who set forth that, believing the legalized sale of alcoholic liquors in Alaska would be a snare and curse to the native inhabitants of that country even though the law should forbid selling to them, they protest against the passage of the bill introduced in the Senate authorizing the sale of liquor in Alaska. I move that the petition be referred to the Committee on Territories.

The motion was agreed to.

Mr. COCKRELL presented a memorial of the Farm Implement and Vehicle Association of St. Louis, Mo., remonstrating against gambling in products of the soil and praying for the

passage of those bills now pending in Congress for its suppression; which was referred to the Committee on the Judiciary.

Mr. GEORGE presented the following petitions of Wall and Poplar Springs Granges, Patrons of Husbandry, of Mississippi:

Petitions praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture.

Petitions praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—referred to the Committee on Finance.

Mr. HANSBROUGH presented a petition of 35 citizens of North Dakota, praying for the adoption of a sixteenth amendment to the Constitution of the United States; which was referred to the Committee on the Judiciary.

Mr. FRYE presented a memorial of the Maine Women's Indian Association, remonstrating against a decrease in the appropriation for Indian education, and also remonstrating against the removal of the Ute Indians from their Colorado reservation; which was referred to the Committee on Appropriation.

He also presented the following petitions of Wales, Woolwich, Somerset, Seaside, Dromore, Sagadahoc, and East Madison Granges, Patrons of Husbandry, of Maine:

Petitions praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petitions praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—referred to the Committee on Finance.

Mr. TELLER presented a petition of the Denver (Colo.) Printing Pressman's Union, praying for the creation of the position of foreman of the press room in the Government Printing Office; which was referred to the Committee on Printing.

He also presented a memorial of citizens of Eastern Colorado, remonstrating against the passage of any law ceding the arid lands to the States and Territories; which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills: in which it requested the concurrence of the Senate:

A bill (H. R. 1080) for the relief of the inhabitants of the town of Ferron, county of Emery, Territory of Utah:

A bill (H. R. 6836) making appropriations to supply a deficiency in the Department of Agriculture, and for other purposes; and

A bill (H. R. 6876) to provide for certain of the most urgent deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1892.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills: and they were thereupon signed by the Vice-President:

A bill (H. R. 532) to constitute Newark, in the State of New Jersey, a port of immediate transportation; and

A bill (H. R. 5399) making appropriations to supply a deficiency in the appropriation for the expenses of the Eleventh Census, and for other purposes.

#### REPORTS OF COMMITTEES.

Mr. WOLCOTT, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 521) extending the privileges of the free delivery of mails, reported it without amendment.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 1742) to amend the act giving the approval and sanction of Congress to the route and termini of the Anacostia and Potomac River Railroad in the District of Columbia, reported it with amendments, and submitted a report thereon.



Mr. ALLEN, from the Committee on Public Lands, to whom was referred the bill (S. 1504) for the relief of David Dealy and Moses Younkin, reported it with amendments, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 2081) to amend the Articles of War, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom the subject was referred, submitted a report accompanied by a bill (S. 2470) to amend the Articles of War, and for other purposes, which was read twice by its title.

Mr. SQUIRE, from the Committee on Coast Defenses, submitted a report to accompany the bill (S. 537) to provide for the establishment of a gun factory for the finishing and assembling of heavy ordnance on the Pacific coast, heretofore reported by him.

Mr. CAREY, from the Committee on Territories, to whom was referred the bill (S. 1843) to provide for the punishment of offenses committed in the Yellowstone National Park, reported it with amendments, and submitted a report thereon.

Mr. PADDOCK, from the Committee on Public Lands, to whom was referred the bill (S. 1486) granting to the State of California 5 per cent of the net proceeds of the cash sales of public lands in said State, reported it without amendment.

Mr. WARREN, from the Committee on Irrigation and Reclamation of Arid Lands, reported an amendment intended to be proposed to the urgent deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also, from the Committee on Irrigation and Reclamation of Arid Lands, reported an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### LAND IN OKANOGAN COUNTY, WASH.

Mr. ALLEN. I am instructed by the Committee on Public Lands to report back favorably the bill (H. R. 2568) for the relief of the inhabitants of the town of Chelan, in Okanogan County, State of Washington. This is a very short bill; it has passed the House of Representatives; it is approved by the Interior Department; and I ask unanimous consent that it may be now considered. It will take but a moment.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

*Be it enacted etc.* That the Commissioner of the General Land Office be, and he is hereby, authorized to issue a patent for the following tract of public land, to wit: The northeast quarter of section 13, in township 27 north, range 22 east, in Okanogan County, Wash., upon the entry made at the North Yakima local land office for said land by Charles H. Ballard, probate judge for said county, in trust for the use and benefit of the inhabitants of the town of Chelan, in said county, under the town-site laws, being cash entry numbered 1064 of said North Yakima series of entries.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### STATISTICAL ABSTRACT OF THE UNITED STATES.

Mr. MANDERSON. I am directed by the Committee on Printing to report back favorably a concurrent resolution for printing the Statistical Abstract of the United States. I ask that it may be now considered.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution; which was read, as follows:

*Resolved by the Senate (the House of Representatives concurring).* That there be printed 12,000 copies of the Statistical Abstract of the United States for the year 1891, prepared by the Bureau of Statistics, Treasury Department, 3,000 copies for the use of the members of the Senate, 6,000 copies for the use of the members of the House of Representatives, and 3,000 copies for the use of the Bureau of Statistics, Treasury Department.

Mr. COCKRELL. I should like to ask if that is the number heretofore printed?

Mr. MANDERSON. It is somewhat less than the number heretofore printed, but the same number that is provided in the general printing bill that has passed the Senate. I think the number is sufficient for all purposes.

The VICE-PRESIDENT. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

#### HOUSE BILLS REFERRED.

The bill (H. R. 1080) for the relief of the inhabitants of the town of Ferron, county of Emery, Territory of Utah, was read twice by its title, and referred to the Committee on Public Lands.

The following bills were severally read twice by their titles and referred to the Committee on Appropriations:

A bill (H. R. 6836) making appropriations to supply a deficiency in the Department of Agriculture, and for other purposes; and

A bill (H. R. 6876) to provide for certain of the most urgent deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1892.

#### BILLS INTRODUCED.

Mr. VOORHEES introduced a bill (S. 2471) granting a pension to John S. Coleman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2472) for the relief of Thomas G. Corbin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2473) granting a pension to Mrs. Doreus Nutt; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 2474) to remove the charge of desertion from the military record of Ammon L. Green; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2475) to remove the charge of desertion from the military record of William H. Smith; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MANDERSON introduced a bill (S. 2476) to reimburse the State of Nebraska the expenses incurred by that State in repelling a threatened invasion and raid by the Sioux in 1890-91; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also (for Mr. SHERMAN) introduced a bill (S. 2477) granting a pension to John H. Eversole; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PEPPER introduced a bill (S. 2478) to require payment of pension money to wives in cases where male pensioners desert or abandon their families, or are habitual drunkards, or from any reason fail and neglect to support their families; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 2479) to allow the United States to exchange its interest-bearing debt for legal-tender notes; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 2480) to increase pensions of the soldiers of the war of 1812 to \$25 per month; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PROCTOR introduced a bill (S. 2481) to place Dunbar R. Ransom on the retired list of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PADDOCK introduced a bill (S. 2482) granting a pension to Gust Spitznagel; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WILSON introduced a bill (S. 2483) granting a pension to Eliza A. Criner; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2484) granting a pension to Mary R. Henderson; which was read twice by title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 2485) for the relief of James R. D. Morrison; which was read twice by its title, and referred to the Committee on Claims.

Mr. PERKINS introduced a bill (S. 2486) to provide for the creation of a board of regents of education for the Indian and Oklahoma Territories for the promotion of the industrial and academic education of Indians, and other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2487) for the relief of W. H. Collards, John A. Elsasser, Peter Johnson, George Shade, M. G. Brown, Jonas F. Reitz, and L. H. Boyd; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2488) for the relief of Louis O. Farnighy; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2489) increasing the pension of Titus F. Wiles; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2490) granting a pension to Thomas H. Williams; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2491) granting an increase of pension to James Morgan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SAWYER introduced a bill (S. 2492) to authorize the establishment of postal-telegraph service, and for other purposes; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. WOLCOTT introduced a bill (S. 2493) granting a pension to Theodore H. Brown; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 2494) granting an increase of pension to Michael Herbst; which was read twice by



## AMENDMENTS TO BILLS.

Mr. PADDOCK submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. WARREN submitted an amendment intended to be proposed by him to the urgency deficiency appropriation bill; which was referred to the Committee on Public Lands, and ordered to be printed.

Mr. VEST submitted an amendment intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

## GOVERNMENT PRINTING OFFICE SITE.

Mr. CULLOM. I submit the following resolution, and ask for its present consideration:

*Resolved*, In pursuance of the legislation heretofore taken for the acquisition of a suitable site for a Government Printing Office, that the Committee on Printing, acting jointly with the House committee, be, and the same are hereby, empowered and instructed to ascertain the most suitable site for that purpose (in the District), looking to the future growth of the country and the growing demands upon the printing establishment, ascertain the fair value of the same, and make report of such investigation and result; and all authority heretofore given in this respect is hereby revoked.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. ALLISON. I hope that the last clause will not be left in, stating that all steps heretofore taken are hereby revoked. I shall object to that.

Mr. CULLOM. I have no objection to those words being stricken out, as they are suspended at any rate, I understand.

Mr. ALLISON. They are suspended.

Mr. CULLOM. The words indicated by the Senator from Iowa may be stricken out from the resolution, as far as I know.

The VICE-PRESIDENT. The modification will be stated.

The SECRETARY. Strike out the words:

And all authority heretofore given in this respect is hereby revoked.

The VICE-PRESIDENT. The resolution will be so modified. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

## PORTRAIT AND BUST OF ADMIRAL PORTER.

Mr. VOORHEES submitted the following resolution; which was considered by unanimous consent, and agreed to:

Whereas the heirs and legal representatives of the late Admiral David D. Porter having signified their desire to present to the United States Government the portrait of the said admiral, painted by Carl Becker, and also his bust in marble, by William Simmons; Therefore be it

*Resolved*, That the Committee on the Library be, and is hereby, instructed to consider and arrange for the proper acceptance of said portrait and bust, and for the positions to which they shall be assigned in the Capitol.

## NICARAGUA CANAL COMPANY.

Mr. HIGGINS. I call the attention of the Senator from Alabama [Mr. MORGAN] to the resolution of inquiry which I introduced some time ago directing the Secretary of the Interior to communicate certain information in respect to the Nicaragua Maritime Canal. At the time of the introduction of that resolution the Senator from Alabama suggested that it be referred to the Committee on Foreign Relations. I now ask that that action be taken, with the understanding that the inquiry directed by the resolution to the Secretary of the Interior will be made the subject of full inquiry by the Committee on Foreign Relations.

Mr. MORGAN. The Committee on Foreign Relations really considered themselves instructed by the first resolution adopted to the full extent of the resolution presented by the Senator from Delaware, and I am very glad that he has put it in specific form. Let that be sent to the Committee on Foreign Relations as being superadded in the nature of instructions for the inquiry, because that committee, in entering upon this investigation, are acting solely and only for the people of the United States, and they propose, and they have the power to do it, I think, to control any agency or any corporation that stands in the way as an obstruction in the slightest degree to the rights and interests and welfare of the people of the United States.

Mr. HIGGINS. I ask that the resolution as it stands be referred to the Committee on Foreign Relations.

The resolution submitted by Mr. HIGGINS February 10, 1892, was referred to the Committee on Foreign Relations, as follows:

*Resolved*, That the Secretary of the Interior be, and is hereby, instructed to obtain and transmit to the Senate, at the earliest convenient day, a detailed statement, properly certified by the chief engineer of the Nicaragua Canal Company, of the amount and kind of work done, and of the materials, tools, and supplies furnished upon the said canal, and the cash cost of the same.

Also a detailed statement, properly certified by the appropriate officer of the canal company, of all contracts and obligations now in existence between the said canal company and all other governments, persons, or companies, and the actual cash received and expended by it, and for what purposes; the

amount of cash paid in upon subscriptions to its stock and bonds; the amount of cash now on hand available for the prosecution of its work; the amount of bonds and stock issued, to whom, and for what purposes; the amount subscribed, for and by whom, and upon what terms, together with a complete balance sheet showing the said company's resources, assets, and liabilities of every name and nature, all as of January 1, 1892.

Also a detailed statement showing the capital and organization of any contracting or constructing company with whom the said canal company may have entered into a contract or contracts for constructing any part of its canal, or furnishing any labor, services, machinery, materials, or supplies for the said canal, and setting forth the amount of stock and bonds issued by the said contracting company, to whom, and under what terms, the amount of cash received by the said contracting company from all sources, the amounts paid out, and to whom and for what purposes; the amount of stock or bonds subscribed for, and by whom and upon what terms; the amount of cash on hand available for carrying out its contracts with the said canal company and others; the amount and cash value of its assets of every kind, and, finally, a complete balance sheet as of January 1, 1892, showing the said contracting company's assets, resources, and liabilities, of every name and nature.

The Secretary of the Interior is also requested to furnish copies of all contracts made and entered into by either of the companies heretofore described, together with any other information he may have or can obtain in reference to the operations or responsibility of either of the said companies.

EDWIN GOMEZ.

Mr. PLATT. Early in the session I presented the petition of Edwin Gomez, of New York City, praying compensation for losses, etc., and it was referred to the Committee on Claims. On the 10th of February the Senator from Kansas [Mr. PEPPER] reported back the petition asking that the committee be discharged from its further consideration. I was not in the Senate at the time the vote was passed discharging the committee. It is too late, of course, to move a reconsideration, but I ask unanimous consent of the Senate that that action may be reconsidered, and that the petition be recommitted to the Committee on Claims.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Connecticut? The Chair hears none, and the petition will be recommitted to the Committee on Claims.

Mr. PLATT. Some papers that I have in my hand I wish also to go to the Committee on Claims in connection with the petition.

The VICE-PRESIDENT. It will be so ordered.

## HOUSE BILL REFERRED.

The bill (H. R. 6875) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1893, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

## THE CALENDAR.

The VICE-PRESIDENT. Is there further morning business?

Mr. SQUIRE. I ask that the Senate proceed to consider the bill (S. 617) providing for the erection of a public building at the city of Spokane Falls, in the State of Washington. I understand the Chair to state that we have arrived at the Calendar.

The VICE-PRESIDENT. The Calendar is in order under Rule VIII.

Mr. SQUIRE. This bill was passed over without prejudice under Rule VIII.

Mr. COCKRELL. Is the Calendar in order?

The VICE-PRESIDENT. The Calendar is now in order.

Mr. COCKRELL. I hope that those bills which have been passed over under objection will lie over until to-morrow morning. Let us get at the unobjected cases this morning anyway, and then I shall have no objection to-morrow morning. There are several others bills in the same situation. Let them be taken up then, but let the unobjected cases have a showing this morning.

Mr. SQUIRE. Very well.

The VICE-PRESIDENT. The bill indicated by the Senator from Washington was passed over owing to the temporary absence of that Senator.

Mr. COCKRELL. It is true that it was passed over without prejudice.

Mr. SQUIRE. I accept the suggestion of the Senator from Missouri, and assent that the bill may be passed over until to-morrow, unless it shall be reached to-day.

The VICE-PRESIDENT. The bill will be passed over.

Mr. ALLEN. Mr. President—

Mr. COCKRELL. Now, let us have the regular order.

Mr. ALLEN. I wish to say that the bill was passed over by unanimous consent without prejudice, with the express understanding that it did not lose its place upon the Calendar, and that it should be taken up on the return of the Senator from Washington to the Chamber.

Mr. COCKRELL. That is all true, there is no doubt about it; I did not observe it at first; but let us go on this morning with the other cases that have not been called.

Mr. SQUIRE. I consent to the bill going over until to-morrow.

Mr. PROCTOR. I ask that the bill (S. 1233) to establish a military post on the line of railway between Burlington and Highgate, Vt., be taken up. It was passed over at the request

of the senior Senator from New Hampshire [Mr. CHANDLER], who now informs me that he withdraws his objection.

Mr. COCKRELL. That is in the same condition that the other bill is. Let us commence with the Calendar where cases have not been called up, and give somebody who has had no opportunity an opportunity, and then in the morning hour to-morrow let it be understood that cases passed over without prejudice shall be called up. There are a number of cases on the Calendar which have not been called at all, which have had no hearing, and I make this suggestion because it will create less trouble and everybody will be better satisfied.

Mr. PROCTOR. Very well.

The VICE-PRESIDENT. The first business on the Calendar will be stated.

The joint resolution (S. R. 24) to provide for an international bimetallic agreement was announced as first in order on the Calendar.

Mr. ALLISON. That had better go over for the present. It can not be considered now.

The VICE-PRESIDENT. The joint resolution will be passed over without prejudice.

JOHN W. LEWIS.

The bill (S. 1106) for the relief of John W. Lewis, of Oregon, was considered as in Committee of the Whole. It proposes to pay to John W. Lewis, register of the land office at The Dalles, Oregon, \$521.97, being the amount of his maximum compensation in addition to his salary from April 17, 1890, to July 7, 1890.

Mr. BERRY. Mr. President, this bill was reported by a bare majority of the Committee on Public Lands. It is a bill that a large minority of that committee thought ought not to pass. It does not carry a great deal of money with it, only providing for an appropriation of \$500 to be given to a register of the land office in Oregon.

The facts are these: The law provides that the register and receiver shall each receive a salary of \$500 a year, but it also allows them certain fees, and if those fees do not exceed \$3,000 a year they retain them. If the fees do exceed that sum then they are paid into the Treasury. During the quarter from April to July, 1890, there were no fees received in this office. This register or receiver, as the case may be—I forget which he is—received his salary for that time, and there were no fees during that quarter. The reason why no fees were paid him was because there was a vacancy in the other office and business could not be done until both offices were filled, and therefore no fees were received during that quarter. The ruling of the Comptroller of the Treasury was, and properly, that there being no fees received in that quarter, he was only entitled to the salary provided by law, and that he was paid.

This bill seeks to give this officer \$500 for that quarter because no fees were paid him by reason of one of the offices being vacant. That is all there is in the bill. He says that if the other office had been filled he would have received fees amounting to this much; but the office was not filled, and under the law he is entitled to no fees unless fees are paid him during the quarter. He received the salary which the law authorized him to receive, and this is a proposition to give him \$500 because no fees were received during that quarter, the reason being, as I have stated, that there was a vacancy in the other office. If this officer be the register, then there was a vacancy in the receiver's office, and if he be the receiver, then there was a vacancy in the register's office.

Mr. HARRIS. I should like to ask for my own information, as to the failure to receive fees during that quarter, whether those fees would not come in another quarter when the other office was filled?

Mr. DOLPH. No.

Mr. HARRIS. Would not the same work have to be done at another day when that office was filled, for which fees would be received?

Mr. BERRY. The law is that the receiver or register shall not receive more than \$3,000 a year for both fees and salary, and this is paid quarterly, each quarter depending upon itself. That is the law, and if there are no fees received during one quarter, then under the law the officer is entitled to no fees, but he is entitled to his salary whether any work is done or not. If no work is done, no fees come in, and then he receives only the salary. He did not receive any fees for this quarter, and therefore the proposition is to give him \$500 upon the supposition that the fees would have been received if the other office there, which was vacant, had been filled. It is an absolute gift out of the Treasury to this person of that much money, to which he is no more entitled than any other citizen in the United States of America.

Mr. DOLPH. I should like to be able to be heard for a moment. This gentleman at the time of his appointment resided at a point distant from this land office. He qualified on the 17th

of April, 1890. After he qualified, but before he entered upon the duties of the office, the receiver of the land office in that district, Thomas W. Slusher, died. The President failed to make an appointment or the Senate to confirm a successor to the receiver until the 7th day of July, 1890. Mr. Lewis left his business and went to the place where the land office was located. He received and filed the applications which were made to him, received the money and deposited it in bank until the 7th of July, when a receiver was appointed, when the papers and the money which had been received were turned over. He attended to the business of the office, kept the office open, and was constantly employed in the transaction of such business as could be transacted without the presence of a receiver. His salary was \$500 per annum, not enough to pay his board during the time, and the fees received during the entire year would not pay his full compensation during the time. This is as meritorious a measure as ever came from the Committee on Public Lands.

I do not think that the committee was divided as the Senator from Arkansas [Mr. BERRY] has stated. I think at least one member of the minority, the Senator from Louisiana [Mr. WHITE], favored the bill.

Mr. BERRY. I think the Senator is mistaken. I think the committee was divided five to four.

Mr. DOLPH. No. The case the Senator has in mind is the case of refunding the dollar and a quarter an acre to those who purchased within railroad limits.

Mr. BERRY. I think the minority of the committee was opposed to this bill.

Mr. DOLPH. The Senator himself was opposed to it.

Mr. BERRY. If the Senator intends to state that I am the only member of the committee who was opposed to it, then the Senator is wrong.

Mr. DOLPH. No, I do not so state.

Mr. BERRY. As I remember, the Senator from Mississippi [Mr. WALTHALL] who sits near me, was opposed to it.

Mr. WALTHALL. Mr. President, I do not know that it is at all material, but I can state that the committee on this bill, according to my distinct recollection, divided on party grounds.

Mr. DOLPH. I will state to the Senator that he is mistaken about that. It is the bill to refund a dollar and a quarter an acre which he has in mind. The Senator from Louisiana [Mr. WHITE] voted for this bill and he now nods his assent, so that the Senator from Mississippi is mistaken.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, and read the third time.

Mr. BERRY. Upon the passage of the bill I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I have a general pair with the Senator from Delaware [Mr. GRAY]. I see he is not in his seat, and I withhold my vote.

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY], and therefore withhold my vote.

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. BARBOUR]. I do not see him in his seat, and therefore withhold my vote. I should vote "yea" if he were present.

Mr. PROCTOR (when his name was called). I am paired with the Senator from Florida [Mr. CALL], who is not in his seat. I therefore withhold my vote for the present.

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR].

Mr. WALTHALL (when his name was called). I am paired with the Senator from Rhode Island [Mr. DIXON]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. BUTLER. I am paired with the Senator from Pennsylvania [Mr. CAMERON]. Not knowing how he would vote if present, I withhold my vote.

Mr. HANSBROUGH. I am paired with the Senator from Illinois [Mr. PALMER]. Were he present, I should vote "yea."

Mr. RANSOM. I am paired generally with the Senator from Maine [Mr. HALE]. He is not present, and I decline to vote; otherwise I should vote "nay."

Mr. CULLOM. I have a general pair, as I stated, with the Senator from Delaware [Mr. GRAY], but with an understanding that where a question is not political, in order to make a quorum either of us may have the right to vote. I therefore venture to cast my vote in favor of the bill. I vote "yea."

Mr. PALMER. I am not familiar with the question before the Senate, but to make a quorum, I will vote "nay."

Mr. HANSBROUGH. The Senator from Illinois [Mr. PALMER] now being present, I shall vote "yea."

The result was announced—yeas 31, nays 20; as follows:

## YEAS—31.

Allen.	Gallinger.	Perkins.	Stockbridge.
Allison.	Hansbrough.	Pettigrew.	Teller.
Casey.	Hawley.	Sawyer.	Warren.
Cullom.	Hiscock.	Sherman.	Washburn.
Daniel.	McMillan.	Shoup.	White.
Dolph.	Munderson.	Squire.	Wilson.
Felton.	Morrill.	Stanford.	Wolfcott.
Frye.	Paddock.	Stewart.	

## NAYS—20.

Bate.	Coke.	Jones, Ark.	Turpie.
Berry.	Colquitt.	Kyle.	Vance.
Blackburn.	George.	Morgan.	Vest.
Carlisle.	Gorman.	Palmer.	Vilas.
Chilton.	Harris.	Pasco.	Voorhees.

## NOT VOTING—37.

Aldrich.	Davis.	Higgins.	Power.
Barbour.	Dawes.	Hill.	Proctor.
Blodgett.	Dixon.	Hoar.	Pugh.
Brice.	Dubois.	Irby.	Quay.
Butler.	Faulkner.	Jones, Nev.	Ransom.
Call.	Gibson, La.	Kenna.	Sanders.
Cameron.	Gibson, Md.	McPherson.	Walthall.
Carey.	Gordon.	Mitchell.	
Chandler.	Gray.	Peller.	
Cockrell.	Hale.	Platt.	

So the bill was passed.

## ELECTION OF SENATORS—IDAHO CASE.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution which he inadvertently omitted to do before, coming over from a previous day, offered by the Senator from Alabama [Mr. MORGAN], relative to the election of United States Senators.

Mr. MORGAN. I have conferred with the Senator from Colorado [Mr. TELLER] about that resolution, and we have agreed to let it lie over until the Senator from Oregon [Mr. MITCHELL] returns.

The VICE-PRESIDENT. The next bill on the Calendar will be stated.

## SALE OF FIREARMS AND AMMUNITION TO INDIANS.

The bill (S. 438) to prohibit the sale of firearms and ammunition to the Indians residing upon reservations was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## WILLIAM W. BURNS.

The bill (S. 115) for the relief of William W. Burns was considered as in Committee of the Whole. It provides for the payment of \$7,987 to William W. Burns, in full payment of the balance due him for royalty on 3,195 Sibley tents used by the United States Government.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ESTATE OF WILLIAM MOSS, DECEASED.

The bill (S. 114) making an appropriation for the benefit of the estate of William Moss, deceased, was considered as in Committee of the Whole. It proposes to pay \$14,175 to the administrator of the estate of William Moss, deceased, late of Arkansas, for the benefit of the heirs at law of the deceased, for extra services in transporting the United States mails from Washington, Ark., to Clarksville, Tex., and back, three times a week, from July 1, 1854, until June 30, 1858, which services were not provided for in his contract.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## MOSES PENDERGRASS.

The bill (S. 8) for the relief of Moses Pendergrass, of Missouri, was considered as in Committee of the Whole. It provides for settling and auditing the accounts and claim of Moses Pendergrass as contractor in carrying the mails on route numbered 28630, in the State of Missouri, from July 1, 1887, to May 6, 1888, upon the basis and amount of \$317 per annum as his bid for such service, under the advertisement of September 15, 1886, and of the orders of the Post-Office Department increasing the service thereon, and for paying him for such service an amount not exceeding \$379.56, in full satisfaction therefor.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## E. R. SHIPLEY.

The bill (S. 9) for the relief of E. R. Shipley was considered as in Committee of the Whole. It provides for the payment of \$460 in full to E. R. Shipley for moneys paid, by direction of Post-Office Inspector Edgerton, to parties having money in regis-

tered packages stolen from the post-office in Springfield, Mo., on the 23d of June, 1884.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## MARY L. ROSS.

The bill (S. 852) for the relief of Mary L. Ross was considered as in Committee of the Whole. It proposes to pay to Mary L. Ross, former postmaster at Newport, Ky., \$89.27 for light, fuel, and miscellaneous items disallowed in the settlements of her accounts in the third and fourth quarters of 1882 and the first and third quarters of 1883.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## MAJ. GREEN CLAY GOODLOE.

The bill (S. 205) to reimburse Maj. Green Clay Goodloe, paymaster United States Marine Corps, was considered as in Committee of the Whole. It proposes to appropriate \$3,333.31 to reimburse him for money stolen by Benjamin A. Jones, alias Benjamin A. Jaeger, a clerk in his office, who committed suicide December 25, 1889, and who was indicted by the courts of the District of Columbia for this theft.

The VICE-PRESIDENT. The attention of the Senator from Kentucky [Mr. BLACKBURN] is called to this bill. The name of Maj. Goodloe is omitted in the body of the bill.

Mr. BLACKBURN. I ask unanimous consent to make the insertion now. I move to strike out the word "him," in line 6, and insert the words "Maj. Green Clay Goodloe, paymaster United States Marine Corps."

Mr. COCKRELL. That is right.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 6, after the word "reimburse," it is proposed to strike out "him" and insert "Maj. Green Clay Goodloe, paymaster United States Marine Corps;" so as to read:

To reimburse Maj. Green Clay Goodloe, paymaster United States Marine Corps, for money stolen, etc.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

## G. M. HAZEN AND OTHERS.

The bill (S. 16) for the relief of G. M. Hazen and others was considered as in Committee of the Whole. It provides for the payment to the following-named persons, their assigns or legal representatives, the amounts due on their respective contracts with the United States, as appears by certified accounts on file in the Treasury Department, viz: To George M. Hazen, \$175; to J. J. Donegan, \$446; to A. Burwell, \$125; to N. C. Blanton, \$430; to Mrs. J. P. Williams, \$900; to Masonic Hall Company, Atlanta, Ga., \$475.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## DAVIDSON DICKSON AND OTHERS.

The bill (S. 19) for the relief of Davidson Dickson and others was considered as in Committee of the Whole. It provides for the payment to the following-named persons, or to their legal representatives, of the amounts due on their contracts with the United States, as appears by certified accounts on file in the Treasury Department, viz: To Davidson Dickson, \$10; to W. B. Daniels, \$28; to J. C. McCrary, \$12.50; to A. Pike, \$100; to estate of James A. Radson, \$771.25; to E. E. Rawson, \$246.33; to M. Sparks, \$100; to Trustees Old Fellows' Lodge, Pulaski, Tenn., \$64.16; to E. Rouff, \$45; to E. C. Clements, \$200; to R. W. Corbin, \$22.50; to J. A. Henry, \$52; to Robert Stevenson, \$54; to Miles S. Draughn, \$60.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## WILLIAM BOND &amp; CO. AND OTHERS.

The bill (S. 236) for the relief of William Bond & Co. and others was considered as in Committee of the Whole. It provides for the payment of certain balances of commissions due them on their purchases of internal-revenue stamps printed from their private dies, as provided in section 3425 of the Revised Statutes of the United States, on the full amount, face value, of stamps purchased, without distinction as to the time when such purchases were made.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ESTATE OF ISAAC P. TICE, DECEASED.

The bill (S. 972) for the relief of the administrators of the estate of Isaac P. Tice, deceased, was considered as in Committee of the Whole. It proposes to confer jurisdiction upon the Court of Claims to retry and determine according to law and in equity the case of the administrators of Isaac P. Tice, deceased, against the United States, decided by the Supreme Court at the October term, 1878, and also to try and determine according to law and in equity the claims of Tice for money collected, but not paid over to him, under the regulations of the Treasury, based upon his contract with the United States. In the retrial the statute of limitations shall not be available against the rights and claims of Tice, but the United States may offer in evidence any evidence given and filed in the prior trial. The court may render a judgment in favor of the administrators of Tice for such sums as may be found to be due and unpaid to him on any of the accounts named.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## WILLIAM M. KEIGHTLEY.

The bill (S. 978) for the relief of William M. Keightley was considered as in Committee of the Whole. It proposes to pay to William M. Keightley, postmaster at Durango, Colo., \$1,350, being amount of clerk hire paid by him from January 4, 1881, to March 31, 1882, during which period the office was in the fourth class.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ROYAL M. HUBBARD.

The bill (S. 975) for the relief of the legal representatives of Royal M. Hubbard was considered as in Committee of the Whole. It provides for the payment to the legal representatives of Royal M. Hubbard, late postmaster at Longmont, Colo., \$600 for rent of post-office during the period from April 1, 1881, to June 30, 1883.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## HORACE A. W. TABOR.

The bill (S. 976) for the relief of Horace A. W. Tabor was considered as in Committee of the Whole. It proposes to pay to Horace A. W. Tabor, of Colorado, \$3,869.94, or so much thereof as shall appear to the proper accounting officer of the Government to have been paid by Tabor for necessary expenses in the Leadville post-office over and above the allowances made for that purpose.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## B. F. ROCKAFELLOW.

The bill (S. 977) for the relief of B. F. Rockafellow was considered as in Committee of the Whole. It provides for the payment of \$614.11 to B. F. Rockafellow, on his account as postmaster at Canyon City, Colo., or so much of that amount as shall appear to the proper accounting officer of the Government to have been paid by Rockafellow for necessary clerk hire in the Canyon City post-office.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ESTATE OF JOHN ERICSSON.

The bill (S. 938) for the relief of the estate of John Ericsson was considered as in Committee of the Whole. It proposes to pay to the personal representatives of John Ericsson \$13,930, for the balance found due Ericsson by the Court of Claims, in February, 1857, for his services in planning the United States war steamer Princeton, and planning and superintending the construction of the machinery of that steamer.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## J. C. IRWIN &amp; CO., AND OTHERS.

The bill (S. 21) for the relief of J. C. Irwin & Co. and C. A. Perry & Co. was announced as next in order.

Mr. COCKRELL. That bill being adversely reported, let it be passed over.

The VICE-PRESIDENT. The bill will be passed over.

## PUBLIC BUILDING AT SPOKANE FALLS, WASH.

Mr. SQUIRE. I ask that Order of Business 100, Senate bill 617, which was passed over without prejudice, may be now considered.

The VICE-PRESIDENT. The title will be stated.

The SECRETARY. A bill (S. 617) providing for the erection of a public building at the city of Spokane Falls, in the State of Washington.

By unanimous consent the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ORDER OF BUSINESS.

Mr. DOLPH. Mr. President—

Mr. CULLOM. I insist upon the regular order.

Mr. SHOUP. I ask for the present consideration of a bill which was passed over without prejudice.

Mr. CULLOM. I insist upon the regular order.

The VICE-PRESIDENT. The regular order is called for.

Mr. CULLOM. We can get along better with these bills in that way, I think.

The bill (S. 1674) incorporating the Society of American Florists was announced as next in order on the Calendar.

Mr. PLATT. That bill was reported by the Senator from Nebraska [Mr. PADDICK], who is not in his seat at this moment. I do not know that I object to it at all, but I wish that it may go over, so that I may examine it.

Mr. DOLPH. I should like to have an explanation or at least have the Senator point out under what clause or section of the Constitution this comes.

Mr. PLATT. I had that in mind, and therefore I asked to have it passed over.

The VICE-PRESIDENT. The bill will be passed over.

## OTTO A. RISUM.

The bill (S. 232) for the relief of Otto A. Risum was considered as in Committee of the Whole. It provides for the allowance to Otto A. Risum, postmaster at Pulcifer, Wis., of \$78, lost in transit by reason of the robbery of the mail.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## REVENUE CUTTERS ON THE GREAT LAKES.

The bill (S. 1681) making an appropriation for the construction of two United States revenue cutters for service on the Great Lakes was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## PUBLIC BUILDING AT ALAMEDA, CAL.

Mr. STANFORD. I desire to call up the bill (S. 1207) to provide for the purchase of a site and the erection of a public building thereon at Alameda, in the State of California.

The VICE-PRESIDENT. Is there objection?

There being no objection, the bill (S. 1207) to provide for the purchase of a site and the erection of a public building thereon at Alameda, in the State of California, was considered as in Committee of the Whole.

Mr. STANFORD. This bill has been reported favorably. Alameda has a population of 11,165; the postal receipts during 1889 were \$7,648.74 and the net revenue \$5,878.40. The town has entirely outgrown the accommodations. The accommodations are such as when the town had only two or three thousand inhabitants. Now the building is entirely insufficient to accommodate a population of over eleven thousand.

Mr. COCKRELL. Mr. President, only a moment ago the Senator from Idaho [Mr. SHOUP] asked to call up a bill on the Calendar which was in the same condition as this bill and the Senator from Illinois [Mr. CULLOM] called for the regular order.

Mr. DOLPH. The bill of the Senator from Illinois has passed since.

Mr. COCKRELL. He called for the regular order. The question is, what is the regular order? I asked the Senator from Idaho, the Senator from Washington, and one or two other Senators to allow their bills to be passed over until we had acted for some time upon the regular order of the Calendar. Now, I have no objection to the Senator from California getting up his bill, because it comes upon the Calendar without objection; but then the Senator from Idaho [Mr. SHOUP] and the Senator from Vermont [Mr. PROCTOR] ought to be treated in the same way.

The VICE-PRESIDENT. This bill was passed over heretofore without prejudice.

Mr. COCKRELL. So was the bill of the Senator from Idaho, and so with the bill of the Senator from Vermont.

Mr. STANFORD. This bill was passed without prejudice. I can see no impropriety in considering and passing the bill now, as it was heretofore passed over without prejudice.

Mr. COCKRELL. If the Senator will just stop his speech the bill will be passed. Nobody has objected to it.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### MILITARY POST BETWEEN BURLINGTON AND HIGHGATE, VT.

Mr. PROCTOR. I ask that Senate bill 1233, Order of Business 150, may be taken up.

Mr. COCKRELL. That was passed over without prejudice, was it not?

The VICE-PRESIDENT. It was passed over without prejudice.

There being no objection, the bill (S. 1233) to establish a military post on the line of railway between Burlington and Highgate, Vt., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT BOISÉ CITY, IDAHO.

Mr. SHOUP. I now ask for the consideration of Senate bill 393, which was passed over without prejudice.

There being no objection, the bill (S. 393) to provide for the purchase of a site and the erection of a public building thereon at Boise City, in the State of Idaho, was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with amendments. The first amendment was, on page 2, line 12, after the word "dollars," to insert "which sum is hereby appropriated;" so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators and approaches, for the use and accommodation of the United States post-office and other Government offices in Boise City, and State of Idaho, the cost of said site and building, including said vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of \$200,000, which sum is hereby appropriated.

The amendment was agreed to.

The next amendment was, to insert at the end of the bill the following paragraph:

The building shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### COLLECTION DISTRICT OF PUGET SOUND.

Mr. DOLPH. Order of Business 125, Senate bill 722, is an important general measure, but very brief, which went over on the objection of one of the Senators from Washington. That objection is withdrawn, or at least no further opposition is made to the bill. I ask to have it taken up for action at this time.

Mr. VANCE. I ask for the regular order.

Mr. DOLPH. This is a very brief bill of general importance.

Mr. FRYE. This is the regular order.

Mr. DOLPH. It can be disposed of in a moment.

The VICE-PRESIDENT. The bill was passed over without prejudice.

Mr. DOLPH. Let it be reported for information.

The VICE-PRESIDENT. The bill will be read.

The bill (S. 722) to amend an act entitled "An act to reorganize and establish the customs collection district of Puget Sound," approved August 28, 1890, was read, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider it.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### FORLORN HOPE STORMING PARTY.

The bill (S. 692) authorizing the Secretary of War to procure and present medals to the survivors of the "forlorn-hope storming party" of Port Hudson was announced as next in order.

Mr. COCKRELL. I ask that that bill may be passed over in order that the Senator from Wyoming may have an opportunity of examining it, without losing its place on the present Calendar.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). It will be so ordered, if there be no objection.

#### ROPES PASS, TEXAS.

The bill (S. 1295) to authorize the construction of jetties, piers, and breakwaters at private expense in the Gulf of Mexico, at the mouth of Ropes Pass, in the State of Texas, was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment, on page 2, section 3, line 11, after the word "desired," to insert "by the Government of the United States;" so as to make the section read:

SEC. 3. That at any time after said improvements and works have been completed as herein provided, and a depth of 20 feet has been obtained, the United States shall have the right to pay the said company, or their assigns, successors, or legal representatives, the value of the works constructed under this act or under or by virtue of any authority granted by the State of Texas, and on such payment being made by the United States all rights to said work on the part of said parties shall cease; but nothing in this act shall be construed as compelling or requiring the Government to take possession of and pay for said works unless so desired by the Government of the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### HOSPITAL CORPS OF THE ARMY.

The bill (S. 552) to amend the act approved March 1, 1887, relating to the Hospital Corps of the Army, was considered as in Committee of the Whole. It proposes to amend section 6 of the act approved March 1, 1887, entitled "An act to organize the Hospital Corps of the Army of the United States, to define its duty, and fix its pay," so as to read as follows:

SEC. 6. That the pay of privates of the Hospital Corps shall be \$19 per month, with the increase on account of length of service as is now or may hereafter be allowed by law to other enlisted men. They shall be entitled to the same allowance as a corporal of the arm of service with which they may be on duty.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### REPRESENTATIVES OF ADELICIA CHEATHAM, DECEASED.

The bill (S. 43) for the relief of the personal representatives of Adelia Cheatham, deceased, was considered as in Committee of the Whole. It provides for the payment to the personal representatives of Adelia Cheatham, deceased, of \$32,074, with interest from October 29, 1868, in full discharge of all claims for money illegally assessed on the 10th of May, 1867, and again on the 14th of March, 1868, by the assessor for the fifth collection district of the State of Tennessee, under the internal-revenue law of the 30th of June, 1864, chapter 173, on crops of cotton raised in Louisiana during the years 1861 and 1862.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### AUGUSTUS BOYD.

The bill (S. 256) for the relief of Augustus Boyd was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 5, before the word "place," to insert "appoint and;" and in line 9, after the word "disability," to insert "and the retired list is hereby increased in number to that extent;" so as to make the bill read:

*Be it enacted, etc.,* That the President be, and hereby is, authorized to nominate and, by and with the advice and consent of the Senate, to appoint and place on the list of retired officers of the United States Army the name of Augustus Boyd, with the rank of captain of staff, this being the actual rank in the regular Army held by him when in the service he received the injury from which he suffers permanent disability; and the retired list is hereby increased in number to that extent: *Provided,* That no pay or allowances shall accrue or be paid to said Augustus Boyd under this act prior to his confirmation.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BRIDGE ACROSS KOOTENAI RIVER, IDAHO.

The bill (S. 1668) to authorize and regulate the construction of a bridge across the Kootenai River, at the town of Fry, County of Kootenai, State of Idaho, was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with amendments. The first amendment was, in section 4, line 6, after the word "purposes," to insert—

Equal rights and privileges shall be given to all telegraph and telephone companies to place their wires on said bridge, and any railroad company desiring to use said bridge for the crossing of its cars and trains thereon shall have the right to do so upon such terms as may be agreed upon by the parties, and if they shall be unable to agree, the Secretary of War shall fix the terms upon which said bridge may be so used—

so as to make the section read:

SEC. 4. That any bridge constructed under the provisions of this act and according to its limitations shall be a lawful structure, and shall be recognized as a post route, upon which no charge shall be made for the transmission over the same of the mails of the United States or for the right of way for United States postal-telegraph purposes. Equal rights and privileges shall be given to all telegraph and telephone companies to place their wires on said bridge, and any railroad company desiring to use said bridge for the



crossing of its cars and trains thereon shall have the right to do so upon such terms as may be agreed upon by the parties, and if they shall be unable to agree, the Secretary of War shall fix the terms upon which said bridge may be so used.

The amendment was agreed to.

The next amendment was, in section 5, line 2, after the word "such," to strike out "bridges" and insert "bridge;" so as to make the section read:

Sec. 5. That all parties owning, occupying, or operating such bridge shall maintain, at their own expense, from sunset to sunrise, throughout the year, such lights thereon as the United States Light-House Board may prescribe.

The amendment was agreed to.

The next amendment was, in section 7, line 1, after the word "shall," to strike out "take effect immediately after its passage" and insert "be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date hereof;" so as to make the section read:

Sec. 7. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date thereof.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### ELIZA K. STARR.

The bill (S. 1220) granting a pension to Eliza K. Starr was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, to strike out "Fifth" and insert "Sixth," and in line 9, after the words "rate of," to strike out "fifty" and insert "thirty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eliza K. Starr, widow of Samuel H. Starr, late colonel Fifth New Jersey Volunteers, and major and brevet colonel Sixth United States Cavalry, and pay her a pension at the rate of \$30 a month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### MILITARY POST NEAR LITTLE ROCK, ARK.

The bill (S. 113) to establish a military post near Little Rock, Ark., was announced as next in order.

Mr. PADDOCK. The hour of 2 o'clock having arrived, I ask that the regular order may be laid before the Senate.

Mr. JONES of Arkansas. I hope that the bill the title of which has been stated may be disposed of.

Mr. PADDOCK. Allow me to have the regular order laid before the Senate, and, when that is done, I will yield to the Senator.

Mr. JONES of Arkansas. Very well.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which is the bill (S. 1) for preventing the adulteration and misbranding of foods and drugs, and for other purposes.

Mr. JONES of Arkansas. I ask that the regular order may be informally laid aside.

The PRESIDING OFFICER. The Senator from Arkansas asks that the unfinished business may be temporarily laid aside until the consideration of the bill the title of which has been read shall be concluded.

Mr. PADDOCK. I yield to the Senator for that purpose.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 113) to establish a military post near Little Rock, Ark.

The bill was reported from the Committee on Military Affairs with an amendment, in section 2, line 6, after the words "sum of," to strike out "two hundred" and insert "fifty;" so as to make the section read:

Sec. 2. That for the purpose of defraying the expenses of locating said army post as aforesaid, and of constructing barracks, quarters, kitchens, mess halls, stables, storehouses, magazines, and other necessary and suitable buildings, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$50,000, or so much thereof as is necessary, the same to be drawn from the Treasury and applied to said purposes under the direction of the Secretary of War: *Provided*, That no part of said sum hereby appropriated shall be expended until the aforesaid tract of land shall have been conveyed to and accepted by the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### CUSTOMS COLLECTION DISTRICT OF TAMPA.

The PRESIDING OFFICER. The Senate, as in Committee of the Whole, resumes the consideration of the unfinished business,

the pending question being on the motion of the Senator from Texas [Mr. COKE] to strike out sections 7 and 8 of the committee's amendment, upon which the yeas and nays have been ordered.

Mr. FRYE. Before that is considered, I should like to have the next bill of the Calendar, Order of Business 185, passed over without prejudice, so that it may not be called up first at the next meeting.

The PRESIDING OFFICER. The title of the bill will be stated.

The SECRETARY. A bill (S. 1956) to amend an act entitled "An act establishing a customs collection district in Florida, to be known as the collection district of Tampa, and for other purposes," approved March 4, 1889.

Mr. FRYE. Now let that bill be passed without prejudice.

The PRESIDING OFFICER. It will be so ordered in the absence of objection.

#### FOOD AND DRUG ADULTERATION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1) for preventing the adulteration and misbranding of food and drugs, and for other purposes, the pending question being on the amendment submitted by Mr. COKE to strike out sections 7 and 8 of the amendment reported by the Committee on Agriculture and Forestry.

Mr. FAULKNER. I move to strike out lines 1 and 2 of the 8th section and part of line 3, down to the word "shall," and insert the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In section 7, beginning in line 1, it is proposed to strike out the words—

"That every person manufacturing or exposing for sale or delivering to a purchaser any drug or article of food included in the provisions of this act which is a subject of interstate commerce.

And insert in lieu thereof:

"That every person who manufactures for shipment and delivers for transportation from any State or Territory to any other State or Territory any drug or article of food, and every person who exposes for sale or delivers to a purchaser any drug or article of food received from a State or Territory other than the State or Territory in which he exposes for sale or delivers such drug or article of food, and which article is in the original unbroken package in which the same was received.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from West Virginia [Mr. FAULKNER].

Mr. PADDOCK. I desire to say for myself that I very cheerfully accept that amendment. It improves the phraseology and I do not think it weakens the bill.

Mr. COCKRELL. I did not catch the point where the amendment is proposed.

The PRESIDING OFFICER. The Secretary will report the amendment.

The Secretary read the amendment of Mr. FAULKNER.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from West Virginia to the matter proposed to be stricken out.

The amendment was agreed to.

Mr. COCKRELL. Now let that section as amended be read. The PRESIDING OFFICER. The section as amended will be read.

The Secretary read as follows:

Sec. 7. That every person who manufactures for shipment and delivers for transportation from any State or Territory to any other State or Territory any drug or article of food, and every person who exposes for sale or delivers to a purchaser any drug or article of food received from a State or Territory other than the State or Territory in which he exposes for sale or delivers such drug or article of food, and when article is in the original unbroken package in which the same was received shall furnish a sample of such drugs or articles of food, etc.

Mr. COCKRELL. Mr. President, that amendment has been agreed to, has it not?

The PRESIDING OFFICER. It has.

Mr. COCKRELL. Now I move to amend, after the words "shall furnish," in line 3, by inserting "within business hours and upon tender and full payment of the selling price;" and by striking out, in line 9, the words "and shall tender him the full value thereof." That will obviate a serious objection made by the Senator from Illinois [Mr. PALMER].

Mr. PADDOCK. So far as I am concerned I will accept that amendment.

The PRESIDING OFFICER. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. After the word "furnish," in line 3 of section 7, it is proposed to insert the words "within business hours and upon tender and full payment of the selling price;" and in line 9, after the word "possession," to strike out the words "and shall tender him the full value thereof."

The PRESIDING OFFICER. If there be no objection, the two amendments will be considered as one, and the question will be put on them as one amendment.



Mr. WHITE. In consequence of this change it will be necessary in the first section, in line 14, after the word "manufactured," to insert: "Provided, The same be in the original or unbroken packages."

Mr. COCKRELL. That does not pertain to this amendment.

Mr. WHITE. Yes, I think it does.

Mr. COCKRELL. It has nothing to do with the amendment pending.

The PRESIDING OFFICER. The question is on the amendment moved by the Senator from Missouri [Mr. COCKRELL] to the matter proposed to be stricken out.

The amendment was agreed to.

Mr. WHITE. Mr. President, as the amendment offered by the Senator from West Virginia [Mr. FAULKNER] has been adopted, I move to insert, after the word "manufactured," in section 1, line 14, the words I before indicated.

The PRESIDING OFFICER. The Chair would state that the original motion before the Senate is to strike out sections 7 and 8, and that amendments are now being offered to perfect those sections before the motion is taken upon striking them out.

Mr. WHITE. Very well.

Mr. VEST. I should like to inquire of the Senator from West Virginia if it is his intention to confine the operation of his amendment to persons who manufacture for shipment and deliver for transportation? It seems to me that would be the meaning of it. I have not the amendment before me, and of course I am dependent upon what I hear from the desk, but it struck me that that would be the operation of the amendment. It says, as I remember, "every person who manufactures for shipment and delivers for transportation." Then, of course, it would be only the manufacturer, and if a person in a State was the manufacturer and then shipped he would be excluded from the operations of the amendment.

Mr. FAULKNER. The object and purpose of the amendment is, as stated by the Senator from Missouri, to limit the right of the investigation as to samples of drugs sold or transhipped from one State to another, or of articles of food shipped from one State to another, so far as the manufacturer is concerned, to the fact that he had brought the article by his own act under the interstate-commerce clause; and until the manufacturer had delivered it or entered, as stated in different decisions of the Supreme Court, the article for transportation, it does not become a subject of interstate commerce under the provisions of the Federal Constitution. I do not think, and never have thought, it was the right of Congress to pass any act authorizing its agents to go into a State and investigate and inquire into the purity of an article, which article had not come within the interstate-commerce clause of the Federal Constitution.

This amendment of mine brings the article before it can be touched in that relation to the Federal Government. Then I think it becomes the right of the agent of the Government to go and ask of the parties a sample of the articles so shipped. The latter part of it refers to individuals, and that limits the right of the agent of the Government to go to a party who has received articles of food or drugs from another State and demand a sample of those while they exist as a subject of interstate commerce, which is up to the time that they remain in the original package, unbroken, and before they become mixed with the great mass of property in the State. When that time comes then the State laws come in and operate upon the question of purity and the examination and inspection of the article. The purpose of my amendment was to make that clear and distinct. Perhaps the bill meant really the same, but I believe we should be very clear in this matter and leave no room for doubt.

My amendment covers the case where there is a sale of an article in the original package. The article is still subject to interstate-commerce regulations, but as soon as it becomes subject to the jurisdiction of the police power of the States, up to the time that it passes from the hands of the party who received it from another State by sale or by the breaking of the package and mixing it with the mass of property in the State, it is still the subject of interstate commerce.

Mr. BUTLER. Mr. President, let the amendment be reported again.

The PRESIDING OFFICER. The amendment already adopted will be read.

The Secretary read section 7 as amended on the motion of Mr. FAULKNER.

Mr. BUTLER. Is that a substitute?

The PRESIDING OFFICER. It is the section as it has been amended, which has been read as far as the Secretary proceeded with the reading.

Mr. HARRIS. I should like to ask the Senator from Missouri or the Senator from West Virginia, for I have not kept up with these amendments, if the taking of these samples and the analysis of them is confined to the thing that has entered into interstate commerce?

Mr. VEST. Precisely.

Mr. HARRIS. Then I do not see exactly why you should go to a manufacturer for a sample, because while the thing remains in the hands of the manufacturer it is not a thing in interstate commerce. When it has gone into the hands of the common carrier on its way to its final destination and has been received by the common carrier I understand it to be a subject of interstate commerce and it continues in interstate commerce until it reaches its destination.

I desire to know if this system of demanding samples is broadcast in respect to manufactories and productions of States while in the States and before they have become things actually in interstate commerce, because in the one case I think the legislation would be constitutional, and in the other I am quite satisfied it would not be.

Mr. VEST. Mr. President, of course I do not hold myself at all responsible for this amendment, but it passed the Senate without any negative vote. I simply call the attention of its friends to the fact that the operation of it is confined exclusively to the manufacturer. Under this amendment, as adopted, if a manufacturer in a State sells an article manufactured to another party, and that party ships it or makes it the subject of interstate commerce, puts it into the hands of the common carrier, then this amendment does not apply. That is the meaning, as I understand, of the Senator from West Virginia. In other words, an article may be adulterated and deleterious to health and life; but if it passes out of the hands of the manufacturer to another citizen of the State and he becomes the shipper to another State or Territory, then the article shipped is not subject to this amendment.

Mr. FAULKNER. I should like to ask the Senator from Missouri whether he thinks, if the manufacturer adulterates an article and sells it in the State and is not in any way responsible for its transportation from that State into another State, he can be made criminally responsible under any Federal statute?

Mr. VEST. I do not know.

Mr. FAULKNER. My idea is that he can not be, and for that reason I have limited it to the manufacturer who adulterates in the manufacture of the article and delivers for transportation to another State.

Mr. VEST. I may be mistaken, Mr. President, as to the scope and purpose of this proposed legislation, but it has been my impression, and nothing in the debate has removed it, that the friends of this measure intended it to apply to all products which were being shipped from one State or Territory to another or from this country to a foreign country; that it was not a penal statute alone intended to punish the adulteration of food or drugs, but that it was intended to get rid of a confessed abuse which now exists in this country in regard to adulteration. The amendment of the Senator from West Virginia, I simply suggest, confines the operation entirely to the manufacturer, and in any event, however much adulteration there may be in an article of food or medicine, if it passes out of his hands in the State and then is shipped to another State or Territory, this proposed law does not affect it. But I am not posing here as a friend of the measure; I simply make the suggestion.

Mr. KENNA. I should like to ask the Senator whether it is his understanding if a manufacturer of any particular article of food manufactures such article in such manner as to bring it within the terms of this bill, will it be any the less an article of interstate commerce because it is sold to a second or third party who ships it to another State than if he ships it himself? And if he ships it or sells it to somebody else who ships it, would it not still be just as much a matter of jurisdiction for Congress as an article of interstate commerce adulterated as if the original manufacturer shipped it himself?

Mr. VEST. Unquestionably it would.

Mr. KENNA. That being the case, ought not this provision—and I make the same suggestion to my colleague—apply just as well in that particular case to the manufacturer as to the second, third, or tenth man who shipped it across the line?

Mr. VEST. I am not talking about the amendment as to the manufacturer, but I am talking about the fact that it stops with the manufacturer. Of course it never becomes an article of interstate commerce unless it is put *in transit*, into the hands of a common carrier, and is actually upon its passage from one State or Territory into another. We all agree about that. Whether we are friendly to the bill or against it we all agree as to that definition.

This amendment confines its operation to the product in the hands of the manufacturer, and when he makes it an article of interstate commerce he lifts it out of the class of cases to which the other Senator from West Virginia referred. Where the manufacturer has sold it in the State to a person who has purchased it and takes it to a common carrier, he starts it from that State to another. That is the operation of the amendment. If that is the intention of it, very well.

The PRESIDING OFFICER. If there be no further amend-

ments intended to perfect the sections, the question recurs on the motion to strike out, on which the yeas and nays have been ordered.

Mr. GEORGE. Mr. President, I think undoubtedly the construction put by the Senator from Missouri [Mr. VEST] upon the amendment offered by the Senator from West Virginia [Mr. FAULKNER] is correct, and because it is correct I think it is a very meritorious amendment to the bill. I regard this whole legislation as vicious. As the bill now stands it can have no operation upon any shipper except the manufacturer, and for that reason I hope that no amendment will be made which will enlarge the scope and operation of that part of the bill.

Mr. WHITE. I should like to ask a question as to the operation of this amendment. Suppose a manufacturer manufactures adulterated goods and sells them to a third party, and that third party ships them before the original package is broken, would they come under the provisions of this bill?

Mr. FAULKNER. If in the hands of the consignee in the State to which they are shipped in the original or unbroken package, they come under the terms of this bill, and not until then.

Mr. WHITE. Then the criticism made by the Senator from Missouri [Mr. VEST] is not well taken. As I understand the amendment, it only makes the shipment wrong when it is done by the manufacturer. Therefore, if he sells the goods to a third person and that third person ships them, the provisions of the bill do not apply.

Mr. VEST. Of course not.

Mr. WHITE. That makes the section wholly inoperative.

Mr. FAULKNER. Mr. President, it strikes me that there can not be any misunderstanding about my amendment. I, of course, intend to limit it to the action of the manufacturer in shipping an article and making it an article of interstate commerce, because if he sells an adulterated article to any one in the State where manufactured, then the State law takes care of that matter and will punish him; but if he sells it to a third party and that party then ships it into another State, the consignee who receives it would be required under the terms of this amendment to give a sample of it to the officers of the Government and have it analyzed, and if it were found to be adulterated he could be punished.

Mr. VEST. Mr. President, the remarks of the Senator from West Virginia illustrate the operation of this bill better than anything I have said about it. He says if an article is adulterated by the manufacturer and sold in the State, then the State laws will take hold of it. The very object of this legislation is to do what the States are presumed not to have done, or else to make this legislation apply to an article that becomes the subject of interstate commerce. Now, it is very evident that if the State laws are enforced in regard to the adulteration of food or drugs there can be, except the ordinary defects which arise in all human legislation, no shipment from one State to another of adulterated food or drugs. If the State does its duty and enforces its statutes, as a matter of course there will be nothing the subject of interstate commerce which is adulterated.

But we are attempting here now to supplement, or, in other words, to do what the State ought to do by the instrumentalities of the General Government and under the interstate-commerce clause of the Constitution. I think he is a very bold legislator who will rise here and say that the police powers of the States do not apply to the quarantine and inspection laws. I take it that no Senator will do so. But we are now attempting under the interstate-commerce clause of the Constitution to supplement the police power of the States. If what the Senator from West Virginia contemplates should be done, and the police power of the State is fairly and honestly exercised upon all the articles of food and drugs within its limits, there will be nothing to be shipped to any other State or Territory from that State which is adulterated. The whole meaning and object of this bill is to do by the General Government what the States have already done or what they should have done.

The PRESIDING OFFICER. The pending question is on the motion to strike out sections 7 and 8 as they have been amended. On this question the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON]. If he were present I should vote "yea." I do not know how he would vote.

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY], and therefore am not at liberty to vote.

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY]. I am informed by the Senator in charge of this bill that he has authority to state that the Senator from Pennsylvania is in favor of the bill. That being so, I vote "nay."

The PRESIDING OFFICER (Mr. PLATT, when his name was

called). The present occupant of the chair is paired with the Senator from Virginia [Mr. BARBOUR]. He would vote "nay" if the Senator from Virginia were present.

Mr. PROCTOR (when his name was called). I am paired with the Senator from Florida [Mr. CALL]. If he were here I should vote "nay."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Rhode Island [Mr. DIXON]. If at liberty to vote I should vote "yea."

Mr. WHITE (when his name was called). I am paired with the Senator from Montana [Mr. POWER]. If at liberty I should vote "yea."

The roll call was concluded.

Mr. BERRY. I desire to state that my colleague [Mr. JONES of Arkansas] is paired with the Senator from New York [Mr. HISCOCK]. My colleague, if present, would vote "yea."

Mr. CAREY. I am paired with the Senator from South Carolina [Mr. IRBY]. If he were present I should vote "nay."

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN], but I am informed that the Senator from Oregon [Mr. MITCHELL] is not paired on this question. I will therefore pair him in his absence with the Senator from Kentucky [Mr. BLACKBURN], and will vote. I vote "nay."

The result was announced—yeas 19, nays 31; as follows:

#### YEAS—19.

Bate,	Colquitt,	Kenna,	Turpie,
Berry,	George,	Morgan,	Vance,
Carlisle,	Gibson, Md.,	Palmer,	Vest,
Chilton,	Harris,	Pasco,	Vilas.
Coke,	Hawley,	Ransom,	

#### NAYS—31.

Allen,	Frye,	Morrill,	Stanford,
Adison,	Gallinger,	Paddock,	Stockbridge,
Casby,	Hale,	Perkins,	Teller,
Cockrell,	Hansbrough,	Sanders,	Warren,
Davis,	Higgins,	Sawyer,	Washburn,
Dawes,	Kyle,	Sherman,	Wilson,
Dolph,	McMillan,	Shoup,	Wolcott,
Faulkner,	Manderson,	Squire,	

#### NOT VOTING—38.

Aldrich,	Cullom,	Hiscock,	Power,
Barbour,	Daniel,	Hoar,	Proctor,
Blackburn,	Dixon,	Irby,	Pugh,
Blodgett,	Dubois,	Jones, Ark.,	Quay,
Brice,	Felton,	Jones, Nev.,	Stewart,
Butler,	Gibson, La.,	McPherson,	Voorhees,
Call,	Gordon,	Mitchell,	Walthall,
Cameron,	Gorman,	Peffer,	White,
Carey,	Gray,	Pettigrew,	
Chandler,	Hill,	Platt,	

So the amendment to the amendment was rejected.

Mr. COCKRELL. I move to strike out section 9.

The VICE-PRESIDENT. The amendment of the Senator from Missouri will be stated.

The SECRETARY. It is proposed to strike out section 9, as follows:

Sec. 9. That in prosecutions for violations of any of the provisions of this act proof of the act done shall be held to imply knowledge and intent on the part of the accused, unless such knowledge and intent shall be disproved on the trial. If it be shown that said dealer is innocent of any intentional fraud, then the action in court shall lie against the dealers having furnished the accused the articles in question, and these dealers shall be parties to the suit.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Missouri [Mr. COCKRELL].

Mr. FAULKNER. What is the amendment?

The VICE-PRESIDENT. To strike out section 9. The question is on the amendment proposed by the Senator from Missouri. [Putting the question.] The ayes appear to have it. The ayes have it, and the amendment to the amendment is agreed to.

Mr. FAULKNER. Mr. President, is that vote on the adoption of the amendment?

The VICE-PRESIDENT. It is. The Chair will put the question again. The question is on the amendment of the Senator from Missouri to strike out section 9. [Putting the question.] The ayes appear to have it. The ayes have it, and the amendment to the amendment is agreed to.

Mr. PADDOCK. Mr. President, I understood that my friend the Senator from West Virginia [Mr. FAULKNER] desired to offer a modification of the section. I do not think he quite understood the stage of parliamentary progress.

Mr. FAULKNER. I understood very well the stage of the question, but the President did not give me a chance to offer my amendment.

Mr. HARRIS. The Chair put the question the second time. Mr. FAULKNER. I do not think the amendment of the Senator from Missouri will affect the bill very much, and therefore I did not insist upon recognition by the Chair in order to offer the modification which I proposed to offer.

Mr. PADDOCK. I think, under the circumstances, the Sena-

of intoxicating liquors, would oppose it. The Committee on Territories, of which Senator PLATT is chairman, and who is a strict temperance man, no doubt moved thereto by my representations concerning affairs in Alaska, are investigating by witnesses matters concerning Alaskan affairs, and I hope will be able to report some measure that will accomplish something to preserve the natives of Alaska from the evils of intemperance.

Yours, truly,

J. N. DOLPH.

To the EDITOR OF THE OREGONIAN,  
Portland, Oregon.

Mr. DOLPH. I will ask leave to have printed as part of my remarks the two bills relating to this question introduced by me, that they may go together.

The VICE-PRESIDENT. Is there objection? The Chair hears none.

The bills referred to are as follows:

A bill (S. 628) to enlarge the jurisdiction and to fix the compensation of United States commissioners in Alaska, to regulate appeals from their judgments, to provide for the appointment of additional commissioners, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in addition to the duties and powers exercised by the United States commissioners in and for the district of Alaska they shall have and exercise all the duties, powers, and jurisdiction vested in, exercised, and held by county judges under the general laws of the State of Oregon so far as said laws may be applicable in said district, and not in conflict with the laws of the United States; and they shall receive such fees as notaries public and for recording instruments as are allowed by said laws of Oregon for similar services, and in addition thereto an annual salary of \$2,000 each, payable out of the Treasury of the United States, which salary shall be in lieu of all fees for services rendered in a judicial capacity or as United States commissioners. An appeal shall lie from the orders and judgments of said commissioners to the district court of said district in all cases, civil and criminal, where an appeal is allowed under said general laws of the State of Oregon from an order or judgment given in the county court or by a justice of the peace, and in the manner prescribed by such general laws.

SEC. 2. That there shall be appointed by the President three additional commissioners in and for said district of Alaska, who shall have the jurisdiction and powers conferred upon commissions by an act entitled "An act providing a civil government for Alaska," approved May 17, 1884, and by this act, and the President shall designate the place where each of said commissioners shall reside, and may determine and establish by executive order the limits and boundaries of the districts of each of the commissioners of said district.

SEC. 3. That all violations, after the passage of this act, of chapter 3, Title XXIII, of the Revised Statutes, and of section 14 of an act entitled "An act providing a civil government for Alaska," for which the penalty provided by law is, or under any act of Congress passed hereafter shall be, not exceeding \$500 fine, or six months' imprisonment, or both such fine and imprisonment, shall be tried by the court without the intervention of a jury.

SEC. 4. That hereafter no special tax shall be collected by the United States from any wholesale or retail liquor-dealer, or any wholesale or retail dealer in malt liquors, or license to retail spirituous or malt liquors granted to any such dealer within the district of Alaska, unless such dealer has been designated in the manner provided by law to sell such spirituous or malt liquor for medicinal, mechanical, scientific, and sacramental purposes.

SEC. 5. That it shall be the duty of the marshal and deputy marshals of said district, of the collector of customs, and all deputy collectors of customs and customs officers to seize and destroy all spirituous and malt liquors found in process of manufacture in said district, or offered, exposed, or intended for sale therein by any person or persons who have not been lawfully designated to dispose of the same for medicinal, mechanical, scientific, or sacramental purposes, and to forthwith report the same, with a statement of the time, place, and circumstances, to the collector of customs, if the seizure is made by an officer other than the collector of customs, and the collector of customs shall at once report all seizures to the Secretary of the Treasury. It shall be the duty of the marshal and of all deputy marshals when called upon by any customs officer to aid him in making any such seizure, and the marshal and any deputy marshal whenever he is forcibly resisted in endeavoring to enforce or aid in enforcing this section, or is by violence, threats, or menace prevented from enforcing this section or aiding in its enforcement, is empowered to summon and call to his aid any bystanders or posse comitatus of his district. Spirituous or malt liquors displayed or found in a saloon, brewery, or other place where liquors are offered for sale, shall be conclusively presumed to be intended for sale.

SEC. 6. That so much and such parts of an act entitled "An act providing a civil government for Alaska," approved May 17, 1884, as are in conflict with this bill are hereby repealed.

A bill (S. 1076) to license and regulate the sale of intoxicating liquors in the district of Alaska.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the passage of this act, upon the written or printed application of any white resident of the district of Alaska over 21 years of age, of good character, to the governor of Alaska for a license to sell intoxicating liquors at some designated place in said district for a period of not exceeding one year, and upon the execution and presentation and filing with the treasurer of said district of the bond of the applicant, with sufficient sureties satisfactory to the governor, in the penal sum of \$1,000, conditioned that the applicant shall keep an orderly house, and will not sell intoxicating liquors to Indians or minors under the age of 18 years, and upon the payment into the treasury of the said district of the sum of \$250, to be disposed of as other moneys received for public dues in said district, the governor of said district, if it shall be made to appear to him that said applicant is a proper person to receive such license, and that a license should be issued to sell intoxicating liquors at the place mentioned in the petition, shall issue a license to said applicant, authorizing him to sell on week days and between 6 o'clock ante meridiem and 12 o'clock midnight only, distilled, malt, or fermented liquors, wines, or cordials, to be drunk on the premises, or in quantities of less than one quart, to persons other than Indians or minors under the age of 18 years.

SEC. 2. For any breach of the conditions of said bond, by keeping a disorderly house, by selling liquor to Indians or minors under the age of 18 years, for smuggling liquors into said district, or aiding or abetting such smuggling, for any violation of the provisions of chapter 3, of Title XXIII, of the Revised Statutes of the United States, or of section 14 of an act entitled "An act providing a civil government for Alaska," as modified by this act, such license shall be revoked by the governor of said district, who shall cause suit to be brought upon said bond, the penalty whereof shall be considered and treated as liquidated damages, and the licensee shall in addition be liable to all the pains and penalties provided by law for such violation of the statute.

SEC. 3. Upon application of said licensee the collector of customs for said district of Alaska shall issue to him a permit to import into said district, for

sale in accordance with and under the limitations and restrictions provided in said license, distilled and malt liquors, wines, and cordials, in such quantities as he shall deem reasonable.

SEC. 4. So much and such parts of chapter 3, of Title XXIII, of the Revised Statutes of the United States and of an act entitled "An act providing for a civil government for Alaska," approved May 17, 1884, as are in conflict with this act, are hereby repealed.

Mr. PEPPER. Will the Senator from Oregon allow me to ask him a question?

Mr. DOLPH. Certainly.

Mr. PEPPER. In what respect does he think the bill proposed by him will improve the condition of affairs with reference to the sale of liquor in Alaska?

Mr. DOLPH. I attempted to state that the other day when I was interrogated by the Senator from North Dakota. As it is now, there is nobody except a few missionaries, school teachers, ladies, and persons in Government employ who are willing to assist the officers of the Government in suppressing the traffic. There is no public opinion in Alaska in favor of enforcing the law. The white population consists of about 4,000 whites, half-breeds, Russians, nearly all of whom will have liquor, and who are there for the purposes of mining, prospecting, and trading. The population is not such a population as will aid the officers in enforcing the law.

The proposition here is to license a few, such as the governor of the Territory shall deem to be suitable persons, and at places where he thinks liquor may be safely sold; but to require them to pay a license fee, require them to give a bond with a penalty conditioned that they will not sell liquor to Indians or to minors, and that they will not violate the law in regard to the introduction and sale of liquors in Alaska, and providing that in case they do the penalty of the bond shall be collected from them, that their license shall be revoked, and that they shall be subject to all the other penalties provided by law. The hope is that if some of these saloon-keepers are licensed who can sell liquor under a license to the white people who will have it, they will be interested in looking after others who do not pay license but smuggle liquor into Alaska and sell it to Indians, and that they will aid the officers in preventing that from being done. That is the only practicable way, in my judgment, to regulate or suppress the liquor traffic in Alaska. If anybody who knows me, or ever has known me, supposes that I would propose a measure concerning the introduction or sale of liquor that would be injurious to the natives of Alaska, or a measure that was not intended to restrict rather than to enlarge the sale, I am sorry that such persons have so poor an opinion of me.

#### PRESIDENTIAL APPROVAL.

A message from the President of the United States by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had this day approved and signed the act (S. 821) to provide for a term of the circuit and district court at Littleton, N. H.

#### PRINTING OF A BILL AND REPORT.

Mr. PROCTOR. I offer a resolution providing for printing 500 copies of Report 317 for the use of the Committee on Military Affairs, and I ask for its immediate consideration.

The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution, as follows:

*Resolved,* That there be printed for the use of the Committee on Military Affairs 500 copies of Report No. 317, being a report on the bill (H. R. 328) to establish lineal promotion throughout the several lines of the artillery, cavalry, and infantry of the Army.

By unanimous consent, the Senate proceeded to consider the resolution.

Mr. MANDERSON. I think that should be amended to include the bill as well as the report; and I will state that the Committee on Printing has made the needed investigation and finds the cost of printing much below the limit of \$500 fixed by the law. I move to amend the resolution the way I have indicated.

The VICE-PRESIDENT. The resolution as proposed to be amended will be read.

The Chief Clerk read as follows:

*Resolved,* That there be printed for the use of the Committee on Military Affairs 500 copies of the bill (H. R. 328) to establish lineal promotion throughout the several lines of the artillery, cavalry, and infantry of the Army, and report No. 317 thereon.

The VICE-PRESIDENT. The question is on the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

#### ADDITIONAL CLERK TO JUDICIARY COMMITTEE.

Mr. HOAR submitted the following resolution: which was read:

*Resolved,* That the Committee on the Judiciary be authorized to appoint an additional clerk, to be paid at the rate of \$6 per day, out of the contingent fund of the Senate, said appointment to expire on the 1st day of June, 1892.

Mr. HOAR. I should like to state for the information of the chairman of the Committee on Contingent Expenses that the Judiciary Committee have found it necessary in years past to

have an additional clerk for a limited time. That was done when the then Senator from Vermont, Mr. Edmunds, was chairman. At the present session the business of that committee has accumulated, for causes which are known to the Senate very well for the last five or six weeks, and the present clerk has broken down on account of trouble with his eyes occasioned by his work. I hope they will be restored in four or five weeks, but that is the occasion for asking for this additional clerk at the present time.

I ask that the resolution may be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE-PRESIDENT. That reference will be made under the rules.

Mr. PADDOCK, subsequently, from the Committee to Audit and Control the Contingent Expenses of the Senate, reported the resolution without amendment.

The VICE-PRESIDENT. The report will be received in the absence of objection.

Mr. PADDOCK. In view of the situation explained by the Senator from Massachusetts, the Committee on Contingent Expenses have considered it to be their duty to report the resolution which he submitted this morning. I ask for its present consideration.

The resolution was considered by unanimous consent and agreed to.

#### AGRICULTURAL DEPARTMENT DEFICIENCY.

The VICE-PRESIDENT. If there be no further morning business that order is closed, and the Calendar under Rule 8 is in order.

Mr. HALE. I ask that the deficiency bill for the Department of Agriculture may be taken up at this time.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6836) making appropriations to supply a deficiency in the Department of Agriculture, and for other purposes.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### NATHANIEL MAGRUDER.

The VICE-PRESIDENT. The first bill on the Calendar will now be stated.

The bill (S. 1759) for the relief of the heirs of Nathaniel Magruder was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides for the payment of \$950 to the heirs of Nathaniel Magruder, of the District of Columbia, in full compensation for damages inflicted upon his property and the health of himself and family by the grading of Thirty-fifth street, in West Washington; one-half of the sum to be chargeable to revenue derived from taxation in the District of Columbia.

Mr. COCKRELL. Let the report be read in that case.

The VICE-PRESIDENT. The report will be read.

The Secretary read the following report, submitted by Mr. VANCE February 1, 1892:

The Committee on the District of Columbia, to whom was referred the bill (S. 1759) for relief of the heirs of Nathaniel Magruder, respectfully report: Nathaniel Magruder, during his life, was the owner of a house and lot situated on Thirty-fifth street, in Georgetown, D. C. It was located in a hollow or basin-like depression of the ground on the upper or west side of said street. In pursuance of a system of improvements made by the city authorities, Thirty-fifth street, in front of complainant's house, was filled up to a level with the second floor of his house, and the arrangement for the carrying off the surface water was such as to be entirely beyond the means of Magruder, who was a very poor man. The authorities neglected or refused to incur the expense necessary for the proper drainage, and the consequence was that the whole surplus water of the entire basin was emptied into and around the foundation of complainant's house.

These facts appeared on a personal visitation by a member of your committee. The premises were, in fact, rendered uninhabitable, and the complainant and his family suffered greatly in health in addition to the utmost discomfort and inconvenience.

The committee is satisfied that the bill (S. 1759) is a just one, and that the amount fixed, \$950, is a very small sum, indeed, in compensation of the injuries and damages inflicted by this improvement in behalf of the public.

Your committee, therefore, recommends that the bill be passed, believing that this case is so obviously deserving as to make it an exception to the general policy adopted in regard to street improvements.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### THOMAS G. HAYES.

The bill (S. 1612) to compensate Thomas G. Hayes for legal services rendered under direction of the Attorney-General was considered as in Committee of the Whole. It provides for the payment to Thomas G. Hayes, late United States attorney for the district of Maryland, of \$800, the amount approved by the Attorney-General, for legal services rendered, under direction of the Attorney-General, in defending the Government's title to the site of Hawkins Point light-house, Maryland, and for like services in the ejectment suit of *Ferguson vs. Hamlen*, to recover

possession of certain land adjacent to Battery Island, Susquehanna River, and occupied by the United States Fish Commission.

Mr. WILSON. There is no written report accompanying the bill, and I will make a brief statement concerning it. The bill was referred by the committee to the Attorney-General for information, and he gives this response:

Senate bill 1612 is a bill to compensate Thomas G. Hayes for legal services rendered under the direction of the Attorney-General. I do not now remember the amount approved as due Mr. Hayes by this office, except as is stated in this bill. If the amount stated be correct as approved, then I not only have no objection to the bill, but think to thus provide for a just debt of the Government would be a most commendable piece of legislation.

Further examination of the subject by the committee establishes the fact that the amount specified in the bill was the amount found due by the Government to the party for the services rendered. I therefore see no objection to the passage of the bill, and hope that it may be passed immediately.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### DISTRICT INSPECTOR OF PLUMBING.

The bill (S. 1492) to authorize the appointment of an inspector of plumbing in the District of Columbia, and for other purposes, was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with amendments.

The first amendment was, in section 1, line 16, after the word "not," to strike out "less than twenty-five nor;" and in line 19, after the word "imprisonment," to strike out "for" and insert "not to exceed;" so as to make the section read:

That the Commissioners of the District of Columbia and their successors be, and they hereby are, authorized and empowered to make, modify, and enforce regulations governing plumbing, house drainage, and the ventilation, preservation, and maintenance in good order of house sewers and public sewers in the District of Columbia, and also regulations governing the examination, registration, and licensing of plumbers and the practice of the business of plumbing in said District; and any person who shall neglect or refuse to comply with the requirements of the provisions of said regulations after ten days' notice of the specific thing required to be done thereunder, within the time limited by the Commissioners for doing such work, or as the said time may be extended by said Commissioners, shall upon conviction thereof be punishable by a fine of not more than \$300 for each and every such offense, or in default of payment of fine, to imprisonment not to exceed thirty days.

The amendment was agreed to.

The next amendment was, in section 4, line 4, after the word "necessary," to insert "which may be authorized by appropriations made by Congress;" so as to make the section read:

SEC. 4. That the said Commissioners of the District of Columbia and their successors be, and they hereby are, authorized and empowered to appoint an inspector of plumbing and such number of assistants as they deem necessary, which may be authorized by appropriations made by Congress, not exceeding four, in and for the District, whose duty it shall be, under the direction of said Commissioners, and they are hereby empowered accordingly, to inspect or cause to be inspected all houses when in course of erection in said District, to see that the plumbing, drainage, and ventilation of sewers thereof conform to the regulations heretofore provided for; and also at any time, during reasonable hours, under like direction, to inspect or cause to be inspected any house in said District, to examine the plumbing, drainage, and ventilation of sewers thereof, and generally to see that the regulations heretofore provided for are duly observed and enforced.

The amendment was agreed to.

The next amendment was to strike out section 5, as follows:

SEC. 5. That the salary of the inspector of plumbing shall be \$2,000 per annum, and that of each of the assistants \$1,200 per annum, payable monthly.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### DISTRICT WATER REVENUES.

The bill (S. 1884) to prevent fraud upon the water revenues of the District of Columbia was considered as in Committee of the Whole.

By the bill, any person who, with intent to injure or defraud the District of Columbia, shall make or cause to be made any pipe, tube, or other instrument or contrivance, or connect the same or cause it to be connected with any water main or service pipe or other pipe for conducting or supplying Potomac water, in such manner as to pass or carry the water, or any portion thereof, around or without passing through the meter provided for the measuring and registering of the Potomac water supplied to any premises, or who shall, without permission from the Commissioners of the District, tamper with or break any water meter or break the seal thereof, or in any manner change the reading of the dial thereof, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by imprisonment not exceeding six months, or by fine not exceeding \$250.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

that under the law receive copies of public documents there would be duplicates.

Mr. WILSON. As we shall not be able to conclude this subject this afternoon—

Mr. VEST. I think we can get a vote now.

Mr. WILSON. In order that Senators may recollect upon this particular phase of the bill at this time and in order that we may attend to some executive matters, I move that the Senate proceed to the consideration of executive business.

Mr. ALLISON. Before that motion is put I ask my colleague to yield to me for a moment.

The PRESIDING OFFICER (Mr. PLATT in the chair). Does the Senator from Iowa yield to his colleague?

Mr. WILSON. I will hear my colleague.

Mr. ALLISON. I have been absent on committee work most of the afternoon and therefore have not listened to all of this interesting debate, but I did listen to the observations of the Senator from Missouri [Mr. VEST] wherein he quoted somewhat from valuable tables. I should like to ask the Senator if those tables are to be printed in the RECORD?

Mr. VEST. Yes, sir; except the one I hold in my hand, which I shall ask to have printed as an executive document.

Mr. ALLISON. Very well. I think those documents may be of value to us when we come to a final vote on the bill, and I should like to have them in print.

Mr. MANDERSON. Not in the RECORD?

Mr. ALLISON. Not the large one.

Mr. VEST. I ask that it be printed as a document.

The PRESIDING OFFICER. The Senator from Missouri asks that the document which he holds in his hand may be printed as a public document. If there be no objection, it will be so ordered.

Mr. VEST. Now, if the Senate is to adjourn over I will ask that the substitute which has been adopted by the Senate be printed.

The PRESIDING OFFICER. That order will be made, if there be no objection.

Mr. GEORGE. I should like to offer an amendment to the bill and have it printed.

The PRESIDING OFFICER. The Senator from Mississippi submits an amendment which he proposes to offer to the bill and he asks that it be printed.

Mr. GORMAN and Mr. VEST. Let it be read.

The PRESIDING OFFICER. The proposed amendment will be read.

The CHIEF CLERK. Insert as an additional section the following:

SEC. —. That all expenditures under the act shall be paid for by the issue, in addition to the amount now authorized by law, of legal-tender Treasury notes, which shall be engraved and printed and be redeemable and be received when taken up in the Treasury, in all respects as now provided by law for legal-tender Treasury notes.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the resolution of the House to print 10,000 copies of the addresses upon the presentation of the portraits of Hon. Galusha A. Grow and Hon. Samuel J. Randall by the Commonwealth of Pennsylvania.

The message also announced that the House had passed the bill (S. 552) to amend the act approved March 1, 1887, relating to the Hospital Corps of the Army, with an amendment in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 4275) to grant to the Champlain and St. Lawrence Railroad Company a right of way across the Fort Montgomery military reservation;

A bill (H. R. 6071) to amend section 1216 of the Revised Statutes, relative to certificates of merit to the enlisted men of the Army;

A bill (H. R. 6493) providing for the taking of depositions in criminal cases; and

A joint resolution (H. Res. 96) to authorize the loan of certain ensigns, flags, and signal numbers for the purpose of decoration of the streets and buildings of Washington on the occasion of the Grand Army encampment in September, 1892.

The message also announced that the House had disagreed to the amendments of the Senate to the following concurrent resolutions of the House, and asked conferences with the Senate on the disagreeing votes of the two Houses thereon;

A resolution to print the eulogies delivered in Congress upon Hon. Leonidas C. Houk, late a Representative from the State of Tennessee; and

A resolution to print the eulogies delivered in Congress upon

Hon. William H. F. Lee, late a Representative from the State of Virginia.

#### EXECUTIVE SESSION.

Mr. WILSON. I now renew my motion.

The PRESIDING OFFICER. The Senator from Iowa moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 5 minutes spent in executive session the doors were reopened and at 4 o'clock and 55 minutes p. m. the Senate adjourned until to-morrow, Friday, March 11, 1892, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate March 10, 1892.*

##### JUDGES OF PROBATE.

Isaac Burton, of Utah Territory, to be judge of probate in the county of Uinta, in the Territory of Utah, his term having expired on January 27, 1892.

James McGarry, of Utah Territory, to be judge of probate in the county of Beaver, in the Territory of Utah, his term having expired on January 27, 1892.

Daniel Page, of Utah Territory, to be judge of probate in the county of Iron, in the Territory of Utah, his term having expired on January 27, 1892.

George C. Veile, of Utah Territory, to be judge of probate in the county of Millard, in the Territory of Utah, his term having expired on January 27, 1892.

Lars P. Edholm, of Utah Territory, to be judge of probate in the county of Morgan, in the Territory of Utah, his term having expired January 27, 1892.

##### PROMOTIONS IN THE ARMY.

##### *Medical Department.*

Lieut. Col. Joseph C. Baily, assistant medical purveyor, to be surgeon, with the rank of colonel, March 9, 1892, vice Norris, retired from active service.

Maj. William D. Wolverton, surgeon, to be assistant medical purveyor, with the rank of lieutenant-colonel, March 9, 1892, vice Baily, promoted.

Capt. John O. Skinner, assistant surgeon, to be surgeon, with the rank of major, March 9, 1892, vice Wolverton, promoted.

##### APPOINTMENTS IN THE ARMY, MEDICAL DEPARTMENT.

*To be assistant surgeons with the rank of first lieutenant.*

Francis A. Winter, of Alabama, March 9, 1892, vice De Hanne, retired from active service.

William E. Purviance, of Illinois, March 9, 1892, vice Steimetz, retired from active service.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate March 10, 1892.*

##### PROMOTION IN THE ARMY.

##### *Infantry arm.*

Second Lieut. Henry P. McCain, Third Infantry, to be first lieutenant.

##### COLLECTOR OF CUSTOMS.

Stuart F. McClearn, of Massachusetts, to be collector of customs for the district of Marblehead, in the State of Massachusetts.

#### HOUSE OF REPRESENTATIVES.

THURSDAY, March 10, 1892.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

##### GOLD AND SILVER CERTIFICATES.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, transmitting, in response to resolution of February 29, 1892, information relative to the amount of gold and silver certificates issued since January 1, 1878; which was referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

##### PORTRAITS OF EX-SPEAKERS GROW AND RANDALL.

The SPEAKER also submitted to the House the House concurrent resolution providing for the printing of addresses delivered in the House of Representatives upon the presentation of the portraits of Galusha A. Grow and Samuel J. Randall, with an amendment of the Senate thereto.



Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent that that Senate amendment, which simply gives the Senate 1,000 copies of these addresses, be concurred in.

The amendment of the Senate was read, as follows:

*Resolved*, That the concurrent resolution of the House of Representatives to print 10,000 copies of the addresses on the presentation of the portraits of Hon. Gabusila A. Grow and Hon. Samuel J. Randall by the Commonwealth of Pennsylvania do pass with the following amendment:

After "portraits," insert "1,000 to the folding room of the Senate, for the use of Senators."

The amendment was agreed to.

The concurrent resolution as amended was adopted.

Mr. RICHARDSON moved to reconsider the vote by which the resolution as amended was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### THE LATE REPRESENTATIVE HOUK.

The SPEAKER also laid before the House the House concurrent resolution to provide for printing the eulogies delivered in Congress upon Leonidas C. Houk, late a Representative of the State of Tennessee, with an amendment of the Senate thereto.

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent that the House disagree to that Senate amendment and ask for a committee on conference.

The amendment was read, as follows:

*Resolved*, That the concurrent resolution of the House of Representatives to print "the eulogies in Congress upon Leonidas C. Houk, late a Representative of the State of Tennessee," do pass with the following amendment:

"Line 5, strike out all after 'Tennessee' to end of resolution, and insert: 'Eight thousand copies; of which number 2,000 copies shall be delivered to the Senators and Representatives of the State of Tennessee, and of those remaining 2,000 shall be for the use of the Senate and 4,000 for the use of the House of Representatives; and the Secretary of the Treasury is directed to have printed a portrait of the said Leonidas C. Houk to accompany the said eulogies.'"

The House, by unanimous consent, disagreed to the Senate amendment and asked for a committee of conference.

#### THE LATE REPRESENTATIVE LEE OF VIRGINIA.

The SPEAKER also laid before the House the concurrent resolution providing for the printing of the eulogies upon Hon. W. H. F. Lee, late a Representative of the State of Virginia, with an amendment of the Senate thereto.

Mr. RICHARDSON. Mr. Speaker, that amendment is similar to the Senate amendment just disagreed to; and I ask unanimous consent that in this case also the House disagree and request a conference.

The Senate amendment was read, as follows:

*Resolved*, That the concurrent resolution of the House of Representatives to print the eulogies delivered in Congress on Hon. W. H. F. Lee, a Representative of the State of Virginia, do pass with the following amendment:

"Line 5, strike out all after 'Virginia,' to the end of the resolution and insert: 'Eight thousand copies; of which number 2,000 copies shall be delivered to the Senators and Representatives of the State of Virginia, and of those remaining 2,000 shall be for the use of the Senate and 4,000 for the use of the House of Representatives; and the Secretary of the Treasury is directed to have engraved and printed a portrait of the said W. H. F. Lee to accompany the said eulogies.'"

There being no objection, the House disagreed to the Senate amendment and asked for a committee of conference.

#### UNITED STATES CIVIL SERVICE COMMISSION.

The SPEAKER also laid before the House a Senate concurrent resolution providing for the printing of 23,000 of the eighth report of the United States Civil Service Commission; which was referred to the Committee on Printing.

#### MILITARY POST BETWEEN BURLINGTON AND HIGHGATE, VT.

The SPEAKER also laid before the House a bill (S. 1233) to establish a military post on the line of railway between Burlington and Highgate, Vt.

Mr. GROUT. Mr. Speaker, I ask unanimous consent that that bill be now considered without being referred to the Committee on Military Affairs. I make the request for the reason that an identical bill has been examined by that committee and reported favorably and unanimously to the House.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

Mr. McMILLIN. Reserving the right to object, let us have the title of the bill read again.

The Clerk again read the title of the bill.

Mr. McMILLIN. Still reserving the right to object, I will ask to have the bill read.

The Clerk proceeded to read the bill.

Mr. McMILLIN (interrupting the reading). Mr. Speaker, I think that bill ought to take the regular course. Its provides for buildings and expenditures.

Mr. GROUT. One word of explanation, if the gentleman pleases. The bill calls for no appropriation. It does not even direct the Secretary of War to construct this post—

Mr. McMILLIN. But it gives him authority to do so.

Mr. OUTHWAITE. If the gentleman from Tennessee will permit me, I will state that a similar bill has been reported favorably by the Committee on Military Affairs.

Mr. McMILLIN. I understand that; but this bill ought to be considered by the House in the regular way. What it proposes may be the correct thing to do, but I want it deliberately considered by the House.

Mr. OUTHWAITE. Then, Mr. Speaker, I ask unanimous consent that the bill be allowed to lie on the Speaker's table for the present.

Mr. McMILLIN. Until what time?

Mr. OUTHWAITE. Until the Committee on Military Affairs shall be reached in its order.

Mr. GROUT. Then the bill can be considered in the regular way.

Mr. McMILLIN. I shall have no objection to that.

Mr. BAILEY. A parliamentary inquiry, Mr. Speaker. In the event that that permission is given, can this bill be then taken up without unanimous consent?

The SPEAKER. No. The Committee on Military Affairs could not call up this Senate bill. They would have to call up a bill reported by themselves.

#### SENATE BILLS REFERRED.

The SPEAKER. The Chair lays before the House a number of Senate bills; and as the titles of these bills have already been printed in the RECORD, if there be no objection, the Chair will refer them without having the titles read.

There was no objection, and it was so ordered.

The following are the bills severally referred:

A bill (S. 8) for the relief of Moses Pendergrass, of Missouri—to the Committee on Claims.

A bill (S. 9) for the relief of E. R. Shipley—to the Committee on Claims.

A bill (S. 15) for the relief of G. M. Hazen and others—to the Committee on Claims.

A bill (S. 19) for the relief of Davidson Dickson and others—to the Committee on Claims.

A bill (S. 43) for the relief of the personal representatives of Adeline Cheatham, deceased—to the Committee on Claims.

A bill (S. 113) to establish a military post near Little Rock, Ark.—to the Committee on Military Affairs.

A bill (S. 115) for the relief of William W. Burns—to the Committee on Claims.

A bill (S. 205) to reimburse Maj. Green Clay Goodloe, paymaster United States Marine Corps—to the Committee on Claims.

A bill (S. 222) for the relief of Otto A. Risum—to the Committee on Claims.

A bill (S. 236) for the relief of William Bond & Co., and others—to the Committee on Claims.

A bill (S. 256) for the relief of Augustus Boyd—to the Committee on Military Affairs.

A bill (S. 393) to provide for the purchase of a site and the erection of a public building thereon at Boise City, in the State of Idaho—to the Committee on Public Buildings and Grounds.

A bill (S. 438) to prohibit the sale of firearms and ammunition to the Indians residing upon reservations—to the Committee on Indian Affairs.

A bill (S. 617) providing for the erection of a public building at the city of Spokane Falls, in the State of Washington—to the Committee on Public Buildings and Grounds.

A bill (S. 661) for the regulation of the practice of dentistry in the District of Columbia and for the protection of the people from empiricism in relation thereto—to the Committee on the District of Columbia.

A bill (S. 698) to authorize the Secretary of the Interior to carry out, in part, the provisions of "An act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations, and to secure the relinquishment of the Indian title to the remainder, and for other purposes," approved March 2, 1889, and making appropriations for the same, and for other purposes—to the Committee on Indian Affairs.

A bill (S. 838) for the relief of the estate of John Ericsson—to the Committee on Claims.

A bill (S. 852) for the relief of Mary L. Ross—to the Committee on Claims.

A bill (S. 972) for the relief of the administrators of the estate of Isaac P. Tice, deceased—to the Committee on Claims.

A bill (S. 975) for the relief of the legal representatives of Royal M. Hubbard—to the Committee on Claims.

A bill (S. 976) for the relief of Horace A. W. Tabor, of Colorado—to the Committee on Claims.

A bill (S. 977) for the relief of B. F. Rockafellow—to the Committee on Claims.

A bill (S. 978) for the relief of William M. Keightley—to the Committee on Claims.



A bill (S. 1106) for the relief of John W. Lewis, of Oregon—to the Committee on Claims.

A bill (S. 1207) to provide for the purchase of a site and the erection of a public building thereon at Alameda, in the State of California—to the Committee on Public Buildings and Grounds.

A bill (S. 1220) granting a pension to Eliza K. Starr—to the Committee on Invalid Pensions.

A bill (S. 1295) to authorize the construction of jetties, piers, and breakwaters at private expense, in the Gulf of Mexico, at the mouth of Ropes Pass, in the State of Texas—to the Committee on Commerce.

A bill (S. 1312) for the relief of Dr. John B. Read—to the Committee on Claims.

A bill (S. 1668) to authorize and regulate the construction of a bridge across the Kootenai River, at the town of Fry, county of Kootenai, State of Idaho—to the Committee on Commerce.

A bill (S. 1681) making an appropriation for the construction of two United States revenue cutters for service on the Great Lakes—to the Committee on Commerce.

*Resolved by the Senate (the House of Representatives concurring).* That 23,000 copies of the eighth report of the United States Civil Service Commission be printed, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 20,000 copies for the use of the United States Civil Service Commission;

to the Committee on Printing.

#### NAVAL APPROPRIATION BILL.

Mr. HERBERT, from the Committee on Naval Affairs, reported a bill (H. R. 7093) making appropriations for the naval service for the fiscal year ending June 30, 1893, and for other purposes; which was read twice, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. McMILLIN. Mr. Speaker, it is understood that all points of order are reserved.

The SPEAKER. That is understood.

#### ANNUAL CLERK FOR COMMITTEE ON ACCOUNTS.

Mr. PEARSON. I am directed by the Committee on Accounts to report back favorably the resolution which I send to the desk, and to ask for its present consideration.

The Clerk read as follows:

*Resolved.* That the Committee on Accounts be allowed an annual clerk at the rate of \$2,000 per annum; and the Committee on Appropriations are hereby instructed to make provision for such clerk in the legislative, executive, and judicial appropriation bill at the rate of \$2,000 per annum from July 1, 1892.

The SPEAKER. Is there objection to the present consideration of this resolution?

There was no objection.

The report of the committee was read as follows:

The Committee on Accounts, to whom was referred the resolution of Mr. Rusk of February 29, 1892, respectfully report that the importance and scope of the work before the Committee on Accounts warrants them in asking an annual clerk. Current accounts which have to be paid during the recess of Congress should receive as much attention as they do during the session of Congress. When the present clerk was appointed, on the 12th day of December, there were over one hundred and eighty accounts, involving the payment of \$33,000, which had accumulated from the 5th of March, 1891, and which should have been audited monthly, but could not be done because of no clerk. It took the present clerk two months, and from fourteen to sixteen hours work per day, to catch up with his current work. The prompt audit of these accounts during the recess of Congress, when the facts can be more definitely ascertained, would naturally result in the more correct disbursements of the public money for the payment of debts contracted and falling due during that period. Owing to the facts set forth in the above report, your committee respectfully recommend that the resolution do pass.

Mr. PEARSON. Mr. Speaker, the reasons for asking that the clerk of this committee be made an annual instead of a session clerk, are fully set forth in the report just read. I may be permitted to say that there are few committees in this House whose work is more important than that of the Committee on Accounts. When the committee took charge of the matters referred to it, we found that there were pending before the committee 180 accounts which had accumulated during the recess, involving the expenditure of \$33,000 in round numbers. It is important that accounts of this kind should be audited monthly, while the items composing them are fresh in the minds of the persons concerned; and I am perfectly confident that the additional amount which will be required to make this an annual clerkship will be fully made up by the money which will be saved by reason of having a clerk always on duty who can audit these accounts at the proper time. I ask that the resolution be adopted.

The resolution was adopted.

On motion of Mr. PEARSON, a motion to reconsider the last vote was laid on the table.

Mr. McMILLIN. I think we had better have the regular order, so that we may proceed with the measure pending before the House.

The SPEAKER. The gentleman from Tennessee demands the regular order.

#### CORRECTION OF A RULE.

Mr. RICHARDSON. I desire to make a privileged report. It is to correct an error in clause 3 of Rule XXII. In the pamphlet copy of the rules, as printed immediately after their adoption at this session, I find in the clause I have mentioned three words which should not be there. The clause has relation to the correction of errors of reference—

The SPEAKER. The Chair suggests to the gentleman that if there is simply an improper print of the rule, there is no occasion for any motion in the House.

Mr. RICHARDSON. The difficulty is that in reprinting the rules this error, already appearing in the pamphlet copy, may be perpetuated. However, if the Chair will take occasion to examine the rule and ascertain the fact, of which I am myself satisfied, that there has been an error—

The SPEAKER. Of course the Journal must be the guide as to the form in which the rules were adopted.

Mr. RICHARDSON. But, Mr. Speaker, the proof which was sent to the Government Printing Office and from which the pamphlet copy of the rules was printed contains the words to which I refer, and which were not in the amendment adopted by the House. If the Chair thinks the error can be corrected without any action by the House—

The SPEAKER. The Chair suggests that the gentleman look at the Journal and ascertain how the matter is.

Mr. RICHARDSON. That course will be satisfactory to me. My wish is simply that the error may not be perpetuated in the rules as printed in permanent form.

The SPEAKER. The gentleman will please examine the Journal.

#### ORDER OF BUSINESS.

The SPEAKER. The regular order being demanded, the committees will be called for reports.

#### PROOF OF LOYALTY IN PENSION CASES.

Mr. OATES, from the Committee on the Judiciary, reported back favorably the bill (H. R. 4518) to repeal in part and to limit sections 3180 and 4716 of the Revised Statutes of the United States; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### BRIDGE ACROSS BRAZOS RIVER, TEXAS.

Mr. GEARY, from the Committee on Interstate and Foreign Commerce, reported back favorably the bill (H. R. 2753) authorizing the Velasco Terminal Railway Company to construct a bridge across the Brazos River, in the State of Texas; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### PIER AT THE MOUTH OF CHICAGO RIVER.

Mr. GEARY also, from the Committee on Interstate and Foreign Commerce, reported back favorably the bill (H. R. 4330) to repeal House resolution No. 191, first session, Fifty-first Congress, granting to the Secretary of War a permit to license to use a pier at mouth of Chicago River; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### BRIDGE ACROSS RIO GRANDE RIVER AT BROWNSVILLE, TEX.

Mr. GEARY also, from the Committee on Interstate and Foreign Commerce, reported back favorably the bill (H. R. 2752) authorizing the Continental Bridge Company to construct a bridge across the Rio Grande River at or near Brownsville, Tex.; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### BRIDGE ACROSS OSAGE RIVER, MO.

Mr. GEARY also, from the Committee on Interstate and Foreign Commerce, reported back with amendment the bill (H. R. 5354) to authorize the construction of a bridge across the Osage River between the town of Warsaw and the mouth of Turkey Creek in Benton County, Mo.; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### BRIDGE ACROSS MISSISSIPPI RIVER AT DAVENPORT, IOWA.

Mr. GEARY also, from the Committee on Interstate and Foreign Commerce, reported back with amendment the bill (H. R. 4476) to authorize the construction of a pontoon bridge across the Mississippi River at or near Davenport, Iowa; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### BRIDGE ACROSS TENNESSEE RIVER AT CLIFTON, TENN.

Mr. GEARY also, from the Committee on Interstate and Foreign Commerce, reported back as a substitute for House bill 2712, a bill (H. R. 7092) to authorize the building of a bridge across the Tennessee River at or near Clifton, Tenn.; which was

read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

House bill 2742 was, by unanimous consent, laid on the table.

#### IMPROVEMENT OF HARBOR AT PHILADELPHIA, PA.

Mr. WILLIAM A. STONE, from the Committee on Interstate and Foreign Commerce, reported back favorably the joint resolution (S. R. 23) relative to the improvement of the harbor at Philadelphia, Pa.; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### MILITARY POST AT HELENA, MONT.

Mr. OUTHWAITE, from the Committee on Military Affairs, reported back with amendment the bill (H. R. 5198) to establish a military post at or near the city of Helena, in Lewis and Clark County, in the State of Montana; which was referred to the Committee of the Whole on the state of the Union, and, with the accompanying report, ordered to be printed.

#### SALARIES RAILWAY POSTAL CLERKS.

Mr. CROSBY (for Mr. ENLOE) reported favorably the bill (H. R. 5671) to reclassify and prescribe the salaries of railway postal clerks; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### STATISTICS OF CITIES.

Mr. BUNTING, from the Committee on Labor, reported a joint resolution (H. Res. 104) providing for the collection of statistics relating to cities; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### PROTECTION OF FOREIGN EXHIBITORS, WORLD'S COLUMBIAN EXPOSITION.

Mr. TILLMAN, from the Committee on Patents, reported favorably the bill (S. 2315) to protect foreign exhibitors at the World's Columbian Exposition from prosecution for exhibiting wares protected by American patents and trade-marks; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### PROOFS IN PENSION CASES.

Mr. BUTLER, from the Committee on Invalid Pensions, reported favorably the bill (H. R. 5757) concerning the burden of proof of soundness and forbidding discrimination in the evidence of witnesses on account of want of official rank in applications for pensions; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### PUNISHMENT OF FALSE SWEARING, POLICE TRIALS, DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported favorably the bill (H. R. 6295) to punish false swearing before trial boards of the Metropolitan police force and fire department of the District of Columbia, and for other purposes; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### LAND TITLES, DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported favorably the bill (H. R. 6013) to amend the laws relating to land titles in the District of Columbia, and for other purposes; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### CONDEMNATION OF ALLEY, WASHINGTON, D. C.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported favorably the bill (H. R. 6646) to pay for an alley condemned in square No. 493 in the city of Washington, D. C.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### FRAUDULENT DEALINGS IN CONSIGNMENTS, DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported favorably the bill (S. 1058) to prevent fraudulent transactions on the part of commission merchants and other consignees of goods and other property in the District of Columbia; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed without amendment the bill (H. R. 6836) making appropriations to supply a deficiency in the Department of Agriculture, and for other purposes.

It also announced that the Senate had passed the bill (S. 1) for preventing the adulteration and misbranding of food and drugs, and for other purposes; in which concurrence was requested.

#### PUNISHMENT FOR THEFT, DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported favorably the bill (S. 1057) to punish the unlawful appropriation or use of the property of another in the District of Columbia; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### PAYMENT OF A CERTIFICATE OF INDEBTEDNESS, DISTRICT OF COLUMBIA.

Mr. MEREDITH, from the Committee on the District of Columbia, reported favorably the bill (H. R. 6891) authorizing the payment of a certificate of indebtedness of the District of Columbia, No. 4987; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### ORDER OF BUSINESS.

The SPEAKER. The morning hour for the call of committees begins at 12 o'clock and 32 minutes. The call rests with the Committee on the Judiciary, and the Clerk will report the title of the bill under consideration at the expiration of the morning hour on yesterday.

The Clerk read as follows:

A bill (H. R. 6493) providing for the taking of depositions in criminal cases.

The SPEAKER. At the expiration of the hour on yesterday the gentleman from Kentucky [Mr. ELLIS] was occupying the floor.

Mr. CULBERSON. I yield to the gentleman from Kentucky three minutes longer.

Mr. ELLIS. Mr. Speaker, I desire to offer an amendment to the bill.

The SPEAKER. Does the gentleman from Texas yield? The gentleman from Kentucky [Mr. ELLIS] desires to offer an amendment.

Mr. CULBERSON. I will yield for the purpose of hearing the amendment read.

The Clerk read as follows:

Amend by striking out the last three words in line 15 and all of lines 16, 17, and 18, and all of line 19 except the last word.

Mr. CULBERSON. I will withhold my consent until I hear the statement of the gentleman.

Mr. ELLIS. I will state the nature of the amendment. The amendment which I propose leaves the bill reported by the committee intact, except that it strikes out that provision in the bill providing that the court may make an order directing that the deposition be taken at the cost of the Government. That feature in the bill I regard as vicious. It ought to be no part of the policy of the Government to take the depositions of the defendant's witnesses. When the Government has furnished the defendant in a criminal or penal prosecution with a speedy trial, and given him compulsory process for the attendance of his witnesses, there the functions of the Government ought to rest. The defendant in every case ought to be required to obtain his own witnesses, and in the case of depositions, as provided in this bill, he ought to be left to take the depositions at his own expense. I do not care to add anything further in support of the amendment.

Mr. CULBERSON. I will yield further time to the gentleman later if he wishes it.

Mr. REILLY. I hope the gentleman from Texas [Mr. CULBERSON] will allow us to have a vote upon that amendment.

Mr. CULBERSON. Mr. Speaker, I only want to call the attention of this House to the fact that this bill merely extends a right which now already exists in a limited degree. I will read the section which this bill originally proposed to amend.

Whenever any person indicted in a court of the United States makes affidavit setting forth that there are witnesses whose evidence is material to his defense, that he can not go safely to trial without them, what he expects to prove by each of them, that they are within the district in which the court is held, or within 100 miles of the place of trial, and that he is not possessed of sufficient means, and that he is actually unable to pay the fees of such witnesses, the court in term, or any judge thereof in vacation, may order that such witnesses be subpoenaed, if within the limits aforesaid. In such cases the costs incurred by the process and the fees of the witnesses shall be paid in the same manner that similar costs and fees are paid in cases of witnesses subpoenaed in behalf of the United States.

Now, it will appear that if a defendant in a criminal case makes affidavit stating the facts prescribed in this statute, and showing that the witness or witnesses live within the jurisdiction of the court or within 100 miles of the place where the court is held, the Government of the United States provides the process and pays the expenses of bringing the witnesses to court in his behalf, if he is unable to incur the expense. This bill simply provides that if the witness or witnesses reside over 100 miles from the place where the court is held, when the defendant makes the affidavit prescribed in the bill the court may issue an order allowing him to take the deposition of such witnesses upon notice to the district attorney; and the bill reported does provide that the Government shall pay the expenses of taking

Petition praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money legal tender in payment of all debts—to the Committee on Finance.

Mr. VANCE presented a memorial of citizens of Hillsboro, N. C., remonstrating against the passage of the bill for the removal of the Ute Indians from Colorado; which was referred to the Committee on Indian Affairs.

Mr. HARRIS. I present the petition of the heirs of William M. Deeson, deceased, by Glenn M. Cooper, of Washington, D. C., praying to be allowed compensation for property taken and used by the United States Army. I move that the petition, with the accompanying documents, be referred to the Committee on Claims.

The motion was agreed to.

Mr. PALMER presented the following petitions of Hawthorn and Catlin Granges, Patrons of Husbandry, of Illinois:

Petition praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petitions praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money legal tender in payment of all debts—to the Committee on Finance.

Mr. COCKRELL presented a petition of citizens of Grundy County, Mo., praying for the passage of Senate bill No. 254, extending the privileges of the free delivery of mails; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. HAWLEY presented the petition of George B. Burrall, Thomas L. Norton, and 150 other citizens of Lakeville, Conn., praying for the closing of the Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. MANDERSON presented a petition of citizens of Fillmore County, Nebr., praying for the passage of what are known as the Washburn-Hatch anti-emption bills; which was referred to the Committee on the Judiciary.

Mr. GRAY presented the following petitions of Fruitland Grange, Patrons of Husbandry, of Delaware:

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money legal tender in payment of all debts—to the Committee on Finance.

Mr. PADDOCK presented a memorial of the Indian Rights' Association, of Philadelphia, Pa., officially signed, remonstrating against any reduction in the Indian appropriations for the coming fiscal year; which was referred to the Committee on Appropriations.

#### REPORTS OF COMMITTEES.

Mr. BLACKBURN, from the Committee on Naval Affairs, submitted a report to accompany the bill (S. 294) in relation to the pay of Rear-Admiral James E. Jouett, United States Navy, heretofore reported by him.

He also, from the same committee, submitted a report to accompany the bill (S. 1558) to remit the time penalties exacted by the Secretary of the Navy from the Pneumatic Dynamite Gun Company of New York, in the construction of the cruiser Vesuvius, heretofore reported by him.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 1912) granting a right of way through the Fort Missoula military reservation in the State of Montana, reported it with an amendment, and submitted a report thereon.

Mr. HALE. From the Committee on Appropriations I report back favorably, with amendments, the bill (H. R. 6876) to provide for certain of the most urgent deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1892, and I give notice that as soon as the bill as proposed to be amended is printed and on the desks of Senators, I shall call it up this afternoon.

The VICE-PRESIDENT. Meanwhile the bill will be placed on the Calendar.

Mr. DOLPH. By direction of the Committee on Commerce, I report back the bill (H. R. 1627) providing for sundry light-houses and other aids to navigation, with amendments, and a written report thereon. These are principally confined to the great lakes and their tributaries.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 110) to amend the charter of the Eckington and Soldiers' Home Railroad Company, reported it with amendments, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 1139) for the relief of Leonard L. Brownson, late first lieutenant Company K, Fifth Vermont Volunteers, reported it with an amendment, and submitted a report thereon.

Mr. PERKINS, from the Committee on the District of Columbia, to whom was referred the bill (S. 2289) to amend sections 727 and 729 of the Revised Statutes relating to the District of Columbia, reported it without amendment, and submitted a report thereon.

Mr. PERKINS. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 4129) to empower the Commissioners of the District of Columbia to grant respites and pardons in certain cases, to report it back favorably without amendment. It is a very brief bill, and I ask for its present consideration.

Mr. COCKRELL. Let it be read for information.

The VICE-PRESIDENT. The bill will be read for information.

The Chief Clerk read the bill.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. COCKRELL. Is there any urgency about this measure any more than any other general legislation in regard to the District?

Mr. PERKINS. The bill is very brief, it has passed the other House, and I thought it could be disposed of when reported. The committee have previously reported the Senate bill upon the same subject, which is upon the Calendar, and I shall, of course, ask that the Senate bill be indefinitely postponed when the House bill is passed. The Commissioners are without this authority now, and they ask for it.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. BUTLER. I think the bill had better go on the Calendar.

The VICE-PRESIDENT. Objection being made, the bill will be placed on the Calendar.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1969) to provide for the disbursement of money appropriated by the acts of 1874 and 1878, making appropriation for the payment of workmen who worked on public improvements under the late board of public works of the District of Columbia, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. VANCE, from the Committee on the District of Columbia, to whom was referred the bill (S. 1714) to prevent cruelty to children in the District of Columbia, and for other purposes, reported it with amendments.

Mr. TURPIE, from the Committee on the Pensions, to whom was referred the bill (S. 323) granting a pension to Thomas Cooper, reported it without amendment, and submitted a report thereon.

Mr. CAREY, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 2498) to authorize the sale of the old custom-house and post-office in Wilmington, Del., reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 2331) for the erection of a public building in the city of Woonsocket, R. I., reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 880) to provide for the construction of a public building at Helena, Mont., reported it without amendment, and submitted a report thereon.

Mr. GIBSON, from the Committee on the District of Columbia, to whom was referred the joint resolution (S. R. 52)

to authorize the Secretary of War to make a survey, plan, and estimate of the cost of constructing a bridge across the Eastern Branch of the Potomac River in the District of Columbia, and for other purposes, asked to be discharged from its further consideration, and that it be referred to the Committee on Appropriations; which was agreed to.

Mr. BUTLER, from the Committee on Naval Affairs, to whom was referred the bill (S. 1290) to provide for the purchase of lands adjoining the United States naval station, Port Royal, S. C., reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1543) authorizing and directing the Secretary of the Navy to contract for the purchase of a lot of land opposite to the Gosport navy-yard, reported it with amendments, and submitted a report thereon.

#### COMPILATION OF A. W. CHURCH AND H. H. SMITH.

Mr. MANDERSON. I am directed by the Committee on Printing, to whom was referred the resolution submitted by the Senator from New Hampshire [Mr. CHANDLER] January 5, 1892, to report it favorably without amendment, and I ask for its present consideration.

The resolution was read, as follows:

*Resolved*, That there be printed for the use of the Senate 500 copies of the Table showing the contents of the several volumes comprising the Annals of Congress, Congressional Debates, Congressional Globe, CONGRESSIONAL RECORD, Statutes at Large, and United States Supreme Court Reports, arranged by years and Congresses, which was compiled for the Senate library by A. W. Church and H. H. Smith; the same being brought down to January 1, 1892.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. COCKRELL. Mr. President—

Mr. MANDERSON. I will explain to the Senator that this is a small pamphlet, prepared by the librarian of the Senate library. It presents the contents in general form of the Annals of Congress, the Congressional Globe, the CONGRESSIONAL RECORD, the Statutes at Large, and I think the Supreme Court Reports, giving all the periods of time that each volume covers. It is a very valuable little publication. The resolution was introduced by the Senator from New Hampshire [Mr. CHANDLER]. The cost of printing 500 copies will be \$132. It is valuable enough surely to print it for the use of Congress.

Mr. COCKRELL. Let the resolution be read again.

The VICE-PRESIDENT. It will be again read.

The Secretary read the resolution.

Mr. COCKRELL. Now, let me understand. Does the pamphlet contain a reference to all the publications now extant of the proceedings of Congress down to this time?

Mr. MANDERSON. Yes, giving the date that each volume covers, to the present.

The resolution was considered by unanimous consent, and agreed to.

#### DISTRICT SEWERAGE.

Mr. MANDERSON. I am directed by the Committee on Printing, to whom was referred the concurrent resolution submitted by the Senator from Michigan [Mr. McMILLAN] February 1, 1892, to report it back favorably without amendment, and I ask for the present consideration of the same.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution; which was read, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed 500 additional copies of the report of the board of sanitary engineers of the District of Columbia upon the sewerage of the District for the official use of the Commissioners of the District of Columbia.

Mr. MANDERSON. I desire to state that the resolution comes from the chairman of the Committee on the District of Columbia, and this limited number of copies of the report on the sewerage of the District is desired by the Commissioners of the District of Columbia.

The resolution was agreed to.

#### REPORT OF THE NATIONAL ACADEMY OF SCIENCES.

Mr. MANDERSON. I am directed by the Committee on Printing, to whom was referred the concurrent resolution submitted by the Senator from Connecticut [Mr. HAWLEY] February 3, 1892, to report it back favorably with an amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution; which was read, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed in addition to the usual number, 3,500 copies of the annual report of the National Academy of Sciences for 1891, in octavo form, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 500 copies for the use of the National Academy of Sciences; and that there be printed, in addition to the usual number, 2,000 copies, in quarto form, of the memoirs of the National Academy of Sciences, which accompany the annual report for 1891, of which 300 copies shall be for the use of the Senate, 500 copies for the use of the House of Representatives, and 1,500 copies for the use of the National Academy of Sciences.

Mr. MANDERSON. I move to strike out all after the word

"number," in the second line, and to insert, so as to make the resolution read:

That there be printed, in addition to the usual number, of the report of the National Academy of Sciences for 1891, 2,000 copies, 500 for use of the Senate, 1,000 copies for use of the House, and 500 for use of the Academy of Sciences; and of the memoirs which accompany the report for 1891, 2,500 copies, 500 for the Senate, 1,000 for the House, and 1,000 for distribution by the Academy of Sciences.

This amendment brings the resolution exactly to the number provided for in the general printing bill which has passed the Senate.

The amendment was agreed to.

The concurrent resolution as amended was agreed to.

#### GEOLOGICAL SURVEY REPORT.

Mr. MANDERSON. I am directed by the Committee on Printing, to whom was referred the concurrent resolution submitted by the Senator from Connecticut [Mr. PLATT] January 6, 1892, to report it back favorably with amendments, and I ask for the present consideration of the same.

There being no objection, the Senate proceeded to consider the concurrent resolution, which was read, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed at the Government Printing Office, in addition to the number already ordered by law, 15,500 copies of the thirteenth annual report of the Director of the United States Geological Survey, uniform with the preceding volumes of the series, of which 3,500 shall be for the use of the Senate, 7,000 for the use of the House of Representatives, and 5,000 for distribution by the Geological Survey.

Mr. MANDERSON. I offer certain amendments to make the resolution conform to the general printing bill passed by the Senate.

The VICE-PRESIDENT. The amendments will be stated.

The CHIEF CLERK. Strike out "15,000" and substitute in lieu thereof "12,000;" strike out "3,500" and insert "3,000;" strike out "7,000" and insert "6,000;" strike out "5,000" and insert "3,000."

The amendments were agreed to.

The concurrent resolution as amended was agreed to.

#### BILLS INTRODUCED.

Mr. DAVIS introduced a bill (S. 2556) authorizing the construction of a bridge across the Red River of the North; which was read twice by its title, and referred to the Committee on Commerce.

Mr. COCKRELL introduced a bill (S. 2557) for the relief of William P. Buckmaster; which was read twice by its title, and referred to the Committee on Claims.

Mr. PROCTOR (by request) introduced a bill (S. 2558) for the relief of Joel T. Winn; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DOLPH. I introduced a bill to create and establish the Pilot Service of the United States and to regulate the pilotage of vessels in the ports and harbors along the coast of the United States. This is a copy of a bill introduced in the other House. I have not examined it sufficiently to desire to be committed to all of its provisions, but I do believe in the general proposition. I wish to state also that I do not introduce it for the purpose of antagonizing any bill now before the Committee on Commerce, but for the sake of bringing the matter before that committee. I ask that the bill be read twice and referred to the Committee on Commerce.

The bill (S. 2559) to create and establish the pilot service of the United States, and to regulate the pilotage of vessels in the ports and harbors along the coast of the United States, was read twice by its title, and referred to the Committee on Commerce.

Mr. HANSBROUGH introduced a bill (S. 2560) granting to the State of North Dakota a site for the State reform school; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. SHOUP introduced a bill (S. 2561) for the relief of William G. Langford; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2562) to provide for the examination and classification of certain mineral lands in the States of Montana and Idaho; which was read twice by its title, and referred to the Committee on Mines and Mining.

Mr. MANDERSON introduced a bill (S. 2563) for the relief of Anna Ella Carroll; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2564) to amend section 6 of the act approved March 3, 1891, entitled "An act to repeal timber-culture laws and for other purposes;" which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

Mr. WHITE introduced a bill (S. 2565) to authorize the Secretary of the Treasury to refund certain moneys collected by the United States; which was read twice by its title, and referred to the Committee on Claims.

this statement so that the facts may be brought out clearly, not specially with reference to the effect upon myself, but rather with reference to the effect upon the good feeling of the House. It does not seem to me to be proper that a member who is willing and anxious to do his duty, and who, even when he is feeling unwell, makes every effort to respond to the requirement of the House as soon as he is notified of it, should be put upon record as having been brought here by force, and for that reason I object to the Journal so far as it puts me in that light.

Mr. BYNUM. Mr. Speaker, the officer of the House has no right to be heard in this matter on the floor, and therefore I think it is only just to him that I should make a short statement in answer to the gentleman from New York. It is well known, even if the Journal does not show the fact, that there was a call of the House last evening, that there was no quorum responding, that the House ordered the arrest of absent members, and that a warrant for such arrest was issued and placed in the hands of the Sergeant-at-Arms.

According to what has been the custom (and I apprehend that no member ought to make any complaint because of this fact) the Sergeant-at-Arms or his deputy, in the execution of the warrant (which simply calls for all absent members, the name of each member being upon a slip of paper), when he meets a member, simply hands him his name and puts him upon his parole to appear at the House. Instead of accompanying the member here, the officer probably says, "Will you go to the Capitol and report at the Sergeant-at-Arms' office?" This has always been done. Of course in such a case the member is constructively under arrest, though in fact not brought here by the officer, but coming voluntarily at his request. This fact, I think, does not free any member from the arrest under which he has been placed; and I believe the Sergeant-at-Arms when he brought here the gentleman from New York [Mr. COOMBS] and the gentleman from Massachusetts [Mr. WALKER], under the circumstances, was discharging the orders of this House.

There is simply one other thing I wish to say. There was some complaint last evening that the Sergeant-at-Arms was executing the orders of the House upon Republican members and not upon Democrats. I take this opportunity to say that while this complaint was made and was probably believed because of the fact that the gentlemen from Massachusetts [Mr. RANDALL and Mr. WALKER] were the first to be arraigned at the bar of the House, yet subsequently the gentlemen from New York [Mr. WARNER and Mr. COOMBS] were brought in. I think the Sergeant-at-Arms was endeavoring to execute the authority of the House fairly and legally, and yet as mercifully as he could. I do not believe he is justly liable to any criticism.

The SPEAKER. The gentleman from New York [Mr. COOMBS] makes a motion to correct that part of the Journal which states he was arrested and brought before the House last night. The Chair will cause a portion of the rule to be read, after which he will submit the motion.

The Clerk read as follows:

Members who voluntarily appear shall, unless the House otherwise direct, be immediately admitted to the Hall of the House, and they shall report their names to the Clerk to be entered upon the Journal as present.

Mr. COOMBS. I had come here to report my name to the Clerk under that rule.

Mr. DOCKERY. I ask that the first paragraph of clause 2 of Rule XXV, be read:

The Clerk read as follows:

2. In the absence of a quorum, fifteen members, including the Speaker, if there is one, shall be authorized to compel the attendance of absent members, and in all calls of the House the names of the members shall be called by the Clerk, and the absentees noted; the doors shall then be closed, and those for whom no sufficient excuse is made may, by order of a majority of those present, be sent for and arrested, wherever they may be found, by officers to be appointed by the Sergeant-at-Arms for that purpose, and their attendance secured; and the House shall determine upon what condition they shall be discharged.

Mr. COOMBS. I wish to make only one further remark in relation to this matter. If I am to be a victim in this proceeding on account of being a Democrat, I am perfectly willing to stand in that position. I have received benefits from the Democratic party, and there is no reason why I should not be willing to stand somewhat in the attitude of a sacrifice on their behalf. [Laughter.] But I do not believe it is the intention or desire of the House to be discourteous or unjust to any member. Hence, I ask a vote on my proposition.

The SPEAKER. The Clerk will read that portion of the Journal which the gentleman from New York moves to amend.

The Clerk read as follows:

The Sergeant-at-Arms appeared at the bar of the House, having in custody Mr. RANDALL and Mr. WALKER, who submitted their excuses for failure to attend.

The Sergeant-at-Arms again appeared at the bar of the House, having in custody Mr. WARNER, Mr. COOMBS, and Mr. QUACKENBUSH.

The SPEAKER. The gentleman from New York moves to correct the Journal—

Mr. WALKER. I ask to be heard before that question is put, because if the gentleman from New York is not excused I ought not to be; and if he is excused, I ought to be. I would like the privilege of saying a word.

The SPEAKER. The Chair recognizes the gentleman on this motion.

Mr. WALKER. Mr. Speaker, I do not ask for any change or modification of the rules of the House on my behalf, and, as I understand, neither does my friend from New York. But the rule explicitly provides, according to my understanding, that members who voluntarily appear when it comes to their knowledge that they are personally wanted at the House to make a quorum, shall be treated differently from those who are arrested and brought before the bar of the House. According to the express provision of the rule, if members voluntarily appear under "a call of the House" they give their names to the Clerk, as has been customary in previous Congresses, and he is required to enter their names on the roll, and that closes the matter.

When I came here last evening I had not been informed that there was any warrant out for my arrest; I was not told that I was under arrest. I supposed I was coming up here voluntarily. When I got halfway here, and while we were talking in the carriage about coming here, the Doorkeeper, who was in the carriage with me, said that certain words had been said to him by one of the officers of the House indicating I was in his charge before we started in the carriage, but not in my hearing.

When I came to the House I was stopped at the door by the assistant sergeant-at-arms, Mr. Hill. I was endeavoring to enter the House, as I had a right to do under the rule of the House. He refused to allow me to come alone, and entered with me, my protestations to the contrary notwithstanding. After the fact came to my knowledge that I was wanted at the House, as I stated, last evening in pursuance of the rule here referred to, I voluntarily appeared, and hence this part of the Journal is manifestly incorrect so far as I am concerned. Either that, or else this rule means nothing at all. It is mere surplusage. I was coming into the House, as I had a right to come in under the rule, to have my name recorded as being present.

Mr. BYNUM. Let me ask the gentleman a question: If it is usual to send for members of the House with a carriage when they are wanted here?

Mr. WALKER. I knew nothing about the carriage.

Mr. BYNUM. You came in it.

Mr. WALKER. I did; but I did not know that it was in the employ of the House. I supposed I was going to pay for it until I got here. [Laughter.]

Mr. O'NEILL of Pennsylvania. Mr. Speaker, I rise to a correction of the Journal.

The SPEAKER. There is a motion to correct the Journal now pending.

Mr. WALKER. Mr. Speaker, one word further and then I am done. I wish to state, so that there can be no mistake about it, that before I knew there was an officer of the House present I was on my way here to the House, and was detained from executing my purpose by the officer and not permitted to proceed.

The SPEAKER. The question is on the motion of the gentleman from New York to correct the Journal by striking therefrom so much as shows that he was arrested under the proceedings of the call of the House last evening and brought before the bar.

Mr. BYNUM. I understand, Mr. Speaker, that this House is required by the Constitution to keep a journal of its proceedings. It is a fact that certain gentlemen were brought here last night under an order of the House, and were presented at the bar of the House, which matter forms a part of the record of the proceedings of this body. If you strike that out now you simply strike from the proceedings of the House that which the Constitution requires to be kept there.

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. COOMBS].

The question was taken: and on a division there were—ayes 72, noes 51.

Mr. DUNGAN and Mr. PEARSON made the point that no quorum had voted.

Mr. COOMBS. Mr. Speaker, I do not want to embarrass the business of the House, and I will withdraw my motion if the opposition is insisted upon.

Mr. PEARSON. I want to insist upon the point that no quorum has voted.

Mr. COOMBS. I have stated that I would withdraw my motion, but I wish to give the reasons: not that I think I am making an unjust or improper request, but simply that I do not want to embarrass the business of the House by further delay.

The SPEAKER. If there be no objection the gentleman's motion will be withdrawn.



There was no objection.

The SPEAKER. If there be no further objection the Journal will be approved.

Mr. O'NEILL of Pennsylvania. I rise to a question of privilege.

The SPEAKER. With reference to the Journal?

Mr. O'NEILL of Pennsylvania. With reference to the Journal.

Mr. Speaker, I am entered on the Journal as one of those who was excused from attendance on the session last night when a call of the House was ordered. Owing to the kindness of my good colleague [Mr. REILLY], ever kind and considerate to me, he had me excused from attendance. What I want to state to the House is that I was not sick, and was not infirm, nor was I prevented from coming by any other reason except that I did not come, having no bills upon the Private Calendar—no pension bills—and, as has been my custom always under such circumstances, I absented myself from the Friday night session.

But, sir, while I do not think that I should have been excused, I certainly do not want to be excused upon any such grounds as those which were stated. For, in my now twenty-seventh year of service in this House, by the blessing of God I never have been detained from the House by sickness but one and one-half days, and I want the Lord to continue his blessing to me so long as I shall be permitted to remain here. [Laughter and applause.]

The SPEAKER. If there be no further objection, the Journal will be approved.

There was no objection.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, announced that the Senate had passed, with amendments, the bill (H. R. 6876) to provide for certain urgent deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1892.

It also announced that the Senate had passed bills of the following titles, in which concurrence was requested:

A bill (S. 2451) authorizing the Secretary of the Treasury to convey to Lucius U. Maltby and Louise W. Maltby his wife, Margaret Elizabeth Lucas, and the Sea Girt Land Improvement Company a piece of land selected as a site for the Squan Inlet light station, New Jersey, but found to be unsuitable for the purposes of said station.

A bill (S. 1616) making Laredo, Tex., a subport of entry.

#### ASSOCIATION OF AMERICAN STUDENTS IN PARIS.

The Speaker laid before the House a letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State, submitting an estimate of appropriation for the rent of a building for the use of the Association of American Students in Paris; which was ordered to be printed, and referred to the Committee on Foreign Affairs.

#### BINDING MANUSCRIPT PAPERS, DEPARTMENT OF STATE.

The Speaker laid before the House a letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State, submitting an estimate of appropriation for continuing the work of binding manuscript papers, Department of State; which was ordered to be printed, and referred to the Committee on Appropriations.

#### AMENDMENT TO ARMY APPROPRIATION BILL.

The Speaker laid before the House a letter from the Secretary of War, transmitting a letter from the Commissary-General of Subsistence, suggesting an amendment to the bill (H. R. 6923) making appropriations for the support of the Army; which was ordered to be printed, and referred to the Committee on Military Affairs.

#### G. W. SMITH, DECEASED.

The Speaker laid before the House a communication from the Court of Claims, transmitting a copy of the finding of the court in the case of G. W. Smith, deceased, against the United States; which was ordered to be printed, and referred to the Committee on War Claims.

#### APPOINTMENT OF CONFEREES.

The SPEAKER announced the appointment of Mr. RICHARDSON, Mr. McKAIG, and Mr. BRODERICK as conferees upon the disagreeing votes of the two Houses upon the amendment to the resolution of the House providing for the printing of the eulogies upon Hon. W. H. F. Lee, late a Representative from the State of Virginia; and upon the disagreeing votes of the two Houses upon the amendment to the resolution of the House to provide for printing the eulogies delivered in Congress upon Hon. Leonidas C. Houk, late a Representative from the State of Tennessee.

#### REPORT OF THE NATIONAL ACADEMY OF SCIENCES, 1891.

The SPEAKER laid before the House the resolution of the

Senate providing for the printing of 2,000 additional copies of the report of the National Academy of Sciences for 1891; which was referred to the Committee on Printing.

#### THIRTEENTH ANNUAL REPORT, UNITED STATES GEOLOGICAL SURVEY.

The SPEAKER laid before the House the resolution of the Senate providing for the printing of 12,000 additional copies of the thirteenth annual report of the Director of the United States Geological Survey; which was referred to the Committee on Printing.

#### SEWERAGE, DISTRICT OF COLUMBIA.

The SPEAKER laid before the House the resolution of the Senate providing for the printing of 700 additional copies of the report of the board of sanitary engineers of the District of Columbia upon the sewerage of the District, for the official use of the Commissioners of the District of Columbia; which was referred to the Committee on Printing.

#### SENATE BILLS REFERRED.

The SPEAKER also laid before the House the following bills of the Senate; which were severally read a first and second time, ordered to be printed, and referred to the committees named below:

A bill (S. 44) for the relief of William Clift—to the Committee on War Claims.

A bill (S. 218) donating to the county of Clallam, in the State of Washington, for public buildings, the proceeds of the sale of certain public lands—to the Committee on Public Buildings and Grounds.

A bill (S. 370) granting an increase of pension to James H. Osgood—to the Committee on Invalid Pensions.

A bill (S. 620) to amend an act entitled "An act to promote the administration of justice in the Army," approved October 1, 1890—to the Committee on Military Affairs.

A bill (S. 621) to provide for the collection, custody, and arrangement of the military records of the American Revolution and the war of 1812—to the Committee on Military Affairs.

A bill (S. 695) to authorize the Secretary of the Interior to survey and mark the boundary between the State of Nebraska and the State of South Dakota which lies west of the Missouri River—to the Committee on Appropriations.

A bill (S. 798) for the relief of the legal representatives of John H. Jones and Thomas D. Harris—to the Committee on War Claims.

A bill (S. 839) granting a right of way to the Jamestown and Northern Railway through the Devils Lake Indian Reservation, in the State of North Dakota—to the Committee on Indian Affairs.

A bill (S. 1492) to authorize the appointment of an inspector of plumbing in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

A bill (S. 1612) to compensate Thomas G. Hayes for legal services rendered under direction of the Attorney-General—to the Committee on Claims.

A bill (S. 1644) authorizing the Continental Bridge Company to construct a bridge across the Rio Grande River at or near Brownsville, Tex.—to the Committee on Interstate and Foreign Commerce.

A bill (S. 1647) to authorize the Alabama Grand Trunk Railroad Company to bridge across the Tallapoosa and Coosa Rivers—to the Committee on Interstate and Foreign Commerce.

A bill (S. 1759) for the relief of the heirs of Nathaniel Magruder—to the Committee on Claims.

A bill (S. 1884) to prevent fraud upon the water revenues of the District of Columbia—to the Committee on the District of Columbia.

A bill (S. 2001) for the relief of the sufferers by the wreck of the United States revenue cutter Gallatin off the coast of Massachusetts—to the Committee on Claims.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the following concurrent resolution:

*Resolved by the Senate (the House of Representatives concurring). In pursuance of the legislation heretofore taken for the acquisition of a suitable site for a Government Printing Office, that the Committee on Printing, acting jointly with the House Committee, be, and the same are hereby, empowered and instructed to ascertain the most suitable site for that purpose (in the District), looking to the future growth of the country and the growing demands upon the printing establishment, ascertain the fair value of the same, and make report of such investigation and result.*

EDWARD S. ARMSTRONG.

Mr. NORTON. Mr. Speaker, I ask unanimous consent that the bill (S. 18) for the relief of Edward S. Armstrong may be permitted to lie on the Speaker's table until such time as the Com-



they defined the nature of these invitations, the extent to which they should go, and the authority to borrow articles of great interest to the people of the United States. It is a mere loan from persons who regard the articles as almost priceless treasures, and the question of appropriation and how far it should be limited, whether it should be \$1,000 or \$100,000, is all left to the Committee on Appropriations.

Mr. COCKRELL. By having the joint resolution printed we can judge of it with a great deal more accuracy, and there is plenty of time during the remainder of the week. It must therefore go over.

The VICE-PRESIDENT. The joint resolution will be placed on the Calendar.

Mr. PETTIGREW. I am instructed by the Committee on the Quadro-Centennial (Select), to whom was referred the joint resolution (S. R. 41) extending an invitation to the Presidents of the American Republics and the governors of American colonies to participate in the World's Columbian Exposition, to report it back favorably with an amendment. I shall not ask its consideration at this time.

I will state that the committee in considering these joint resolutions struck out all the appropriations, because it was objected that no appropriation should be made without a limit being fixed upon it. We thought as we were inviting people to be our guests it would not look well to tell them in advance just how much money we were going to spend to entertain them, and that we would allow the particular item to be provided for in some regular appropriation bill without calling too much attention to it.

The VICE-PRESIDENT. The joint resolution will be placed on the Calendar.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 1216) for the relief of the First Methodist Church, in the city of Jackson, Tenn.;

A bill (H. R. 2576) for the relief of the estate of Andrew J. Duncan, deceased; and

A bill (H. R. 3885) to increase the pension of George R. Allen.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6875) to provide for certain of the most urgent deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1892, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SAYERS, Mr. HOLMAN, and Mr. DINGLEY managers at the conference on the part of the House.

The message further announced that the House had appointed Mr. RICHARDSON, Mr. MCKAIG, and Mr. BRODERICK, managers on the part of the House at the conferences on the disagreeing votes of the two Houses on the amendments of the Senate to the following concurrent resolutions of the House:

Resolution to print the eulogies delivered in Congress upon Hon. Leonidas C. Houk, late a Representative from the State of Tennessee; and

Resolution to print the eulogies delivered in Congress upon Hon. W. H. F. Lee, late a Representative from the State of Virginia.

#### ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 6836) making appropriations to supply a deficiency in the Department of Agriculture, and for other purposes; and it was thereon signed by the Vice-President.

#### URGENT DEFICIENCY APPROPRIATIONS.

Mr. HALE. I ask that the urgent deficiency appropriation bill, which has just come over from the House of Representatives, may be laid before the Senate with the request of the House for a conference.

The VICE-PRESIDENT. The Chair lays before the Senate the action of the House of Representatives on the bill (H. R. 6876) to provide for certain of the most urgent deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1892, disagreeing to the amendments of the Senate to the bill and asking for a committee of conference thereon.

Mr. HALE. I move that the Senate insists on its amendments, and agree to the request of the House for a conference.

The motion was agreed to.

By unanimous consent the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. HALE, Mr. ALLISON, and Mr. COCKRELL were appointed.

#### CHANGE OF REFERENCE.

Mr. DOLPH. On the last business day of the session the Senator from Idaho [Mr. SHOUP] introduced a bill (S. 2562) to pro-

vide for the examination and classification of certain mineral lands in the States of Montana and Idaho, which was referred to the Committee on Mines and Mining. Looking at the bill I think the subject-matter should go to the Committee on Public Lands, as the Committee on Public Lands have already jurisdiction of a bill introduced by the Senator from Montana on the same subject. I understand that the Senator who introduced this bill is willing that the reference shall be changed. It should be referred to the Committee on Public Lands, and I therefore ask that that be done.

The VICE-PRESIDENT. That change of reference will be made in the absence of objection. The Chair hears no objection.

#### BILLS INTRODUCED.

Mr. BLACKBURN introduced a bill (S. 2569) for the relief of the legal representatives of Thomas L. Alexander; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CARLISLE introduced a bill (S. 2570) to increase the pension of Margaret E. Merrill; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BUTLER introduced a bill (S. 2571) to amend section 19 of an act entitled "An act to regulate commerce," approved February 4, 1887; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. FAULKNER introduced a bill (S. 2572) to carry out the findings of the Court of Claims in the case of Henry T. Woody; which was read twice by its title, and referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 2573) for the relief of Albert J. Pratt, administrator; which was read twice by its title, and referred to the Committee on Claims.

Mr. ALLISON introduced a bill (S. 2574) to promote the safety of railway employes and travelers and requiring common carriers engaged in interstate commerce to equip their cars with automatic couplers of a standard uniform type and continuous train brakes and their locomotives with power brakes, and for other purposes; which was read twice by its title.

Mr. ALLISON. I wish to say that this bill has been prepared by a committee of railway State commissions, of which Mr. Spencer Smith of my State was chairman, and I expect that it is a valuable contribution to the general subject. I move that the bill be referred to the Committee on Interstate Commerce.

The motion was agreed to.

Mr. McMILLAN introduced a bill (S. 2575) to provide for the sale of certain lots in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. SANDERS introduced a bill (S. 2576) for the relief of C. L. Coder; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALLEN. For the Senator from Minnesota [Mr. DAVIS], who is necessarily called from the Chamber, I introduce a bill. The bill (S. 2577) for the relief of the legal representatives of Jacob H. Smysen was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALLEN introduced a bill (S. 2578) granting the use of certain land in Walla Walla County, State of Washington, to the city of Walla Walla, for the purposes of a public park; which was read twice by its title.

Mr. ALLEN. In connection with this bill I wish to present the memorial of the city council of the city of Walla Walla, signed by Hon. John L. Roberts, mayor, praying for the passage of this bill; also, a like memorial signed by Hon. Thomas H. Brents, ex-Delegate in Congress, Hon. George T. Thompson, State senator, Hon. S. C. Wingard, late justice of the supreme court, W. H. Upton, judge of the superior court of Washington, and 150 others of Walla Walla, to like effect. I accompany the bill with a map also. I move that these petitions and the map accompanying the bill be referred to the Committee on Military Affairs.

The motion was agreed to.

Mr. CHANDLER introduced a bill (S. 2579) for the final settlement of the claims of the State of New Hampshire for the reimbursement of national bounties advanced to recruits mustered into the service of the United States under the President's call of October, 1863; which was read twice by its title, and referred to the Committee on Claims.

Mr. DIXON introduced a bill (S. 2580) granting a pension to Henry A. Frink; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SAWYER introduced a bill (S. 2581) granting an increase of pension to Mary A. Curtiss; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COKE (by request) introduced a bill (S. 2582) to provide for an inspector of mines in the Indian Territory, and for other

purpose; which was read twice by its title, and referred to the Select Committee on the Five Civilized Tribes of Indians.

Mr. MITCHELL introduced a bill (S. 2583) for the relief of William J. Murtagh, late proprietor of the National Republican, of Washington, D. C.; which was read twice by its title, and referred to the Committee on Claims.

Mr. WHITE introduced a bill (S. 2584) to remove the charge of desertion standing against the name of John L. Arms; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BLODGETT introduced a bill (S. 2585) granting a pension to Jacob Dissenger; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 2586) to reimburse George C. Tanner, late consul, etc., the sum of \$200, paid by him for rent of rooms; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. HIGGINS introduced a bill (S. 2587) to grant a pension to Emily T. McMurtrie; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 2588) granting an honorable discharge to Henry W. Cartist; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2589) for the relief of Francis Seala; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2590) granting a pension to Clara D. Hoyt; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 2591) to relieve John Davis of the charge of desertion, and to grant him an honorable discharge; which was read twice by its title, and referred to the Committee on Military Affairs.

HON. THOMAS J. ROBERTSON.

Mr. BUTLER submitted the following resolution; which, with the accompanying brief, was referred to the Committee on Privileges and Elections:

*Resolved*, That the Secretary be, and is hereby, authorized and directed to pay to Hon. Thomas J. Robertson, late a Senator from South Carolina, \$—, the amount due him as Senator in the Fortieth Congress from the 1st of March, 1867, until he was paid; said payment to be made from the miscellaneous items of the contingent fund of the Senate.

STATUE OF GEN. JOHN PATTERSON.

Mr. DAWES submitted the following; which was read:

*Resolved*, That the Committee on the Library be instructed to inquire into the expediency of giving permission to the descendants of Gen. John Patterson, of the Revolutionary army, to place in the Capitol at their own expense a statue of him; and that said committee indicate the character and location of the same.

Mr. DAWES. I wish to say, in asking for the consideration of the resolution at this time, that Gen. Patterson rendered conspicuous service in the Revolutionary war at the battle of Bunker Hill, at the siege of Boston, and at Ticonderoga, and among other things was one of the court-martial that tried Maj. André. I have caused to be prepared a sketch of his military services, which I will ask to have referred to the committee if the Senate shall adopt the resolution. His descendants now propose, with the permission of Congress, to place in the Capitol, at their own expense, if that be proper, a statue of Gen. Patterson, under the direction of the Committee on the Library.

I hope there will be no objection to the adoption of the resolution.

Mr. COCKRELL. Let the resolution be again read.

The VICE-PRESIDENT. The resolution will be again read.

The Chief Clerk read the resolution.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. COCKRELL. I fear that might be forestalling the committee by requiring them before they had passed upon the propriety of receiving the statue to designate a location for it.

Mr. DAWES. They are only to inquire into the expediency of it. The resolution only gives them jurisdiction.

Mr. COCKRELL. Let the last part of the resolution be again read. I think the resolution goes further than that.

The VICE-PRESIDENT. The resolution will be again read.

The Chief Clerk again read the resolution.

Mr. DAWES. That is, if the committee conclude to give permission they will indicate the place and character.

Mr. COCKRELL. If that is the understanding, I have no objection.

The resolution was considered by unanimous consent, and agreed to.

Mr. DAWES. I ask that the paper which I had in my hand may be referred to the committee with the resolution.

The VICE-PRESIDENT. That order will be made in the absence of objection.

ANTONIO MAXIMO MORA.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the President be requested to communicate to the Senate, if not in his opinion incompatible with the public interests, the diplomatic and consular correspondence in regard to the claim of Antonio Maximo Mora, a citizen of the United States, against the Government of Spain, since and including Mr. Caleb Cushing's note of October 21, 1875, to the Count of Cava Valencia; also the correspondence between the Government of the United States and Mr. Mora, his agents or attorneys, during the same period on the same subject.

COLLECTION DISTRICT OF PUGET SOUND.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed, and the Calendar under Rule VIII is in order.

Mr. DOLPH. I ask that the motion of the Senator from Washington [Mr. SQUIRE] to reconsider the vote by which the Senate passed the bill (S. 722) to amend the act entitled "An act to reorganize and establish the customs-collection district of Puget Sound," approved August 28, 1890, was passed, be now taken up.

The VICE-PRESIDENT. The question is on the motion to reconsider the vote by which the bill was passed.

Mr. SQUIRE. Mr. President, this is a measure that affects the State of Washington in an important degree. It is proposed by this bill to cut off all that portion of Washington which borders on the Columbia River for more than 100 miles from its mouth. I have proposed a reconsideration of this bill with a view of asking the Senate to commit the bill to the Committee on Commerce, for the reason that I had no notice of the bill until it was reported favorably by the Committee on Commerce and I saw it on the Calendar. I think fair play entitles the State through her representatives here to such a showing as can be made and ought to be made on this subject.

However, I understand the Senator from Oregon [Mr. DOLPH] proposes to have the discussion take place right here and now on this question of reconsideration, and then he proposes to make a motion to lay it on the table. With that understanding of the matter, I shall proceed to present a few suggestions briefly in an offhand manner to the Senate.

I learn from the Treasury Department that in the erection or institution of new customs collection districts it is the policy of the Government to follow State lines as near as practicable. And it seems to me this is done for a very good reason. It assimilates the habits of the people in all respects as regards the operations of the different departments of the Government. For example, this is done in reference to the United States courts and the administration of State affairs. In this way the operation of law becomes simple so far as relates to the boundaries of districts, and the people are less likely to be confused. Besides this, it is important that the statistics of commerce of the various States, so far as practicable, should be exhibited through the reports made from the collectors of customs.

In accordance with this view a very excellent act was passed, approved August 28, 1890, providing for the reorganization and establishment of the customs-collection district of Puget Sound. In this act it was provided that there be a head port of entry at Port Townsend and that there be subports of entry at Seattle, at Tacoma, at Port Angeles, and at some point on Bellingham Bay, and at some point on Gray's Harbor, "and such other points as the Secretary of the Treasury may from time to time designate."

Under this provision there have been made since the passage of this act subports of entry at Aberdeen, on Gray's Harbor, at New Whatcom, on Bellingham Bay, and at Blaine, which is right on the boundary line between the State of Washington and British Columbia. It is contemplated that at no distant day a subport be located near the mouth of the river, on the Washington State side.

There are already indications of a much larger development there than has been going on heretofore. The nature of the country is such that it can be easily developed. The nature of the holding ground there for vessels is such that they like to lie there at Baker's Bay; and I myself have alighted from an ocean steamer just after getting over the turbulent waters of the Columbia River bar. When we had arrived at the placid waters of Baker's Bay I stepped right upon an elegant river steamer that goes up to Portland, and therefore I judge that it is a place which can naturally be developed into a fine port of entry.

The point I make is this: Under the present law all that is needed is the action of the Secretary of the Treasury to designate this place as a port of entry. That is combated by the Senator from Oregon with the statement that whenever a subport of entry is needed there, one can be created by law. That, of course, is true. But why throw away the opportunity that these people possess to have a subport created there by the action of the Secretary of the Treasury at any time?

The State of Washington is growing very rapidly. It is not like some of the older States, and even in the older States I doubt

Petitions praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petitions praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Mr. ALLEN presented the following petitions of Washougal Grange, Patrons of Husbandry, of Washington:

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Mr. GALLINGER presented the following petitions of Golden Rod and Advance Granges, Patrons of Husbandry, of New Hampshire:

Petitions praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petitions praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

#### REPORTS OF COMMITTEES.

Mr. TURPIE, from the Committee on Pensions, to whom was referred the petition of William C. Tarkington, of Marion County, Ind., praying for an increase of pension, submitted a report thereon, accompanied by a bill (S. 2592) granting an increase of pension to William C. Tarkington; which was read twice by its title.

He also, from the same committee, to whom was referred the petition of Samuel M. Campbell, of Marion County, Ind., praying for an increase of pension, submitted a report thereon, accompanied by a bill (S. 2593) granting an increase of pension to Samuel M. Campbell, of Marion County, Ind.; which was read twice by its title.

He also, from the same committee, to whom was referred the bill (S. 1303) to increase the pension of Mrs. S. A. Farquharson, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the petition of Adelia New, praying to be allowed a pension, submitted a report thereon, accompanied by a bill (S. 2605) granting a pension to Adelia New; which was read twice by its title.

Mr. PADDOCK, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

A bill (S. 1572) granting an increase of pension to H. Cook Griffith;

A bill (S. 542) granting an increase of pension to Ezra A. Miller; and

A bill (S. 870) for the relief of Daniel W. Boutwell.

Mr. PADDOCK, from the Committee on Pensions, to whom was referred the bill (S. 1188) granting a pension to Samuel P. Glenn, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1675) granting an increase of pension to John Kinney, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1535) to increase the pension of Andrew J. Monroe, reported it with an amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 453) granting a pension to Eliza Conroy, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1148) granting a pension to Mary A. Wise, reported it with amendments, and submitted a report thereon.

Mr. SHOUP, from the Committee on Pensions, to whom was referred the bill (S. 520) granting an increase of pension to Oliver P. Goodwin, reported it without amendment, and submitted a report thereon.

Mr. WHITE, from the Committee on Public Lands, to whom was referred the bill (S. 2123) to set apart a tract of land in the State of California for the use of the Lick Observatory of the astronomical department of the University of California, to report it adversely, because a similar bill, a House bill, has already passed the Senate. I move that this bill be indefinitely postponed.

The motion was agreed to.

Mr. DAWES, from the Committee on Indian Affairs, to whom were referred three amendments submitted by Mr. PERKINS and one amendment by Mr. CAREY on the 9th inst, intended to be proposed to the Indian appropriation bill, reported them favorably, and moved their reference to the Committee on Appropriations; which motion was agreed to.

Mr. ALLEN, from the Committee on Public Lands, to whom was referred the bill (S. 1140) for the relief of John C. Smith, Milton Evans, and others, reported it with amendments, and submitted a report thereon.

Mr. JONES of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (S. 1624) to authorize the Quamah and Oklahoma Railway Company to construct and operate a railway in the Indian Territory, and for other purposes, reported it with an amendment.

#### BILLS INTRODUCED.

Mr. BERRY introduced a bill (S. 2594) for the adjustment of the rights of the Indians and Indian tribes to lands owned or occupied by them in the Indian Territory, and for other arrangements with a view to the creation of a State embracing such Territory; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MORGAN. I have a bill that I desire to introduce and to send to the Committee on Post-Offices and Post-Roads. We have had for several days a very earnest debate here about providing facilities for post-offices in the different towns and cities and villages of the country. I have had some personal observation and experience about this matter, especially during the last summer, and I think that without changing any law that is on the statute book, but by adding to the facilities of the Post-Office Department for obtaining the use of buildings for post-office purposes, we can very easily interest private capital and private enterprise in the building of these post-offices upon long terms of lease, say renewable after the lapse of 10 years at the instance of the Post-Office Department, at a fixed rate of rental which shall be the maximum, a rate not to be exceeded and liable to be reduced, if it may be, by biddings between people in the localities for the contract of rental, the house to be in all respects according to a plan and specifications to be arranged by the Postmaster-General, and to be located within a district of town, or village, or city where the commercial and industrial convenience of the people would be best subserved, to be furnished in a style to be prescribed in the specifications, to have either iron safes or fire-proof vaults, or both, as the Postmaster-General might require, according to the importance of the business to be done, and to have an open policy of insurance taken out in the name of the lessor for the benefit of the United States, to cover from time to time any property of the Government that might be exposed to fire and loss thereby in the course of years, and other details which are presented in the bill and which I now mention for the purpose of inviting the attention of the Committee on Post-Offices and Post-Roads to the subject, for it is really a crying want in the country to have safe, secure, convenient, and healthy post-offices. Not only so, but the system of leasing as it is now conducted is one of reckless extravagance, and necessarily so, not because the Post-Office Department wants to spend money recklessly, but because it cannot help itself.

In various towns and villages, say villages of three or four thousand inhabitants and towns of twelve or fifteen thousand inhabitants, especially in the Southern country, the post-offices are almost entirely found in some building that is occupied by other business, above stairs usually. It is a building that has been erected for the purpose of carrying on merchandise or some mechanical industry, not at all fitted for the purposes of a post-office, inconvenient as to light, as to heat, as to drainage, as to water supply, and in various other ways very inconvenient and very unsafe. The bill that I propose prevents the occupation of a post-office building for any other purposes than for those that belong legitimately to the service of a post-office.

Having said this much about it, Mr. President, I will introduce the bill and have it referred to the Committee on Post-Offices and Post-Roads, with the sincere hope that they may take the subject up and dispose of it. I think it is presented in a simple form.

The bill (S. 2595) to increase the facilities of the Post-Office Department for obtaining the use of buildings for post-office purposes was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. COLQUITT. The bill which I now introduce is a bill to provide salaries for United States marshals and for divers other objects connected with the collection of internal revenue. It was prepared by a very capable lawyer, who, by reason of his connection with one of the Departments in this city for a long time and subsequently being attached to the revenue service in the States, is well acquainted with the evils which are sought to be remedied, and after consultation with divers officers engaged similarly he has sent me this draft of a bill. All of its specific provisions I do not approve of; but the object of the bill is in perfect accord with my views, and it is introduced with the hope that in the discussion of it by the able Committee on the Judiciary some measure may be prepared that will remedy the evils which are recognized to exist everywhere, and the result will be generally acceptable.

Mr. VEST. I simply wish to remark to the Senator from Georgia that a bill has been prepared and is now pending in the Judiciary Committee, coming from a subcommittee, and it will be examined by the full committee, which fixes the fees of United States district attorneys. A bill fixing the fees of United States marshals is now pending before the Judiciary Committee and is under the consideration of the Attorney-General, who will, I understand, send it back to the committee for their action in a few days. Of course this bill will be considered by the committee, but the chairman is here to speak for the committee.

Mr. HOAR. I did not understand what the Senator was referring to.

Mr. VEST. The Senator from Georgia [Mr. COLQUITT] proposes to introduce a bill fixing the fees of United States attorneys and marshals, and I simply remarked that there was already such a bill pending before the Judiciary Committee.

Mr. HOAR. I may add, Mr. President, that the matter has received very industrious attention from the Senator from Missouri [Mr. VEST] and the Senator from Colorado [Mr. TELLER] as a subcommittee, who have taken great pains to collect the necessary data with reference to the proper amount of salaries to be allowed, if the salary system should be substituted. The bill of the Senator from Georgia will be referred to those gentlemen as a subcommittee, and they will obtain such information as is necessary about it.

The bill (S. 2696) to provide salaries for United States marshals, United States attorneys, and clerks of circuit and district courts of the United States, and to regulate fees of United States deputy marshals, circuit court commissioners, and for other purposes, was read twice by its title, and referred to the Committee on the Judiciary.

Mr. JONES of Arkansas introduced a bill (S. 2597) to include lot 89, at Hot Springs, Ark., in the public reservation at that place; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. GALLINGER (by request) introduced a bill (S. 2598) for the relief of George W. Quintard; which was read twice by its title, and referred to the Committee on Claims.

Mr. FELTON (by request) introduced a bill (S. 2599) releasing the right, title, and interest of the United States to the piece or parcel of land known as the Cuartel lot to the city of Monterey, Cal.; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PEPPER introduced a bill (S. 2600) to regulate the value of certain coins and pieces of money, to give to all sorts of current money equal qualities of legal tender, and to prohibit and prevent discriminations in favor of gold coin or bullion as money; which was read twice by its title, and referred to the Committee on Finance.

Mr. PERKINS introduced a bill (S. 2601) to amend an act entitled "An act to grant the right of way to the Pittsburg, Columbus and Fort Smith Railway Company through the Indian Territory, and for other purposes;" which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. KYLE introduced a bill (S. 2602) to establish a military post near the city of Forest City, in Potter County, in the State of South Dakota; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PALMER introduced a bill (S. 2603) for the erection of a public building at the city of Lincoln, Ill.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. McMILLAN introduced a bill (S. 2604) to reclassify and prescribe the salaries of railway postal clerks; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

#### AMENDMENT TO A BILL.

Mr. CASEY submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### PETITIONS WITHDRAWN AND REFERRED.

Mr. ALLISON. I ask for the adoption of an order. I am not sure that the order is necessary, but I think it is.

The VICE-PRESIDENT. The order will be read.

The order was read, as follows:

*Ordered.* That the petitions of the Iowa Farmers' Alliance in favor of the anti-option bill, introduced at the last Congress, be withdrawn from the files of the Senate and referred to the Committee on the Judiciary.

Mr. ALLISON. I would strike out "of the Iowa Farmers' Alliance" and insert "all," after the first word, "that." There are a great number of such petitions, I will state to the Senate, which were presented during the last Congress, and they are on the files of the Senate. I think the Judiciary Committee ought to have the benefit of those petitions.

Mr. PADDUCK. Why not make it general, so as to cover all?

Mr. ALLISON. I think that should be done. So I ask that the word "all" be inserted so as to read, "that all the petitions in favor of the anti-option bill introduced at the last Congress be withdrawn from the files of the Senate and referred to the Committee on the Judiciary."

Mr. HOAR. I think it would be better to have it include all petitions and memorials on the subject.

The order as modified was agreed to, as follows:

*Ordered.* That all the petitions in favor of the anti-option bill introduced at the last Congress be withdrawn from the files of the Senate and referred to the Committee on the Judiciary.

#### URGENT DEFICIENCY APPROPRIATIONS.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6876) to provide for certain of the most urgent deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1892, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 8, 9, and 10; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows:

In lieu of the sum proposed insert "\$5,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$6,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of said amendment insert the following:

"Health department: For the collection and removal of garbage, \$16,000, of which sum not more than \$8,000 shall be expended in payment of expenses heretofore incurred, and the balance shall be expended for said work during the remainder of the fiscal year; and legal proceedings shall forthwith be instituted and fully prosecuted against the old contractor and his bondsmen under the contract for said work."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"One deputy marshal, at \$3 per day until and including March 31 next, and after said date all compensation for said deputy marshal shall be paid from fees received by the marshal."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$18,950;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with amendments as follows:

Insert, after the word "purposes," in line 8 of said amendment, the words "until the fifteenth day of April next;" and in the last line of said amendment strike out the words "first day of May" and insert in lieu thereof the words "fifteenth day of April;" and the Senate agree to the same.

EUGENE HALE,

W. B. ALLISON,

F. M. COCKRELL,

*Managers on the part of the Senate.*

JOSEPH D. SAYERS,

NELSON DINGLEY, JR.,

*Managers on the part of the House.*

The VICE-PRESIDENT. The question is on agreeing to the report.

Mr. HALE. Mr. President, before the report is acted upon I wish to take occasion to call the attention of Senators to a difficulty which is met by the Senate conferees in conference with the House conferees.

The House conferees complain that in many cases where the papers have come in from the Departments or otherwise they are not first submitted to the House in making up its bills, and that where there is ample opportunity given, if that fails to be done, the House itself as a body, or its committee representing the body, has no chance to fully examine the matter. The conferees on the part of the Senate were impressed somewhat with the force of this objection.

Whole, proceeded to consider the bill. It proposes to amend section 1216 of the Revised Statutes, so as to read:

SEC. 1216. That when any enlisted man of the Army shall have distinguished himself in the service, the President may, at the recommendation of the commanding officer of the regiment or the chief of the corps to which such enlisted man belongs, grant him a certificate of merit.

Mr. HAWLEY. I will state the nature of the correction. The statute on that subject was passed with the word "private," describing the soldier, that the certificate of merit might be granted to a private soldier. That was found to rule out non-commissioned officers who frequently distinguish themselves in Indian fights and ought to have the reward of merit. So we change the statute from "private soldier" to "enlisted man."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. PEPPER. Some weeks ago I introduced a bill for the relief of Daniel W. Boutwell, and it was referred to the Committee on Pensions. The relief is in the nature of a claim against the Government, and it appears that the claimant was not an enlisted soldier. For that reason the Committee on Pensions very properly reported the bill adversely. I have drawn another bill, with a view of having it referred to the Committee on Claims, which I think is the proper committee. I now introduce a similar bill for that purpose.

The bill (S. 2617) for the relief of Daniel W. Boutwell, was read twice by its title, and referred to the Committee on Claims.

Mr. PEPPER introduced a bill (S. 2618) to establish an electrical experiment station for the purpose of investigating and determining whether electricity can be profitably applied as a motive power in the propulsion of farm machinery and implements; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. McMILLAN introduced a bill (S. 2619) to vacate part of Madison street and extend Y street, in Georgetown; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2620) for the relief of Patrick Cahan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2621) for the relief of Thomas P. Sheehan and Robert Dunn, composing the firm of Sheehan & Dunn; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2622) for the removal of the charge of desertion from the record of Timothy Way; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. SHERMAN introduced a bill (S. 2623) to provide for the erection of a public building in the city of East Liverpool, Ohio; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. VOORHEES introduced a bill (S. 2624) granting an increase of pension to Amelia A. Taylor; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT introduced a joint resolution (S. R. 63) for the appointment of a commissioner from the District of Columbia, to act with commissioners from the States, for the promotion of uniformity of legislation in the United States; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed a concurrent resolution to print 45,000 copies of the Special Report on the Diseases of the Horse.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore*:

A bill (S. 1058) to prevent fraudulent transactions on the part of commission merchants and other consignees of goods and other property in the District of Columbia;

A bill (H. R. 3980) ratifying the act of the Sixteenth Territorial Legislative Assembly of Arizona, approved March 19, 1891, making appropriation in aid of Arizona's exhibit at the World's Columbian Exposition;

A bill (H. R. 6876) to provide for certain of the most urgent deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1892; and

A bill (H. R. 5755) to provide for terms of the United States circuit and district courts at Cumberland, Md.

#### AMENDMENT TO A BILL.

Mr. PETTIGREW submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### REPORT ON DISEASES OF THE HORSE.

The PRESIDENT *pro tempore* laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

*Resolved by the House of Representatives (the Senate concurring). That there be printed 45,000 copies of the Special Report on the Diseases of the Horse, prepared under the supervision of the chief of the Bureau of Animal Industry; 10,000 copies for the use of members of the Senate, and 35,000 copies for the use of the members of the House of Representatives.*

#### EXECUTIVE SESSION.

Mr. HOAR. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After four hours and twenty-five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Friday, March 18, 1892, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate March 17, 1892.*

##### REGISTER OF LAND OFFICE.

George M. Bowen, of Alpine, Colo., to be register of the land office at Leadville, Colo., vice Henry R. Pendery, term expired.

##### PROMOTIONS IN THE NAVY.

Paymaster Robert P. Lisle, to be a pay inspector in the Navy, from the 19th of January, 1892, vice Pay Inspector James Hoy, retired.

Passed Assistant Paymaster Reah Frazer, to be a paymaster in the Navy, from the 19th of January, 1892, vice Paymaster R. P. Lisle, promoted. To be subject to the examinations required by law.

Passed Assistant Paymaster Henry R. Smith, to be a paymaster in the Navy, from the 19th of February, 1892, vice Paymaster John F. Tarbell, retired. To be subject to the examinations required by law.

Passed Assistant Paymaster Hiram E. Drury, to be a paymaster in the Navy, from the 25th of February, 1892, vice Paymaster C. P. Thompson, retired.

##### APPOINTMENT IN THE NAVY.

Champe Carter McCulloch, a resident of Texas, to be an assistant surgeon in the Navy, to fill a vacancy in that grade.

##### POSTMASTERS.

Mrs. Dora Clow, to be postmaster at Arkadelphia, in the county of Clark and State of Arkansas, in the place of Elizabeth J. Cook, whose commission expired January 16, 1892.

Joseph W. Cavis, to be postmaster at Stockton, in the county of San Joaquin and State of California, in the place of William C. Smith, deceased.

Asa A. Hardman, to be postmaster at Leesburg, in the county of Lake and State of Florida, in the place of John C. Luning, whose commission expired January 9, 1892.

Frank A. Battey, to be postmaster at Englewood, in the county of Cook and State of Illinois, in the place of Oliver N. Goldsmith, whose commission expired January 23, 1892.

Hibben S. Corwin, to be postmaster at Peru, in the county of La Salle and State of Illinois, in the place of Hibben S. Corwin, whose commission expired January 16, 1892.

Nicholas Morper, to be postmaster at South Evanston, in the county of Cook and State of Illinois, in the place of Nicholas Morper, whose commission expires April 6, 1892.

William S. Strong, to be postmaster at Morris, in the county of Grundy and State of Illinois, in the place of Eugene B. Fletcher, resigned.

Fred W. Edmonds, to be postmaster at Kinsley, in the county of Edwards and State of Kansas, in the place of Walter S. Hebron, resigned.

Laura Goodfellow, to be postmaster at Fort Leavenworth, in the county of Leavenworth and State of Kansas, in the place of Clara L. Nichols, resigned.

Edwin J. Smith, to be postmaster at Whit hall, in the county of Muskegon and State of Michigan, in the place of John H. Chapman, whose commission expired January 23, 1892.

George Andrus, to be postmaster at Chatfield, in the county of Fillmore and State of Minnesota, in the place of Harry L. Acheson, whose commission expired January 30, 1892.

George W. Sheemaker, to be postmaster at Albany, in the



county of Gentry and State of Missouri, in the place of Francis M. Sater, removed.

Mary F. Ballantine, to be postmaster at Syracuse, in the county of Otoe and State of Nebraska, in the place of Mary F. Ballantine, whose commission expires March 19, 1892.

Charles Wood, to be postmaster at Sidney, in the county of Delaware and State of New York, in the place of Thomas N. Poole, removed.

James J. Perkins, to be postmaster at Greenville, in the county of Pitt and State of North Carolina, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Isaac N. Eveleth, to be postmaster at National Military Home, in the county of Montgomery and State of Ohio, in the place of Alvan S. Galbreath, resigned.

Henry G. White, to be postmaster at Millersburg, in the county of Holmes and State of Ohio, in the place of Allen G. Sprankle, whose commission expires April 5, 1892.

William H. Bosserman, to be postmaster at Newport, in the county of Perry and State of Pennsylvania, in the place of Joshua S. Leiby, whose commission expired January 5, 1892.

William F. Briggs, to be postmaster at Honesdale, in the county of Wayne and State of Pennsylvania, in the place of Eben H. Clark, whose commission expires March 20, 1892.

Jonathan N. Laugham, to be postmaster at Indiana, in the county of Indiana and State of Pennsylvania, in the place of Fannie W. Nixon, whose commission expired December 21, 1891.

Asaph S. Light, to be postmaster at Lebanon, in the county of Lebanon and State of Pennsylvania, in the place of William M. Braslin, whose commission expired February 3, 1891.

Hiram Young, to be postmaster at York, in the county of York and State of Pennsylvania, in the place of James B. Small, deceased.

Joseph Hare, to be postmaster at Hill City, in the county of Pennington and State of South Dakota, the appointment of a postmaster for said office having, by law, become vested in the President on and after October 1, 1891.

George H. Chipman, to be postmaster at Childress, in the county of Childress and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Robert L. Livingston, to be postmaster at Plano, in the county of Collin and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Charles D. Kimball, to be postmaster at Mount Vernon, in the county of Skagit and State of Washington, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

George S. McWilliams, to be postmaster at Oakesdale, in the county of Whitman and State of Washington, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Edward L. Whittemore, to be postmaster at Kent, in the county of King and State of Washington, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1892.

Andrew E. Elmore, to be postmaster at Fort Howard, in the county of Brown and State of Wisconsin, in the place of James Tiernan, whose commission expires April 5, 1892.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate March 11, 1892.*

##### APPOINTMENT IN THE NAVY.

Charles Perry Bagg, a resident of California, to be an assistant surgeon in the navy.

##### CIRCUIT JUDGES.

William A. Woods, of Indiana, to be United States circuit judge for the seventh judicial circuit.

William L. Putnam, of Maine, to be United States circuit judge for the first judicial circuit.

Walter H. Sanborn, of Minnesota, to be United States circuit judge for the eighth judicial circuit.

William H. Taft, of Ohio, to be United States circuit judge for the sixth judicial circuit.

Nathan Goff, of West Virginia, to be United States circuit judge for the fourth judicial circuit.

George M. Dallas, of Pennsylvania, to be United States circuit judge for the third judicial circuit.

Nathaniel Shipman, of Connecticut, to be United States circuit judge for the second judicial circuit.

Andrew P. McCormick, of Texas, to be United States circuit judge for the fifth judicial circuit.

Joseph McKenna, of California, to be United States circuit judge for the ninth judicial circuit.

#### HOUSE OF REPRESENTATIVES.

THURSDAY, March 17, 1892.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read.

##### RETURN OF A BILL TO A COMMITTEE.

Mr. BOWERS. Mr. Speaker, I ask to get a bill returned to the Military Committee, which was put in the petition box by mistake. My request is that the bill H. R. 4639, to remove the charge of desertion from the military record of Romantus Lake, which was put in the petition box by mistake, and is now on the Calendar, be returned, together with the report upon it, to the committee.

The SPEAKER. The gentleman states that the bill was reported by mistake, and it will be returned to the committee.

##### QUESTION OF PRIVILEGE.

Mr. BUTLER. I rise to a question of privilege in connection with the RECORD, in reference to a speech that was delivered and held for revision. The member from Massachusetts [Mr. WALKER] in delivering his address on the tariff question the other day, was interrupted by me, with his consent, to ask a question. I was excited a little in regard to what transpired at that time—

Mr. ATKINSON. I wish to suggest that the gentleman from Massachusetts [Mr. WALKER] is not now here.

[Mr. WALKER at this point entered the Hall.]

Several MEMBERS. The gentleman is here now.

Mr. BUTLER. Being permitted to ask a question of the member from Massachusetts [Mr. WALKER] the answer he gave to me excited me somewhat, and I responded in words that were not really characteristic of a gentleman. I did not answer him as I would have answered him without provocation; and as that provocation does not appear in the revised report in the RECORD, it got abroad through the country that I do not understand what a gentleman ought to do in talking with another; but with the provocation appearing, I think my remarks would be wholly justified. I hold in my hand the report of the Official Reporter, which states exactly what the conversation was between us.

Mr. WALKER. If the gentleman will allow me, suppose that he reads from the RECORD as published. I think he will have nothing to complain of if he reads the report as it appears in the RECORD.

Mr. BUTLER. I will.

Mr. WALKER. If the gentleman will examine the RECORD he will see that I have acceded to his request and done exactly what he asked me to with reference to omitting the colloquy from the RECORD and I think it will be satisfactory to him if he will examine that.

Mr. BUTLER. Mr. Speaker, I made no request of the member from Massachusetts, and do not understand his suggestion; I have admitted that my remarks were not gentlemanly. I am sorry that I was induced to make them; but I made them under a provocation that will justify every word I said; but the gentleman from Massachusetts has taken the official report as made by the reporters, has revised it, and has cut out every part of his insulting remark to me, and has left my less insulting remarks as being made without provocation.

Now I insist that the remarks of the member from Massachusetts to myself, which were the provocation for my remarks to him, shall appear in the RECORD, or else that my remarks be stricken out as well as his own. It is no more than fair. I do not insist that the member from Massachusetts shall be compelled to have printed in the RECORD his remarks which were so ungentlemanly. I am willing that he shall appear to be "the gentleman from Massachusetts" as well as the member from that State; but I do insist that no man has the right to change the records of this House in such a way as to make my remarks appear ungentlemanly instead of his own, when the contrary is the truth in the case. The conversation as it appears by the notes of the Official Reporter, is as follows:

Mr. BUTLER. May I ask the gentleman a question for information?

Mr. WALKER. I will.

Mr. BUTLER. I will be very brief. The gentleman stated, as I understood him, that the average tariff rate in England was seventy-odd per cent, and in this country forty-odd. Is that the reason why the manufacturer in England makes a larger per cent of profit than the American manufacturer?

Mr. WALKER. I object to the gentleman proceeding unless he reads from the RECORD as published.

Mr. BUTLER. I am reading from the official report, to show that the RECORD is not in accordance therewith.

The SPEAKER. The gentleman states that he is reading from the notes of the Official Reporter.

Mr. BUTLER. Now, to the question I have just read, the RECORD shows the member from Massachusetts as replying:

Mr. WALKER. Your question was not sincere; you are not asking that question for information—not by any manner of means.



Colo.: a petition of the Free Silver Club, of Crested Butte, Colo.; and a petition of the Silver League Club, of Breckinridge, Colo.: praying for the free and unlimited coinage of silver: which were referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Akron, Colo., remonstrating against the cession of arid lands to the States and Territories: which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

Mr. VEST presented a memorial of Roseoe Post, No. 367, Grand Army of the Republic, of Missouri, remonstrating against the passage of the free-coinage bill: which was referred to the Committee on Finance.

He also presented the petition of H. G. Kiehl and other citizens of Columbia, Mo., praying for the passage of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose: which was referred to the Committee on the Judiciary.

He also presented the following petitions of Mount Carmel and Oral Granges, Patrons of Husbandry, of Missouri:

Petitions praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petitions praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. COCKRELL presented a petition of sundry citizens of Cooper County, Mo., praying for the passage of what are known as the Washburn-Hatch antioption bills: which was referred to the Committee on the Judiciary.

He also presented a memorial of the Kansas City (Mo.) Board of Trade, remonstrating against the passage of what are known as the Washburn-Hatch antioption bills: which was referred to the Committee on the Judiciary.

He also presented a memorial of Roseoe Post, No. 367, Grand Army of the Republic, of Missouri, remonstrating against the passage of the free-coinage bill: which was referred to the Committee on Finance.

He also presented the following petitions of Washington Grange, Patrons of Husbandry, of Missouri, signed by A. W. Gross, master, and John N. Shouse, secretary:

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—referred to the Committee on Finance.

Mr. ALLEN presented a petition of Wide West Grange, No. 75, Patrons of Husbandry, of Washington, signed by Albert Cavitt, master, praying for the passage of the Conger lard bill: which was ordered to lie on the table.

He also presented a petition of Wide West Grange, No. 75, Patrons of Husbandry, of Washington, signed by Albert Cavitt, master, praying for the passage of what is known as the Butterworth antioption bill: which was referred to the Committee on the Judiciary.

He also presented a petition of Wide West Grange, Patrons of Husbandry, of Washington, praying for the passage of a bill to prevent the adulteration of food and drugs: which was ordered to lie on the table.

Mr. GALLINGER presented the following petitions of Honor Bright, Bow Lake, Pomona, and Barnstead Granges, Patrons of Husbandry, of New Hampshire:

Petitions praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petitions praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain is-

ssues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. DOLPH presented a petition of citizens of Coos County, Oregon, praying for the passage of the antioption bill: which was referred to the Committee on the Judiciary.

Mr. HALE presented the petition of Solomon Robitschek and other citizens of Westbrook and Portland, Me., praying that an appropriation be made to transport provisions given by the people of the United States to the Russian people, and for such legislation as will inure to the benefit of the sufferers in Russia: which was referred to the Committee on Appropriations.

He also presented a petition of the Woman's Christian Temperance Union of Maine, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday: which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the following petitions of Lamoine and Riverside Granges, Patrons of Husbandry, of Maine:

Petitions praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petitions praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—referred to the Committee on Finance.

Mr. BLODGETT presented the following petitions of Mickleton and Liberty Granges, Patrons of Husbandry, of New Jersey:

Petitions praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petition praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. GIBSON of Maryland presented the memorial of Rev. James A. Mitchell and other citizens of the United States, remonstrating against the passage of Senate bill 362, providing for the removal of the Southern Ute Indians from their reservation in Colorado to Utah Territory: which was referred to the Committee on Indian Affairs.

Mr. TURPLE presented sundry petitions collected by the Woman's Christian Temperance Union, signed by 60 citizens of Indiana, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday: which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of citizens of Richmond, Ind., praying for the passage of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose: which was referred to the Committee on the Judiciary.

He also presented a memorial of citizens of Kentland, Ind., remonstrating against the passage of a general bankruptcy law: which was referred to the Committee on the Judiciary.

He also presented a petition of the Milroy Roller Mills and Elevator Company, of Milroy, Ind., praying that reciprocity be established with Germany and France, so that American wheat may be allowed to enter their ports free of duty: which was referred to the Committee on Finance.

Mr. KYLE presented a petition of citizens of Clay County, S. Dak., and a petition of citizens of Spink County, S. Dak., praying for the passage of the Washburn-Hatch antioption bill: which were referred to the Committee on the Judiciary.

Mr. VILAS presented a petition of the board of directors of the Chamber of Commerce of Milwaukee, Wis., praying for the passage of legislation to insure the early and economical building and operation of the Nicaraguan Canal: which was referred to the Committee on Foreign Relations.

Mr. PALMER presented the petition of J. C. Anderson and 24 other citizens of Chicago, Ill., praying for the passage of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose: which was referred to the Committee on the Judiciary.

He also presented the memorial of William P. Halliday and 44

other citizens of Illinois interested in the navigation of rivers, remonstrating against the passage of Senate bill 1755, relative to the carrying into effect of certain recommendations of the International Maritime Conference; which was referred to the Committee on Commerce.

He also presented the memorial of James T. Hobbit and 12 other citizens of Logan County, Ill., remonstrating against the passage of a general bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented the petition of Albert Brown and 22 other citizens of Linn, Ill.; the petition of Aaron Garrison and 21 other citizens of Griggsville, Ill., and the petition of J. R. Bell and 55 other citizens of Jersey County, Ill., praying for the passage of legislation regulating speculation in fictitious farm products; which were referred to the Committee on the Judiciary.

He also presented the following petitions of Waltham, Pennsylvania, Union, Dayton, Pleasant Grove, Eureka, Turkey Hill, Rosedale, Oakwood, and Woodstock Granges, Patrons of Husbandry, of Illinois:

Petitions praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petitions praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. HOAR presented the following petitions of Dover, West Brookfield, and East Sandwich Granges, Patrons of Husbandry, of Massachusetts:

Petitions praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petitions praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Mr. STOCKBRIDGE presented a petition of citizens of Grand Haven, Mich., praying for the adoption of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

He also presented a petition of citizens of Kent County, Mich., praying for the passage of legislation to prohibit gambling in farm products; which was referred to the Committee on the Judiciary.

He also presented the following petitions of Quincy Grange, Patrons of Husbandry, of Michigan:

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Mr. PROCTOR presented sundry petitions collected by the National Woman's Christian Temperance Union, signed by 2,000 citizens of Vermont, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of citizens of Saxtons River, Vt., praying for the passage of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

Mr. PERKINS presented the memorial of R. L. Graham and 59 other members of the Maxon Presbyterian Church and Sunday school, of Kansas, remonstrating against the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of J. S. Hanway and 14 other

citizens of Pottawatomie County, Kans., praying for the passage of the Washburn-Hatch anti-option bills; which was referred to the Committee on the Judiciary.

Mr. HARRIS presented the petition of Ferdinand Haskell, of Tennessee, praying that there be not less than 200,000,000 of young shad per annum judiciously distributed in the rivers of the United States; which was referred to the Committee on Fisheries.

Mr. BLACKBURN presented the following petitions of Dexter Grange, Patrons of Husbandry, of Kentucky:

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—referred to the Committee on Finance.

Mr. MANDERSON presented a memorial of Milligan Post, No. 209, Grand Army of the Republic, of Nebraska, remonstrating against the free coinage of silver; which was referred to the Committee on Finance.

He also presented a petition of 275 citizens of Franklin County, Neb., praying for the passage of the Washburn-Hatch anti-option bills; which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented the following petitions of Marlboro and Penigewasset Granges, Patrons of Husbandry, of New Hampshire:

Petitions praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petitions praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

#### REPORTS OF COMMITTEES.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 2057) for the relief of Charles Fletcher, alias James H. Mitchell, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2048) for the relief of Capt. I. B. Webster, of Louisville, Ky., submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. ALLEN, from the Committee on Claims, to whom was referred the bill (S. 448) for the relief of Margaret Kennedy, reported it with an amendment, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the bill (S. 1975) for the protection of livery-stable keepers and other persons keeping horses at livery within the District of Columbia, reported it without amendment, and submitted a report thereon.

Mr. CASEY, from the Committee on Agriculture and Forestry, to whom was referred the bill (S. 797) to provide for fixing a uniform standard of classification and grading of wheat, corn, oats, barley, and rye, and for other purposes, reported it with an amendment.

Mr. PERKINS, from the Committee on the District of Columbia, to whom was referred the bill (S. 2136) to amend an act entitled "An act to incorporate the National Union Insurance Company, of Washington," approved February 14, 1895, reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. 5978) to extend the time for making assessments on real estate, etc., reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2176) to extend the time for making an assessment of real estate in the District of Columbia, outside the cities of Washington and Georgetown, reported adversely thereon, and the bill was postponed indefinitely.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 1348) for the issue of ordnance stores and supplies to the State of Nebraska to replace similar stores destroyed by fire, reported it without amendment, and submitted a report thereon.

Mr. MANDERSON. I am directed by the Committee on Military Affairs to report back adversely the bill (S. 307) for the re-

Mr. DOLPH. Now, I hope the Senator from Massachusetts will withdraw his objection.

Mr. DAWES. I renew it.

The PRESIDENT *pro tempore*. The Chair asks the Senate to be in order. It is difficult for the Chair to understand what gentlemen say when several speak at once. Does the Senator from Ohio withdraw his motion?

Mr. SHERMAN. For the present, until 2 o'clock; giving notice that at 2 o'clock I shall move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. The Senator from Massachusetts is recognized.

Mr. DAWES. I object to all these special orders unless it is understood that they are subject to the appropriation bills.

Mr. SHERMAN. The rules make them so.

Mr. DAWES. I want to know whether they are.

Mr. HARRIS. Appropriation bills always have the right of way.

Mr. VEST. They always have the right of way.

The PRESIDENT *pro tempore*. The Chair suggests to the Senator from Massachusetts that appropriation bills have the right of way, notwithstanding any order of the Senate, even by unanimous consent, for a special order.

Mr. DAWES. That is what I have been endeavoring to ascertain for some time. I am obliged to the Chair.

Mr. PADDOCK. Now I want to suggest that before any more special orders are fixed a special order be agreed upon that the Calendar shall be taken up. If it is necessary to make it such, after the special orders already fixed shall have had consideration, I ask that the Calendar be taken up as the regular order.

Mr. DOLPH. That is in order now.

Mr. President, I hope the Senate will indulge me to make a single suggestion. Here are two or three bills following together that ought to come in together, and I hope the Senate will allow them to be put down for consideration together, so that they can then take their chances. My colleague's bill was put down to follow.

The PRESIDENT *pro tempore*. It has not yet been entertained by the Chair.

Mr. MITCHELL. I ask unanimous consent for that.

The PRESIDENT *pro tempore*. The special order desired by the Senator from California [Mr. FELTON] was objected to by the Senator from Massachusetts [Mr. DAWES]. The Chair now recognizes the Senator from Oregon [Mr. MITCHELL].

Mr. MITCHELL. Then I ask that Senate bill 525 be made the special order to come in at the proper place.

The PRESIDENT *pro tempore*. Under the rules the Senator must fix an hour.

Mr. MITCHELL. At half past 3 o'clock on Tuesday.

The PRESIDENT *pro tempore*. The Senator from Oregon asks that the bill, the title of which will be read for information, be set as a special order for Tuesday next at half past 3 o'clock.

Mr. FELTON. I withdraw my request. I did not know it would give rise to objection.

The PRESIDENT *pro tempore*. The bill indicated by the Senator from Oregon will be read by title.

The CHIEF CLERK. A bill (S. 525) making an appropriation for the construction of a boat railway at The Dalles and Celilo Falls and Ten Mile Rapids of the Columbia River, and for the improvement of Three Mile Rapids.

The PRESIDENT *pro tempore*. Is there objection to the request of the Senator from Oregon [Mr. MITCHELL]? The Chair hears none, and the bill, the title of which has just been read, is made a special order for Tuesday next at half past 3 o'clock.

Mr. COCKRELL. I call for the regular order.

The PRESIDENT *pro tempore*. The regular order is the call of the Calendar.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills: in which it requested the concurrence of the Senate:

A bill (H. R. 1737) to increase the pension of Anna Maria Young, a Revolutionary pensioner; and

A bill (H. R. 7092) to authorize building a bridge over Tennessee River.

#### LEAVE OF ABSENCE TO EMPLOYÉS.

The PRESIDENT *pro tempore*. The first bill on the Calendar will be stated.

The bill (S. 1768) to allow thirty days' leave of absence to employés in the Bureau of Engraving and Printing was considered as in Committee of the Whole.

The bill was reported from the Committee on Education and Labor with amendments. The first amendment was, in section 1, after the word "year," at the end of line 5, to insert "under such

regulations and;" and in line 7, after the word "may," to insert "prescribe and;" so as to make the section read:

That the employés of the Bureau of Engraving and Printing, including the pieceworkers, shall be allowed leave of absence with pay, not exceeding thirty working days in any one year, under such regulations and at such time or times as the Chief of the Bureau may prescribe and designate.

The amendment was agreed to.

The next amendment was to strike out section 2, in the following words:

SEC. 2. That this act shall take effect July 1, 1892.

The amendment was agreed to.

Mr. HARRIS. Mr. President, I desire to ask the Senator in charge of this bill by what rule the pieceworker is to be paid for the month of leave of absence? When on duty he is paid so much apiece for the work he does, and I think the bill should provide some rule by which that class of employés should be paid while absent on leave, if paid at all.

Mr. CAREY. I will state to the Senator from Tennessee that this bill is framed in the same language as that in reference to the employés in the office of the Public Printer, and the form of it is approved by the Chief of the Bureau of Engraving and Printing. Estimates of the amount of work done in a given time are made in the Bureau and on that basis the employés are paid during the leave of absence.

I desire to offer an amendment to be added to the bill.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. It is proposed to add to the bill the following proviso:

*Provided*, That no such full leave of absence of thirty days shall be granted to any employé of said Bureau for a period of not less than eleven months immediately preceding the granting of such leave.

The amendment was agreed to.

Mr. MORGAN. I submitted an amendment this morning which I intend to propose to this bill, which has gone out into the Secretary's office, I believe, which is to include the employés of the navy-yards in the right to leave of absence, which is predicated upon the fact that the employés of the Navy Department have the right to this leave of absence and the persons engaged in like duties, because they happen to be in the navy-yards, are found outside the provisions of the law. I suppose the Senator in charge of the bill will have no objection to my amendment.

The PRESIDENT *pro tempore*. The amendment of the Senator from Alabama will be stated.

The CHIEF CLERK. It is proposed to add as a new section the following:

SEC. 2. That all draftsmen, assistant draftsmen, clerks, writers, and copyists under the direction of the Navy Department who receive per diem pay shall be allowed thirty days' leave of absence each year without forfeiture of pay during such leave, under such regulations as the Secretary of the Navy may prescribe.

Mr. HALE. That does not go beyond the clerical service and the services of draftsmen?

Mr. MORGAN. No.

Mr. HALE. I have no objection to that.

Mr. CHANDLER. I do not rise to oppose the amendment, but to state that there is now before the Naval Committee a bill which provides for granting thirty days' leave of absence under similar conditions to the foremen and leading men who work in the navy-yards, which bill will undoubtedly be reported by that committee with a recommendation for its passage. I mention this fact now in order that it may not be misunderstood that that proposition will be made if the amendment which is proposed by the Senator from Alabama is adopted.

I certainly think that the foremen and the leading men of the navy-yards are as much entitled to leave of absence as the draftsmen and writers in the Departments.

Mr. MORGAN. We can put this amendment on. The Senator, I believe, approves this amendment.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Alabama.

Mr. HALE. I should not want the remarks of the Senator from New Hampshire [Mr. CHANDLER] to be considered as binding everybody here to the proposition that these leaves of absence for the clerical force should be extended to the working force in the Navy Department and in the navy-yards especially, because the right to furlough there and to leave of absence from duty might come at a time of the greatest emergency and might upset every plan for the useful work going on in a navy-yard. That matter, however, will be considered, of course, by the Naval Committee when it comes up. I only wish to enter a caveat as to my being committed in the direction indicated by the Senator from New Hampshire.

Mr. CHANDLER. Of course I commit no one except myself, but as a reason for not offering the provision in reference to foremen and leading men of the navy-yards upon this bill at the time when the Senator from Alabama moves the provision in behalf of the draftsmen and clerical force, I take occasion to call attention to the pendency in the Senate of this other bill.

Mr. HALE. The Senator said it would undoubtedly pass. Perhaps it may.

Mr. CHANDLER. That was an expression of my opinion merely. The Senator from Maine has filed his caveat. The Senator from Maine will understand that that bill does not apply to the whole working force of the navy-yards, but only to the foremen and leading men, who I think may properly be accorded the same privilege, so far as leaves of absence are concerned, as all the workmen of the Government Printing Office, as all the workmen are to be now accorded in the Bureau of Engraving and Printing, and, as the Senator from Alabama proposes, all the clerical force engaged upon per diem pay in the Navy Department are to be accorded. I think the three classes of cases will be found to be equally meritorious, but I refrain from moving this last clause upon this bill.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Alabama [Mr. MORGAN].

The amendment was agreed to.

Mr. CAREY. I desire that the same proviso which was added to the first section be also added to the second section, which has been adopted by motion of the Senator from Alabama.

The PRESIDENT *pro tempore*. The Senator from Wyoming moves an amendment, which will be stated.

The CHIEF CLERK. It is proposed to add to section 2 of the bill the following:

*Provided*, That no such full leave of absence for thirty days shall be granted to any employee of said Bureau for a period of not less than eleven months immediately preceding the granting of such leave.

Mr. CHANDLER. I think the word "Bureau" should be changed to "Department" in the amendment.

The SPEAKER *pro tempore*. The amendment will be so modified.

The CHIEF CLERK. It is proposed to modify the amendment so as to read:

*Provided*, That no such full leave of absence of thirty days shall be granted to any employee of said Department for a period of not less than eleven months immediately preceding the granting of such leave.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDENT *pro tempore*. The Chair calls the attention of the Senator from Wyoming to the fact that under the amendments to the bill there should be a correction of the title so as to read: "A bill to allow thirty days' leave of absence to employees of the Bureau of Engraving and Printing and in the Navy Department." The title will be so amended if there be no objection. The Chair hears none.

#### CAMERON HILL, CHATTANOOGA.

Mr. ALLEN. On yesterday Order of Business 218, being Senate bill 631, was passed over without prejudice. I ask that it may now be considered.

There being no objection, the Senate, as in Committee of the Whole proceeded to consider the bill (S. 634) to authorize and direct the Secretary of War to investigate the claim made and fuel alleged to have been taken and used by the United States Army during the war from the property in Chattanooga known as "Cameron Hill," and to provide for the payment thereof.

The bill was reported by the Committee on Claims with an amendment to add the following proviso:

*Provided*, That no greater amount than \$10,000 shall be allowed or paid to such person or persons.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### MILITARY POST AT FORT WAYNE, MICH.

The bill (S. 985) to provide for the enlargement of the military post at Fort Wayne, Mich., was considered as in Committee of the Whole. To enable the Secretary of War to enlarge the military post at Fort Wayne, Mich., the bill proposes to authorize him to accept, free of cost to the United States, such tract of land adjoining the post of Fort Wayne as, in his judgment, shall be well adapted and in all respects suitable for military purposes; but the title is to have been declared valid by the Attorney-General of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### JOHN W. TAYLOR.

The bill (S. 1274) to correct the military record of John W. Taylor, was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs

with amendments, in line 9, after the word "therefrom," to strike out "on the 31st day of October" and insert "August 31," and in line 10, after the date "1865," to insert "upon surrender of his discharge or upon satisfactory proof of his inability to surrender the same;" so as to make the bill read:

That the Secretary of War be, and he is hereby, authorized and directed to cause the record of the War Department to be amended so as to show that John W. Taylor, musician of Company A, First Wisconsin Heavy Artillery, entered the military service of the United States on the 11th day of June, 1861, and was honorably discharged therefrom August 31, 1865, upon surrender of his discharge or upon satisfactory proof of his inability to surrender the same.

Sec. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to said John W. Taylor, of Omaha, Neb., one of any moneys in the Treasury not otherwise appropriated, the pay and allowances of a musician in the volunteer service from the 11th day of June, 1861, to the 31st day of October, 1863.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

#### FORT D. A. RUSSELL RESERVATION.

The bill (S. 521) granting to the State of Wyoming certain lands in the Fort D. A. Russell military reservation for agricultural fair and industrial exposition grounds, and for other purposes, was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 4, after the word "to," to insert "select and;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of War is hereby authorized and empowered to select and set apart 160 acres of land that may no longer be required for military purposes, in the Fort D. A. Russell military reservation, in the State of Wyoming, for the use of the said State for agricultural fair and industrial exposition grounds, and for other public purposes. That the lands so set apart are hereby granted to the State of Wyoming: *Provided*, That if the said State shall at any time permit the said lands hereby granted to be used for any purpose not contemplated by this act the said lands shall revert to the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### FORT WALLA WALLA MILITARY RESERVATION.

The bill (S. 214) making appropriation for the improvement of the military reservation known as Fort Walla Walla, in the State of Washington, was considered as in Committee of the Whole. It proposes to appropriate \$20,000 for the improvement of the United States military reservation known as Fort Walla Walla, consisting of about 640 acres of land adjoining the city of Walla Walla, in the State of Washington, in fencing the same, in planting trees, making roads and driveways thereon, in providing the officers' quarters and the barracks with drainage, and making other needful improvements on the reservation.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### RESURVEY OF A KANSAS TOWNSHIP.

The bill (S. 1534) to resurvey township 18, range 9 west, sixth principal meridian of Kansas, was announced as the next in order on the Calendar.

The PRESIDENT *pro tempore*. This bill is adversely reported. Shall it be considered?

Mr. COCKRELL. Let that bill be passed over and go to the other Calendar.

The PRESIDENT *pro tempore*. It will be passed over under Rule IX.

Mr. PERKINS subsequently said: I should like to ask what action was taken relative to Senate bill 1534, to resurvey township 18, range 9 west, sixth principal meridian of Kansas. I was called out when that bill was reached on the Calendar.

The PRESIDENT *pro tempore*. It went over under Rule IX, being reported adversely.

Mr. PERKINS. My request was that it be retained upon the Calendar; and I desire to have it retain its place.

The PRESIDENT *pro tempore*. It is now on the Calendar under Rule IX.

#### GRADE OF ARMY MEDICAL OFFICERS.

The bill (S. 1039) to define the grade of certain medical officers of the Army, and for other purposes, was considered as in Committee of the Whole. It provides that hereafter the grade of certain medical officers of the Army below that of Surgeon-General shall be as follows: Those holding the rank of colonel, assistant surgeon-generals; those holding the rank of lieutenant-colonel, deputy surgeon-generals. Before receiving the rank of captain of cavalry, assistant surgeons shall be examined, under

Young, a Revolutionary pensioner, was read twice by its title, and referred to the Committee on Pensions.

The bill (H. R. 7092) to authorize building a bridge over Tennessee River was read twice by its title, and referred to the Committee on Commerce.

HEIR OF JAMES S. HAM.

The bill (S. 1538) for the relief of the heir of James S. Ham was considered as in Committee of the Whole. It is a direction to the Secretary of the Treasury to redeem in favor of Abby A. Ham, sole heir of James S. Ham, late of Providence, R. I., certain bonds of the United States, of the second series, issued under an act of Congress approved February 25, 1862, amounting to \$4,000, with interest from November 1, 1864, to March 20, 1872, which were stolen February 11, 1865, and afterward destroyed by the thief or thieves. But before the redemption of the bonds the heir of James S. Ham shall execute, or cause to be executed, and deposit with the Secretary of the Treasury a bond of indemnity, with good and sufficient sureties, subject to the approval of the Secretary, to secure the United States against loss or damage.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HEIRS OF JOHN W. VOSE.

The bill (S. 1539) for the relief of the heirs of John W. Vose was considered as in Committee of the Whole. It is a direction to the Secretary of the Treasury to redeem in favor of Abby S. Vose, Ella V. Denham, Caroline M. Vose, Laura W. Stewart, Clarence Vose, Annie M. Vose, Annie Spear Kingsbury, and Ella Robbins Vose, sole heirs of John M. Vose, late of Providence, R. I., bonds of the United States, of the second series, issued under an act of Congress approved February 25, 1862, amounting to \$11,000, with interest from November 1, 1861, to March 20, 1872, the heirs claiming that the estate of John W. Vose owned the bonds on February 11, 1865, when they were stolen from the estate and were afterward destroyed by the thief or thieves. But before the redemption of the bonds the heirs shall execute, or cause to be executed, and deposit with the Secretary of the Treasury, a bond of indemnity, with good and sufficient sureties, subject to the approval of the Secretary, to secure the United States against loss or damage.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PAUL MCCORMICK.

The bill (S. 567) for the relief of Paul McCormick was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in line 12, before the word "dollars," to strike out "one thousand six hundred" and insert "three hundred;" so as to make the bill read:

*Be it enacted, etc.,* That the proper accounting officers of the Treasury Department be, and they are hereby, directed to audit and allow Paul McCormick, of Montana, out of any money in the Treasury not otherwise appropriated, such sum as to them shall seem just and reasonable, for the loss sustained by said McCormick by reason of the change made by the officers of the United States as to the place of delivering the wood for the contract of August 3, 1870, was made and entered into by said McCormick, not to exceed the sum of \$300, the same to be in full satisfaction of all claims or demands on account of loss.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. E. TRASK.

The bill (S. 479) for the relief of Mrs. E. Trask was considered as in Committee of the Whole. It provides for the payment to Mrs. E. Trask, late postmaster at Emporia, Kans., of \$243, to reimburse her for losses resulting from the theft of five registered letters by burglars, who entered the post-office at Emporia, Kans., on the night of October 5, 1871.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FRANK ROTHER.

The bill (S. 390) authorizing and directing the Secretary of the Treasury to pay to Frank Rother \$225 due him for services as route agent, was considered as in Committee of the Whole.

Mr. COCKRELL. Let the report in that case be read.

The PRESIDENT *pro tempore*. The report will be read.

The Secretary read the following report submitted by Mr. SAWYER February 8, 1892:

The Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 390) authorizing and directing the Secretary of the Treasury to pay

to Frank Rother \$225, due him for services as route agent, have examined the same and report:

The committee is entirely satisfied that Frank Rother was an employee of the Government in its Post-Office Department between June 20, 1876, and September 20, 1876; that compensation for services to be rendered by him had been fixed at \$900 per annum; that he received no payment for the services rendered between said June 20, 1876, and September 20, 1876, and that he is entitled to payment of his salary for that period. Heretofore annexed the petition of the claimant and other documents.

The bill is reported favorably with a recommendation that it do pass.

#### PETITION.

I would most respectfully represent that on or about the 6th day of June, A. D. 1876, I was appointed route agent on the Eureka and Palisade Railroad, in Nevada, which appointment I received in person at Washington, D. C. I immediately started from Washington, D. C., to Palisade, Nev., and there started upon the discharge of my duties, and was duly paid one-half month's salary by the postmaster at Eureka, Nev. Owing to some misunderstanding existing between the Government and the Eureka and Palisade Railroad Company, said company refused the establishment of service on their line, and hence I was detailed to duty on the San Francisco and Tonales Railroad, and subsequently on the Central and Union Pacific Railroad.

September 20, I was transferred and designated local agent at Ogden, Utah. There is still due me three months' salary, at \$75 per month, from the Government, of which amount I have never received any part or share. I would call attention to the fact that, although I have repeatedly tried to secure my pay, I have so far failed for the following reasons, to wit:

The Post-Office Department repeatedly signified that the appropriation was exhausted and required special acts of Congress for my relief. I will state that I was not engaged in any vocation, other than that stated, between the 6th day of June, A. D. 1876, and the 20th day of September, A. D. 1876, and that there is justly due me three months' salary, from the 20th day of June, A. D. 1876, to the 20th day of September, the date of my transfer; wherefore I pray that Congress take such action as will enable me to get the amount so justly due me, to wit, three months' salary at \$75 per month.

Very respectfully, your obedient servant.

FRANK ROTHER.

STATE OF NEW YORK, *City and County of New York, ss:*

On the 4th day of December, A. D. 1884, personally appeared before me, the undersigned, a notary public in and for the county and city of New York, Frank Rother, who, upon being duly sworn according to law, declares that he is a claimant for \$225 for three months' service rendered the Government of the United States; and for the proper prosecution of said claim he hereby appoints Mr. Edward Peris, of 69 St. Mark's Place, New York City, his true and lawful attorney in fact, with the power of revocation and substitution.

Witness:

FRANK ROTHER.

In witness whereof I have hereunto set my hand and seal the day and date first above written.

[SEAL.]

HENRY BISCHOFF, JR.

*Notary Public, New York County, City.*

#### EXHIBIT A.

OFFICE OF SUPERINTENDENT RAILWAY MAIL SERVICE.

EIGHTH DIVISION.

*San Francisco, Cal., June 19, 1876.*

SIR: I have just heard a rumor that the E. and P. R. Co. will not let you run over their road until they get their differences with the Department fixed up. If so, report yourself here and await further orders.

Very respectfully,

J. C. COOLIDGE.

*C. H. D. R. M. S., 8th Div.*

FRANK ROTHER Esq.

#### EXHIBIT B.

POST-OFFICE DEPARTMENT, APPOINTMENT OFFICE.

*Washington, D. C., September 20, 1876.*

SIR: The Postmaster-General has transferred you from the route between Palisade and Eureka, Nev., and designated you local agent at Ogden, Utah, with pay at the rate of \$900 per annum, vice H. H. Bellows, removed.

Very respectfully, etc.,

JAMES H. MARK.

*Acting First Assistant Postmaster-General.*

FRANK ROTHER, Esq.,

*Eureka, Nev.*

OFFICE OF THE POSTMASTER-GENERAL.

*Washington, D. C., May 1, 1890.*

SIR: Replying to your letter of April 22, and returning herewith a bill introduced in Congress authorizing and directing the Secretary of the Treasury to pay to Frank Rother \$225 due him for services as route agent, I would state that the records of the Department disclose the following:

Mr. Rother was appointed a route agent between Palisade and Eureka, Nev., June 6, 1876, compensation to be at the rate of \$900 per annum. He was transferred to the position of local agent at Ogden, Utah, September 20, 1876.

The records of the Auditor's Office show that he was paid by the postmaster at Eureka, Nev., \$42.03 for services from the 11th day of June, 1876, to the 30th day of June, 1876, inclusive.

There is no evidence that he drew pay during the third quarter of 1876, comprising the months of July, August, and September, the accounts of the postmaster at Eureka for that period being marked "delinquent."

He was paid \$225 for the fourth quarter of 1876, comprising the months of October, November, and December; and \$225 for the first quarter of 1877. The records of the Department indicate that Mr. Rother drew no pay during the third quarter of 1876.

Permit me to call your attention to the following discrepancies in the bill:

The route upon which Mr. Rother was employed was from Palisade and Eureka, not "Eureka." From July 20 to September 20, 1876, but two months, not three, as stated in the bill.

Very respectfully,

JNO WANAMAKER.

*Postmaster-General.*

Hon. E. J. DUNPHY.

*House of Representatives, Washington, D. C.*

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.



## FOURTH STREET METHODIST EPISCOPAL CHURCH.

The bill (S. 1711) to vest the title of public square 1102, in the city of Washington, D.C., in the trustees of the Fourth Street Methodist Episcopal Church, and for other purposes, was considered as in Committee of the Whole.

Mr. HAWLEY. Mr. President, shall I understand that this bill gives to this association one of the public squares, a public reservation?

Mr. FAULKNER. Oh, no. If the Senator will observe the language of the bill, he will see that these parties own now under a grant, with certain conditions with reference to using a portion of the land for a cemetery. They paid full value and consideration for it in 1826.

Mr. HAWLEY. And it is now occupied?

Mr. FAULKNER. It is now partially occupied by a graveyard. They want to get rid of that graveyard under the advice of the District Commissioners. That is all the bill provides for.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ADJOURNMENT TO MONDAY.

On motion of Mr. FAULKNER, it was

Ordered, That when the Senate adjourn to-day it be to meet on Monday next.

## DISTRICT ASSESSMENT BOOKS.

The bill (S. 1931) to amend an act entitled "An act making appropriations to provide for the expenses of the District of Columbia for the fiscal year ending June 30, 1882, and for other purposes," approved March 3, 1881, was announced as next in order on the Calendar.

Mr. HIGGINS. I am instructed by the Committee on the District of Columbia to report favorably a bill passed by the House of Representatives in the same terms with that bill, and to ask for its substitution for the pending bill, and that the pending bill be indefinitely postponed.

The PRESIDENT *pro tempore*. The title of the bill reported by the Senator from Delaware will be stated.

The CHIEF CLERK. A bill (H. R. 5118) to amend an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1882, and for other purposes;" approved March 3, 1881.

The PRESIDENT *pro tempore*. If there be no objection the bill reported favorably, being a House bill of similar import to the bill under consideration, will be substituted as the pending order.

Mr. COCKRELL. Let it be taken up as an independent measure and not substituted for the pending bill, which would require it to go back to the House.

The PRESIDENT *pro tempore*. The Chair stated, as a substitute for the present order of business, not for the bill itself.

Mr. COCKRELL. All right.

The PRESIDENT *pro tempore*. Is there objection to the request of the Senator from Delaware that the House bill be now considered?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that the paragraph relating to the duties of the assessor, commencing with the fourth line from the bottom of page 430 and ending with and including the eighth line from the top of page 461, of volume 21, United States Statutes at Large, shall be amended so as to read as follows:

The books of assessment for the fiscal year ending June 30, 1883, and annually thereafter, shall be prepared by the assessor of the District of Columbia before the 1st day of November of each year, and upon the completion thereof, said assessor shall prepare a statement showing the total amount of the assessment of both real and personal property, and the total amount of taxes to be collected under said assessment; which statement shall be received by the collector of taxes in triplicate, and said collector shall be held responsible under his bond for all such taxes, except such as he may not be able to collect after fully complying with the requirements of law. The original receipt of said assessment and taxes shall be forwarded by the assessor to the First Comptroller of the Treasury, the duplicate to the auditor of the District of Columbia, and the triplicate shall be retained by the collector. Hereafter all tax bills shall be made up under the direction of the assessor of the District of Columbia. All acts or parts of acts inconsistent with any of the provisions of this act are hereby repealed.

Mr. CALL. Mr. President, I hope the Senator having the bill in charge will allow it to be passed over until tomorrow.

Mr. COCKRELL. This bill is in the precise language of the Senate bill.

Mr. CALL. I understand that, but there are some provisions that ought to be inserted in these tax bills of the District of Columbia for the relief of the tax-payers, and I think it would be very well for that matter to be considered on this bill.

Mr. HIGGINS. Do I understand the Senator from Florida proposes by amendment to add a rider to this bill to accomplish some other method of legislation?

Mr. CALL. That is the object I have in view.

Mr. HIGGINS. I am sorry the Senator has chosen this bill for that purpose.

Mr. CALL. This is not a private bill.

Mr. HIGGINS. This bill is recommended by the Commissioners of the District and has passed the other House. It is simply to substitute for the present duty of the collector of taxes furnishing a duplicate tax list, that hereafter he shall accept the statement in triplicate by the assessor. The statement of the Commissioners is that the present provision of law requiring the duplicates to be written out is not complied with, because, if it were complied with, it would make a larger draft upon the clerical force than they could fill, and would cost a great deal more money, and in practice it is not carried out. It is really by their advice that this measure is introduced to conform the law to what is exactly their practice.

Mr. CALL. I see no objection to these provisions. It was my desire to have placed upon some bill for the collection of taxes, or in relation to the collection of taxes in this District, a provision that would afford relief to delinquent taxpayers by extending the time in which their payments can be made; but I will withdraw objection to the consideration of the bill.

The PRESIDENT *pro tempore*. Objection being withdrawn, the bill is before the Senate as in Committee of the Whole, and open to amendment.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT *pro tempore*. Senate bill 1931 of the same character will be indefinitely postponed in the absence of objection. The Chair hears no objection, and it is so ordered.

## PROPOSED CONSIDERATION OF THE CALENDAR.

Mr. SHERMAN. Mr. President, I submit now a motion that the Senate proceed to the consideration of executive business.

Mr. PADDOCK. I ask the Senator to yield to me a moment.

The PRESIDENT *pro tempore*. Does the Senator from Ohio yield?

Mr. SHERMAN. I will yield to any morning business.

Mr. PADDOCK. I want to ask unanimous consent that the Calendar may be made the special order for Wednesday next, at 2 o'clock, and be a continuing order thereafter for unobjected cases, for cases under Rule VIII, until the Calendar shall have been gone through with, and every bill thereupon considered under the five-minute rule.

The PRESIDENT *pro tempore*. The Chair does not see how the entire Calendar could be made a special order. The Senator from Nebraska asks unanimous consent, as the Chair understands, that at 2 o'clock on Wednesday next the Senate shall proceed to the consideration of the Calendar under Rule VIII in its order; in other words, that the morning hour shall continue during the day.

Mr. PADDOCK. That is the idea.

Mr. PLATT. I do not think we ought to give consent to so sweeping a request as the Senator has made, and I wish he would not make that request until we have had a little time for consultation as to what day it would be advisable to go to the Calendar and as to what time we may spend upon it. There is a thin Senate present, and I do not think the Senator ought to press his request now. I do not think there will be objection to fixing a day when we shall consider the Calendar, but we ought to consider the other business and how it stands. I hope the Senator will not press the request at this time.

Mr. HALE. There probably will be no time better than next week that we can give two or three days to the Calendar. Not much has been done upon it heretofore; even the morning hour has been interrupted, and I think, after the Senator withdrawing the suggestion for the present, that we can agree to give two or three days next week to the Calendar.

Mr. PADDOCK. I make this suggestion not because I have any special interest in the Calendar, but because it is a fair proposition. The Calendar is voluminous.

Mr. HALE. And growing more so.

Mr. PADDOCK. And in the interest of fairness and justice to all classes of legislation which are represented upon the Calendar to-day, I think there ought to be an early order of this kind. My principal object in suggesting it now is to call the attention of the Senate to it and prepare its mind for it if possible.

Mr. PLATT. We will all agree as to that.

Mr. HALE. We can do it next week.

## EXECUTIVE SESSION.

Mr. SHERMAN. I now renew my motion for an executive session.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Ohio that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the



SECTION 1. *Be it resolved by the General Assembly of Maryland, That the United States Senators from the State of Maryland and the Representatives in Congress be, and they are hereby, requested to prepare and support a bill for the purchase of Temple Farm and Moore House, at Yorktown, Va., by the Government of the United States of America: Provided, The cost of said farm and all improvements shall not exceed a reasonable price, and that the State of Virginia shall exempt the same from taxation.*

SEC. 2. *Be it resolved, That engrossed copies of this preamble and joint resolution be sent to the United States Senators and Representatives in Congress from the State of Maryland.*

Given under our hands this 29th day of February, 1892.

EDWARD LLOYD,

*President of the Senate.*

MURRAY VANDIVER,

*Speaker of the House of Delegates.*

Mr. GIBSON of Maryland presented a petition of the General Assembly of the State of Maryland, asking the Senators and Representatives from that State to use their influence to secure the passage of legislation for the transfer of the Revenue Marine Service from the Treasury Department to the Navy Department; which was referred to the Committee on Naval Affairs, and ordered to be printed in the RECORD, as follows:

Joint resolutions requesting and directing the Senators and Representatives of the State of Maryland in the Congress of the United States to use their best efforts to secure the passage of a bill, having for its object the transfer of the Revenue Marine Service from the Treasury Department to the Navy Department of the United States:

Whereas there has been introduced into the Senate of the United States a bill to transfer the United States Revenue Cutter Service to the Navy; and whereas the said bill is in the interest of economy and for the improvement of the condition of both United States Navy and Revenue Cutter Service; and

Whereas the said bill has been indorsed by the Legislature of Virginia and Massachusetts and the seaboard States and chambers of commerce of nearly all the prominent seaports, as well as inland cities of the United States; and

Whereas the said bill passed by a large majority in the House of Representatives in the Fifty-first Congress and only failed of passage in Senate through lack of time: Therefore

*Be it resolved by the General Assembly of Maryland, That the Senators and Representatives of this State in the Congress of the United States, be, and they are hereby, requested and directed to use all proper means in their power to secure the passage by said Senate and House of Representatives of the bill having for its object the transfer of the Revenue Marine Service from the Treasury Department of the United States to the Navy Department.*

*Resolved, That a copy of these resolutions be immediately transmitted by his excellency, the governor, to each of our Senators in the Congress of the United States.*

Approved February 25, A. D. 1892.

MURRAY VANDIVER,

*Speaker of the House of Delegates.*

EDWARD LLOYD,

*President of the Senate.*

#### STATE OF MARYLAND, EXECUTIVE DEPARTMENT.

Annapolis, February 25, 1892.

SIR: I have the honor to transmit herewith a copy of joint resolutions, No. 7, of the General Assembly of Maryland, this day approved, as requested of me by said joint resolutions.

Yours, very respectfully,

[SEAL.]

FRANK BROWN, Governor.

To Hon. CHARLES H. GIBSON,

*United States Senator from Maryland.*

Mr. GIBSON of Maryland presented the following petitions of Cecil, West River, and Kings Creek Granges, Patrons of Husbandry, of Maryland:

Petitions praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petition praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—referred to the Committee on Finance.

Mr. DOLPH presented the following petitions of Land Ridge, Siuslaw, and Yoncalla Granges, Patrons of Husbandry of Oregon:

Petitions praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petitions praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Mr. SHERMAN presented a petition numerously signed by citizens of Ohio, praying for the passage of legislation to prevent the immigration of paupers and criminals, etc., and favoring a constitutional amendment providing that no State shall grant the right of suffrage to any person not a citizen of the United States; which was referred to the Committee on Immigration.

He also presented a petition of 37 citizens of Green County, Ohio, praying for the passage of the pure-food bill; which was ordered to lie on the table.

He also presented a petition of Zanesville (Ohio) Assembly,

No. 2688, Knights of Labor, praying for the passage of the Hoar clothing bill; which was referred to the Committee on Education and Labor.

He also presented the following petitions of Perkins, North Union, Madison, Homer, Bucyrus, Butler, North Fairfield, Penfield, Washington, Wellington, and Hartford Granges, Patrons of Husbandry of Ohio:

Petitions praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petitions praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. HALE presented a petition of the Young People's Society of Christian Endeavor, of Castine, Me., praying for the passage of legislation to prevent the exportation of alcoholic liquors from the United States to Africa; which was referred to the Committee on Foreign Relations.

He also presented the following petitions of Baskabegan and Pamola Granges, Patrons of Husbandry, of Maine:

Petition praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petitions praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. SAWYER presented the following petitions of Maple Ridge Grange, Patrons of Husbandry, of Wisconsin:

Petition praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES.

Mr. WOLCOTT, from the Committee on the District of Columbia, to whom was referred the bill (S. 2456) to authorize the extension of Massachusetts avenue and the construction of a bridge across Rock Creek on Massachusetts avenue extended, reported it favorably with amendments, accompanied by a written report, and moved its reference to the Committee on Appropriations; which was agreed to.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 2786) to amend the act giving the approval and sanction of Congress to the route and termini of the Anacostia and Potomac River Railroad in the District of Columbia, reported it without amendment, and submitted a report thereon.

Mr. WILSON, from the Committee on the Judiciary, to whom was referred the bill (S. 2161) to provide for and to punish the crime of perjury before the United States local land officers, reported it with amendments.

Mr. HIGGINS, from the Committee on the District of Columbia, to whom was referred the resolution submitted by himself March 15, relative to the divisions of the appropriations for the District of Columbia during the past five years, asked to be discharged from its further consideration, and that it be referred to the Committee on Appropriations; which was agreed to.

Mr. ALLEN. I am instructed by the Committee on Public Lands to report back adversely the bill (S. 1139) to confirm title to certain lands in the State of Washington. This adverse report is made because it is ascertained that provision for relief has been otherwise made. I move that the bill be indefinitely postponed.

The motion was agreed to.

Mr. DOLPH, from the Committee on Public Lands, to whom was referred the bill (S. 2599) releasing the right, title, and interest of the United States to the piece or parcel of land known as the Cuartel lot to the city of Monterey, Cal., reported it without amendment.

Mr. DOLPH. By direction of the Committee on Public Lands I report back favorably, with an amendment in the nature of a substitute striking out all after the enacting clause and inserting

a new bill, the bill (S. 2140) to authorize the Secretary of the Interior to convey to the State of Kansas certain lands therein for homes for old soldiers and their families. The substitute is the bill that was reported from the committee by the chairman of the committee at the last session and passed by the Senate. I will state to the Senator from Kansas [Mr. PEPPER], who introduced this bill.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. DOLPH. I also, by direction of the same committee, report back the bill (S. 2329) granting to the University of Utah a site off the public domain, and ask that the committee be discharged from the further consideration of the bill and that it be referred to the Committee on Military Affairs. The bill proposes the granting of a portion of a military reservation in actual use for military purposes as a site for the University of Utah. The Committee on Military Affairs have claimed jurisdiction of that class of bills.

The report was agreed to.

Mr. GIBSON of Maryland, from the Committee on the District of Columbia, to whom was referred the bill (S. 2575) to provide for the sale of certain lots in the District of Columbia, reported it without amendment, and submitted a report thereon.

Mr. PLATT, from the Committee on the Judiciary, to whom was referred the bill (S. 2210) to extend the jurisdiction of courts in Oklahoma Territory over certain classes of crimes, and for other purposes, asked to be discharged from its further consideration, and that it be referred to the Committee on Indian Affairs; which was agreed to.

Mr. WILSON, from the Committee on the Judiciary, to whom was referred the bill (H. R. 504) in relation to the western judicial district of Wisconsin, reported adversely thereon, and the bill was indefinitely postponed.

Mr. PERKINS, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 6295) to punish false swearing before trial boards of the Metropolitan police force and fire department of the District of Columbia, and for other purposes, reported it without amendment, and submitted a report thereon.

He also from the same committee, to whom was referred the bill (S. 2368) to punish false swearing before trial boards of the Metropolitan police force and fire department of the District of Columbia, and for other purposes, reported adversely thereon, and the bill was postponed indefinitely.

Mr. PETTIGREW, from the Committee on Public Lands, to whom was referred the bill (S. 1272) granting to the State of South Dakota the lands embraced within the meander lines of the dry lake beds within said State, reported adversely thereon, and the bill was indefinitely postponed.

Mr. SANDERS, from the Committee on Public Lands, to whom was referred the bill (S. 878) creating two additional land districts in the State of Montana, reported it with an amendment, and submitted a report thereon.

Mr. CAREY, from the Committee on Public Lands, to whom was referred the bill (H. R. 1080) for the relief of the inhabitants of the town of Ferron, county of Emery, Territory of Utah, reported it without amendment, and submitted a report thereon.

Mr. MORGAN, from the Committee on the Public Lands, to whom was referred the bill (S. 1696) to further provide for the disposal of certain public lands in the State of Alabama, reported it with amendments.

#### COURTS IN WISCONSIN.

Mr. WILSON. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 497) to determine the sessions of the circuit and district courts of the United States for the eastern district of Wisconsin, to report it favorably, without amendment.

Mr. SAWYER. I ask unanimous consent that that bill may be considered now. It merely fixes the terms of the courts in the eastern district of Wisconsin, and it is necessary that it should be passed pretty soon.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### CLERK OF COURTS OF TEXARKANA DIVISION.

Mr. GEORGE. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 5891) to authorize the appointment of clerk for the circuit and district courts of the United States in the Texarkana division of the eastern district of Arkansas, to report it back favorably without amendment. It is a local bill for the benefit of the States of Arkansas and Texas, in three lines and a half, and I ask for its immediate consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. 2122) for the relief of Cumberland Female College of McMinnville, Tenn.;

A bill (H. R. 5354) to authorize the construction of a bridge across the Osage River, between the town of Warsaw and the mouth of Turkey Creek, in Benton County, Mo.;

A bill (H. R. 5499) to amend an act entitled "An act approving with amendments the funding act of Arizona," approved June 25, 1890; and

A bill (H. R. 6214) to increase the pension to William Burrough, of Crawford County, Ark., veteran of the war of 1812.

The message also announced that the House had passed the bill (S. 444) granting to the State of South Dakota section numbered 36, in township numbered 94 north, of range numbered 54 west, in the county of Yankton in said State for the purpose of an asylum for the insane, to correct an act approved June 16, 1880, attempting to make such grant to the Territory of Dakota, and for other purposes.

#### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore*:

A bill (H. R. 128) to provide for the establishment of a port of delivery at Council Bluffs, Iowa; and

A bill (H. R. 6071) to amend section 1216 of the Revised Statutes, relative to certificates of merit to the enlisted men of the Army.

#### BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 2636) to amend an act entitled "An act authorizing the appointment of receivers of national banks, and for other purposes," approved June 30, 1876; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 2637) to extend North Capitol street to the Soldiers' Home; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BUTLER introduced a bill (S. 2638) granting a pension to W. W. Harlee; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HARRIS introduced a bill (S. 2639) for the relief of John L. Rhea, executor of Samuel Rhea, deceased, and John Anderson, executor of Joseph R. Anderson, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. GIBSON of Maryland introduced a bill (S. 2640) for the relief of the legal representatives of Henry W. Archer, deceased; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2641) for the relief of James S. Crawford; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also (by request) introduced a bill (S. 2642) to extend the time for the payment of the unpaid taxes for the year 1891 and all previous years, and for the remission of the penalty; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PAULKNER introduced a bill (S. 2643) changing the time for holding the circuit and district courts in the district of West Virginia; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 2644) granting a pension to Catharine A. Sharp; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2645) for the relief of George W. Craig; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. VILAS introduced a bill (S. 2646) to provide for the purchase of the Sturgeon Bay Ship Canal; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

He also (by request) introduced a bill (S. 2647) for the relief of Mrs. Fanny N. Bajer; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SAWYER introduced a bill (S. 2648) granting a pension to Augustus G. Cary; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLPH introduced a bill (S. 2649) for the relief of Eli C. Officer; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2650) for the relief of Fannie Ricks Jones, and Anne Ricks Willis, heirs of Benjamin S. Ricks, de-

ceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 2651) for the protection of boarding-house keepers; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. McMILLAN introduced a bill (S. 2652) for the relief of Bela R. Davis; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PEPPER introduced a bill (S. 2653) granting to Sergt. Thomas O. Harter, Company I, First Indiana Cavalry, \$10,000 and a gold medal for losses and services which, in July and August, 1862, saved Pope's army and the nation's capital from capture by Lee's army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GEORGE. I introduce a bill to refund to the producers of cotton the internal-revenue tax collected thereon. Inasmuch as we rely upon the unconstitutionality of the act imposing the tax, the Supreme Court of the United States having been evenly divided upon that question, I ask that the bill be referred to the Committee on the Judiciary as to the fundamental question.

The bill (S. 2654) to refund to the producers of cotton the internal-revenue tax collected thereon, was read twice by its title, and referred to the Committee on the Judiciary.

Mr. McPHERSON introduced a bill (S. 2655) to increase the pension of John Kershaw, late a private in Company C, Twenty-eighth Pennsylvania Volunteers; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2656) granting a pension to Mrs. Virginia Hart Clark; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PETTIGREW introduced a bill (S. 2657) granting right of way to the Watertown, Sioux City and Duluth Railway Company through the Sisseton and Wahpeton Indian Reservation; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PERKINS introduced a bill (S. 2658) for the relief of the heirs of James Deford; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2659) for the relief of Jacob Brumbaugh; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2660) for the relief of Almond Partridge, late a private in Company B, Sixty-fourth Ohio Volunteer Infantry; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HISCOCK introduced a bill (S. 2661) for the relief of Julius Stahl; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. KYLE introduced a joint resolution (S. R. 65) authorizing the investigation of the cause and results of the recent mine disaster in the Indian Territory; which was read twice by its title, and referred to the Committee on Education and Labor.

Mr. SHOUP introduced a joint resolution (S. R. 66) for the relief of the Boise City National Bank; which was read twice by its title, and referred to the Committee on Territories.

#### AMENDMENT TO A BILL.

Mr. HIGGINS submitted an amendment intended to be proposed by him to the bill (S. 2524) to enforce the provisions of section 2866 of the Revised Statutes of the United States, in respect of article 29 of the treaty of Washington, of May 8, 1871, with the Government of Great Britain; which was referred to the Committee on Foreign Relations, and ordered to be printed.

#### POTOMAC RIVER FRONT.

Mr. McMILLAN submitted the following resolution: which was considered by unanimous consent, and agreed to:

*Resolved*, That the Commissioners of the District of Columbia be, and they are hereby, directed to inquire into and report to the Senate, as soon as may be, in detail, what portions of the Potomac River front lying between Water street and the said river and extending from Fourteenth street northwest to the Arsenal grounds, are occupied under the authority of the United States, by whom leased, upon what terms, and under what authority of law; and also what portions thereof, if any, are otherwise held and occupied, and to what extent, and by whom, and by what authority, if any; and what rentals are being derived from the exercise of wharfing rights and privileges thereon. And further to report what legislation, if any, is, in the judgment of the said Commissioners, necessary to enforce and maintain the rights of the United States over the same.

#### SHELTER FOR INAUGURATION CEREMONIES.

Mr. HOAR. I offer a resolution which I ask may have immediate consideration.

The resolution was read, as follows:

*Resolved*, That the Committee on Public Buildings and Grounds be directed to consider the practicability of providing a sufficient shelter east of the Capitol for the protection of persons who may take part in the ceremony of inaugurating the President of the United States, or who may assemble to witness such inauguration; and, if they find the same to be practicable, to obtain estimates of the probable cost thereof, and to report the same to the Senate during the present session.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. HOAR. Mr. President, I suppose it is unnecessary to enforce upon the consideration of the Senate the fact that many very valuable lives have been exposed and many valuable lives have been lost in recent years by the exposure incident to the inauguration ceremonies. The second inauguration of President Grant was on a day of perhaps the most savage weather ever known in recent years to the residents of Washington, and during that time the vast assembly was exposed to bitter and piercing winds. Among the assemblage was a company of boys from West Point who had come on here and who stood in that wind for several hours. The inauguration of President Harrison occurred during a very heavy storm. I had some opportunity of knowing, as my friend from Missouri [Mr. COCKRELL] had, that the health of the President himself, though not exposed to the storm as were the auditors who had remained there for so long a time, was very seriously endangered, and was only preserved by active preventive remedies.

I suppose the committee will ascertain that a sufficient quantity of lumber to make a perfectly water-tight roof large enough to shelter the entire crowd and perhaps with canvas or other protection for the sides, may be hired for the day without very great expense, and that the shelter can be supported by timbers without breaking into the pavement. At any rate, the question is worth considering, and the consideration of it ought to be had in ample season before the next inauguration. The Committee on Public Buildings and Grounds can obtain the advice of the Architect of the Capitol or any other advice they desire.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

The resolution was agreed to.

#### TARIFF LAWS OF COLOMBIA.

Mr. MORGAN submitted the following resolution: which was considered by unanimous consent, and agreed to:

*Resolved*, That the President be requested, if, in his opinion, it is not incompatible with the public interests, to communicate to the Senate the items of taxation imposed by the laws of the Republic of Colombia upon the productions of the United States imported into Colombia, which he has found and has proclaimed to be reciprocally unjust to the United States. And that he send to the Senate the correspondence with the Government of Colombia relating to reductions in taxation under the tariff laws of Colombia that have been proposed by either Government to secure reciprocal justice in tariff taxation between the two countries.

#### COLLECTION DISTRICT OF LOS ANGELES.

Mr. FELTON. I desire unanimous consent for the present consideration of Senate bill 2384, which simply proposes to change the name of a customs-collection district. The bill is entirely local in character, and it will only take a minute to pass it.

The PRESIDENT *pro tempore*. The bill will be read by title.

The CHIEF CLERK. A bill (S. 2384) to change the name of the customs-collection district and port of Wilmington, Cal., to Los Angeles, and for other purposes.

Mr. COCKRELL. This is a very short bill, a local one, and there can be no possible objection to its passage. I shall not interpose any objection, but I want the Calendar to be called after this bill is passed, and then if there are any special local bills of this character, when we get toward the close of the Calendar hour they can be called up and passed by unanimous consent. But we must go to the Calendar after this bill is disposed of.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill indicated by the Senator from California?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

The first amendment was, in section 1, line 7, after the word "reside," to strike out the remainder of the section, in the following words:

And that Santa Barbara, Ventura, Hueneme, Redondo, and Santa Monica shall be ports of delivery, and San Pedro a subport of entry and delivery, at which support a deputy collector of customs shall be stationed, who shall also be clothed with power to appraise merchandise for the district.

So as to make the section read:

That the customs-collection district of Wilmington, Cal., shall hereafter be designated and known as the district of Los Angeles, in which the city of Los Angeles shall be the port of entry, and at which place the collector of customs for said district shall reside.

The amendment was agreed to.

The next amendment was, in section 2, line 2, after the word "designate," to strike out "customs officers to" and insert "from time to time, places within said district at which customs officers may;" in line 3, after the word "stationed," to strike out "at each of said ports;" in line 5, after the word "perform," to insert "such," and in line 6, after the word "services," to strike out "whenever" and insert "as;" so as to make the section read:

Sec. 2. That the Secretary of the Treasury may designate from time to time, places within said district at which customs officers may be stationed,

with authority to enter and clear vessels, receive duties, fees, and other moneys, and perform such other services as in his judgment the interests of such commerce may require.

The amendment was agreed to.

The next amendment was, in section 3, line 1, after the second word "the," to insert "first and;" and, in the same line, after the word "seventh," to strike out "section" and insert "sections;" so as to make the section read:

SEC. 3. That the provisions of the first and seventh sections of the act approved June 10, 1880, entitled "An act to amend the statutes in relation to the immediate transportation of dutiable goods, and for other purposes," be, and the same are hereby, extended to the said port of Los Angeles.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### LIQUOR TRAFFIC IN INDIAN TERRITORY.

Mr. COCKRELL. The Calendar.

The PRESIDENT *pro tempore*. The Calendar being in order, the first bill will be announced.

Mr. WILSON. I desire to call attention to a mistake in the printing of the Calendar of to-day. I see that Senate bill 1988 has been placed under Rule IX.

The PRESIDENT *pro tempore*. No, it was simply passed over without prejudice, remaining under Rule VIII.

Mr. WILSON. The print of the Calendar, however, indicates that it is under Rule IX; but that was not the order made.

The PRESIDENT *pro tempore*. If the Senator will look at the first page of the Calendar he will see that it remains under Rule VIII, and is not under Rule IX. It is subject to call.

Mr. WILSON. The understanding was that that bill was merely passed over until the next Calendar day. I spoke to the Senator from Indiana [Mr. VOORHEES] about it, and he says that was his understanding.

Mr. VOORHEES. It is still under Rule VIII.

Mr. WILSON. I ask that the bill may be now considered.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1988) to amend sections 2139, 2140, and 2141 of the Revised Statutes.

The PRESIDENT *pro tempore*. The bill has been read as in Committee of the Whole, and is open to amendment.

Mr. WILSON. I desire to offer a few amendments to the bill. In section 1, line 20, after the word "authority" I move to insert the words "in writing;" so as to read:

But it shall be a sufficient defense to any charge of introducing or attempting to introduce ardent spirits, ale, beer, wine, or intoxicating liquors into the Indian country that the acts charged were done under authority from the War Department, or any officer duly authorized in writing thereunto by the War Department.

The amendment was agreed to.

Mr. WILSON. In section 2, at the end of line 6, I move to insert the word "or," and to insert a comma after the word "person"; and in line 7, after the word "Indian" to insert "or other person;" so as to read:

That if any superintendent of Indian affairs, Indian agent, or subagent, or commanding officer of a military post has reason to suspect or is informed that any white person, Indian, or other person is about to introduce or has introduced any ardent spirits, ale, beer, wine, or intoxicating liquor or liquors of any kind into the Indian country in violation of law, such superintendent, agent, subagent, or commanding officer may cause the boats, stores, packages, wagons, sleds, and places of deposit of such person or Indian to be searched.

The amendment was agreed to.

Mr. WILSON. In section 3, line 5, after the word "manufacturing," I move to insert "or keeping for sale any;" so as to read:

Every person who shall, within the Indian country, set up or continue any distillery, brewery, or other establishment of whatever character for manufacturing or keeping for sale any ardent spirits, ale, beer, wine, or intoxicating liquor or liquors of any kind whatever, shall be liable to a penalty of \$1,000.

The amendment was agreed to.

Mr. WILSON. I move to further amend section 3 by adding to the section the following:

The United States court for the Indian Territory shall have jurisdiction for the trial and punishment of all crimes and offenses committed in said Territory in violation of the provisions of this act.

The amendment was agreed to.

Mr. WILSON. Those are the only amendments I have to offer.

Mr. MORGAN. I desire to call the attention of the Senator from Iowa to a fact. There are some eight, I think, small fractional tribes of Indians in the northeastern corner of the Indian Territory, their reservations bounded on the north by Kansas, on the east by Missouri, and on the south and west by the Cherokee possessions. The Committee on Indian Affairs is about to report a bill for the purpose of conferring full citizenship of the United States upon the people of those eight tribes, allotting them lands in accordance with their wishes, and organizing them

into the county of Cayuga, to be placed under the jurisdiction of the Territory of Oklahoma.

I desire to suggest to the Senator from Iowa that he put some reservation or qualification in his bill, so that it would not apply to those Indians or to that country after they are brought into the Territory of Oklahoma, for the laws of the Territory of Oklahoma and the laws applicable also to citizens of the United States would apply in that country after it had been so incorporated in this Territorial government.

More than that, the committee, at the suggestion of those Indians, desire to place in that bill restrictions upon the power of the Territorial government of Oklahoma to admit liquor free or under license for sale. The committee desires the most stringent regulations for the prohibition of the sale of intoxicants within the county of Cayuga as it is proposed to be organized.

I do not know but that the bill the Senator is now supporting would have the effect of cutting off the legislation that is proposed for these particular fractional tribes of Indians in that country.

Mr. PLATT. It will take them out of the Indian country, will it not?

Mr. WILSON. The legislation the Senator says will be proposed would, as I understand his statement, take that country out of the Indian Territory?

Mr. MORGAN. Yes.

Mr. WILSON. Consequently the bill would not be operative therein; and if there should be any danger of that, it can be very easily provided for in the bill to which the Senator refers as one likely to be reported. But if the existing condition of affairs shall continue then there can be no question that this bill ought to go through as it is.

I shall certainly have no objection to making any such provision as the Senator suggests for the protection of those people if that county shall be added to the Territory of Oklahoma. I am only now endeavoring to provide for an existing state of affairs.

Mr. MORGAN. I suppose the Committee on Indian Affairs can put in cautionary provisions that will prevent the effect of having a double system of laws obtaining there upon the same questions, the Territorial law of Oklahoma and the law of the United States. The difficulty that suggested itself to my mind was that a different court, perhaps, might have the trial of the offense which would be committed under the statute here proposed, that the Territorial court would have the jurisdiction to try the offense in the one case, whereas the United States court for the Indian Territory would have the jurisdiction in the other.

Mr. WILSON. That would have the jurisdiction within the Indian Territory, but, as I understand the Senator, it is proposed to take part of the Territory out of that jurisdiction and place it within Oklahoma.

Mr. MORGAN. If the Indian Territory were a political organization with definite boundaries fixed in the statute that would be all well enough, and I suppose we can arrange it; but I wanted to call the Senator's attention to it, so that there might be no mistake about it.

Mr. WILSON. I shall have no objection to any arrangement that may be necessary to be made at the time.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was read.

Mr. CHANDLER. I suggest to the Senator from Iowa that the title ought to be a description of the subject-matter of the bill.

Mr. WILSON. I desire to amend the title by adding thereto the words "and for other purposes."

Mr. CHANDLER. That does not meet the suggestion I make. A bill the title of which says to amend such a section and such a section of the Revised Statutes conveys no idea whatever of the subject-matter of the statute, and I think that it ought to be specified.

Mr. WILSON. I have followed what has been the uniform custom in respect of the amendments of the sections of the Revised Statutes.

Mr. CHANDLER. I think the Senator is mistaken. I think that occasionally a bill passes which only specifies certain sections of the Revised Statutes to be amended, but it is more usual than otherwise to add the subject-matter to which the bill relates.

Mr. HALE. I do not know about the present rules, but the old rules of the Senate provided that where a bill was reported to amend a section or sections of the Revised Statutes, the subject-matter of the sections referred to should be stated, so that at a glance Senators and everybody else could see what was referred to. I agree with the Senator from New Hampshire [Mr. CHAND-

Mr. CHANDLER. Do they tell us how much money it will take out of the Treasury?

Mr. DOLPH. No, they do not state the amount. I have stated to the Senate all I know about it.

Mr. PASCO. I wish to state that anyone with the most superficial knowledge on the subject must be aware that \$240,000 is an inadequate estimate. There are twenty or twenty-five million acres of land that have been forfeited to the Government and an equal quantity has been offered for sale at \$2.50 an acre. How much of it has been sold I do not know, but if only 10 per cent of it has been sold it will be ten times the amount the Senator from Oregon says was estimated in the letter which he speaks of as being before the committee in the last Congress.

We are entering upon a wide field, Mr. President. Nobody can begin to estimate the amount required, but certain it is that it must go up into the millions, and certain it is too that the money is already appropriated, for there will be nothing to do but to go to the Treasury and collect these demands when they are once established against the Government. The third section of the act, as I stated when I was on my feet before, already appropriates the amount that is necessary to carry the provisions of that act into effect, and we are making a large and indefinite appropriation; no man can tell how large. As the Senator from Oregon says, it will take weeks of labor in the Department perhaps to get the information which will enable us to proceed upon a solid and substantial foundation.

Mr. HISCOCK. Mr. President, I rise for the purpose of asking a question, which doubtless would be unnecessary to be asked by me if I had listened to all the debate. I should like to inquire of the chairman of the Committee on Public Lands what the clause means "or shall hereafter be canceled for conflict?"

Mr. DOLPH. That is in the old law. That is the language of the act of 1880. It means that where parties seek to enter lands and somebody contests the right to enter and claims that he has a better right to the lands, when one party is permitted to enter the land the money shall be paid back to the party who has been contesting for it.

Mr. HISCOCK. Right along in the same line the words occur "or where, from any cause, the entry has been erroneously allowed and can not be confirmed."

Mr. DOLPH. That is where the local land office has held that the party is entitled to the land, and when it appears before the Commissioner of the General Land Office it is found that the land was not subject to entry.

Mr. HISCOCK. Is that the language of the old law?

Mr. DOLPH. That is the old law; it is not new legislation at all. The only new portion is the provision for persons who have settled on railroad lands which have been afterwards forfeited, who have paid \$2.50 an acre and have not got the road.

Mr. HISCOCK. Then, I understand, the law as it now is covers cases where there have been fraudulent entries which have been disallowed?

Mr. DOLPH. No; not fraudulent entries.

Mr. HISCOCK. Why not?

Mr. DOLPH. It is not a question of fraudulent entries.

Mr. HISCOCK. "Where, from any cause, the entry has been erroneously allowed."

Mr. DOLPH. It means errors different from fraud. It does not apply to cases held up in the Land Office.

Mr. BERRY. Mr. President, the Senator from Oregon, in speaking about the amount probably involved in this bill, spoke about the letter which was before the committee at the last session, which he thinks was from somebody about the Department. He does not know whether it was from the Commissioner or whom it was from. I have no disposition to dispute anything the Senator has said, but I had no recollection of any letter of the kind, nor has there ever been any before the present committee. I do not think that any member of that committee, however, was of the opinion that there is any probability that the amount would fall below half a million or a million dollars.

Now, the word "assigns" having been stricken out and "legal representatives" substituted, I presume it was the intention of the Senator from Colorado, and probably the legal effect of it would be to confine these payments to the original purchasers or to their heirs, administrators, or executors, as the case may be. If that be true it will reduce the amount very considerably; how much I do not know, but such I take to be the intention of the Senator from Colorado and the legal effect of the amendment that has been adopted.

Mr. TELLER. That is right.

Mr. BERRY. In my opinion in the Territory of Arizona alone, with the amount of lands that have been entered at \$2.50 an acre and the lands afterwards forfeited by reason of the act forfeiting the lands that were granted to the Atlantic and Pacific Railroad, the cost of this bill, if all the amounts were paid back for all those entries, would amount to far more than \$200,000, to

say nothing about forfeitures that have taken place all over the country, which include the large tract of land on the North Pacific Railroad. For a distance of 200 miles, from Wallula down to Portland, 20 miles on each side of the railroad, one-half of the lands were forfeited. So it is useless for any one to blind himself with the idea that the bill does not contain a larger appropriation than \$200,000, or anything in the neighborhood of that amount.

Mr. DOLPH. Will the Senator allow me?

Mr. BERRY. Certainly.

Mr. DOLPH. Representative HERMANN of Oregon has just stepped into the Senate Chamber. The letter I have referred to was written to him, and he informs me that the amount estimated was \$250,000, instead of \$200,000. Mr. HERMANN is in my hearing.

Mr. BERRY. Although the Senator from Oregon was quite certain he could not be mistaken, I was not disposed to make any issue with him about the letter or to dispute it, but I do assert that whoever may have written the letter he certainly had but little knowledge of the large number of acres of lands that have been forfeited which were originally granted to railroads in case they should be built.

So this is an unlimited appropriation of an unlimited amount. The Senator from New Hampshire [Mr. CHANDLER] thinks the principle is correct, but that the amount should govern it. If it was money that we owed or that we were legally or equitably bound to pay, then the amount ought not to enter into the consideration, because if it be a just or a legal or equitable obligation upon the part of the United States Government it ought to be paid without regard to the amount. But when it comes to an absolute gift, a gift of money to these parties that they can not claim upon any legal or equitable ground, and the Senator from New Hampshire is going to determine how much he is willing to give these people, then I think he is correct, and we ought to know something about the ability of this Government to give away the money that belongs to its citizens, and we ought not to go beyond its capacity.

When the Senator places it upon the ground that it is an obligation upon the Government, I think he could not have heard the statement made by the junior Senator from Louisiana [Mr. WYTHE], which made it so clear that there was no obligation, either legal or equitable, raised upon the General Government to refund this money, that I can not see how any one can misunderstand the situation and put it upon such ground. Upon the idea of the Senator from New Hampshire of a liberal grant of power in the Constitution, and that we can do anything we see proper, if he be correct we can give away the money; but I want the Senate to know when they undertake to give it that it will not be covered by any \$200,000, or any sum that is anywhere near that, but that it will, in my opinion, run away up into the millions.

Mr. GEORGE. Mr. President, I desire to call the attention of the Senator from Colorado to a point. On his motion the bill has been amended in a way which I think is just and right and proper, to pay the money back, if it is to be paid at all, only to the persons who bought from the Government. I agree with the propriety of that amendment, but I desire to call the attention of the Senator to this view of it: Suppose before the passage of the act of forfeiture and whilst it was still believed that the railroad would be built and the extra value attached to the land arising from that belief, the original purchaser sold to somebody else and got in the sale the increased price arising from that belief, I should like to know from the Senator would it not be just to cut that purchaser out of any refund under this bill?

Mr. TELLER. I have no doubt it would be just, but we can not provide for cases of that kind without a great deal of difficulty; and to attempt to do that would make the bill very cumbersome and very ineffective. If a man had sold out early and upon the theory that the railroad was going to be built, and the purchaser is the party who suffers, perhaps the purchaser ought to have the money, but we can not very well provide for such cases.

Mr. GEORGE. I do not desire to give the subpurchaser the money. I think the amendment of the Senator is right; it ought to be confined to the party who dealt with the Government; but as he admits now, in a case where the purchaser sold before the failure of the enterprise was known and he objects to my suggestion upon that point only upon the ground that it would be difficult to frame a bill in that view, I suggest to him that the bill might be amended so as to read somewhat in this way:

To the purchaser or entryman from the Government who had not sold his land prior to the date of the act of forfeiture.

It would not require a great deal of amendment. That much of it would confine the benefits of this measure to the persons who I think, if any, are entitled to it.

Mr. TELLER. I suppose that might be done, but I think the class of cases that would be reached by such an amendment would be very small. It does not seem to me that there can be so much



money to be paid back under this bill as was suggested by the Senator from Arkansas; yet I admit we are here without very much information as to how much will be paid back under the bill if it should become a law. Of course the homestead people do not get anything because they had to pay the fees the same whether there was a railroad or whether there was not. So it is left entirely to the pre-emptors.

Mr. DOLPH. Those who commuted homesteads.

Mr. TELLER. Well, they become, within the proper meaning of the term, pre-emptors. They paid their money. Where parties lived the requisite number of years and entered as a homestead, they do not get anything under this bill.

Mr. TELLER. It would have been more satisfactory if the committee could have brought us exact facts. This bill was before the Committee on Public Lands when I was a member of it, but I do not myself recollect anything about the amount involved in the bill. I voted for it, I think. It seemed to me to be an act of justice to the people who went into these wild regions and took land upon the supposition that a railroad was to be built, that they should not pay more than other people paid.

It is true that the money went into the Treasury and was probably expended, and it is true, technically speaking, that it is the money of the Government. There is no question about that; but it is nevertheless true that in a section of the country people have paid \$2.50 an acre upon the theory that they were receiving special benefits, upon the theory that the Government had parted with one-half of the land in that section and thereby decreased its revenue one-half. They did not receive any special benefits. The Government did not part with the land. It did not decrease its revenue from that source one-half.

The amount, if it be a million dollars, as suggested by the Senator from Oregon, is not of any great consequence to us, if it is a proper and an equitable thing that we should pay it back. It strikes me that it is an unfair thing for the Government to have induced these people to go in there and pay a double price for the land, and then keep their money.

Mr. President, I know something about what it costs to settle up a new country. I know something of the class of men who are to be paid back. I wanted the bill confined to the men who had paid the money or their heirs or legal representatives.

I agree with the Senator from Arkansas that it should not be a matter of speculation. If it is not a matter of sufficient consequence for the people who paid the money or their heirs or legal representatives, it will not be called for; while, on the other hand, if an assignee might get it, somebody would go to work and get assignments from everybody and make it a business, and probably the Government might pay out money in large amounts that the settler himself would get very little or no benefit from.

We have had some laws passed for the benefit of settlers that have never inured to their benefit, but under this bill, if it shall become a law, the benefit will be confined to those who are entitled to it.

I said, Mr. President, I knew something about what it costs to settle a new country. Ninety-nine per cent of the men who go into a new country are poor, and what is more, many of them remain poor for many years. If they do not remain poor, if they get rich, the years of privation, the years of hardship, the years of toil, the years that they are deprived of the advantages of old and settled communities are illy compensated by the payment back to them of \$200 a quarter section.

If the history of the West could be written with a pen of truth, and if we could see the hardship, the poverty, the want of justice, and the lack of opportunities that those people have gone through, the exertions that they have made to make a home, the efforts they have made to bring their children within the civilizing influences pervading the other sections of the country, there is not a man here nor anywhere who would begrudge to those settlers the payment back of the \$200 which they would not have paid but for a mistake of the Government of the United States and not a mistake of theirs. They believed that the road would be built, because the Government said it would be built. I admit there was no guaranty that the road would be built. There is no legal obligation to pay back the money, but the statutes are full of this kind of acts, recognizing an equitable right on the part of people to call upon the Government to have money that they had paid under a mistake or under an error refunded to them.

It does not seem to me that the amount named is sufficiently large. A million or two million dollars might be paid and this country is not to be bankrupted. It is said that we have not got much money in the Treasury. It is said that it has run down, I believe, so that there are only \$125,000,000 of gold in the Treasury that is absolutely free. There is some other money, Mr. President. Nobody need disturb himself about the inability of the Government of the United States to pay all the obligations, equitable and legal, that it may have had or that it may assume.

This bill has passed the Senate once. It is in accordance with other legislation exactly the same kind, where we have rectified mistakes, and if it is not a mistake it brings it so closely as to say it is an obligation, an equitable obligation on the part of the Government to put these people where they would have been but for the legislation which induced them to pay twice what the Government has all through its history exacted from the settlers.

Mr. BERRY. Will the Senator from Colorado allow me to make a correction? I do not think a bill like this passed the Senate. The Senator stated that it had.

Mr. TELLER. I thought the bill had passed the Senate. It received the favorable action of the Committee on Public Lands.

Mr. BERRY. That is correct.

Mr. TELLER. My recollection was that it had passed the Senate, but it does not make any difference whether it did or not.

Mr. STEWART. If the Senator will allow me in this connection, he remarked that we proposed to put the settlers back in a better position than otherwise they would be in. This bill does not secure that purpose entirely, because the quantity of land that they were allowed to take was reduced one-half. They were allowed to take only 80 acres; it was reduced one-half; and even if the bill passes they would not be in as good condition as they would have been if nothing had been done.

Mr. TELLER. Mr. President, I do not desire to debate this question or continue the controversy over it. It is a matter that it seems to me is equitable, and I propose to vote for the bill.

Mr. MITCHELL. Mr. President, I have been necessarily detained from the Senate Chamber. I did not know that this measure was coming up to-day, and I shall not detain the Senate long now. I have not heard what has been said on the different sides of the question, except what has been stated by the Senator from Colorado [Mr. TELLER]. I simply rose to make an indorsement most emphatically of what he has said so much better than I could say in favor of the passage of this bill.

I think what amounts to a little less than a fraud has been perpetrated by the Government of the United States in holding out to the parties in the limits of railroad grants the inducement that a railroad would be constructed and that therefore they could afford to pay, in view of that fact, just double what all other pre-emptors are compelled to pay under the general laws of the United States. I believe for that reason, and in view of the fact that no railroad has been built the amount that they have paid over and above what all others have paid should be refunded to them.

I had the honor to introduce a bill of this character five or six years ago. It was referred to the Committee on Public Lands of the Senate, and at that time I addressed a letter to the then Secretary of the Interior, Secretary Lamar, inclosing the bill and calling upon him for his recommendation as to whether, in his judgment as Secretary of the Interior, such a bill ought to be passed, premising my letter, as I did, by calling attention to the fact that Congress had already legislated upon the subject to the effect that where parties had settled on public lands believing them to be within the limits of a grant and it turned out subsequently by the readjustment of the lines that they were thrown outside, they should be provided for, and that the \$1.25 an acre paid over and above the amount that settlers generally are called upon to pay should be refunded to them. I received an answer from Secretary Lamar, which I regret very much to say I have not here, to the effect that he saw no reason in the world—that was the substance of it—why the bill should not become a law. I therefore hope that this bill will be passed.

The PRESIDING OFFICER. If there be no further amendments in Committee of the Whole the bill will be reported to the Senate.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. Shall the bill pass?

Mr. BERRY. On that I ask for yeas and nays.

The yeas and nays were ordered.

Mr. HOAR. I rose to move that the Senate proceed to the consideration of executive business.

Mr. DOLPH and Mr. STEWART. Let us take the vote first.

Mr. HOAR. I have some doubt about the presence of a quorum.

The PRESIDING OFFICER. The roll will be called on the passage of the bill.

The Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR]. I do not see him present, and I therefore withhold my vote.



The PRESIDING OFFICER (Mr. FAULKNER, when his name was called). The present occupant of the chair is paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL] upon all questions. He is confined to his home by illness. If he were here, I should vote "nay." I do not know how the Senator from Vermont would vote.

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE].

Mr. MORGAN (when his name was called). I am paired with the Senator from Massachusetts [Mr. DAWES]. If he were present I should vote "nay."

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY]. In his absence I withhold my vote. If he were present I should vote "nay."

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. BARBOUR]. As he is absent from the Chamber I withhold my vote.

Mr. RANSOM (when his name was called). I am paired with the Senator from Maine [Mr. HALE]. If he were present I should vote "nay."

Mr. TELLER (when his name was called). I am paired with the Senator from Texas [Mr. CHILTON]. If he were present I should vote "yea."

The roll call was concluded.

Mr. WILSON. I am paired with the Senator from Georgia [Mr. COLQUITT], and therefore withhold my vote.

Mr. BUTLER. I am paired with the Senator from Pennsylvania [Mr. CAMERON]. If he were present, I should vote "nay." I do not know how he would vote.

Mr. CAREY. I am paired with the Senator from Missouri [Mr. VEST] on this question. If he were present, he would "nay." If I were at liberty to vote, I should vote "yea."

Mr. HANSBROUGH. I am paired with the Senator from Illinois [Mr. PALMER]. Were he present, I should vote "yea."

Mr. BUTLER. I should like to have the attention of the Senator from Wyoming [Mr. CAREY]. I was under the impression that he is paired with my colleague [Mr. IRBY] on all questions.

Mr. CAREY. I am paired with the Senator's colleague on political questions. Is this considered a political question?

Mr. BUTLER. I do not know that it is a political question, but I presume my colleague relied on his pair with the Senator from Wyoming. He is not present.

Mr. CAREY. I will state the understanding I had with the Senator from South Carolina [Mr. IRBY]. He told me not to decline to vote on anything that was not a political question, and the Senator from Missouri [Mr. VEST] requested me to pair with him, which I did.

Mr. BUTLER. I suppose that will be all right. The Senator from Florida [Mr. PASCO] announced his pair with the Senator from North Dakota [Mr. CASEY]; and if agreeable I will transfer his pair with the Senator from North Dakota to my colleague [Mr. IRBY], so that the Senator from Florida will be allowed to vote. That being the understanding, the Senator from Florida, I presume will be allowed to vote by transferring his pair.

Mr. PASCO. With that understanding of the transfer of my pair, I vote "nay."

Mr. TELLER. Has a quorum voted?

The PRESIDING OFFICER. A quorum has not yet voted.

Mr. BUTLER. On this question, as there is no quorum, and in order to make a quorum, the Senator from Michigan [Mr. McMILLAN] can transfer his pair with the Senator from North Carolina [Mr. VANCE] to the Senator from Pennsylvania [Mr. CAMERON]. That will enable both of us to vote, if it will be agreeable.

Mr. McMILLAN. Very well.

Mr. BUTLER. I vote "nay."

Mr. McMILLAN. I vote "yea."

Mr. WHITE. Before the result is announced, I desire to state that my colleague [Mr. GIBSON of Louisiana] is paired with the Senator from Minnesota [Mr. WASHBURN].

Mr. HARRIS. Has a quorum voted?

The PRESIDING OFFICER. It has not.

Mr. HARRIS. I suggest to the Senator from Connecticut [Mr. PLATT] that in order that we make a quorum we transfer our pairs. He is paired with the Senator from Virginia [Mr. BARBOUR]; I am paired with the Senator from Vermont [Mr. MORRILL]; and if it will suit the Senator from Connecticut we can transfer our pairs and both vote.

Mr. PLATT. Under the circumstances of my pair I prefer not to transfer it.

Mr. HARRIS. All right.

Mr. HANSBROUGH. I desire to vote to make a quorum. I vote "yea."

Mr. HOAR. I desire to state to the Senator from Tennessee [Mr. HARRIS] that this does not appear to be a political question, and it is quite certain if it is, one vote will make no difference. I think the whole Senate would agree that the Senator from Vermont [Mr. MORRILL] would desire that the Senator from Tennessee should vote for the sake of making a quorum. I hope there will be a quorum voting, because it is necessary to have a brief executive session, and if there is no quorum that can not be had. I hope the Senator from Tennessee will feel at liberty to vote.

Mr. HARRIS. I have never voted to make a quorum when I have been paired with a Senator and I could not state how he would vote. Other Senators, at least some other Senators, do. I hardly think it a proper thing to do, and certainly it is a thing I shall not do unless some one can assure me as to how the Senator from Vermont [Mr. MORRILL] would vote.

Mr. TELLER. I ask that the result be announced. There is no voting being done.

Mr. GRAY (after having voted in the negative). Mr. President, I inquire whether the Senator from Illinois [Mr. CULLOM] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. GRAY. I have a general pair with the Senator from Illinois. I withdraw my vote.

The result was announced—yeas 20, nays 21; as follows:

#### YEAS—20.

Allen,	Gallinger,	Paddock,	Sanders,
Dixon,	Hansbrough,	Peffor,	Sawyer,
Dolph,	Hoar,	Perkins,	Squire,
Dubois,	McMillan,	Pettigrew,	Stewart,
Frye,	Mitchell,	Power,	Stockbridge,

#### NAYS—21.

Bate,	George,	Kyle,	Voorhees,
Berry,	Gibson, Md.,	McPherson,	Walthall,
Butler,	Hawley,	Pasco,	White,
Chandler,	Higgins,	Pugh,	
Coke,	Hill,	Turnpe,	
Daniel,	Jones, Ark.,	Vilas,	

#### NOT VOTING—17.

Aldrich,	Cockrell,	Harris,	Ransom,
Allison,	Colquitt,	Hiscock,	Sherman,
Barbour,	Cullom,	Igby,	Shoup,
Blackburn,	Davis,	Johns, Nev.,	Stanford,
Blodgett,	Dawes,	Keena,	Teller,
Brice,	Faulkner,	Manderson,	Vance,
Call,	Felton,	Morgan,	Vest,
Cameron,	Gibson, La.,	Morrill,	Warren,
Carey,	Gordon,	Palmer,	Washburn,
Carlisle,	Gorman,	Platt,	Wilson,
Cassidy,	Gray,	Proctor,	Wolcott,
Chilton,	Hale,	Quay,	

Mr. DOLPH. I move a call of the Senate.

The PRESIDING OFFICER. The vote disclosing the absence of a quorum, the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Frye,	McMillan,	Squire,
Bate,	Gallinger,	McPherson,	Stewart,
Berry,	George,	Mitchell,	Stockbridge,
Butler,	Gibson, Md.,	Morgan,	Teller,
Call,	Gray,	Paddock,	Turnpe,
Carey,	Hansbrough,	Peffor,	Vilas,
Chandler,	Harris,	Perkins,	Voorhees,
Coke,	Hawley,	Pettigrew,	Walthall,
Daniel,	Higgins,	Platt,	White,
Dixon,	Hill,	Power,	Wilson,
Dolph,	Hoar,	Ransom,	
Dubois,	Jones, Ark.,	Sawyer,	
Faulkner,	Kyle,	Shoup,	

The PRESIDING OFFICER. Forty-nine Senators having answered to their names, a quorum is present.

#### EXECUTIVE SESSION.

Mr. HOAR. I move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. It is moved by the Senator from Massachusetts that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and at 5 o'clock p. m. the Senate adjourned until to-morrow, Tuesday, March 22, 1892, at 12 o'clock m.

#### NOMINATIONS.

*Executive nominations received by the Senate March 21, 1892.*

#### CONSUL.

Milo A. Jewett, of Massachusetts, to be consul of the United States at Sivas, vic. H. M. Jewett, resigned.

#### REGISTERS OF LAND OFFICE.

De Forest D. Leach, of Oklahoma, Oklahoma, to be register

of the land office at Oklahoma, in the Territory of Oklahoma, vice John H. Burford, resigned.

Samuel L. Overstreet, of Guthrie, Oklahoma Territory, to be register of the land office at Guthrie, in the Territory of Oklahoma, vice John I. Dille, resigned.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate March 21, 1892.*

#### SOLICITOR-GENERAL.

Charles H. Aldrich, of Illinois, to be solicitor-general.

#### PROMOTION IN MARINE-HOSPITAL SERVICE.

Assistant Surg. Julius Cobb, of South Carolina, to be a passed assistant surgeon in the Marine Hospital Service of the United States.

#### POSTMASTERS.

Edward L. Whittemore, to be postmaster at Kent, in the county of King and State of Washington.

Andrew E. Elmore, to be postmaster at Fort Howard, in the county of Brown and State of Wisconsin.

Joseph W. Cavis, to be postmaster at Stockton, in the county of San Joaquin and State of California.

Robert L. Livingston, to be postmaster at Plano, in the county of Collin and State of Texas.

Charles D. Kimball, to be postmaster at Mount Vernon, in the county of Skagit and State of Washington.

George S. McWilliams, to be postmaster at Oakesdale, in the county of Whitman and State of Washington.

Jonathan N. Langham, to be postmaster at Indiana, in the county of Indiana and State of Pennsylvania.

Joseph Hare, to be postmaster at Hill City, in the county of Pennington and State of South Dakota.

George H. Chipman, to be postmaster at Childress, in the county of Childress and State of Texas.

James J. Perkins, to be postmaster at Greenville, in the county of Pitt and State of North Carolina.

Isaac N. Eveleth, to be postmaster at National Military Home, in the county of Montgomery and State of Ohio.

Henry G. White, to be postmaster at Millersburg, in the county of Holmes and State of Ohio.

Edwin J. Smith, to be postmaster at Whitehall, in the county of Muskegon and State of Michigan.

George Andrus, to be postmaster at Chatfield, in the county of Fillmore and State of Minnesota.

Mary F. Ballantine, to be postmaster at Syracuse, in the county of Otoe and State of Nebraska.

William S. Strong, to be postmaster at Morris, in the county of Grundy and State of Illinois.

Fred W. Edmonds, to be postmaster at Kinsley, in the county of Edwards and State of Kansas.

Laura Goodfellow, to be postmaster at Fort Leavenworth, in the county of Leavenworth and State of Kansas.

Frank A. Battey, to be postmaster at Englewood, in the county of Cook and State of Illinois.

Hibben S. Corwin, to be postmaster at Peru, in the county of LaSalle and State of Illinois.

Nicholas Morper, to be postmaster at South Evanston, in the county of Cook and State of Illinois.

Charles Wood, to be postmaster at Sidney, in the county of Delaware and State of New York.

### HOUSE OF REPRESENTATIVES.

MONDAY, March 21, 1892.

The House met at 12 o'clock m. Prayer by Rabbi EMIL C. HIRSCH, of Chicago, Ill.

The Journal of the proceedings of Saturday last was read and approved.

#### PROTECTION OF LIVES OF MINERS IN THE TERRITORIES.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, transmitting an estimate of appropriation submitted by the Secretary of the Interior for the purpose of carrying into effect the act of March 3, 1891, entitled "An act for the protection of lives of miners in the Territories," which was referred to the Committee on Appropriations, and ordered to be printed.

#### DISBURSEMENTS FOR AGRICULTURAL COLLEGES.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, submitting a report of the disbursements which have been made in all the States and Territories under the provisions of an act approved August 30, 1890, entitled "An act to apply a portion of the proceeds of the public

lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, under the provisions of an act of Congress approved July 2, 1862," which was referred to the Committee on Education, and ordered to be printed.

#### UNIFORMS AND OFFICIAL TITLES OF ARMY OFFICERS.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a letter from the Major-General commanding the Army, together with a memorial signed by many prominent officers of the Army, urging the repeal of section 16, chapter 294, of the act approved July 15, 1870, which section provides that "no officer shall be entitled to wear while on duty any uniform other than that of his actual rank on account of having been breveted; nor shall he be addressed in orders or official communications by any title other than that of his actual rank," which was referred to the Committee on Military Affairs, and ordered to be printed.

#### FRENCH SPOILIATION CLAIMS.

The SPEAKER also laid before the House a communication from the Court of Claims, transmitting a copy of the findings of the court in the French Spoliation claims arising out of the seizure of the vessel *Snow Lydia*, Eleazer Washburn, master; which was referred to the Committee on Claims, and ordered to be printed.

#### FRANK RHODES.

The SPEAKER also laid before the House a communication from the Court of Claims, transmitting a copy of the findings of the court in the case of Frank Rhodes *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

#### CHARLES V. NEIDLINGER.

The SPEAKER also laid before the House a communication from the Court of Claims, transmitting a copy of the findings of the court in the case of Charles V. Neidlinger *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

#### F. E. HARDWICK.

The SPEAKER also laid before the House a communication from the Court of Claims, transmitting a copy of the findings of the court in the case of F. E. Hardwick *vs.* The United States; which was referred to the Committee on War Claims, and ordered to be printed.

#### PORT OF DELIVERY AT DES MOINES, IOWA.

The SPEAKER also laid before the House the bill (S. 808), to establish a port of delivery at Des Moines, Iowa.

Mr. HULL. I ask unanimous consent that this bill be acted on now. The House Committee on Commerce has unanimously recommended the passage of a bill similar to this, with one clause stricken out.

THE SPEAKER. The Chair will direct that the bill be read.  
Mr. McMILLIN. I hope the gentleman from Iowa [Mr. HULL] will allow this bill to lie over and come up later. There is a matter which we wish to get before the House this morning—the finishing up of an appropriation bill.

Mr. HULL. There is no objection to the gentleman's suggestion; let this matter lie over until to-morrow.

The SPEAKER. If there be no objection, the bill will be retained on the Speaker's table.

There was no objection.

#### SENATE BILLS REFERRED.

The SPEAKER laid before the House Senate bills of the following titles; which were severally read a first and second time and referred as indicated:

A bill (S. 214) making appropriation for the improvement of the military reservation known as Fort Walla Walla, in the State of Washington—to the Committee on Military Affairs.

A bill (S. 390) authorizing and directing the Secretary of the Treasury to pay to Frank Rother \$225 due him for services as route agent—to the Committee on Claims.

A bill (S. 479) for the relief of Mrs. E. Trask—to the Committee on Claims.

A bill (S. 521) granting to the State of Wyoming certain lands in the Fort D. A. Russell military reservation for agricultural fair and industrial exposition grounds, and for other purposes—to the Committee on Military Affairs.

A bill (S. 567) for the relief of Paul McCormick—to the Committee on Claims.

A bill (S. 634) to authorize and direct the Secretary of War to investigate the claim made for fuel alleged to have been taken and used by the United States Army during the war from the property in Chattanooga known as "Cameron Hill," and to provide for the payment thereof—to the Committee on War Claims.

A bill (S. 985) to provide for the enlargement of the military

wams. I have canvassed in political campaigns when excitement filled what we call wigwams, temporary structures for political meetings. Certainly, Mr. President, the grave business of the United States of America could not be transacted in one of them with a multitude around shouting praises and peans to political favorites as they listen to their voices through the windows that alone screen them from the outside public. In other words, if I am correct, the structure of this building is a necessity; the form in which it was made is made a necessity by the exigencies of government and by the principles of human nature. If it carries with it certain deprivations: if it carries with it certain trials, if it carries with it certain personal sacrifices, they have to be endured. I do not expect in here, nor could any man expect, the sweet air of the prairies to be wafted to our olfactories over beds of flowers. We can not expect that. We are not in the open air. We are here for a duty, and to my mind this building is as well constructed for the discharge of the duties intrusted to our hands as is possible.

A word more as to the ventilation of this building. I have been in this Capitol many years, in both ends of it, and I have looked at the great machinery that gathers up with a mighty suction the outside atmosphere and hurls it in tremendous volumes through these hallways, through these chambers, and through these galleries, and I can not for the life of me conceive a want of air. As I say, it may not be as fresh as from a bed of violets, but still it is fresh air.

The best evidence of that is that I have known gentlemen here—and gentlemen with no great physical superiority—stand upon this floor three and four hours at a time, and resume the next day with unimpaired lung vigor. That can not be done where there is a poisoned atmosphere. Let any gentleman rise in a hall where the atmosphere is poisonous and he will sink down as if asphyxiated. Gentlemen will speak with as much ease here as in the average building wherever you go to make addresses throughout the United States. There is hardly a State from the north end of New England to the Gulf of Mexico in which I have not addressed the people, and I have found as little difficulty in speaking with readiness and with a reasonable amount of voice in this building as anywhere else in the world.

Mr. President, we are prone to pessimistic views. Overwork, tired, late hours, resulting in a headache and disordered stomach, dizzy and weary, we look around for some object to vent our spleen upon, and commence abusing this beautiful Hall in which we stand. I have had my periods of ill health as well as others; I am thankful to my Father in heaven that I feel that I am improving day by day, but at the worst and lowest ebb I never thought that I was killed because I breathed the air of the Senate of the United States.

I would not have risen at all, Mr. President, but that I have a kind and tender affection for the memory of Thomas C. Walter and his family, and whatever faults there may be here, I think they are but light and rest lightly on his grave. They should not rest there at all.

I desire the adoption of the resolution of the Senator from South Carolina. Let sanitary engineering go on here—that is the proper word in connection with examining the ventilation of the building—let sanitary engineers go to work here and see what is necessary, if anything is necessary. Sanitary engineering is an old science. It antedates the Christian era a thousand years and goes back to the architecture of Rome; it examined cellars and foundations there, and it is well known to experienced architects. Let that be done under the resolution of the Senator from South Carolina, and we shall all be benefited by the knowledge which will be obtained. This much I felt I ought to say.

Mr. BUTLER. One moment. I shall not take up any time of the Senate, Mr. President, but my distinguished friend from Indiana has certainly set up a man of straw to knock him down if he referred to anything that fell from me, because I have not made the slightest reflection upon the architects of the Capitol, past or present.

Mr. VOORHEES. No, you have not.

Mr. BUTLER. I have always had great admiration for the character of this building, but I can hear on all sides, almost every day of my life, from Senators and employes of this body that there is some defect in the ventilation. What that is I confess I do not know.

As I said before, I have made no reflections upon the present Architect of the Capitol, but it certainly is entirely competent for the Senate of the United States, where millions and millions—I do not believe I exaggerate when I say millions and millions of dollars have been expended in the construction of additions to this Capitol—to have that matter investigated and improved upon, if possible. The Senator from Kentucky [Mr. BLACKBURN] says that we have in the terrace lovely, charming, beautiful rooms. I trust that the architects will so report; nobody will be more gratified than myself if that be true; but he will excuse me for saying that

I think perhaps I might venture to compare my judgment with his as to what constitutes an attractive and habitable room, and I am quite sure that a very large number of the rooms are uninhabitable, and I do not think as at present constructed they will ever be habitable either for human beings or for storage purposes. I do not believe that a frog could live in some of them in their present condition. A great deal of money has been spent there. I simply want these architects and experts to go and examine and report to the Senate upon the condition of the committee rooms in the terrace, and upon the condition of the tunnel through which the air is pumped into this Chamber, and let them say whether its condition can be improved or not. If it can be, I think it is the duty of the Senate to have that improvement made. If it can not be, I suppose I can endure the defective ventilation as well as any Senator here; but I made no reflection upon anybody and did not intend to make any.

The VICE-PRESIDENT. The motion made by the Senator from Kentucky [Mr. BLACKBURN] to refer the resolution to the Committee on Rules will be considered as agreed to if there be no objection.

Mr. BUTLER. I hope that will not be done.

Mr. BLACKBURN. As the Committee on Rules is charged with the custody of this wing of the Capitol building, I can not for my life see why this resolution should not go to that committee for consideration. If every Senator is going to exercise his pleasure and get up here every morning and offer resolutions imposing investigations and inquiries looking to improvements that are exclusively within the hands of that committee without its being allowed or furnished an opportunity to pass upon the question, there is no end to the trouble.

I have no objection to the adoption of the resolution of the Senator from South Carolina; I do not think there is anything in it; I think it is another scare like many that we have had before it; means nothing, and nothing will come of it in my judgment; but you have a committee of this Chamber charged with the custody and conduct of the business that pertains to this wing of the Capitol. Now, if the Senator wants anything done in that direction, I fail to understand why he objects to the committee that is charged with this duty having an opportunity to pass upon it.

Mr. BUTLER. If the Senator will pardon me for saying, not as usual, but certainly this morning—if he will excuse me for a little slang—I think he has gone off on halfcock entirely.

Mr. BLACKBURN. I do not need to say it of the Senator from South Carolina, because the Senate reads that in his resolution.

Mr. BUTLER. The Senator certainly has not considered what has been done. The resolution as originally drafted referred the matter to the Committee on Rules, but I yielded to the suggestion of the Senator from Missouri [Mr. VEST] to send it to the Committee on Public Buildings and Grounds, so that what the Senator from Kentucky says about resolutions being introduced every morning has no application to me.

Mr. BLACKBURN. Except as to this morning.

Mr. BUTLER. The Senator is off again. Yesterday morning I introduced a resolution. I do not generally burden the Senate with many resolutions, but this seemed an important matter, and I can see no earthly reason for its going to the Committee on Rules. The Senate can judge of the advisability of passing the resolution or not. If they do not choose to pass it, let them vote it down. If it goes to the Committee on Rules, the chances are it will be pigeon-holed.

Mr. BLACKBURN. I should be glad if the Senator from South Carolina would make good the imputation he has put upon that committee by referring to a single resolution in all the history of this Senate Chamber wherein the Committee on Rules has pigeon-holed anything.

Mr. BUTLER. Perhaps they want to establish a precedent in this resolution, Mr. President.

Mr. BLACKBURN. Mr. President, if there was an excuse for the establishment of a precedent, I think it would be found in this very resolution that the Senator offers.

I have no objection to any investigation or any inquiry, but I do insist that it should be conducted orderly and with due deference and respect to this Chamber and its organization; and for that reason I moved to refer what to my mind is a very trivial suggestion of an inquiry that has wasted more time of the Senate than the results would ever warrant to the Committee on Rules, where the resolution properly belongs.

Mr. VEST. Mr. President, as I am responsible for the change in the resolution of the Senator from South Carolina, I want to state very frankly why I made the suggestion. It is not a matter of life or death or of great parliamentary importance, but still it is well enough to understand exactly what we are doing about this matter. I have always thought the jurisdiction of the Committee on Rules extended to the management of the Senate

wing of the Capitol, and the jurisdiction of the Committee on Public Buildings and Grounds went to a change, if any was necessary, in the structure of the building. The Committee on Rules certainly has not jurisdiction of public buildings and grounds. If it has, then we have one committee too many and the Committee on Public Buildings and Grounds ought to be struck from the roll of committees. In the absence of the chairman of that committee, I made this suggestion. This is a question as to changing or as to examining into the structure of the building to find what defects it has, if any. It is not a question of rules governing the Senate. Therefore, I think the suggestion was pertinent and proper that the change should be made. It is immaterial to me, but in the absence of the chairman of the Committee on Public Buildings and Grounds I felt it my duty to make that suggestion.

The VICE-PRESIDENT. The question is on the motion of the Senator from Kentucky that the resolution as modified be referred to the Committee on Rules [putting the question]. The Chair is unable to decide.

Mr. HAWLEY. Mr. President, I think the motion is not understood.

The VICE-PRESIDENT. The motion made by the Senator from Kentucky is to refer the resolution as modified to the Committee on Rules. The Chair will put the question again.

The motion was not agreed to.

The VICE-PRESIDENT. The question now is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

#### WASHINGTON AND GEORGETOWN RAILROAD COMPANY.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed, and the Calendar under Rule VII is in order.

Mr. McMILLAN. I ask unanimous consent to take up Order of Business 295, Senate bill 2045, to amend the act incorporating the Washington and Georgetown Railroad Company.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on the District of Columbia with amendments.

The first amendment was to insert at the end of the bill the following proviso:

*Provided*, That the terminal points hereby authorized shall be located under the direction of the Commissioners of the District of Columbia, so as not to interfere with access to the said Aqueduct bridge.

So as to read:

That the Washington and Georgetown Railroad Company is hereby authorized and required to change its tracks as follows: Commencing at M and High streets, in the city of Georgetown; thence west along M street to the Aqueduct bridge; *Provided*, That the terminal points hereby authorized shall be located under the direction of the Commissioners of the District of Columbia, so as not to interfere with access to the said Aqueduct bridge.

The amendment was agreed to.

The next amendment was, to add the following as a new section:

SEC. 2. That the changes hereby authorized and required shall be made, and cars shall be operated on the extension of the line, by December 1, 1892, and during the laying of said tracks the amount of street to be opened at any one time, and the closing of any cross streets, shall be subject to the orders of the Commissioners of the District of Columbia. Any damages to or changes in any underground conduits, made necessary by reason of the construction of the road, shall be made at the expense of the Washington and Georgetown Railroad Company.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BRIDGE ACROSS ROCK CREEK.

Mr. McMILLAN. Mr. President, in the same connection I should like to call up Calendar No. 285, Senate bill 2045. It is a short bill and relates to the same road.

The VICE-PRESIDENT. The title of the bill will be read.

The SECRETARY. A bill (S. 2045) to provide for the rebuilding of the bridge across Rock Creek at M street northwest in the District of Columbia.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on the District of Columbia with an amendment, in section 1, line 6, after the word "rebuilt," to insert "of stone or iron," so as to make the section read:

That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to erect a bridge across Rock Creek at M street in the District of Columbia, of the material of stone or iron in such manner that the bridge shall be substantially a part of the street as to width, paving, and sidewalks; and the sum of \$10,000 is hereby appropriated, out of any money

in the Treasury not otherwise appropriated, which said sum shall be available immediately upon the passage of this act, for the rebuilding of said bridge and such contingencies as the Commissioners of the District of Columbia shall deem necessary. *Provided*, That one-half of the expense incurred under this act shall be charged to the Washington and Georgetown Railroad Company and collected from said company in the same manner as the cost of laying down pavements, sewers, and other works, or repairing the same, lying between the exterior rails of the tracks of street railways, and for a distance of 2 feet from and exterior to such tracks or tracks on each side thereof, are collectible under the provisions of section 5 of the act entitled "An act providing a permanent form of government for the District of Columbia, approved June 11, 1878."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### OLD CUSTOM-HOUSE AND POST-OFFICE IN WILMINGTON, DEL.

Mr. HIGGINS. I ask unanimous consent for the present consideration of Calendar No. 423, Senate bill 2498, to authorize the sale of the old custom-house and post-office in Wilmington, Del. It is a short bill.

Mr. PERKINS. I hope the Senator from Delaware will permit us to finish the bill that we had almost completed yesterday and that stands first in order this morning. I think we can dispose of that in a minute.

Mr. HIGGINS. This will not take long.

Mr. PERKINS. But there may be others who will be asking for the same privilege.

Mr. HIGGINS. I hope the Senator will allow the bill I have referred to be considered.

Mr. PERKINS. Very well; I yield to the Senator from Delaware, and afterwards I will yield to the Senator from Indiana [Mr. VOORHEES].

By unanimous consent, the bill (S. 2498) to authorize the sale of the old custom-house and post-office in Wilmington, Del., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, in line 6, after the words "States in," to strike out "said city" and insert "the city of Wilmington, D. C.," so as to make the bill read:

*Be it enacted*, That the Secretary of the Treasury be, and he is hereby, authorized, whenever in his judgment the public interest will admit, to sell and convey the parcel of property of the United States in the city of Wilmington, Delaware, occupied as a public building, with the site thereof, and to apply the net proceeds of said sale to the erection of the new public building now in course of construction, and on the site and between Supply street and Orange street, in said city, to the limit of one-half of the net proceeds of said sale, and he is authorized to contract with the Secretary of the Treasury to occupy the same at a yearly rental, not exceeding 6 per cent upon the sum for which the same is sold, until the completion of said new building, after first deducting the expenses of said sale and the amount of such rent, which is hereby authorized to be paid out of any moneys in the Treasury not otherwise appropriated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### THOMAS COOPER.

Mr. PERKINS. I now yield to the Senator from Indiana.

Mr. VOORHEES. I am obliged to the Senator from Kansas for his courtesy. I ask the Senate to consider Order of Business 422. I will simply say that it is a pension for a very old man, who is in a state of destitution or I would not interfere with the order of business.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 323) granting a pension to Thomas Cooper. It proposes to place on the pension roll the name of Thomas Cooper.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### WEST VIRGINIA DIRECT TAX.

Mr. FAULKNER. As the unfinished business which will come up at 2 o'clock is the direct tax joint resolution (S. R. 9), and as the Senator from Vermont [Mr. MERRILL] is still to come, well to attend the Senate, I will ask unanimous consent that it be fixed as the unfinished business for Tuesday next at 2 o'clock. By that time we are in hopes that he will be able to attend the Senate.

The VICE-PRESIDENT. The title will be stated.

The CHIEF CLERK. A joint resolution (S. R. 9) to direct the Secretary of the Treasury to pay to the Governor of the State of West Virginia the sum appropriated by the act of Congress entitled "An act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861."

propriated, to enable the Secretary of the Interior to purchase certain lands and improvements for the use and benefit of said Mission Indians, as approved by said Secretary and the President, and to be applied to such purposes in accordance with the said report of said Mission Indian Commissioners as the same has been approved by the President.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

#### SETTLERS ON PUBLIC LANDS.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 622.

The Senate resumed the consideration of the bill (S. 622) to amend an act entitled "An act for the relief of certain settlers on the public lands, and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands."

The PRESIDING OFFICER. The question is on the passage of the bill, on which the yeas and nays have been ordered. Is the Senate ready for the question?

Mr. HAWLEY. Mr. President, I voted against the bill yesterday because I had not received sufficient information in regard to it. We had very little information concerning the sum that would possibly be required to discharge the obligation referred to. One estimate of the General Land Office was, I think, \$260,000. A subsequent estimate, just received to-day, says it may be a million and a half. The judgment of those who know best about it is that perhaps it will take a million; a million and a half will hardly be reached. I still have some hesitation about voting for this bill, but the equity of the purpose it seeks to attain it seems to me is unquestionable, and I shall make no further opposition to it.

The Secretary proceeded to call the roll.

Mr. BATE (when his name was called). I am paired with the Senator from Washington [Mr. ALLEN]. If he were present I should vote "nay."

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. GIBSON of Maryland (when his name was called). I am paired with the senior Senator from Michigan [Mr. STOCKBRIDGE]. If he were present I should vote "nay."

The PRESIDING OFFICER (Mr. HARRIS in the chair, when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. TELLER (when his name was called). I am paired with the junior Senator from Texas [Mr. CHILTON]. If he were present I should vote "yea."

Mr. VOORHEES (when his name was called). On this question I am paired with the Senator from Nevada [Mr. STEWART]. If he were here I should vote "nay."

Mr. WARREN (when his name was called). I am paired with the Senator from Georgia [Mr. GORDON].

Mr. WHITE (when his name was called). I am paired with the Senator from Montana [Mr. POWER]. If he were present I should vote "nay."

Mr. WOLCOTT (when his name was called). I am paired with the Senator from West Virginia [Mr. KENNA], but I transfer that pair to the Senator from California [Mr. STANFORD] and will vote "yea."

The roll call was concluded.

Mr. McPHERSON. I am told by Senators about me that the Senator from Delaware [Mr. HIGGINS] with whom I am paired would vote the same as I do upon this question, and I therefore vote "nay."

Mr. BLACKBURN. I inquire whether the Senator from Nebraska [Mr. MANDERSON] has voted?

The PRESIDING OFFICER. He is not recorded.

Mr. PADDOCK. The Senator from Nebraska [Mr. MANDERSON] has not voted. He is confined to his house by illness.

Mr. BLACKBURN. I am paired with that Senator. Were he present I should vote "nay."

Mr. GIBSON of Louisiana (after having voted in the negative). I inquire if the Senator from Minnesota [Mr. WASHBURN] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. GIBSON of Louisiana. Then I withdraw my vote. I am paired with that Senator.

Mr. SHERMAN. I inquire if the Senator from Kentucky [Mr. CARLISLE] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. SHERMAN. I will not vote, then, as I am paired with that Senator.

The PRESIDING OFFICER. If the Senator chooses to trans-

fer his pair, the present occupant of the chair will transfer his pair with the Senator from Vermont [Mr. MORRILL] to the Senator from Kentucky [Mr. CARLISLE], and that will enable the Senator from Ohio and the occupant of the chair to vote.

Mr. SHERMAN. I do not know how the Senator from Kentucky would vote, and under the circumstances I prefer not to vote.

Mr. DANIEL. I inquire whether the Senator from Washington [Mr. SQUIRE] has voted.

The PRESIDING OFFICER. He is not recorded.

Mr. DANIEL. Then I withhold my vote, as I am paired with him.

Mr. FELTON. I am paired with the Senator from Ohio [Mr. BRICE], who is not present. If he were here, I should vote "yea."

Mr. CAREY. I am paired with the Senator from South Carolina [Mr. IRBY] on political questions. This seems to be a political question. I now transfer that pair to the Senator from North Dakota [Mr. CASEY], and that will release the Senator from Florida [Mr. PASCO] and enable him to vote. I vote "yea."

Mr. PASCO. Under that arrangement of transfer of pairs I vote "nay."

The result was announced—yeas 21, nays 22; as follows:

YEAS—21.			
Allison.	Dubois.	McMillan.	Proctor.
Carry.	Frye.	Mitchell.	Sawyer.
Chandler.	Gallinger.	Paddock.	Shoup.
Davis.	Hansbrough.	Perkins.	Stockbridge.
Dixon.	Hatch.	Pettigrew.	Wilson.
Dolph.	Hear.	Platt.	Wolcott.
NAYS—22.			
Barbour.	Colquitt.	Morgan.	Vance.
Berry.	George.	Palmer.	Vest.
Blaggett.	Hale.	Pasco.	Vilas.
Call.	Jones, Ark.	Pugh.	Wadsworth.
Cockrell.	Kyle.	Ransom.	
Coke.	McPherson.	Turpie.	
NOT VOTING—42.			
Aldrich.	Daniel.	Higgins.	Sherman.
Allen.	Dawes.	Hill.	Squire.
Bate.	Faulkner.	Irby.	Stoddard.
Blackburn.	Felton.	Jones, Nev.	Stewart.
Brice.	Gibson, La.	Kenna.	Teller.
Butler.	Gibson, Md.	Manderson.	Voorhees.
Cameron.	Gordon.	Merrill.	Warren.
Carlisle.	Gorman.	Peffer.	Washburn.
Cassidy.	Gray.	Power.	White.
Chilton.	Harris.	Quay.	
Cullom.	Hawley.	Sanders.	

So the bill was passed.

#### ORDER OF BUSINESS.

Mr. DAWES. I move that the Senate proceed to the consideration of the Indian appropriation bill.

Mr. DOLPH. Mr. President, I hope the Senator from Massachusetts will let the special orders fixed for to-day be taken up. The fixing of the time for the consideration of those bills was delayed a long while on account of the necessary absence of the senior Senator from Louisiana [Mr. GIBSON], who is now here, and they have been fixed for a hearing this afternoon and everybody is ready. The bills that are fixed as special orders for to-day were all carefully considered, after hearing witnesses, by the Committee on Commerce, and are unanimously reported. I do not think they will lead to any discussion. I think all of them may be disposed of in half an hour or an hour. I beg the Senator from Massachusetts to let them come up and be acted on.

Mr. DAWES. I will not object to their coming up if they do not cause any debate.

Mr. DOLPH. Let them be taken up with that understanding. Mr. DAWES. If the Senator will withdraw the bills in case they cause debate, I shall not object.

Mr. DOLPH. I would not say if anybody asked for an explanation that the bills might not be explained, but if they bring about any extended discussion, I shall not ask the Senator from Massachusetts to yield.

Mr. DAWES. It is very evident that the appropriations bill should be considered.

Mr. GIBSON of Louisiana. I can say to the Senator from Massachusetts that these bills have been very fully discussed in committee, and I do not believe that they will lead to any discussion whatever on the floor of the Senate.

The PRESIDING OFFICER. Does the Senator from Massachusetts withdraw his motion?

Mr. DAWES. I will withdraw the motion for half an hour.

Mr. DOLPH. I will state also that the chairman of the Committee on Commerce [Mr. FRYE] has suggested that the bills ought to receive early consideration in order to go to the House of Representatives before the House acts on the river and harbor bill.

## THE MISSISSIPPI RIVER IMPROVEMENT.

The PRESIDENT OFFICER. The title of the first special order will be stated.

The bill (S. 2160) to improve the navigation and to afford ease and safety to the trade and commerce of the Mississippi River, and to prevent destructive floods, with an appropriation for the same, was announced as the first special order, and the Senate, as in Committee of the Whole, proceeded to consider it.

The bill was reported from the Committee on Commerce with amendments.

The first amendment was, in section 1, line 3, before the word "dollars," to strike out "sixteen millions of" and insert "fifteen million;" so as to read:

That the sum of \$15,000,000 be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the improvement of the Mississippi River.

The amendment was agreed to.

The next amendment was, in section 1, line 6, before the word "dollars," to strike out "millions of" and insert "million;" so as to read:

Whereof \$10,000,000, or so much thereof as may be necessary, shall be expended, under the direction of the Secretary of War, in accordance with such plans, specifications, and recommendations of the Mississippi River Commission as may be approved by the Chief of Engineers of the United States Army.

The amendment was agreed to.

The next amendment was, in section 1, line 11, after the word "Army," to strike out "to build, repair, and extend the levees and dikes and other works on the Mississippi River" and insert "for the general improvement of the river, for the building of levees, and for surveys;" so as to read:

As may be approved by the Chief of Engineers of the United States Army for the general improvement of the river, for the building of levees, and for surveys, from the head of the passes near its mouth, to the mouth of the Ohio River, and for the payment of the expenses and salaries of the Mississippi River Commission.

The amendment was agreed to.

The next amendment was, in section 1, line 18, before the word "million," to strike out "three" and insert "two;" and after the word "million," to strike out "three hundred and thirty-three thousand;" so as to make the proviso read:

*Provided,* That not more than \$2,000,000 shall be expended during any one year.

The amendment was agreed to.

The next amendment was, in section 1, line 19, after the word "year," to strike out the additional proviso in the following words:

*And provided further,* That the amount herein appropriated shall be expended for the purposes indicated only so long as the States and the local authorities therein shall continue the taxation and contributions for levee improvement on the Mississippi River now provided for and made under the laws of said States, and no part of this appropriation shall be used for the purchase of sites for levees or the payment of alleged damages from the construction of the same.

The amendment was agreed to.

The next amendment was, in section 2, line 2, before the word "dollars," to strike out "sixteen millions of" and insert "fifteen million;" and in line 4, before the word "dollars," to strike out "six millions of" and insert "five million;" so as to read:

That out of the aforesaid sum of \$15,000,000 herein appropriated for the improvement of the Mississippi River \$5,000,000, or so much thereof as may be necessary, shall be expended under the direction of the Secretary of War in accordance with such plans, specifications, and recommendations as may be approved by the Chief of Engineers of the United States Army, to complete the improvement of the Mississippi River from the mouth of the Ohio to the mouth of the Illinois River.

The amendment was agreed to.

The next amendment was, in section 2, line 11, before the word "dollars," to strike out "two millions of" and insert "one million;" so as to make the proviso read:

*Provided,* That not more than \$1,000,000 shall be expended during any one year.

The amendment was agreed to.

The PRESIDENT OFFICER. The bill is in Committee of the Whole and open to amendment.

Mr. TELLER. I wish to inquire if there is a report with the bill.

The PRESIDENT OFFICER. There is no printed report.

Mr. TELLER. I should like to have the chairman of the committee or whoever reported the bill give us some little information on the subject. The bill itself does not contain a great deal.

Mr. FRYE. The bill was reported by the Senator from Louisiana [Mr. GIBSON]. The Senator from Colorado desires some information touching the bill from the Senator who reported it.

Mr. GIBSON of Louisiana. Mr. President, under the arrangement with the Senator from Massachusetts [Mr. DAWES] there is very brief time allowed for the consideration of this bill, but I will state to the Senate that the bill appropriates \$2,000,000 for the Lower Mississippi and \$1,000,000 from Cairo to the mouth of the Illinois River; and under the amendment to be offered by

the Senator from Iowa [Mr. ALLISON] \$750,000 from the Illinois River up to St. Paul, to be expended annually for five years.

The plan of the improvement of the river has been thoroughly examined by the members of the Committee on Commerce, and has at several sessions of Congress been approved by the Congress of the United States. The plan for the improvement of the Lower Mississippi River is that which was adopted by Eads at the mouth of the river. It was ascertained by the engineers that there were six great reaches or stretches of sand filling the Lower Mississippi River at certain intervals 250 or 300 miles apart. These great reaches of sand were from 28 to 30 miles in length each. They were caused by the deposits of sand coming down from the affluents of the Mississippi River into this great trunk line from Cairo to the sea, one of which was located at the mouth of the river where the current came in contact with the tide of the gulf.

The plan adopted by the Commission which was organized in 1879 was, as I said a moment ago, at these reaches where the river is generally 10,000 feet wide, while its normal width is only 3,000 feet wide, to insert false banks along through these wide and shallow lakes by a system of jetties, which find a place there on these sand bars when the river is low. Then when the river rises and overflows it forms a compact mass in rear of them and they become ultimately embankments for the river so as to hold the water in these narrow channels, the effect of which is to scour them out and to give deep water.

In order to secure the greater velocity of the river they place levees or dikes or jetties, as you may call them, on the banks of the river so as to hold the river in its channel in the flood state and thus to acquire the necessary force to carry the sediment, the sand, the detritus that comes into this trunk line, which is 1,000 miles long and into which empty forty-three great rivers, embracing navigation for 16,000 miles, draining the valley from the Allegheny to the Rocky Mountains, to the Gulf of Mexico. You can imagine what a vast quantity of sand comes into this trunk line from all the mountain slopes. Every village, every plow furrow, every cultivated field, tends to bring in more and more of this vast quantity of sand into this great trunk line from Cairo to the mouth.

These sand bars were formed on account of the deposits made in them by the slackening of the current of the river by crevasses and the plan of the engineer is, as I said, to confine the volume of water to a narrow channel so that it may get the benefit of the velocity to scour it out. That is the whole plan which was adopted by Mr. Eads at the mouth of the river. There we had a sand bar in one of the mouths of the Mississippi River where there were only 8 feet of water. I myself made a survey of the mouth of the river in 1861 and can testify to the fact, and now by narrowing the channel of the river at this point a minimum depth of 28 feet has been obtained and preserved year after year.

Mr. DOLPH. May I interrupt the Senator a moment?

Mr. GIBSON of Louisiana. Certainly.

Mr. DOLPH. Is there any change proposed in the plan? There is no change in the plan?

Mr. GIBSON of Louisiana. There is no change in the world in the plan.

Mr. DOLPH. There is none at all. This bill simply makes an appropriation.

Mr. GIBSON of Louisiana. This same plan has been applied at Plum Point Reach and Lake Providence Reach where there were only 3 and 4 feet of water in the autumn, when it is necessary to move the grain crops of the Northwest, and we have now in those two reaches 12 feet of water. The depth of water has been more than doubled.

This plan is not peculiar to the Mississippi River. It has been adopted on all other rivers. I hold in my hand the report of our consul at Frankfurt. He shows that the German Government have expended \$40,000,000 on the Rhine, under the Rhine commission for a space of only 300 miles, and that the depth of water in that river at shoal places has been more than doubled; that vast areas of country have been brought into cultivation and are now smiling with tillage which were given in the last century over to the waste of waters; and the Rhine has become a great, deep, and navigable river. The Victorian embankment in London was built on the same theory, and it is one of the memorials of the Victorian age, not only giving a great highway along through the city of London, but has deepened the Thames and greatly accelerated the velocity and force of its current. The same plan was adopted on the Clyde in Scotland, which was a narrow stream with a languid current and shoal depth. It has become now the seat of the greatest dockyards in the world.

Not only are these principles correct in theory, but we have had actual and practical development of their truth. What is the theory and principle? It rests entirely upon the doctrine of gravity. What gives velocity? A fall from a higher to a lower



rivers (which they have designated by breaking their surveys on the banks of those rivers into fractions, leaving the ownership of the bottom in the States) to the purposes of navigation—not to fisheries or anything of that kind but for the purposes of navigation—and then we find in the Constitution of the United States the plain and indisputable power of the Government of the United States to protect and preserve and maintain navigation. Uniting these powers together, I have no difficulty about the case in my own mind.

So I am free to vote for the digging out of any river where policy indicates that it is proper to do so, and if I find the two governments, the State government and the United States Government, have united in the dedication of that stream to the purpose of navigation, and that it is reasonably profitable to the country that it should be dug out, I shall vote you all the money that is needed when our people can bear the taxation that is necessary to raise it.

Mr. CHANDLER rose.

Mr. DAWES. It is perfectly evident from the line of debate here that it is impossible for the Senate to consider this measure and the Indian appropriation bill to-day. I do not desire to crowd in the Indian appropriation bill. I should like very much to dispose of it, it is important that it should be disposed of, but if the Senate thinks on the whole that it had better dispose of this measure to-day I shall not try to crowd the Indian appropriation bill in. But if the Senate is disposed to consider the Indian appropriation bill it had better be taken up now, for the debate upon this measure indicates a wide field upon which there will be a great deal of time expended. Therefore, unless Senators can indicate that they will close the debate very soon, I shall leave it to the Senate to determine which of the measures it will dispose of to-day by moving to take up the Indian appropriation bill.

Mr. GIBSON of Louisiana. I do not know what is the disposition of the Senate, but I assume that there will be no further debate on this bill. It has already been thoroughly and fully discussed.

Mr. DAWES. I do not desire to crowd off the bill, but it is apparent that one or the other of these measures must give way, and I leave it to the Senate.

Mr. CULLOM. May I suggest to the Senator from Massachusetts, the chairman of the Committee on Indian Affairs, that he wait for half an hour and see whether this bill does not get out of the way? I am inclined to think it will be disposed of in that time. If so, it had probably better be finished now that it is before the Senate.

Mr. DAWES. I understand the interest the Senate has in this measure, though it ought to understand also the interest it has in the appropriation bill. I will wait for half an hour.

Mr. CHANDLER. Mr. President, I do not desire to detain the Senate more than a few moments in connection with this bill. I had the honor of serving in the Fiftieth Congress upon the Senate Committee on the Mississippi River, and I participated in a pretty careful investigation which was made concerning certain points of dispute which had arisen. I had no difficulty in reaching two conclusions. The first was that the work of the Mississippi River Commission, carried on by the officers of the War Department, was wisely conceived. Attempts were made to disparage and to destroy the theories and the plans upon which the Mississippi River Commission proposed the improvement of that river. Those attempts, in my judgment, have been unsuccessful, and so far as the money of the United States is hereafter to be expended upon the improvement of the Mississippi River for the purpose of constructing levees or for the purpose of improving the navigation, or for both purposes taken together, there can be no better plan of making those expenditures than that which is provided by existing law.

The Senator from Alabama [Mr. MORGAN] I think did injustice to the officers of the War Department in the remarks which he made. Certainly he is mistaken in attributing to the officers of the War Department the desire to prolong the time during which any given work is carried forward. The officers of the Army are in for life, their compensation is the same whether a work goes forward or does not go forward, and in my judgment, as I have had occasion to say heretofore upon this floor, no work which this Government can perform is more honestly, more judiciously, more wisely performed than that which is done by the officers of the regular Army of the United States. I think the Senator, unwittingly probably, does them injustice in the criticisms which he has made.

No, Mr. President, the delay in the execution of these works does not arise from any unwillingness of the officers of the Army to go on with due speed. It arises more from the inadequacy of the annual appropriation, as the Senator from Maine [Mr. FRYE] has so well set forth here to-day; and instead of undertaking to expedite the completion of any of our public works by unjust

criticisms of the military officers engaged in carrying them forward, it seems to me that we ought to strike the blow of reform exactly as indicated by the Senator from Maine, and provide adequate appropriation for every public work, so that the work may go on without being hindered by the failure of an appropriation, and so that the work may go on according to a systematic plan persistently carried out.

I have in my hand a letter from Brig. Gen. Casey, Chief of Engineers, inclosing a statement of the expenditures which have been made by the Mississippi River Commission since its organization, which I will insert in my remarks. The period of time during which this Commission has been in existence and has had charge of these improvements is since 1881, about ten years, and it appears that during that period there have been expended in all for levees and for other work \$13,732,600, of which \$3,924,300 has been paid out on the levees and \$9,808,300 has been expended for other work. There has been an appropriation on an average of not quite \$2,000,000 in each year under the system of annual appropriations.

The letter referred to is as follows:

OFFICE OF CHIEF OF ENGINEERS, UNITED STATES ARMY,  
Washington, D. C., January 7, 1892.

SIR: In reply to your letter of December 28, 1891, requesting an informal and approximate statement of the expenditures on the improvement Mississippi River since the Mississippi River Commission was organized, I inclose a copy of such statement prepared by Gen. C. B. Constock, Corps of Engineers, president of the Commission, giving the items and totals in the form requested by you.

These sums are exclusive of the amounts appropriated specially for surveys and for expenses and salaries of the Commission, which aggregate \$1,097,515.

Very respectfully, your obedient servant,

THOS. LINCOLN CASEY,  
Brigadier-General, Chief of Engineers.

Hon. W. E. CHANDLER,  
United States Senate, Washington, D. C.

*Comparative statement of expenditures made by the Mississippi River Commission from appropriation for improving Mississippi River below Cairo.*

Appropriations.		Expenditures (approximate).			
Date.	Amount.	Year ending June 30—	Levees.	Other work.	Totals.
Balance.....	\$272,594.95				
March 3, 1881.....	1,000,000.00	1882		\$1,000,000	\$1,000,000
August 2, 1882.....	4,123,000.00	1883	\$903,500	2,744,000	3,737,500
January 19, 1884.....	1,000,000.00	1884	371,800	564,900	936,700
July 5, 1884.....	1,350,000.00	1885	228,400	1,652,900	1,881,300
		1886	6,400	137,300	143,700
August 5, 1886.....	2,000,000.00	1887	228,200	318,100	646,300
		1888	503,900	462,000	965,900
August 11, 1888.....	2,815,000.00	1889	430,300	1,057,700	1,488,000
September 19, 1890.....	3,200,000.00	1890	305,100	1,103,600	1,411,000
March 3, 1891.....	1,000,000.00	1891	755,600	762,400	1,518,000
Total to close of fiscal year 1891.....			3,924,300	9,808,300	13,732,600

From July 1, 1891, to November 30, 1891, has been expended: on levees, \$381,200, and on other work, \$381,100; a total of \$762,300.

Mr. CHANDLER. This bill provides that we shall expend \$2,000,000 a year, and that the work shall be continuous—not beyond the power of Congress, but it is to be continuous under this bill, unless Congress at the end of any given year chooses to stop it. The work is not to be beyond the control of Congress. If at any time when these reports are made Congress chooses to declare by statute that the work is going on upon a wrong principle or is being carried forward uselessly or unwisely, it can stop it by three lines in an appropriation bill at any moment.

Mr. President, I take occasion to say that the other conclusion which I had no difficulty in reaching when serving upon the Committee on the Mississippi River, which I believe every member of that committee North and South, East and West, reached, was, that the true method of dealing with this great question of the improvement of the Mississippi River is to make an appropriation of a large sum of money which shall be permanent and fixed, a proportion of which shall be expended annually, and that nothing shall stop that appropriation from being expended and nothing shall stop the work from going forward except the absolute orders of Congress in subsequent legislation.

I believe that this policy should be adopted at this time. I believe that this bill should pass. I believe that the work is being well and wisely done, and I believe that there is no safe or judicious or broad and statesmanlike way of dealing with the improvement of the Mississippi River except as I think all the other great harbor improvements should be dealt with, by a comprehensive decree of Congress that the levees shall be built and the navigation shall be improved as a great national measure.

Mr. President, I have no constitutional difficulties on this subject. If it suits the Senator from Alabama before voting for this

measure to insert in the bill a provision that the construction of levees shall be limited to those cases where they are needed, in order to promote the improvement of the low-water navigation, if that reconciles his intellect or his conscience to this bill, I am very willing to have it inserted. It certainly will not deter me from voting for the bill that that assertion is put in, and I am very sure that it will not deter the Mississippi River Commission and the officers of the War Department who make these expenditures from endeavoring to secure the construction with the aid of the States upon the Lower Mississippi of a system of levees that shall put that river within its boundaries, where it ought to stay, so that Congress may be relieved from the appeals that are from year to year made to us for assistance to the people of those States in case of an overflow of the Mississippi.

I suppose the Senator from Alabama would not hesitate and has not hesitated to vote for the appropriations which have been made from time to time of very large sums for the relief of the sufferers from Mississippi overflows. It seems to me that it is quite as constitutional to vote to construct the levees as it is to feed the sufferers from the floods. I assure the Senator from Alabama that some of these large sums that Alabama is pouring into the Treasury can not be more wisely expended than in preventing the sufferings and the losses and the calamities that are happening from time to time upon the Lower Mississippi by the construction of an adequate system, once for all, of levees upon the Mississippi.

Mr. HAWLEY. Mr. President, I have lost a part of this discussion, but what I have heard reminds me very much of what I heard years and years ago when the question of large appropriations for the Mississippi River was first broached. The battle was fought out then. There was then a tendency to undertake the improvement of all the Mississippi bottoms, of all the broad lands on each side of it, the salvation of that country from floods, the drainage of it, etc. I say the battle was fought out and the decision was made, that so far as such bills as this are concerned they were to be devoted primarily—they were to be devoted wholly, I should say—to the commercial question alone, to the navigational question under the Constitution of the United States, and wherever the protection of river banks or the deepening of the channel was of an incidental benefit to many plantations, as of course it was to a broad strip of territory, we were glad of it, but that was not the purpose of the bill. I say in those days it was settled by the judgment of Congress, and my only surprise now is that anybody should hesitate at any expression which would seem to reaffirm that delineation of proper limits.

I agree entirely to the amendment of the Senator from Alabama. I should perhaps have not thought it necessary. I am a little more nearly convinced it is needed by the semi-unwillingness of some to make that statement in regard to the appropriations. I vote for that amendment with a great deal of pleasure; I hope to be able to vote for the appropriation, but I shall vote for it as a question of navigation entirely.

Mr. CALL. Mr. President, the Senator from Maine [Mr. FRYE] in the course of his observations upon this bill stated that the people of the Eastern States have paid \$80,000,000 for compulsory pilotage under the legislation of the Southern States. Now, whatever may be the merits of this tonnage question, it is certainly true that the ship which pays pilotage in getting into any port charges that payment upon the rates imposed for carrying the goods contained in the vessel. A vessel from any Eastern port coming to ports of South Carolina, North Carolina, Georgia, or Florida does not sail for nothing or steam for nothing. She imposes her charges, whatever they are, upon the things that she carries, and they go into the markets of the States where they are carried and are changed with the cost of transportation. When the vessel takes her return cargo she imposes the charge upon that which goes into the markets of sale, wherever the cargo is carried, and it is paid by those who purchase the goods. So the \$80,000,000 have been paid not by the Eastern States, but by the States which have these pilotage fees. There is nothing plainer than that.

It is true unquestionably that every tax is a restriction upon commerce and that commerce would be much more extended and larger and the rates cheaper but for taxation in any shape or form; but there are two sides to this pilotage question upon which the Senator seems to be so earnest. One is that under existing law these men have been trained by a public policy to this business, and the question remains whether they do not save more to the owners of shipping and to those who pay the cost of transportation than would be the case if the fees were abolished. The pilots are stationed at every harbor in just such numbers as are sufficient to do the business of that place, and while the charges may be here and there too large as a general rule, they render a service that is absolutely necessary.

If the Senator from Maine, however, desires to pass a bill equalizing pilotage and changing the present conditions under which

these men are appointed, let him make provision for the men who are now pilots, and not turn them out upon the world after having been reared from infancy in this dangerous and meritorious pursuit of saving property and saving lives. Do not discharge them entirely without employment and without anything to do. There are two sides to that question. It is claimed by them, and I think with very great force, that they save much more property than would be saved if they were not in service at the different harbors.

But, Mr. President, upon the question of this bill, what are the States that are not upon the Mississippi River to do if you take the entire appropriations which Congress may make for such purposes for the improvement of that river? I am willing to vote, as I have voted, for the most liberal appropriations for any necessary purpose connected with the navigation of the Mississippi River, even for building levees where they are indispensable to the improvement of the river; but it should be done in the river and harbor bill. If you wish to make a contract for five or ten years, let it be provided for there, and do not let us dispose of the whole money that Congress can appropriate in any one year for any one State or any few States or any series of States. Let each part of the country have its proper share of the entire amount.

In reference to the question of levees, the expenditure of this money will of necessity build a large extent of levees at different places. Who is to derive the benefit from the increased value of the land? Will it go into the Federal taxation? Will it not inure to the local government? What interest will the citizen of Florida who pays his share of the taxes derive from the increased value of this land? There must be some attention given to the fact that the people pay out of their hard labor these great sums of money, and in the disbursement of them some regard must be had to the interests of the different localities of the country.

I for one am willing to vote whatever amount of money may be necessary, to be expended annually, with due regard to the burdens to be imposed upon this overtaxed and impoverished people. I am willing to vote whatever amount is necessary to be expended in moderate sums from year to year for a period of five or ten years upon whatever plan may after proper investigation be decided to be best for the Mississippi River; but it is hardly fair to other States, to the State which I in part represent here, that the entire amount which Congress proposes to appropriate for the improvement of all the rivers and all the harbors of the United States should be by a single bill appropriated and the others given that much prejudice. It is not probable that the appropriations for rivers and harbors will exceed the sum of \$20,000,000 at this Congress, and if this bill passes appropriating \$18,000,000 to be expended in sums of \$3,000,000 annually it is certain that it will very largely reduce the amount that will be received by the other States. If this bill waits until the river and harbor bill comes here and this system shall be decided to be the proper one, I am entirely willing to vote for an appropriation running over a number of years, covering whatever amount may be required for this purpose, but it ought not to be done now.

The VICE-PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole as amended.

The amendments as amended were concurred in.

Mr. ALLISON. I offer an amendment to come in as a new section after section 3.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed to add a new section, as follows:

SEC. 4. That out of the aforesaid sum of \$18,750,000, \$3,750,000, or so much thereof as may be necessary, shall be expended under the direction of the Secretary of War, in accordance with such plans, specifications, and recommendations as may be approved by the Chief of Engineers of the United States Army, to complete the improvement of the Mississippi River from the mouth of the Illinois River to St. Paul, Minn.: *Provided*, That not more than \$750,000 shall be expended during any one year.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Iowa.

The amendment was agreed to.

Mr. MORGAN. I propose to amend the bill in section 2, line 3, by inserting, after the words "improvement of the," the words "navigation of the;" so as to read:

That out of the aforesaid sum of \$18,750,000 be rein appropriated for the improvement of the navigation of the Mississippi River \$5,000,000, etc.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Alabama.

The amendment was agreed to.

Mr. CHANDLER. In section 1, line 11, after the words "Chief of Engineers of the United States Army," I move to add "and said Secretary of War."

Mr. CULLOM. I suggest to the Senator from New Hampshire

that he insert the words "Secretary of War" before "Chief of Engineers."

Mr. CHANDLER. I should be very glad to oblige the Senator, but these plans are to be first prepared by the Mississippi River Commission; then they are to be approved by the Chief of Engineers, and then I propose that they shall be approved by the Secretary of War.

The VICE-PRESIDENT. The amendment moved by the Senator from New Hampshire will be stated.

The CHIEF CLERK. In section 1, line 11, after the word "Army," it is proposed to insert the words "and said Secretary of War;" so as to read:

In accordance with such plans, specifications, and recommendations of the Mississippi River Commission as may be approved by the Chief of Engineers of the United States Army, and said Secretary of War.

Mr. VEST. I have no objection to that amendment.

The amendment was agreed to.

Mr. PADDOCK. Mr. President, I have thought that before this bill should be passed there ought to be a liberal appropriation put upon it for the improvement of the navigation of the Missouri River, which is the greatest river of them all. I should like to make an inquiry of the Senator from Missouri, who is upon the Committee on Commerce. He and his constituents are interested in it as I and my constituents are. I should like to inquire of the Senator what his plan is in reference to the improvement of the Missouri River during the present year.

Mr. VEST. There is no disposition to ignore the claims of the Missouri River or any other of the great tributaries of the Mississippi, but the Committee on Commerce thought that one at a time would be most prudent and practicable; that we ought to improve the Mississippi River first, in which all the States are interested upon the eastern and western side of it; and when the river and harbor bill comes to us there will be in it an appropriation for the Missouri, the Ohio, the Illinois, the Tennessee, the Arkansas, and the Red Rivers, and all the tributaries of the Mississippi. I shall go as far as the Senator from Nebraska, at the proper time, to vote the largest appropriations for those rivers.

Mr. PADDOCK. With that statement, and with the understanding that the Missouri River is to receive its proper consideration, I shall refrain from offering the amendment which I had contemplated presenting to this bill. I feel very great interest in the success of the effort to improve the Mississippi River on the plan proposed by this system of continuous appropriations for a number of years.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The VICE-PRESIDENT. The question is, shall the bill pass?

Mr. VANCE. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. RANSOM. Is the bill still open to amendment?

The VICE-PRESIDENT. Not now.

Mr. McPHERSON. Mr. President, I desire to say a single word before the vote is taken upon the passage of the bill.

I have never found it possible since I have been a member of this body to vote for any so-called river and harbor bill which has been passed here, for the reason that I never could bring myself to the idea that even under the general-welfare clause of the Federal Constitution I had any right to vote money out of the public Treasury to improve minute water ways which for less money could be made into good turnpike roads. Therefore, I have at all times cast my vote against the so-called river and harbor bills. But for the improvement of great national water ways and for the improvement of ports and harbors that are necessary to do the commerce of the United States, I have been ever ready to give liberal appropriations of money.

This is the first time since I have been a member of the Senate that such a bill has been presented to me that has, as I think, thorough merit. It is proposed to improve the Mississippi River, and while it costs a very large sum of money, perhaps a greater sum of money than I would have supposed necessary, at the same time that river bisects and divides a great continent. It drains a continent. It has numerous large tributaries which are of themselves navigable and may bear the products raised in the great valley of the Mississippi River to the Mississippi and from there to the Gulf. But if the great artery, the Mississippi River itself, is not capable of being navigated at all seasons of the year, all the improvement which you make upon the tributaries is entirely useless.

The great valley of the Mississippi River is peopled by an intelligent population, largely agricultural. They have never asked sympathy nor charity from the Government. They ask for a market for their surplus products; and in order that those products may be marketed in competition with all the world it

is necessary that the rates of transportation should be low. By a proper improvement of the Mississippi River they are able to convey those products to tide water at very much less cost than they can be brought to the Atlantic seaboard.

A system of improvement for the Mississippi River necessarily involves an immense expenditure of money. It requires that in every part of the river where overflows naturally take place levees should be built, that jetties should be built also, to narrow the channel, and whether it costs \$10,000,000 or \$20,000,000 I deem it of immense importance to the people of this country and especially to the great Mississippi Valley and the country lying west and east of it for the conveyance of products to tide water that that improvement should be made.

Therefore I shall vote for this appropriation of money for the Mississippi River as standing single and alone among all river and harbor bills that have been presented to the Senate. I believe, as the Senator from Maine [Mr. FRYE] has properly said, that the true way of making this improvement is by an appropriation of money sufficient not only to begin but to continue the work; and this bill seems to be drawn with that purpose. That is all I wish to say.

The VICE-PRESIDENT. The roll will be called on the passage of the bill.

The Secretary proceeded to call the roll.

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL] upon all questions. If he were present I should vote "yea" upon this bill. I do not know how he would vote.

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY]. In his absence I withhold my vote.

Mr. RANSOM (when his name was called). I am paired with the senior Senator from Maine [Mr. HALE]. I am informed by his colleague [Mr. FRYE] that he would vote for the bill if present, therefore I vote "yea."

Mr. FRYE. I do not know how my colleague would vote, but I release the Senator from North Carolina from his pair without any hesitation.

Mr. SHERMAN (when his name was called). I am paired with the Senator from Kentucky [Mr. CARLISLE].

Mr. TELLER (when his name was called). I am paired with the junior Senator from Texas [Mr. CHILTON]. I am informed he would probably vote for the bill if present, and I therefore vote. I vote "yea."

Mr. WARREN (when his name was called). I am paired with the Senator from Georgia [Mr. GORDON].

Mr. WILSON (when his name was called). I inquire whether the Senator from Georgia [Mr. COLQUITT] has voted?

The VICE-PRESIDENT. He is not recorded.

Mr. WILSON. I am paired with that Senator, and therefore withhold my vote.

Mr. WOLCOTT (when his name was called). I am paired with the Senator from West Virginia [Mr. KENNA]. If he were present I think he would vote "yea," and I vote "yea."

The roll call was concluded.

Mr. BUTLER. I am paired generally with the Senator from Pennsylvania [Mr. CAMERON]; but believing that if present he would vote "yea," I shall vote "yea."

Mr. PADDOCK. My colleague [Mr. MANDERSON] is paired with the Senator from Kentucky [Mr. BLACKBURN]. My colleague is detained at home by illness.

Mr. PLATT. I am paired with the Senator from Virginia [Mr. BARBOUR]. If he were present I should vote "yea."

Mr. VEST. The Senator from Virginia would vote "yea."

Mr. PLATT. Being assured that he would vote "yea" if present, I will vote. I vote "yea."

The result was announced—yeas 48, nays 5; as follows:

#### YEAS—48.

Allen,	Dawes,	Higgins,	Proctor,
Allison,	Dixon,	Hoar,	Ransom,
Bate,	Dolph,	Jones, Ark.,	Sanders,
Berry,	Dubois,	McMillan,	Sawyer,
Butler,	Felton,	McPherson,	Shoup,
Carey,	Frye,	Mitchell,	Stockbridge,
Chandler,	Gallinger,	Morgan,	Teller,
Cockrell,	George,	Paddock,	Vest,
Coke,	Gibson, La.,	Palmer,	Vilas,
Cullom,	Gray,	Petigrew,	Walthall,
Daniel,	Hansbrough,	Platt,	White,
Davis,	Hawley,	Power,	Wolcott,

#### NAYS—5.

Call,	Perkins,	Pugh,	Vance,
Kyle,			

#### NOT VOTING—35.

Aldrich,	Cameron,	Faulkner,	Harris,
Barbour,	Carlisle,	Gibson, Md.,	Hill,
Blackburn,	Casey,	Gordon,	Hiscock,
Blodgett,	Chilton,	Gorman,	Ivey,
Briee,	Colquitt,	Hale,	Jones, Nev.,

Kenna,  
Mansberson,  
Morrill,  
Pascoe,

Peffer,  
Quay,  
Sherman,  
Square,

Stantford,  
Stewart,  
Turpie,  
Voorhees,

Warren,  
Washington,  
Wilson.

So the bill was passed.

#### COLUMBIA RIVER IMPROVEMENT.

Mr. DAWES. Understand that the Senator from Oregon has another bill that will take but a few moments.

Mr. DOLPH. I ask the Senator from Massachusetts to let the other bills go through. I do not think they will provoke any discussion, and there are printed reports accompanying them.

Mr. DAWES. I give notice that immediately after the morning business to-morrow I shall call up the Indian appropriation bill.

The VICE-PRESIDENT. The Chair lays before the Senate the next special order, being Senate bill 541.

The Senator, as in Committee of the Whole, proceeded to consider the bill (S. 541) making appropriation for the improvement of the Columbia River.

The bill was reported from the Committee on Commerce with amendments.

Mr. DOLPH. I will state that all there is left of that bill is what was section 3 of the original bill. It is only one section.

The first amendment was to strike out sections 1 and 2, as follows:

That for the purpose of completing the improvement of the mouth of the Columbia River, Oregon, the sum of \$525,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Sec. 2. That for the improvement of the lower Columbia and Willamette Rivers, so as to secure 25 feet of water from Portland to the sea, in accordance with the report submitted by Maj. Hamburg, as modified by the report of the Board of Engineers, the sum of \$290,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the same being the amount estimated as required for said improvement in excess of the sum of \$50,000 proposed to be expended by the city of Portland for that purpose.

The amendment was agreed to.

The next amendment was, in what was section 3, line 1, to strike out "Sec. 3;" in line 12, after the word "exceed," to strike out "the estimate of the engineer in charge of the work of the" and insert "one-third of the whole;" and in line 13, after the word "amount," to strike out "which can be profitably expended in that year" and insert "thereby appropriated;" so as to read:

That for the purpose of securing the early completion of the canal and locks at the Cascades of the Columbia River, Oregon, the Secretary of War, upon the application of the Chief of Engineers, is hereby authorized, in his discretion, to draw his warrant or requisition, from time to time, upon the Secretary of the Treasury for such sums as may be necessary to do such work, not to exceed in the aggregate \$1,745,816, the amount estimated as necessary for the completion of the same: *Provided*, That the amounts drawn from the Treasury shall not in any one year exceed one-third of the whole amount thereby appropriated, and that an itemized statement of said expenditures shall accompany the annual report of the Chief of Engineers. The amount required for the completion of this work as herein proposed is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The amendment was agreed to.

The next amendment was to strike out section 4, as follows:

Sec. 4. That for the purpose of commencing the improvement of the Columbia River at The Dalles and Celilo Falls, and at Three and Ten Mile Rapids, in accordance with report of the Board of Engineers appointed under the provisions of the act of July 31, 1888, and the recommendation of the Chief of Engineers thereon, the sum of \$500,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, That contracts may be made by the Secretary of War for such materials and labor as may be necessary to carry out the project for said improvement reported by said board, to be paid for as appropriations may from time to time be made by law.

The amendment was agreed to.

Mr. BERRY. I should like to inquire of the chairman of the Committee on Commerce why this bill is separated from the general river and harbor bill; what necessity there is for making a special appropriation for this river, that does not apply to many other rivers throughout the United States?

Mr. FRYE. Because it is one of the most important rivers in the country, and an immense operation is going on at its mouth. The Government is doing the work, and doing it as economically, as thoroughly, and as expeditiously as it is possible for such work to be done. It has practically accomplished its purpose and obtained sufficient water over the bar for any vessel to go over and enter the river.

There are several reaches in the river where improvements are absolutely necessary. The committee concluded on the whole that they would treat it as they did the Mississippi River, and appropriate a sufficient amount of money so that the improvements might progress *pari passu*. A bill was passed by the Senate the other day which removed from this bill one item, for the building of a railway across the Cascades instead of a canal. There is now pretty heavy work being done at the Cascades, at a lock, and the committee, on the theory which it adopted some time ago, thought it advisable that the work on this river, which is very important, extending so many miles through an immense

country, a wheat country, should progress as rapidly as possible. That is the only reason.

The bill was reported to the Senate as amended.

Mr. DOLPH. I ask for the insertion in the Record of the report of the committee on this bill, and a letter from the president of the State board of commerce of the State of Oregon.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the papers referred to by the Senator from Oregon will be printed in the Record.

The report submitted by Mr. Dolph, February 15, 1892, is as follows:

The Committee on Commerce, having had under consideration the bill (S. 541) making appropriations for the improvement of the Columbia River, report the same back with amendments, and recommend its passage.

The amendments consist in striking out the provisions of the bill making appropriations for the completion of the improvements at the mouth of the Columbia River and for the improvement of the Lower Columbia and Willamette Rivers and the improvement of the Columbia River at The Dalles and Celilo Falls and Ten Mile Rapids.

The provision for the latter improvement was stricken from the bill because the Senate Committee on Transportation Routes to the Seaboard has already reported favorably a bill to appropriate the amount required for it, which is now on the Senate Calendar, and the provisions for appropriations for the works at the mouth of the Columbia and upon the Lower Columbia and Willamette Rivers were eliminated because it was believed by the committee that they can be adequately provided for in the river and harbor bill. By the bill as reported it is intended to provide for the speedy completion of the canal and locks at the cascades of the Columbia.

To this end it is proposed to authorize the Secretary of War, upon application of the Chief of Engineers, in his discretion, to draw his warrant or requisition, from time to time, upon the Secretary of the Treasury for such sums as may be necessary to complete said canal and locks, not to exceed in the aggregate \$1,745,816, the amount estimated as necessary to complete the work, the amount drawn from the Treasury in any one year not to exceed one-third of the whole appropriation.

The importance of this improvement will be understood when it is recollected that the Cascade range of mountains extends entirely across the States of Oregon and Washington and the only natural opening in the range is the Columbia River. Through this opening is the natural transportation route for the products of the great valley of the Columbia to the seaboard and of the supplies for the inhabitants of that coast region. At the cascades of the Columbia the passage of the river through the Cascade Mountains is rapid, which obstructs navigation, and 15 miles above this obstruction are The Dalles and Celilo Falls and Ten Mile Rapids, forming another obstruction to navigation. These two obstructions are so near together and separate such long reaches of navigable river that they should be treated as one improvement.

The first appropriation for the construction of a canal and locks at the cascades was made in June, 1876, sixteen years ago next June. The amount heretofore appropriated is \$1,877,500. The amount required to complete the project is \$1,745,816. Owing to inadequate and irregular appropriations the work has been long delayed, the cost greatly increased, and the settlers in the vast region tributary to the Columbia River, and the natural outlet to market of the products to whose industry is down the Columbia River valley have become disheartened. Commerce in the Pacific Northwest can only be relieved by the removal of this obstruction and of the obstructions at The Dalles and Celilo Falls and Ten Mile Rapids.

A competent board of engineers have reported in favor of a boat railway to overcome the latter obstructions, and their report has been approved by the Chief of Engineers, but the work has not been commenced. When these two improvements are completed the Columbia River will be navigable without interruption for over 400 miles from its mouth and the Columbia and Snake Rivers for some 165 miles from the mouth of the Columbia, and a very moderate outlay will open up the Columbia to continuous navigation for more than 600 to 800 miles further.

Attention is called to the following, taken from the last annual report of the Chief of Engineers, concerning this improvement:

"So much money has already been expended upon this work, for which there can be no return until it is substantially completed, that it would seem wise economy to appropriate what is necessary to finish it in one sum at the earliest practicable moment. If this can not be done by Congress next session under the estimate for the fiscal year ending June 30, 1893, the completion of the work must then be prolonged at increased expense to a time dependent upon the amounts that are from time to time made available. A suspension of operations of nearly a year in every two years is attended with large expenditures in protecting plant and other property during this time, and in repairing and replacing these when work is to be resumed. The inability to take advantage of the proper seasons for carrying on this work, on account of a want of funds, is also a source of large additional expense."

This statement is supported and enforced by the report of the engineer in charge of the work, Maj. Hamburg. The magnitude and difficulties of this work are so great that it can only be profitably carried on by large and continuous appropriations. High water in the Columbia occurs in June and interrupts the work and the suspension for lack of funds, one year out of two, causes great loss on account of the injury to the work from high water and the elements and the cost of protecting the plant.

There is no doubt that if the bill now reported by the committee should become law a large saving in the cost of the work would be made and commerce would receive the benefit of the improvement several years earlier than if the work is left to be conducted with insufficient and irregular appropriations. Motives of economy alone are sufficient to demand the application to this improvement of the plan adopted by the last Congress in the river and harbor bill for several important improvements.

The report of Maj. Hamburg, the engineer in charge of the work, is hereto appended, and very fully presents the character and present condition of the work, the difficulties encountered in its prosecution, and the necessity for an appropriation of the whole amount required for the completion of the work if it is to be economically carried on.

[Maj. Hamburg's report.]

#### CONSTRUCTION OF CANAL AT THE CASCADES, COLUMBIA RIVER, OREGON.

The general scope of the improvement which it is desired to erect at the Cascades of the Columbia River includes a reach of about 12 miles where the river rushes through a narrow gorge in the Cascade Mountains. The fall in the distance is about 15 feet at high water and 35 feet at low water. The principal obstruction to navigation occurs at the upper end of the reach known as Upper Cascades. The project for the improvement consists in placing the river so that it should be improved below the Upper Cascades by removing boulders and projecting piers in the bed and banks so as to give good navigable water from its lowest up to a 20-foot stage.

The fall at the Upper Cascades is to be overcome by digging a canal of 3,000 feet in length across the neck of a low, projecting spur, around which the river is forced at the entrance to the gorge, and placing in this a lock and other suitable structures, which would permit of the passage of boats up to a 20-foot stage of water in the river, this lock and canal to be so arranged that, should the future necessities of commerce so demand, additional structures may be added which will permit of navigation at much higher stages.

The first part of this project, that of improving the river below the foot of the Upper Cascades, is essentially finished.

The difference of level between the head and foot of the canal as now established is 15 feet at high water and 21 feet at low water, and the difference in height between high and low water at the foot is 51 feet, and at the head 45 feet. The plan on which the future work in the canal, with its lock and accessories, is to be prosecuted has for its object to make this portion of the river available for navigation to a stage up to 20 feet at the earliest possible moment, with the funds that are from time to time appropriated for the purpose.

At the commencement of the present fiscal year there was available for the prosecution of the work \$7,653.95. At that time active field work was suspended and had been so since the end of the preceding November, on account of a want of funds. The preparation of drawings and the taking care of public property pertaining to this improvement were the only work in progress until about the middle of September, 1890, when preparations were commenced with the view to active outdoor work as soon as the river and harbor bill then pending became a law. On September 18 stonecutting was resumed, and on the 20th general operations were commenced. The lock pit was cleared of water between October 4 and 9. Active operations have been in progress from that time until the end of the present fiscal year.

The available balance on hand this June 30 is \$201,691.71. The progress toward completion during the year is represented by the following general results: There were cut 8,711 cubic feet of dimension granite, 12,520 cubic feet dimension basalt, 42,988 cubic feet faced basalt.

Quantities of stone laid: In the lock walls, 338 cubic yards granite, 350 cubic yards dimension basalt, 856 cubic yards basalt face stone, and 52 cubic yards concrete culvert pipe. In the canal walls, 37 cubic yards of face stone and 223 cubic yards dry rubble.

The amount of concrete made and placed was 9,614 cubic yards. Of this, 1,777 yards were mixed by hand and 7,837 by machine; 2,372 yards were placed with derricks and 7,242 with chutes. In connection with the concrete work a concrete supply pipe 39 inches in diameter and 6 inches thick for the turbines was made and imbedded in concrete masonry. This pipe was made in sections 3 feet long. There were 197 of these, containing 139 cubic yards of concrete.

Quarrying from basaltic boulders found in the vicinity has been carried on to the extent of 1,322 cubic yards dimension stone and 180 cubic yards of rubble.

The excavation for the year was only such as was necessary in cleaning up the lock pit after high water, and in preparing the foundations of the lock masonry. This amounts to 2,085 cubic yards of bed rock and 4,443 yards of gravel and sand.

The masonry on the south side for the lower guard and lock gates was built up the height of the coping and joined to the canal wall of that side, and all preparations are now made for commencing the corresponding masonry on the north side as soon as the river falls so that the lock pit can be pumped out, which will probably be about the 1st of August.

A complete plant has been provided for mixing concrete. It is so arranged that all the materials to be incorporated are brought to the mixers by gravity, and the concrete delivered on the wall by the same force. The cost of handling materials and mixing is by this arrangement reduced to a minimum. The capacity of this plant is now 350 cubic yards per day, and can readily be increased at little additional cost to any desired extent.

Repairs were made to buildings, tramways, derricks, engines, pumps, and plant in general. An addition was made to the office building for cement-testing purposes, and another room was fitted up for drafting purposes. The cement store shed was extended 60 feet, increasing the storage capacity to 9,000 barrels, and the stone sheds were extended 42 feet, giving shelter for ten additional cutters.

Twenty-seven hundred feet of new tramway were built to bring rock from boulder quarries leased during the year; the tramway to the sand pit was regraded and relaid for locomotive traction, as it was found that sand could not be supplied rapidly enough with animal power obtainable in the vicinity, and twelve new cars were constructed upon the works for service in the sand pit. A new 35-inch-gauge locomotive was purchased.

A lease was obtained from owners of the adjoining property to that belonging to the Government on the east, and extending along the bank of the river, for a right of way for a tramway and the exclusive privilege of taking the basaltic boulders strewn along the land for a distance of nearly a mile. The supply of rock on the Government ground suitable for the lock construction is now about exhausted. There is an abundance on this leased ground. The lease is good for ten years from January 1, 1891.

There is now a large quantity of stone, cut and uncut, and other material, including 8,000 barrels of imported cement, on hand. Everything is now in readiness to push the work forward rapidly again as soon as the lock pit can be pumped out, which will be, as above stated, about the 1st of August. Until that time the principal work that can be done is stonecutting.

The funds now available will be substantially exhausted by the end of November in the operations connected with the construction of the north side of the lower lock and guard gate masonry; the construction of the lock wall on the south side and the upper lock gate masonry on the same side to the height of the bottom of the upper canal, or our reference (88).

At that time a suspension will again be necessary, lasting until such time as additional funds are provided for the prosecution of the work. A suspension at that time is very much to be regretted, because during the following three months the river is likely to be at low water, which stage is favorable for doing a large amount of work above the upper and below the lower bulkheads that must be done before the lock can be open to traffic, and which would hasten materially that desired event.

During the year the plans and estimates for carrying on this work were carefully revised and a report upon this revision submitted to the Chief of Engineers under date of December 17, 1890. Further information on the subject of estimates and cost of this work was submitted February 4, 1891. In answer to a letter of the Hon. BINGER HERMANN to the Secretary of War, explanation of the conduct of the work by hired labor was made under date of February 9, 1891. These communications, with others bearing upon the same subjects, were published in Senate Executive Document No. 72, Fifty-first Congress, second session.

The Legislature of the State of Oregon passed an act, which was approved February 16, 1891—

"To be entitled an act to authorize and empower the governor, or secretary of state, and State treasurer of the State of Oregon, and their successors, in office, for and in the name and behalf of the State of Oregon, to build, construct, operate, and maintain a portage railway between the highest and lowest points of the navigable waters of the Columbia River at the Cascades,

in Oregon, and between the highest and lowest points of the navigable waters of the Columbia River between The Dalles and Celilo, in Oregon, and to build and construct all necessary switches and approaches thereto, and to equip, run, operate, and perpetually maintain the same, and to sue for and condemn private property for all necessary purposes in any way connected therewith, and to charge and collect freights and fares thereon, and to appropriate money therefor."

It is provided in the act "that said board shall have the right to determine which railway shall be first built." Sections of the act provides "That there be, and is hereby appropriated out of the general fund of the State of Oregon the sum of \$50,000, from any moneys not otherwise appropriated, for the uses and purposes aforesaid, etc."

Under this authority the board of portage commissioners provided for in the act requested the use of the railroad across the Government grounds at the Cascade Locks, with the understanding that it would construct the necessary inclines, and provide wharf boats and other wharfage facilities both above and below the present terminal of the Government railway, and connect the same by lines of railway, with the lines in use on the grounds; and also grant the Government the use of these free of charge for the transportation of supplies and materials for the public improvement at that point.

With the view to avoiding all possibility of a conflict of authority or jurisdiction that might arise in the construction and operation of this road, it was suggested that the matter could be simplified by the United States building the road from the eastern boundary of its property to the bulkhead at the lower end of the canal, a distance of 3,600 feet, the State to connect with this at the two ends by suitable inclines, and to provide all wharf boats, rolling stock, and other necessary portage facilities.

The expenditure could be justified on the ground that this piece of railway was a part of the plant necessary to the economical construction of the work in progress. On the matter being referred to the Attorney General it was decided that the State of Oregon must build this piece of road. The State board gave its assent to this decision, also to the location and gauge of the road as suggested by me. The Secretary of War thereupon approved the right of way for a 3-foot gauge railway, subject to restrictions and regulations to be hereafter prescribed. During the latter part of May the employees of the State board were permitted to enter upon the grounds and commenced the construction of this piece of railway.

For further information relative to the work carried on during the year reference is invited to the annual report herewith of my assistant in local charge, Lieut. Edward Burr, Corps of Engineers, United States Army, where the details of all operations are set forth with the usual clearness and care characteristic of that officer in the discharge of his duties.

The estimated amount yet to be appropriated for completing the work is \$1,745,500. If this amount were available now, so that the work from this time forward could be pushed to the full extent of our arrangements and the capacity of the plant now provided, it is within the range of possibility, under ordinary circumstances of weather, to advance it so near completion that boats could be regularly passed through the lock by the end of the year 1892; but this is not the case; therefore the opening of the lock must not be expected at that time.

So much money has already been expended upon this work, for which there can be no return until it is substantially completed, that it would seem wise economy to appropriate what is necessary to finish it in one sum at the earliest practical moment. If this can not be done by Congress next session under the estimate for the fiscal year ending June 30, 1893, the completion of the work must then be prolonged at increased expense to a time dependent upon the amounts that are from time to time made available. A suspension of operations of nearly a year in every two years is attended with large expenditures in protecting plant and other property during this time, and in repairing and replacing these when work is to be resumed. The inability to take advantage of the proper seasons for carrying on this work on account of a want of funds is also a source of large additional expense.

The amount estimated that can be profitably expended during the fiscal year ending June 30, 1893, is \$1,500,000, and in addition to this \$245,500 can be profitably expended before the end of December, 1893.

APPROPRIATIONS.	
June 11, 1876.....	\$90,000
June 18, 1878.....	150,000
March 3, 1879.....	200,000
June 14, 1880.....	100,000
March 3, 1881.....	100,000
August 2, 1882.....	255,000
July 5, 1884.....	150,000
August 5, 1886.....	187,500
August 11, 1888.....	300,000
September 19, 1890.....	455,000
Total.....	1,877,500

The Cascades of the Columbia River are in the collection district of Willamette. The nearest port of entry is Portland, Oregon, 65 miles distant by river. The nearest light-house and works of defense are at the mouth of the Columbia River, 150 miles distant. The amount of revenue collected at Portland for the year ending June 30, 1891, was \$93,367.19.

Money statement.	
July 1, 1890, balance unexpended.....	\$7,653.95
Amount appropriated by act approved September 19, 1890.....	435,000.00
June 30, 1891, Amount expended during fiscal year.....	442,653.95
July 1, 1891, balance unexpended.....	244,170.24
July 1, 1891, outstanding liabilities.....	3,792.00
July 1, 1891, balance available.....	240,378.24
Amount estimated required for completion of existing project, 1,745,500.00	
Amount that can be profitably expended in fiscal year ending June 30, 1893.....	1,500,000.00

Submitted in compliance with requirements of sections 2 of river and harbor acts of 1866 and 1867.

The urgent necessity for the removal of the obstructions at the Cascades and at The Dalles and Celilo Falls and Ten-Mile Rapids has been fully set forth in the report of the Committee on Transportation Routes to the Seaboard, at the present session, upon Senate bill 525, "A bill making an appropriation for the construction of a boat railway at The Dalles and Celilo Falls and Ten-Mile Rapids," and in previous reports of that committee upon a similar bill.

The following is quoted from the report of that committee submitted to the Senate the 8th instant:

"In conclusion your committee can not too earnestly or in too emphatic



phatic urge upon the Senate and the Congress the great importance of the early commencement and speedy completion of the improvements recommended, viz: a boat railway, with hydraulic vertical lifts, and the improvement of Three-Mile Rapids. These improvements are, in the judgment of your committee, wisely recommended by the Board of Engineers and the Chief of Engineers as the best solution of this difficult problem.

"The immense agricultural, grazing, and mineral development of the Pacific Northwest, coupled with the unprecedented ruinously burdensome transportation rates to which the producers and shippers in that vast region have been, and still are, subjected, the same being on an average of from five to six times more on the railroad lines in that section than on any transportation line by either water or rail in any section of the country east of the Mississippi River, present in themselves a most convincing and unanswerable argument in favor of the speedy opening of the Columbia River and its tributaries in such manner as to enable boats to pass without interruption from the great agricultural, grazing, and mining centers of Eastern Oregon, Washington, and Idaho, without breaking cargo until they connect with and unload on ocean steamers and sailing vessels at Portland, Astoria, or wherever found on tide water.

"The producers and shippers of wheat in Eastern Oregon, Washington, and Idaho have for years and are yet, mainly by reason of these obstructions in the Columbia River, which have prevented river competition with railroad transportation, been subjected to transportation charges ranging from 2½ to over 3 cents per mile. Compare these charges with transportation rates on wheat between Chicago and New York, for instance, which by all water are but a fraction more than 2 mills per ton per mile, and by all rail less than 5 mills per ton per mile, then the exorbitant nature of the transportation rates for the transportation of wheat from the interior to the seaboard in the Pacific Northwest may be fully comprehended.

"Your committee, in considering this important subject, first, in 1886-'87, during the second session of the Forty-ninth Congress, made the following statement in a report submitted to the Senate February 1, 1887:

"THE TRAFFIC, PRESENT AND PROSPECTIVE, ON AND ALONG THE COLUMBIA RIVER, AND THE SAVING TO THE PEOPLE BY A FREE RIVER.

"The wheat traffic alone along the Columbia River is over 600,000 tons per year. Taken with all other freight it is safe to estimate within the next two years a two-way traffic of over 1,000,000 tons of freight will pass along this river by boat and rail. This traffic is now subject to a freight tax of over 3 cents per ton per mile, which, on an average haul of 200 miles, is a tax on the producer and shipper of \$6,000,000 annually, while on an average haul of 300 miles between Portland, Oregon, Eastern Oregon, Eastern Washington Territory, and Western Idaho, the freight tax annually on the producers and shippers will be about \$9,000,000.

"With the completion of the canal and locks at the Cascades, and the completion of the proposed boat railway and accompanying improvements at The Dalles, it is safe to predict that freight charges would be reduced at once at least to one-half of 1 cent per ton per mile. On an average haul, therefore, of about 200 miles, this would, on the estimate of the amount of freight as heretofore given, relieve the country, the producer, and shipper of a freight tax of about \$5,000,000 annually; but should the reduction in freight charges by these improvements prove not to be so great as above indicated, should the rates not go below 1 cent per ton per mile, it would still be extravagantly high compared with the rates in States and Territories east of the Rocky Mountains. The saving to the people even in that case would be \$4,000,000 annually on an average haul of 200 miles, or a saving of \$6,000,000 annually on an average haul of 300 miles.

"The vast territory east of the Cascade Mountains tributary to the Columbia River, including about two-thirds of Oregon, more than one-half of Washington, Idaho, and a large portion of Montana, is rapidly settling up, and its products of the cereals, wool, animals, and minerals is increasing with wonderful rapidity.

"The Report of the Department of Agriculture for 1891 shows that Oregon raised last year 13,149,000 bushels of wheat on 692,000 acres of land, valued at \$11,551,100, and that the wheat yield of Washington was 17,216,000 bushels grown on 698,910 acres, and valued at \$9,161,775.

"It is safe to estimate that 20,000,000 bushels of the wheat yield of the two States was raised east of the Cascade Mountains, and judging from the increase of the yield in past years, and taking into consideration the rapid settlement of the region and the small amount of land in cultivation, it is safe to estimate that if 1892 should be a favorable year for wheat production in Eastern Oregon and Washington the wheat yield of the region will be increased to 25,000,000 bushels. The entire cost of completing the canal and locks at the Cascades is \$4,745,816, and the estimated cost of the construction of a boat railway at The Dalles and Celilo Falls and Ten-Mile Rapids is \$2,860,356.35, a total of \$4,606,172.35.

"If reasonable and usual appropriations for such work should be made in the next river and harbor appropriation bill for these two improvements the balance required for their completion will be less than \$4,000,000. It is entirely safe to say that the saving in the cost of transportation of the wheat crop of Eastern Oregon and Washington alone, if the obstructions at the Cascades and The Dalles were removed, would in two years amount to the full cost of both improvements, to say nothing of the saving of freight upon other cereals, on wool, animals, and minerals, or upon the products of Idaho and Montana sent to the seaboard by the way of the Columbia River Valley, or the saving in the cost of transportation from the seaboard to this region of articles required to supply the wants of settlers there.

"The committee do not believe there is another river improvement in the United States where the same expenditure would produce greater benefits to the people directly interested than the expenditure for the improvement provided for by this bill and the expenditure for its counterpart improvement at The Dalles of the Columbia.

"The interests of the Government, of the people of the Pacific Northwest, and of the entire Union demand the speedy opening of the Columbia River to commerce by the removal of the obstructions at the Cascades, and your committee earnestly recommend the passage of the bill.

The letter of the president of the Oregon State Board of Commerce is as follows:

OREGON STATE BOARD OF COMMERCE,  
Portland, January 7, 1891.

MY DEAR SIR: Referring to your inquiry as to the extent of territory drained by the Columbia River, and amount of products for which that water could be made available as a means of transportation, I beg to say:

The State of Oregon contains about 103,000 square miles, or say, in round numbers, about 65,000,000 acres. In a general way it may be said that about three-quarters of this territory is tributary to the Columbia River as a means of communication with the markets of the world; or at least, that the rates of transportation are directly or indirectly influenced and affected by it, on the same principle announced by the high authority of Mr. Albert Fink, that transportation rates between the Mississippi Valley and the Eastern seaboard via the Great Lakes and the Erie Canal controls all freight rates as far south as the State of Tennessee.

Oregon, like the adjoining State of Washington, is divided by the Cascade range of mountains into two divisions, known as Western and Eastern. The Columbia River divides these two States from the Pacific Ocean for about 350 miles, and then passes wholly into the State of Washington, taking a northeasterly course until it reaches the northern limit of United States territory. There is no break in the Cascade range of mountains through which water courses pass, save only the Columbia River. The great belt of territory known as Eastern Washington has no means of access to tide water on the western coast, except by using the pass of the Columbia or by railway over the mountains, involving grades aggregating over 4,000 feet of elevation, and, of course, corresponding expense.

The great basin of the Columbia, in Eastern Washington, comprises over 40,000 square miles, or say over 25,000,000 acres. This territory is being rapidly settled and brought under cultivation; the population of this portion of the State having increased from 35,206 in 1880, to 129,154 in 1890. Its productiveness, especially as to its adaptation to the growth of wheat, is now well established, and while the exact proportion of this territory susceptible of being made available for cereal production can not be stated with certainty, it is believed that at least 40 per cent of it, or say 12,000,000 acres, is adapted to wheat raising; a portion by the aid of irrigation, but a large area where that process of cultivation is not necessary.

In 1890 there was harvested in Eastern Washington about 565,000 acres of wheat, producing as near as can be ascertained 12,500,000 bushels, or an average of over 22 bushels per acre. Figures for 1891 are not available at this moment, but the product was but little if any in excess of 1890 on perhaps 10 per cent larger acreage, the yield per acre having been about 20 bushels per acre.

Eastern Oregon contains about 65,000 square miles, or say, 41,000,000 acres; probably 60 per cent of this area, or say, 25,000,000, is susceptible of cultivation in cereals, but a much larger proportion than in Washington can only be done by the aid of irrigation.

Eastern Oregon harvested in 1891 about 265,500 acres of wheat, producing about 5,500,000 bushels, or say, 20.7 bushels per acre. For the two States east of the Cascades we have as the product of 1891 about 18,000,000 bushels of wheat, about 80 per cent of which, or say, 14,400,000 bushels, must find some outlet to the markets of the world. The average distance from points where this wheat was grown to Portland is about 300 miles (not more); to Puget Sound somewhat more. The average freight rate to either Portland or Puget Sound is about 16½ cents per bushel, or practically 1.8 cents per ton per mile to Portland.

Exactly what reduction might be realized for the benefit of the producer by the opening of the Columbia above the Cascade Canal and the Snake River as far as navigable can not be stated with certainty, but reasoning from analogy based on approximately similar conditions it may be assumed that freight rates from, say, Lewiston to Portland, a distance of 375 miles by rail, would not exceed 12 cents per bushel; possibly not 10 cents. The higher rate (12 cents) would be a reduction of 6 cents per bushel from present rates from Lewiston to Portland by rail, or 33½ per cent.

It is not supposed that the opening of the rivers to free navigation, as indicated, would bring about corresponding reduction in all freight rates, as at Lewiston, a river competing point, but it is fair to assume that a general reduction of at least 15 per cent would be realized on all freight rates between the wheat-growing sections and tide water, and this would mean over \$100,000 more value to the producer on the present comparatively limited productions of wheat in Eastern Oregon and Washington, to say nothing of the near future when that production may be expected to increase many fold.

The above treats of wheat only; other cereals are produced largely in the same territory, but at present not greatly in excess of home consumption. Barley, oats, rye, and flax can be profitably, and no doubt will be largely produced there in the near future when freight rates shall have rendered such production profitable for sale.

Other commodities than grain and its product will realize corresponding or similar reductions in freight rates by the opening of the river route, whether or not they should be mainly or at all transported by the water way.

As to the future possibilities of cereal production in the Columbia Valley, east of the Cascades, it is quite impossible to accurately forecast, but it is quite within reason to assume that it can easily be made to reach over 200,000,000 bushels of wheat, besides other grains, wool, live stock, and other agricultural products. These industries are as yet in their infancy, but are promising an early and unparalleled growth, with a better prospect of high remuneration to the agriculturist than perhaps any portion of the world.

The remarkably large yields of grain, and the comparative ease with which it is cultivated and harvested, renders the country peculiarly inviting, and when the cost of marketing crops shall have been reduced to the minimum, the country will attract a still more rapid settlement.

Stock-raising is carried on very largely in Eastern Oregon, in fact it may be said, at the present time, to be the principal industry of an agricultural character. This is partly owing to the adaptability of that section for this purpose, but perhaps more on account of the entire lack of transportation facilities throughout most of the section not justifying the production of large quantities of cereals for sale.

In 1890 there were in this portion of the State about 275,000 cattle, 140,000 horses and mules, and 1,250,000 sheep, the latter yielding about 9,000,000 pounds of wool. It may be remarked, however, that the number of sheep in this section was greatly reduced from the previous years, on account of the unusually severe winter of 1889-'90, which it is estimated destroyed from 25 to 30 per cent of the stock of sheep.

In portions of Eastern Oregon and Washington, there are vast forests of exceptionally fine timber lands. These are being cut to some extent, and the lumber marketed largely in the East. The cost of transportation, however, and the unlimited supply of fine lumber west of the Cascade Range, renders competition on the coast unprofitable for such lumber as is produced on the east side of that range; hence comparatively little of it finds its way westward.

In respect to Western Oregon, or that portion of the State mainly tributary to the Columbia River below the Cascade Canal, we note as its principal agricultural district that great Willamette Valley, fully equal, if indeed it is not superior to any grain-producing district in the country. This valley embraces, in round numbers, about 10,000,000 acres of land, probably two-thirds of which is susceptible of easy cultivation; it is more densely settled than Eastern Oregon, but is far from being fully occupied. The population of this portion of the State in 1890 was 136,849, against 41,189 in 1880. In 1891 it produced from 369,360 acres 8,550,000 bushels of wheat, an average of 23.2 bushels per acre. As in Eastern Oregon, other cereals are produced, but not greatly in excess of local consumption.

Of the wheat produced, probably 6,000,000 bushels or more will be disposed of for export, mainly to Europe. This will, in the main find its way to market via Portland and the Columbia River.

A very large area of the territory in Western Oregon is covered with heavy timber of superior quality, considerable quantities of which are exported to foreign countries. The figures representing the annual cut of lumber in Oregon and that part of Washington tributary to the Columbia River, are not available, but are large and susceptible of almost indefinite increase.



The tonnage passing out of the Columbia River for a series of years has been as follows:

Years.	Deep-sea sailing vessels.		Steamers.		Coasters.		Totals.	
	No.	Tonnage.	No.	Tonnage.	No.	Tonnage.	No.	Tonnage.
1885.....	118	119,307	114	265,690	88	22,152	350	407,149
1886.....	156	171,108	121	231,811	61	20,823	338	426,982
1887.....	85	100,968	133	252,861	69	32,189	287	385,818
1888.....	113	139,514	186	311,916	92	41,801	391	496,231
1889.....	71	88,922	279	329,101	91	33,249	441	551,371
1890.....	62	88,890	313	311,377	71	22,848	446	423,115

The record for 1891 is not yet fully compiled, but will be substantially as follows:

	Number.	Tonnage.
Deep-sea sailing vessels.....	116	152,622
Steamers.....	334	310,000
Coasters.....	64	21,509
Total.....	514	484,132

Of the mining industries, of which the eastern portion of Oregon and Washington are largely engaged, I have no data of value nor yet of the coal interests, which are very large in Western Washington, and of considerable extent on the coast of Oregon.

I think these cover all the points in the direction indicated upon which I can give information of value.

Yours truly,

T. F. OSBORN, *President*

[Hon. J. N. DOLPH,  
Senate Chamber, Washington, D. C.]

The bill was ordered to be engrossed for a third reading, and read the third time.

Mr. VANCE. I ask for the yeas and nays on the passage of that bill.

The yeas and nays were ordered; and the Chief Clerk proceeded to call the roll.

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. PASCO (when his name was called). I again announce my pair with the Senator from North Dakota [Mr. CASEY]. In his absence I withhold my vote.

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. BARBOUR]. Unless I can be assured that he would vote for this bill if present, I shall withhold my vote.

Mr. SHERMAN (when his name was called). I am paired with the Senator from Kentucky [Mr. CARLISLE].

Mr. WARREN (when his name was called). I am paired with the Senator from Georgia [Mr. GORDON]. In the absence of his colleague [Mr. COLQUITT] I am unable to say how he would vote, except that I am informed he agreed in committee to the report as made. I therefore take the liberty of voting, and vote "yea."

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. As he is not present, I withhold my vote.

The roll call was concluded.

Mr. PADDOCK. My colleague [Mr. MANDERSON] is paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. HANSBROUGH. Is the Senator from Illinois [Mr. PALMER] recorded as voting?

The VICE-PRESIDENT. He is not recorded.

Mr. HANSBROUGH. Then I withhold my vote. If he were present I should vote "yea."

Mr. COCKRELL. I am paired with the Senator from Iowa [Mr. ALLISON], but I voted "yea." I presume he would vote "yea," if present. Does his colleague [Mr. WILSON] know how he would vote?

Mr. WILSON. I think my colleague would vote "yea," if present; but he did not inform me.

Mr. COCKRELL. I shall let my vote remain, and if the Senator from Iowa wants to place himself on record as voting "nay," he can do so; but I do not think he will, for I believe he would vote "yea," if present.

The result was announced—yeas 46, nays 4; as follows:

YEAS—46.			
Allen.	Dolph.	Jones, Ark.	Shoup.
Bate.	Dubois.	McMillan.	Squire.
Butler.	Felton.	McPherson.	Stockbridge.
Carey.	Frye.	Mitchell.	Teller.
Chandler.	Gallinger.	Morgan.	Vest.
Cockrell.	George.	Paddock.	Vilas.
Colke.	Gibson, La.	Perkins.	Walthall.
Cullom.	Gray.	Pettigrew.	Warren.
Daniel.	Hawley.	Power.	White.
Davis.	Higgins.	Ransom.	Wolcott.
Dawes.	Hiscock.	Sanders.	
Dixon.	Hoar.	Sawyer.	

NAYS—4.			
Berry.	Kyle.	Pugh.	Vance.
NOT VOTING—38.			
Aldrich.	Chilton.	Irby.	Quay.
Allison.	Colquitt.	Jones, Nev.	Sherman.
Barbour.	Faulkner.	Keima.	Stanford.
Blackburn.	Gibson, Md.	Manderson.	Stewart.
Blodgett.	Gordon.	Morrill.	Turpie.
Boice.	Gorman.	Palmer.	Voorhes.
Call.	Hale.	Pasco.	Washington.
Cameron.	Hansbrough.	Peader.	Wilson.
Carlisle.	Harris.	Platt.	
Casey.	Hill.	Proctor.	

So the bill was passed.

The title was amended so as to read: "A bill making appropriations for the purpose of securing the early completion of the canal and locks at the Cascades of the Columbia River."

#### BOAT RAILWAY AT THE DALLES.

The VICE-PRESIDENT. The Chair lays before the Senate the next special order, the bill (S. 525) making an appropriation for the construction of a boat railway at The Dalles and Celilo Falls and Ten-Mile Rapids of the Columbia River, and for the improvement of Three-Mile Rapids.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported by the Committee on Transportation Routes to the Seaboard with an amendment, to add the following:

This appropriation to cover the whole cost of the proposed improvement.

So as to make the bill read:

*Be it enacted, &c.*, That the sum of \$2,860,356.35, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, in the construction of a boat railway, and of the necessary marine apparatus and appliances in connection therewith, for the purpose of transferring boats and their cargoes over and across the obstructions to navigation at The Dalles, and Celilo Falls, and Ten-Mile Rapids, on the Columbia River, either in the State of Oregon or the State of Washington, as may be determined most expedient by the Secretary of War, and in the improvement of Three-Mile Rapids, such improvements to be made in accordance with the recommendations, plans, and specifications included in the report of the Board of Engineers of the United States appointed by the Secretary of War in pursuance of the provisions of the act of Congress approved August 13, 1888, and entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes;" this appropriation to be immediately available. This appropriation to cover the whole cost of the proposed improvement.

The amendment was agreed to.

Mr. MITCHELL. Mr. President, this bill has heretofore passed the Senate twice. I do not desire to take up the time of the Senate, as the subject has heretofore been discussed at length. The bill has been reported unanimously from the Committee on Transportation Routes to the Seaboard. The report, which I hold in my hand, has been prepared, setting forth the matter fully, and I desire to have it incorporated in the RECORD.

The VICE-PRESIDENT. Is there objection to printing the report in the RECORD?

Mr. BUTLER. I do not see any occasion for printing the report. What is the necessity for it?

Mr. MITCHELL. I hope the Senator will not object to printing the report in the RECORD.

Mr. HAWLEY. If the bill is generally accepted and the report is here on file, what is the use of printing it in the RECORD?

Mr. MITCHELL. Very well. I shall not press the request.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, and read the third time.

Mr. VANCE. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. BARBOUR]. If he were present I should vote "yea."

Mr. SHERMAN (when his name was called). I am paired with the Senator from Kentucky [Mr. CARLISLE].

Mr. TURPIE (when his name was called). I am paired with the Senator from Minnesota [Mr. DAVIS].

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT].

The roll call was concluded.

Mr. HISCOCK (after having voted in the affirmative). It is the Senator from Arkansas [Mr. JONES] voted.

The VICE-PRESIDENT. He has not.

Mr. HISCOCK. I am paired with that Senator, and withdraw my vote.

The VICE-PRESIDENT. The vote will be withdrawn.

The result was announced—yeas 38, nays 8; as follows:

## YEAS—38.

Allen,	Dolph,	McMillan,	Squire,
Bate,	Dubois,	Mitchell,	Stockbridge,
Butler,	Frye,	Pahner,	Teller,
Call,	Gallinger,	Puffer,	Vest,
Chandler,	George,	Pottigrew,	Walthall,
Cochran,	Gibson, La,	Power,	Warren,
Chilton,	Hansbrough,	Ransom,	White,
Davis,	Hawley,	Sanders,	Wheeler,
Dawes,	Higgins,	Sawyer,	
Dixon,	Hood,	Shoup,	

## NAYS—8.

Berry,	Coke,	Morgan,	Pugh,
Blodgett,	Daniel,	Perkins,	Vance,

## NOT VOTING—12.

Aldrich,	Faulkner,	Jones, Ark.	Quay,
Allison,	Felton,	Jones, Nev.	Sherman,
Barbour,	Gibson, Md.	Kenna,	Stanford,
Blackburn,	Gordon,	Kyle,	Stewart,
Brice,	Gorman,	McPherson,	Turpie,
Cameron,	Gray,	Manderson,	Vilas,
Cary,	Hale,	Morrill,	Voorhees,
Carlisle,	Harris,	Paddock,	Washburn,
Casey,	Hill,	Pasco,	Wilson,
Chilton,	Hiscock,	Platt,	
Colquitt,	Irby,	Proctor,	

So the bill was passed.

Mr. SHERMAN. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, March 23, 1892, at 12 o'clock m.

## HOUSE OF REPRESENTATIVES.

TUESDAY, March 22, 1892.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

JOHN W. FAIRFAX.

The SPEAKER laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of John W. Fairfax against the United States; which was referred to the Committee on War Claims, and ordered to be printed.

## INVESTIGATION OF PENSION OFFICE.

Mr. ENLOE. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

*Resolved*, That the Special Committee on the Investigation of the Management of the Pension Office, be, and it is hereby, authorized to employ an expert examiner to aid in the examination of cases in the Pension Office his compensation not to exceed \$5 per day.

Mr. DINGLEY. Reserving the right to object, I would ask the purpose of this resolution?

Mr. ENLOE. Mr. Speaker, I understand this resolution is to get some one to represent the committee in the examination of cases in the Pension Office, as it is impossible for the members of the committee to give their entire time to that work, or to give their time to the extent that it would be necessary in order to make the examination desired in certain cases in the Pension Office; and, furthermore, I do not know that any member of the committee is sufficiently expert in knowledge of the management of the affairs of the Pension Office to be able to conduct that sort of an examination.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. BROSIUS. Could we have the resolution again reported? I am a member of the committee, and did not hear it.

The resolution was again reported.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The resolution was agreed to.

On motion of Mr. ENLOE, a motion to reconsider the last vote was laid on the table.

## EFFICIENCY OF THE MILITIA.

Mr. LAND. Mr. Speaker, I ask unanimous consent that 5,000 additional copies of the bill (H. R. 7318), to promote the efficiency of the militia, and report numbered 751, to accompany the bill, be printed, they being exhausted.

There was no objection, and it was so ordered.

## MODE OF ELECTING PRESIDENT AND VICE-PRESIDENT.

Mr. RICHARDSON. Mr. Speaker, I desire to submit a privileged report from the Committee on Printing, and will ask the Clerk to first read the resolution.

The resolution was read, as follows:

*Resolved*, That there be printed for the use of the House 5,000 copies of Senate Report No. 395 of the Forty-third Congress, by the Senate Committee on Privileges and Elections, upon the mode of electing President and Vice-President.

The SPEAKER. The Clerk will now read the report.

The report was read, as follows:

The committee have considered the resolution of Mr. WHEELER of Michigan, to print for the use of the House 5,000 copies of Senate Report 395 of the Forty-third Congress, by the Senate Committee on Privileges and Elections, upon the mode of electing President and Vice-President of the United States. The estimated cost of same is \$99.

The SPEAKER. The question is on agreeing to the resolution.

The question was put, and the resolution was agreed to.

On motion of Mr. RICHARDSON, a motion to reconsider the last vote was laid on the table.

## CALL OF COMMITTEES FOR REPORTS.

The SPEAKER. The Clerk will call the list of committees for reports.

## FEES IN UNITED STATES COURTS.

Mr. BUCHANAN of Virginia, from the Committee on the Judiciary, reported back a substitute for the bill (H. R. 6657) to reenact and amend section 854 of the Revised Statutes of the United States; which was referred to the House Calendar, and, with accompanying report, ordered to be printed. The original bill was ordered to lie on the table.

## DATE OF ASSEMBLING OF CONGRESS.

Mr. BUCHANAN of Virginia, from the Committee on the Judiciary, reported back adversely the bill (H. R. 4582) to appoint a different day, namely, March 4, for the annual assembly of Congress in the year A. D. 1893, and thereafter.

## PENSIONS FOR ARMY NURSES.

Mr. BUTLER, from the Committee on Invalid Pensions, reported back with amendments the bill (H. R. 7294) granting pensions to army nurses; which was referred to the Committee of the Whole House on the state of the Union, and, with accompanying report, ordered to be printed.

## SIMPSON COUNTY, KY.

Mr. BUNN. Mr. Speaker, I ask that the report 675, which is printed as accompanying House bill 1036, be reprinted. It is an error, and it should have been printed so as to show that it is to accompany the bill (H. R. 4475) for the relief of the board of commissioners of the sinking fund or the county court of Simpson County, Ky. They are different matters, and I desire that it should be corrected.

The SPEAKER. This report will be reprinted, as indicated, if there be no objection.

There was no objection.

## STREET RAILROADS, WASHINGTON, D. C.

Mr. HEARD, from the Committee on the District of Columbia, reported back with amendment the joint resolution (H. Res. 108) extending the time in which certain street railroads compelled by act of Congress approved August 6, 1890, to change their motive power from horse power to mechanical power for one year; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

The call of the committees for reports was concluded.

## ENROLLED BILLS SIGNED.

Mr. WARWICK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and a joint resolution of the following titles: when the Speaker signed the same:

A bill (H. R. 5418) to amend an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1892, and for other purposes," approved March 3, 1881.

A bill (S. 1655) to punish the unlawful appropriation of the use of the property of another in the District of Columbia; and

Joint resolution (S. R. 44) authorizing the Librarian of Congress to exhibit certain documents at the World's Columbian Exposition.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed without any amendment bills of the following titles:

A bill (H. R. 497) to determine the sessions of the circuit and district courts of the United States for the eastern district of Wisconsin;

A bill (H. R. 1157) to remove the political disabilities of John R. F. Tamm;

A bill (H. R. 1737) to increase the pension of Anna Maria Young, a Revolutionary pensioner;

A bill (H. R. 5891) to authorize the appointment of Clerk for

Petition praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. VEST presented the following petitions of White Water Grange, Patrons of Husbandry, of Missouri:

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. SAWYER presented a petition of citizens of Racine County, Wis., praying for the passage of what are known as the Washburn-Hatch antioption bills: which was referred to the Committee on the Judiciary.

He also presented a petition of citizens of Grant County, Wis.; a petition of citizens of Dane County, Wis., and a petition of citizens of Pierce County, Wis., praying for the passage of an anti-option bill: which were referred to the Committee on the Judiciary.

Mr. TELLER presented a petition of citizens of Kit Carson County, Colo., praying for the passage of what are known as the Washburn-Hatch antioption bills: which was referred to the Committee on the Judiciary.

He also presented a petition of the Denver (Colo.) Chamber of Commerce and Board of Trade, praying for the establishment of a postal-telegraph system: which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Silver League of Georgetown, Colo., praying for the passage of a free-coinage bill: which was referred to the Committee on Finance.

Mr. GEORGE presented the following petitions of Pinckney Mill and Vaughan Granges, Patrons of Husbandry, of Mississippi:

Petitions praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petitions praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. STOCKBRIDGE presented the following petitions of Corey and South Lowell Granges, Patrons of Husbandry, of Michigan:

Petitions praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petitions praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—referred to the Committee on Finance.

Mr. HIGGINS presented the following petitions of Gumbaro and Newark Granges, Patrons of Husbandry, of Delaware:

Petitions praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in the rural districts—referred to the Committee on Post-Offices and Post-Roads.

Mr. TURPIE presented a petition of citizens of Huntington County, Ind., praying for the passage of what are known as the Washburn-Hatch antioption bills: which was referred to the Committee on the Judiciary.

Mr. SHERMAN presented a petition of the Young People's Society of Reynoldsburg, Ohio, praying that the World's Columbian Exposition be closed on Sunday: which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of William Nelson Post, No. 186, Grand Army of the Republic, of Cincinnati, Ohio, praying for the passage of legislation, now before Congress, giving preference to honorably discharged soldiers and sailors in appointment to office: which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of 23 citizens of Columbus, Ohio, praying for the passage of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose: which was referred to the Committee on the Judiciary.

He also presented the following petitions of Maysville, Jackson, Smith, Wyoming, and Rocky Point Granges, Patrons of Husbandry, of Ohio:

Petitions praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petitions praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. COCKRELL presented a memorial of the General Assembly of the State of Missouri, in favor of the improvement of the Mississippi River and the appropriation of a sufficient sum at one time to carry on the improvement and as the Senate passed a bill for that express purpose prior to the passage of these resolutions, I move that they lie on the table.

The motion was agreed to.

Mr. ALLISON presented a petition of the General Assembly of the State of Iowa, praying for the passage of legislation which shall indemnify the bona fide settlers upon what are known as the Des Moines River lands, whose titles have failed: which was referred to the Committee on Public Lands.

He also presented a petition of the Business Men's Association, of Davenport, Iowa, praying for the construction of the Hennepin Canal according to the plan recommended by Capt. W. L. Marshall: which was referred to the Committee on Commerce.

He also presented a petition of citizens of Riceville, Iowa, and a petition of citizens of Mills County, Iowa, praying for the passage of the Washburn-Hatch antioption bills: which were referred to the Committee on the Judiciary.

Mr. FAULKNER presented the memorial of Henry L. Snyder and 38 other citizens of West Virginia, remonstrating against the passage of Senate bill 362, providing for the removal of the Southern Ute Indians from their present fertile reservation in Colorado to Utah Territory: which was referred to the Committee on Indian Affairs.

Mr. GALLINGER presented the following petitions of Forest Grange, Patrons of Husbandry, of New Hampshire:

Petition praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. HALE presented the following petitions of Charlotte Grange, Patrons of Husbandry, of Maine:

Petition praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining land and imposing a tax thereon—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Mr. DOLPH presented a memorial of sundry citizens of Oregon, remonstrating against the licensing of the sale of liquors in the Territory of Alaska; which was referred to the Committee on Territories.

Mr. PADDOCK presented a memorial of the Woman's Christian Temperance Union of Nebraska, officially signed, remonstrating against the opening of any exhibition or exposition on Sunday where United States funds are expended; which was referred to the Committee on the Quadro-Centennial (Select).

#### REPORTS OF COMMITTEES.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (S. 309) to remove the charge of desertion from the military record of John Hill, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. BATE. I am instructed by the Committee on Military Affairs to ask the indefinite postponement of the bill (S. 1797, for the relief of Capt. W. M. Wallace, and to ask that permission be granted for the withdrawal of the papers by the claimant, so that they can be taken before the Third Auditor, which is the proper place for their presentation.

The VICE-PRESIDENT. That order will be made, if there be no objection.

Mr. PALMER, from the Committee on Military Affairs, to whom was referred the bill (S. 1441) for the relief of Emile B. Weishaar, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1384) for the correction of the army record of Lieut. Harry R. Anderson, United States Army, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. CAREY, from the Committee on Public Lands, to whom was referred the bill (S. 2093) to provide for the disposal of certain abandoned military reservations in the State of Wyoming, reported it with amendments, and submitted a report thereon.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 609) authorizing the Secretary of War to correct the military record of Henry S. Cohn, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (H. R. 6214) to increase the pension of William Burrough, of Crawford County, Ark., veteran of the war of 1812, reported it without amendment, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 4275) to grant to the Champlain and St. Lawrence Railroad Company a right of way across the Fort Montgomery military reservation, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported adversely thereon, and they were postponed indefinitely:

A bill (S. 545) to define the grade of certain medical officers of the Army, and for other purposes.

A bill (S. 895) authorizing and directing the Secretary of War to prepare a medal of honor roll, and for other purposes; and

A bill (S. 2041) for the relief of W. H. Davis, late first lieutenant Company H, Twenty-fifth Regiment Ohio Infantry Volunteers.

Mr. PASCO, from the Committee on Claims, to whom was referred the bill (S. 2237) for the relief of the legal representatives of Thomas L. Young, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

Mr. HAWLEY. By instruction of the Committee on Military Affairs, I report back adversely the bill (S. 2370) correcting the military record of Irenus Shortridge. The remedy sought can be obtained at the War Department and the bill is unnecessary. I move that it be indefinitely postponed.

The motion was agreed to.

#### BILLS INTRODUCED.

Mr. HARRIS introduced a bill (S. 2707) granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service; which was read twice by its title, and referred to the Committee on Epidemic Diseases.

Mr. McMILLAN introduced a bill (S. 2708) to fix the compensation of substitute letter-carriers, and to define their duties; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 2709) to create a rural delivery and collection system; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. COCKRELL, by request, introduced a bill (S. 2710) granting a pension to Mrs. Ann Bradford, mother of William K. Bradford; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SAWYER introduced a bill (S. 2741) to aid the special delivery of the Post-Office Department; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 2732) to amend the postal laws relating to and authorizing the issue of postal notes; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 2733) to amend the postal laws so as to prohibit advertising sheets from being transmitted as second-class matter, and limiting the number of sample copies that may be mailed at second-class rates; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 2744) for the relief of fourth-class postmasters of the United States; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. DIXON introduced a bill (S. 2745) authorizing the employment of mail collectors at the delivery offices; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 2746) to indemnify the sender of registered matter lost in the mails; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 2747) to provide for the appointment of a commission to examine and report relative to the employment of the pneumatic-tube system, or other process, for the rapid dispatch of mails in large cities; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. CAREY introduced a bill (S. 2748) to repeal section 1218 of the Revised Statutes of the United States and the amendment thereto, which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FAULKNER introduced a bill (S. 2749) to remove the charge of desertion from John Lyon; which was read twice by its title, and referred to the Committee on Military Affairs.

#### PUBLIC BUILDINGS.

Mr. CAREY submitted the following resolution which was passed:

Whereas the best interests of the Federal Government demand that it should own and have absolute control of all buildings necessary for public purposes, and for the proper care and custody of its records at the seat of Government; Be it therefore

Resolved, That the Committee on Public Buildings and Grounds be instructed to investigate, inquire, and report as to the condition of the public buildings in the city of Washington, and report what additional buildings in said city are needed for the uses of the Federal Government in order to carry on its business, to preserve and protect its public records, to afford proper and suitable accommodations for those engaged in the public service, the estimated cost of such buildings; and in this connection to report the sum annually expended by the several branches of the Government for leased or rented buildings in the city of Washington.

Sec. 2. That the said committee report by bill or otherwise, on or before the first Monday of December next, such legislation as in their opinion may be necessary in the premises.

Third. If it is necessary to carry out the object of this inquiry said committee or subcommittee thereof is authorized to sit during the recess.

The VICE-PRESIDENT. The resolution will be referred to the Committee on Public Buildings and Grounds.

Mr. VEST. I desire to say to the Senator from Wyoming that in the first week, I believe, of this session the Senate passed unanimously a bill for the construction of a hall of records for storing all valuable papers and documents connected with both House of Congress, the Supreme Court, and the different Executive Departments. Such a bill has passed the Senate four times without opposition, and that bill is now pending in the House of Representatives. It was based upon information given to us year after year of the fact that valuable papers in the nature of vouchers were endangered by fire as stored now in the different Executive Departments; and yet the bill has never been even considered in the coordinate branch of Congress. The Committee on Public Buildings and Grounds can do nothing more in the premises. We have reported again and again in regard to the danger of fire in this Capitol, and I have myself repeatedly on the floor of the Senate called attention to the fact that the

tunity to take this particular matter to which the petition refers into consideration. It would like very well to know if something is to be done by the committee having charge of the same, directly or indirectly, correctly or incorrectly, speaking in a strictly parliamentary sense.

Mr. PLATT. Mr. President, in the absence of the chairman of the Committee on the Judiciary, and owing to the fact that I was appointed a subcommittee to consider the subject, together with the Senator from Alabama [Mr. PUGH], perhaps I ought to reply to the inquiry which has been made by the Senator from Nebraska [Mr. PADDOCK].

We have had some lengthy hearings of persons who are in favor of and those opposed to what is known as the Washburn option bill. It is a bill which proposes on its face to raise revenue and which intends under that proposal to prevent the business which it is proposed to tax; but as it is a bill ostensibly to raise revenue, it is a bill which can not, under the Constitution, be acted upon by the Senate until it comes to us from the House of Representatives. I think that suggestion at least ought to relieve the committee from any charge of delay in having acted upon the bill.

Perhaps the committee departed a little from the usual custom in such cases in considering it until it came from the House, even to the extent of having hearings upon it. I think we have gone further, perhaps, than the practice and rules of the Senate under the Constitution would strictly permit in having the hearings and doing what we have already done in relation to the bill.

Mr. PADDOCK. I have no doubt the committee has done all it possibly could do.

Mr. WOLCOTT. I rise to ask if this question respecting the condition of a bill which is in committee comes under the head of morning business? There is a resolution on the table which is part of the morning business, which, if it is in order, I should be very glad to have called up.

Mr. PADDOCK. I suppose I may properly, perhaps, as chairman of the committee having charge of subjects of this kind, raise a matter of privilege in connection with the introduction of petitions relating to such subjects, raise an inquiry of the kind which I have raised.

I am entirely satisfied that the committee having charge of the matter by order of the Senate has done the best it could. When the bill was referred I thought there were reasons why it might go to the Committee on Agriculture and Forestry, because it is a subject that that committee has to deal with, and with it always deals promptly when sent to it for consideration. When this bill was introduced I was informed that there were legal questions involved in the bill which the Committee on the Judiciary might properly and usefully consider, and, therefore, I waived the right, whatever it might be, and did not make the motion to have the bill go to my committee. Hence this inquiry, which I consider, under all the circumstances, pertinent and not impertinent.

#### LISTS OF GOVERNMENT EMPLOYÉS.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution offered by the Senator from Colorado [Mr. Wolcott] coming over from a previous day, which will be read.

The resolution was read, as follows:

*Resolved*, That the heads of the several Departments and of the other branches of the public service in the city of Washington be directed to transmit to the Senate lists of all their subordinates, stating their names, legal residences, compensation, and duties, who were on the 1st day of March, instant, employed in said city, not as laborers or workmen nor as members of the classified civil service, and were not specifically authorized or appropriated for by law, but were appointed or employed according to the discretion of the official appointing or employing them, and paid from some general or special fund subject to his control; and that accompanying such lists shall be transmitted like lists of all persons employed or paid as laborers or workmen who have performed clerical or other higher duty.

Mr. WOLCOTT. Mr. President, I desire to modify the resolution by adding, in the sixth line, after the words "laborers or workmen," the words "or as printers, binders, or pieceworkers," the object of the inquiry not extending to the Printing Office.

The VICE-PRESIDENT. The resolution will be so modified. The question is on the resolution as modified.

Mr. WOLCOTT. The modification excludes printers and binders from the inquiry.

Mr. COCKRELL. Is that the resolution introduced yesterday morning by the Senator?

Mr. WOLCOTT. Yes.

Mr. ALLISON. I do not object to the resolution, although I desire to call the attention of the Senator from Colorado to the fact that under this resolution, unless it is now modified so as to exclude them—and I am not clear but that the modification has that effect—it will require the Public Printer to produce here a list of all his employes, except one or two.

Mr. WOLCOTT. Printers, binders, or pieceworkers are excepted definitely from the provisions of the resolution by the modification which I have just made.

Mr. ALLISON. Very well. Then that will relieve, of course, the resolution from that objection; but I will say to the Senator what I believe to be true, that every employe in the office of the Public Printer is named in the Blue Book which has been published within a month, so that the name of every employe in the office of the Public Printer has been furnished to the public, including the persons named by the Senator.

Mr. PLATT. Let the resolution be read as modified.

The VICE-PRESIDENT. The resolution as modified will be read.

The Chief Clerk read as follows:

*Resolved*, That the heads of the several Departments and of the other branches of the public service in the city of Washington be directed to transmit to the Senate lists of all their subordinates, stating their names, legal residences, compensation, and duties, who were on the 1st day of March, instant, employed in said city not as laborers or workmen or as printers, binders, or pieceworkers, nor as members of the classified civil service, and were not specifically authorized or appropriated for by law, but were appointed or employed according to the discretion of the official appointing or employing them, and paid from some general or special fund subject to his control; and that accompanying such lists shall be transmitted like lists of all persons employed or paid as laborers or workmen who have performed clerical or other higher duty.

Mr. ALLISON. I desire to ask the Senator if he means to include the government of the District of Columbia in this resolution?

Mr. WOLCOTT. I do not.

Mr. ALLISON. The civil service does not apply to the government of the District of Columbia, and yet the resolution reads: "The heads of the several Departments and of the other branches of the public service in the city of Washington." The Senator does not mean to include the government of the District of Columbia?

Mr. WOLCOTT. I did not intend under the resolutions to cover the employes of the government of the District of Columbia.

Mr. HALE. Will the Senator state as briefly as he may just what classes of persons the resolution is intended to cover?

Mr. WOLCOTT. With pleasure. There are four classes of public employes, as I understand, not in the classified civil service. Those expressly excluded from the civil service, as the heads of Departments and the like, laborers, those that come under the head of laborers, and those specially designated by the act creating the office. I am informed—I do not know how truthfully—that there are many other employes holding office under the Government who are not properly included within these different designations; that there are in the Government service people employed as laborers, who are in fact doing clerical service—the name "laborer" is a misnomer—that there are people carried upon the rolls here and charged to the account for construction and the like, and it seems to me, Mr. President, if civil-service reform is to have a fair test, whether we are in favor of it or against it, we ought at least to know that the provisions of the law are carried out.

It is certainly true that some of us upon making applications, which we are compelled to make on behalf of our constituents, are met by the statement that it is utterly impossible in the Departments to find employment for worthy people, either because they can not perform the duties of a laborer or because they have not passed the civil-service examination. The same application elsewhere is met by a prompt affirmative answer and these people are put upon the rolls. It is largely a matter of favoritism. In any event, Mr. President, we are all in the dark as to what particular people may be employed, in what particular capacity they may be employed, who is to appoint them, and under what rules.

Mr. HALE. Does the resolution include the Census Office?

Mr. WOLCOTT. I should say that it includes the Census.

Mr. HALE. Not that that is particularly the branch that the Senator is looking after?

Mr. WOLCOTT. Not in the least. I am looking after no particular branch. I am only desirous that we shall know what branches are now under the civil service, what branches are not, how the employments are graded, how the offices are procured, and what offices are open to appointment.

The VICE-PRESIDENT. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

#### REVENUE CUTTER SERVICE.

Mr. SHERMAN. I offer a resolution which I send to the desk, and ask for its adoption, if there be no objection.

The VICE-PRESIDENT. The resolution will be read.

The resolution was read, as follows:

*Resolved*, That the Secretary of the Treasury be directed to furnish the Senate a detailed statement of the saving or increase in the annual expenses of the Revenue Cutter Service which would result from the transfer of said service from the Treasury to the Navy Department.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. CHANDLER. I ask that the resolution go over.  
The VICE-PRESIDENT. The resolution goes over.

#### EULOGIES ON THE LATE SENATOR HEARST.

On motion by Mr. STEWART, it was

*Resolved*, That the time fixed for offering and considering resolutions commemorative of the life, character, and public services of the late Senator from California, George Hearst, heretofore fixed for this day at 3 o'clock p. m., be postponed until to-morrow at 3 o'clock p. m.

#### EXECUTIVE SESSION.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three hours and thirty-seven minutes spent in executive session the doors were reopened, and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Friday, March 25, 1892, at 12 o'clock m.

### HOUSE OF REPRESENTATIVES.

THURSDAY, March 24, 1892.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

#### PUBLIC PRINTING AND BINDING.

The SPEAKER laid before the House a letter from the Secretary of War, recommending an amendment to the bill (S. 1549) providing for the public printing and binding and the distribution of public documents; which was referred to the Committee on Printing.

#### REPORT OF THE FISH COMMISSION.

The SPEAKER also laid before the House Senate concurrent resolution providing for the report of the Commissioner of Fish and Fisheries for the fiscal years 1889-90 and 1890-91; which was referred to the Committee on Printing.

#### SENATE BILLS REFERRED.

The SPEAKER also laid before the House bills of the Senate of the following titles: which were read twice, and referred as indicated:

A bill (S. 323) granting a pension to Thomas Cooper—to the Committee on Invalid Pensions.

A bill (S. 372) granting a pension to Ralph Waldo Nason—to the Committee on Invalid Pensions.

A bill (S. 525) making appropriation for the construction of a boat railway at The Dalles and Celilo Falls and Ten Mile Rapids of the Columbia River, and for the improvement of Three Mile Rapids—to the Committee on Railways and Canals.

A bill (S. 541) making appropriations for the purpose of securing the early completion of the canal and locks at the Cascades of the Columbia River—to the Committee on Railways and Canals.

A bill (S. 622) to amend an act entitled "An act for the relief of certain settlers on the public lands, and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands"—to the Committee on Public Lands.

A bill (S. 851) granting a pension to Sophia J. Hamilton—to the Committee on Invalid Pensions.

A bill (S. 1331) granting an increase of pension to Stephen D. Smith—to the Committee on Invalid Pensions.

A bill (S. 1471) granting a pension to Marilla Parsons, of Detroit, Mich.—to the Committee on Invalid Pensions.

A bill (S. 1596) to grant a pension to Martha Noble Brainerd—to the Committee on Invalid Pensions.

A bill (S. 1793) to legalize the deed and other records of the Office of Indian Affairs, and to provide and authorize the use of a seal by said office—to the Committee on the Judiciary.

A bill (S. 1878) to increase the pension of Ambrose B. Carlton—to the Committee on Pensions.

A bill (S. 2015) to amend the act incorporating the Washington and Georgetown Railway Company—to the Committee on the District of Columbia.

A bill (S. 2045) to provide for the rebuilding of the bridge across Rock Creek at M Street NW., in the District of Columbia—to the Committee on the District of Columbia.

A bill (S. 2049) to authorize the Secretary of the Interior to carry into effect certain recommendations of the Missouri Indian Commission and to issue patents for certain lands—to the Committee on Indian Affairs.

A bill (S. 2106) granting an increase of pension to Thomas M. Child—to the Committee on Pensions.

A bill (S. 2169) to improve the navigation and to afford ease and safety to the trade and commerce of the Mississippi River, and to prevent destructive floods, with an appropriation therefor—to the Committee on Levees and Improvement of the Mississippi River.

A bill (S. 2498) to authorize the sale of the old custom-house and post-office in Wilmington, Del.—to the Committee on Public Buildings and Grounds.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WALKER for eight days, from Friday at 5 o'clock, on account of important business.

#### MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries.

It also announced that the President had approved and signed bills of the following titles:

An act (H. R. 6876) to provide for certain of the most urgent deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1892.

An act (H. R. 3980) ratifying the act of the Sixteenth Territorial Legislative Assembly of Arizona, approved March 19, 1891, making appropriation in aid of Arizona exhibit at the World's Columbian Exposition.

An act (H. R. 6836) making appropriations to supply a deficiency in the Department of Agriculture, and for other purposes; and

An act (H. R. 5755) to provide for terms of the United States circuit and district courts at Cumberland, Md.

#### ORDER OF BUSINESS.

Mr. WARNER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution I send to the desk.

Mr. BLAND. Mr. Speaker, I shall be compelled to demand the regular order.

I ask that the morning hour for the call of committees be dispensed with.

Mr. OUTHWAITE. I object.

Mr. BUCHANAN of New Jersey. The gentleman himself just demanded the regular order.

The SPEAKER. The regular order is the call of committees for reports.

The committees were called, when reports were submitted, ordered to be printed, and referred to the Calendars indicated below:

#### SCHOOL OF MINES, COLORADO.

By Mr. TOWNSEND, from the Committee on the Public Lands: The bill (S. 1374) to aid the State of Colorado to support a school of mines—to the Committee of the Whole House on the state of the Union.

#### LINE BETWEEN UNITED STATES LANDS AND PITTSBURG, FORT WAYNE AND CHICAGO RAILWAY COMPANY.

By Mr. AMERMAN, from the Committee on the Public Lands: A bill (H. R. 402) to establish a division line between the lands of the United States and the Pittsburg, Fort Wayne and Chicago Railway Company—to the House Calendar.

#### PUBLIC BUILDING, OAKLAND, CAL.

By Mr. NEWBERRY, from the Committee on Public Buildings and Grounds: A bill (H. R. 63) to provide for the purchase of a site for and the erection of a public building at Oakland, in the State of California—to the Committee of the Whole House on the state of the Union.

#### PUBLIC BUILDING, FOND DU LAC, WIS.

By Mr. NEWBERRY, from the Committee on Public Buildings and Grounds: A bill (H. R. 495) for the erection of a public building at Fond du Lac, Wis.—to the Committee of the Whole House on the state of the Union.

#### PUBLIC BUILDING, SALEM, OREGON.

By Mr. NEWBERRY, from the Committee on Public Buildings and Grounds: A bill (H. R. 348) for the construction of a public building at Salem, Oregon—to the Committee of the Whole House on the state of the Union.

#### PUBLIC BUILDING, HELENA, MONT.

By Mr. NEWBERRY, from the Committee on Public Buildings and Grounds: A bill (H. R. 263) for the purchase of a site and the erection of a public building at Helena, Mont.—to the Committee of the Whole House on the state of the Union.

#### REFORMATORY FOR WOMEN, DISTRICT OF COLUMBIA.

By Mr. CADMUS, from the Committee on the District of Columbia: A bill (H. R. 5097) for the erection of a reformatory and house of detention for women charged with and convicted of



He also presented the following petitions of Brush Prairie, Bear Prairie, La Camas, and Charter Oak Granges, Patrons of Husbandry, of Washington:

Petitions praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petitions praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Mr. FELTON presented a petition of citizens of Riverside, Cal., praying for the passage of legislation for the ceding of arid lands to the respective States in which they are situated; which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also presented a petition of Stockton Grange, Patrons of Husbandry, of California, praying for the passage of legislation for the building of the Nicaraguan Canal; which was referred to the Committee on Foreign Relations.

He also presented a memorial of the directors and stockholders of the Anaheim Cooperative Beet Sugar Company, of Orange County, Cal., signed by 300 members, remonstrating against the repeal of the sugar bounty; which was referred to the Committee on Finance.

He also presented the following petitions of Magnolia and Stockton Granges, Patrons of Husbandry, of California:

Petitions praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Mr. BACKBURN presented a petition of citizens of Lexington, Ky., praying for the adoption of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

Mr. COKE presented a petition of citizens of Navarro County, Tex., and a petition of citizens of Refugio County, Tex., praying for the passage of legislation regulating speculation in fictitious farm products; which were referred to the Committee on the Judiciary.

Mr. PEPPER presented a petition of citizens of Jenny Lind, Ark., praying that homestead privileges be incorporated in the arid land bill; which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also presented the following petitions of Bellflower Grange, Patrons of Husbandry, of Kansas:

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—referred to the Committee on Finance.

Mr. CULLOM presented a memorial of citizens of Logan County, Ill., remonstrating against the passage of what are known as the Washburn-Hatch antioption bills; which was referred to the Committee on the Judiciary.

He also presented a petition of citizens of Edwards County, Ill., praying for the passage of what are known as the Washburn-Hatch antioption bills; which was referred to the Committee on the Judiciary.

He also presented the following petitions of Knox Henry Grange, Patrons of Husbandry, of Illinois:

Petition praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Mr. DAVIS presented a petition of citizens of Otter Tail

County, Minn.; a petition of citizens of Blue Earth County, Minn.; a petition of citizens of Jackson County, Minn.; a petition of citizens of Noble County, Minn.; a petition of citizens of Waseca County, Minn.; and a petition of citizens of Washington County, Minn., praying for the enactment of a law imposing a tax upon speculation in fictitious farm products; which were referred to the Committee on the Judiciary.

Mr. HAWLEY presented the following petitions of Morris Grange, Patrons of Husbandry, of Connecticut:

Petition praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Mr. HANSBROUGH presented a petition of citizens of Sargent County, N. Dak., and a petition of citizens of Cass County, N. Dak., praying for the enactment of legislation regulating speculation in fictitious farm products; which were referred to the Committee on the Judiciary.

Mr. SAWYER presented a petition of citizens of Portage and Waupaca Counties, Wis., praying for the passage of the Washburn-Hatch antioption bills; which was referred to the Committee on the Judiciary.

Mr. TELLER presented a memorial of citizens of Kit Carson County, Colo., remonstrating against the cession of the arid lands to the States; which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also presented a petition of citizens of Ouray, Colo., praying for the passage of the free-coinage bill; which was referred to the Committee on Finance.

Mr. SHERMAN presented a petition of the United Presbyterian Church of Roneys Point, W. Va., and a petition of the Woman's Missionary Society of the United Presbyterian Church of Sidney, Ohio, praying that the World's Columbian Exposition be closed on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

#### MISSISSIPPI RIVER IMPROVEMENT.

Mr. GIBSON of Louisiana. I present a petition of the Merchants' Exchange, representatives of industrial bodies, and the municipal government of St. Louis, Mo., to the Fifty-second Congress of the United States, in favor of the improvement of the navigation of the Mississippi River.

Mr. President, as this is a very important document, I ask that it may be printed and referred to the Committee on Printing, with an order to print 2,000 extra copies. It is full of interesting facts and statements in respect to the improvement of the Mississippi River.

The VICE-PRESIDENT. The memorial will be printed as a document, if there be no objection, and referred to the Committee on Printing, with the accompanying order; which will be read.

The order was read and referred to the Committee on Printing, as follows:

*Ordered.* That 2,000 copies of the memorial of the Merchants' Exchange, representatives of industrial bodies, and the municipal government of St. Louis, to the Fifty-second Congress of the United States, in favor of the improvement of the navigation of the Mississippi River, be printed.

#### REPORTS OF COMMITTEES.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 2699) to repeal section 16, chapter 294, of the act approved July 15, 1870, "making appropriations for the support of the Army for the fiscal year ending June 30, 1871," relating to brevets, reported it without amendment, and submitted a report thereon.

Mr. PADDOCK. From the Committee on Public Lands, I report back, with an amendment in the nature of a substitute, the bill (S. 782) to provide for the adjustment of certain sales of lands in the late reservation of the Confederated Otoe and Missouria tribes of Indians in the States of Nebraska and Kansas, and I submit a written report. I move that the bill, with the amendment and report, be referred to the Committee on Indian Affairs, as it relates to an Indian matter as well as a public-land matter.

The motion was agreed to.

Mr. PLATT, from the Committee on Territories, to whom was referred the bill (S. 2373) to establish the boundaries of the Yellowstone National Park, and for other purposes, reported it with an amendment.

Mr. PLATT. I am directed by the Committee on Territories to report back favorably with an amendment the bill (H. R. 5199)

to amend an act entitled "An act approving with amendments the funding act of Arizona," approved June 25, 1890, together with a written report.

I wish to state that as there is pressing necessity for the passage of this bill, if it is to be passed, I shall ask the unanimous consent of the Senate to call it up at an early day. I do not ask action on it this morning, because I desire to have the report printed.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. PERKINS, from the Committee on the District of Columbia, to whom was referred the bill (S. 4533) for the relief of holders of drawback certificates issued under an act of Congress approved June 2, 1890, reported it without amendment, and submitted a report thereon.

Mr. STOCKBRIDGE, from the Committee on Fisheries, to whom was referred the bill (S. 4126) for the establishment of a fish-hatchery in the State of Montana, reported it with an amendment, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 741) to reappoint Warren C. Beach a captain in the Army, and to place him on the retired list in addition to the number now authorized, submitted an adverse report thereon: which was agreed to, and the bill was postponed indefinitely.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 2619) to vacate that part of Madison street, Georgetown, west of Back street, and extend Y street in Barleith, in the District of Columbia, reported it without amendment, and submitted a report thereon.

Mr. BLODGETT, from the Committee on Pensions, to whom was referred the bill (H. R. 4288) authorizing the payment of the pension of Edward S. Smith, accrued at the date of his death, to his mother, Catherine, reported it without amendment, and submitted a report thereon.

Mr. WOLCOTT, from the Committee on the District of Columbia, to whom was referred the bill (S. 2651) for the protection of boarding-house keepers, reported adversely thereon, and the bill was postponed indefinitely.

#### BILLS INTRODUCED.

Mr. SAWYER introduced a bill (S. 2720) to encourage postal savings, especially in districts remote from money depositories, to invest the same, and to divide earnings among depositors; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. PERKINS introduced a bill (S. 2721) granting an honorable discharge to John Summers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. COKE introduced a bill (S. 2722) appropriating funds for investigations and tests of American timber; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. SHERMAN introduced a bill (S. 2723) granting a pension to Sarah Rihelardorf; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 2724) granting a pension to Mary A. Gannett; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CALL introduced a bill (S. 2725) granting a pension to William P. Butler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 2726) granting a pension to Henry Sands; which was read twice by its title.

Mr. COCKRELL. I present the petition of Henry Sands, of Cole County, Mo., helpless and dependent son of Harmon G. Sands, late a member of Cole County (Mo.) Home Guards, First United States Reserve Corps, praying to be allowed a pension. I also present a certificate from Gen. Wickham, adjutant-general of Missouri, as to the record of Harmon G. Sands, the father, and an affidavit of Dr. J. L. Thorpe, and an affidavit of W. H. Lusk and Martin Niemeyer to accompany the bill.

I move that the bill, with the accompanying papers, be referred to the Committee on Pensions.

The motion was agreed to.

Mr. CAREY introduced a bill (S. 2727) to enable the people of the Territory of Utah to provide for the collection, arrangement, and display of the products of said Territory at the World's Columbian Exposition of 1893; which was read twice by its title, and referred to the Committee on Territories.

#### DISTRICT MEMORIAL ASSOCIATION.

Mr. CULLOM submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

*Be it resolved by the Senate (the House of Representatives concurring), That in pursuance of a certificate of incorporation of the "Memorial Association*

*of the District of Columbia," signed by Melville W. Fuller, John M. Schofield, John W. Foster, B. H. Warner, S. P. Langley, A. B. Hagner, J. C. Bancroft Davis, Walter S. Cox, S. H. Kaufman, A. R. Spofford, John Hay, J. W. Douglass, Myron M. Parker, Gardiner G. Hubbard, W. D. Davidge, S. S. Franklin, Charles C. Glover, and Tannis S. Hamlin, and recorded March 21, 1892, the President of the United States, the President of the Senate, and the Speaker of the House of Representatives be, and they hereby are, authorized and directed to appoint each six citizens of the District of Columbia to be members of said association, and to serve for the terms of one, two, and three years respectively as they may determine by lot, and thereafter to appoint annually each two members to serve for three years.*

#### EXECUTIVE SESSION.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed and the Calendar under Rule VIII is in order.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and twenty-five minutes spent in executive session the doors were reopened.

#### COURTS IN WEST VIRGINIA.

Mr. WILSON. I ask leave to submit a report. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 2643) changing the time for holding the circuit and district courts in the district of West Virginia, to report it back favorably without amendment. The Senators from West Virginia are anxious to have the bill passed, inasmuch as it provides for changes that will take effect, if the bill becomes a law, in April. I ask unanimous consent that the bill may be acted upon now.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT HELENA, MONT.

Mr. SANDERS. I ask unanimous consent to call up the bill (S. 880) to provide for the construction of a public building at Helena, Mont. I think we can complete the bill before the special order set for 3 o'clock.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 880) to provide for the construction of a public building at Helena, Mont.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### VALUE OF THE DOLLAR.

Mr. STANFORD. I desire to give notice that on Tuesday next, after the morning business, I shall, with the consent of the Senate, call up the bill (S. 2397) to determine the value of a legal-tender dollar, for the purpose of submitting a few remarks thereon.

#### ADJOURNMENT TO MONDAY.

On motion of Mr. BUTLER, it was

*Ordered*, That when the Senate adjourn to-day, it be to meet on Monday next.

#### EULOGIES ON THE LATE SENATOR HEARST.

Mr. STANFORD. Mr. President, I offer the resolutions which I send to the desk, and ask that they may be read.

The VICE-PRESIDENT. The resolution submitted by the Senator from California will be read.

The resolutions were read, as follows:

*Resolved*, That the Senate has heard with profound sorrow of the death of George Hearst, late a Senator from the State of California.

*Resolved*, That as a mark of respect to the memory of the deceased, the business of the Senate be now suspended to enable his associates to pay proper tribute of regard to his high character and distinguished public services.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives.

The VICE-PRESIDENT. The question is on agreeing to the resolutions.

The resolutions were agreed to unanimously.

Mr. STANFORD. Mr. President, the death of Senator George Hearst occurred so near the close of the last session of Congress that we had no opportunity to pay any extended tributes of respect to his memory in this Chamber.

It is for this reason that I have introduced the resolutions which have just been read.

In March, 1850, a young man was traveling westward across the continent, on foot, beside an ox wagon. His outfit and a small sum of money in his pocket were his only possessions, and he was marching 2,000 miles through an uninhabited country to seek his fortune.

In March, 1894, the same man was crossing the same plains.

for the free delivery of mails—to the Committee on the Post-Office and Post-Roads.

Also, petition of J. W. Stephens and others of the Eighth Illinois district, for keeping the Columbian Fair open on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. STONE of Pennsylvania: Petition of Green River Grange, encouraging silk culture, to prevent gambling in farm products, and the adulteration of food and drugs—to the Committee on Agriculture.

Also, petition of the same body, for a free delivery of rural mails—to the Committee on the Post-Office and Post-Roads.

Also, petition of the same body, for a pure-lard law—to the Committee on Ways and Means.

By Mr. STORER: Resolutions of William Nelson Post, Grand Army of the Republic, praying for preference of veterans in appointments to positions under Government—to the Select Committee on Reform in the Civil Service.

By Mr. STOUT: Stephen Wiles and others of Montrose, Mich., asking for an increased tax on cigarettes—to the Committee on Ways and Means.

By Mr. VINCENT A. TAYLOR: Resolutions of Watson Division, Brotherhood of Locomotive Engineers, of Norwalk, Ohio, for legislation compelling railroad companies to use automatic brakes and safety couplers—to the Committee on Interstate and Foreign Commerce.

By Mr. TOWNSEND: Petition of citizens of Kit Carson County, Colo., against ceding or granting the arid lands to the States—to the Select Committee on Irrigation of Arid Lands.

Also, petition of citizens of Kit Carson County, Colo., for prohibition of contracts for sale of produce for future delivery, known as dealing in futures—to the Committee on Agriculture.

By Mr. TUCKER: Petition and bill for erection of monument to George Washington—to the Committee on the Library.

By Mr. WHEELER of Alabama: Petition of Ezekiel Maci—to the Committee on Claims.

By Mr. WILSON of West Virginia: Petition of W. H. Kilmer and others, of Hedgesville, W. Va., for free delivery of rural mails—to the Committee on the Post-Office and Post-Roads.

Also, petition of E. J. Lee and others, of Stephentown, W. Va., against the removal of the Southern Ute Indians—to the Committee on Indian Affairs.

Also, petition of Forest Grange, Patrons of Husbandry, Jefferson County, W. Va., in favor of House bill 359, defining lard—to the Committee on Agriculture.

By Mr. WILSON of Washington: Eight petitions of 120 citizens of Colfax; of 160 citizens of State of Washington; of 87 citizens of Wilburn, Wash.; of 115 citizens of Spokane, Wash.; of 137 citizens of Stevens County, Wash.; of 68 citizens of Spokane; of 60 citizens of Spokane, Wash.; and of 8 citizens of Spokane, Wash.; for opening of the Colville Reservation, ceded under treaty of May, 1891—to the Committee on Indian Affairs.

Also, petition of Fern Prairie Grange, relative to pure food—to the Committee on Agriculture.

By Mr. WARWICK: Petition of citizens of Paris, Stark County, Ohio, favoring the amendment of the immigration laws—to the Committee on Immigration and Naturalization.

Also, petition of First Presbyterian Church, Canton, Ohio, against opening Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Buckeye, Maysville, Jackson, and Perry, encouraging silk culture, to prevent gambling in farm products—to the Committee on Agriculture.

Also, petition of the same bodies, for a free delivery of rural mails—to the Committee on the Post-Office and Post-Roads.

Also, petition of the same bodies, for a pure-lard law—to the Committee on Ways and Means.

Also, petition of United Presbyterian Congregation of Wooster, Ohio, against opening the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of same body, prohibiting contracts discrediting legal-tender currency—to the Committee on Banking and Currency.

By Mr. WRIGHT: Petition of Granville Center and Gibson Star, encouraging silk culture, to prevent gambling in farm products, and the adulteration of foods and drugs—to the Committee on Agriculture.

Also, petition of the same bodies, for a free delivery of rural mails—to the Committee on the Post-Office and Post-Roads.

Also, petition of the same bodies, to prohibit contracts discrediting legal-tender currency—to the Committee on Banking and Currency.

Also, petition of the same bodies, for a pure-lard law—to the Committee on Ways and Means.

By Mr. YOUNG: Two petitions from Montcalm County, Mich., for free delivery of mails, etc.—to the Committee on the Post-Office and Post-Roads.

## HOUSE OF REPRESENTATIVES.

SATURDAY, March 26, 1892.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MELBURN, D. D.

The Journal of the proceedings of yesterday was read, corrected, and approved.

### ORDER OF BUSINESS.

Mr. MARTIN. Mr. Speaker, I call up the special order.

Mr. HEMPHILL. Mr. Speaker, I ask the gentleman to allow me to submit some reports from the Committee on the District of Columbia.

Mr. CULBERSON. And I also wish to submit a resolution, which will occupy, I think, but a moment.

Mr. MARTIN. I yield to the gentleman from South Carolina to submit some reports.

### INSTITUTIONS OF LEARNING, DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported back the joint resolution (H. R. 92) to encourage the establishment and endowment of institutions of learning at the national capital by defining the policy of the Government with reference to the use of its library and scientific collections by students; which was referred to the House Calendar.

### OPENING OF ALLEYS, DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported back the bill (H. R. 3971) to provide for the opening of alleys in the District of Columbia; which was referred to the House Calendar.

### PERMANENT SYSTEM OF HIGHWAYS, DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported back, as a substitute for the bill (H. R. No. 409), the bill (H. R. 7584) to provide a permanent system of highways in that part of the District of Columbia lying outside of cities; which was referred to the Committee of the Whole House on the state of the Union.

### CONVEYANCE OF REAL ESTATE, DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported back the bill (H. R. 6922) to amend section 452 of the Revised Statutes, relating to the District of Columbia, concerning conveyances of real estate; which was referred to the House Calendar.

### PROTECTION OF LIVERY-STABLE KEEPERS, DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported back the bill (H. R. 3338) for the protection of livery-stable keepers and other persons keeping horses at livery within the District of Columbia; which was referred to the House Calendar.

### WATER REVENUES, DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported back the bill (S. 1584) to prevent fraud upon the water revenues of the District of Columbia; which was referred to the House Calendar.

### INSPECTOR OF PLUMBING, DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported back a bill (S. 1492) to authorize the appointment of an inspector of plumbing, District of Columbia, and for other purposes; which was referred to the Committee of the Whole House on the state of the Union.

### PRACTICE OF DENTISTRY, DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported back the bill (H. R. 661) for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto; which was referred to the House Calendar.

### PAPER FOR CHECKS, DRAFTS, ETC.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, submitting an additional estimate of appropriation to the one submitted heretofore, for the purchase of paper for checks and drafts for thousands of the Treasurer of the United States, the assistant treasurers, pension agents, etc., for the fiscal year ending June 30, 1893; which was referred to the Committee on Appropriations.

### OBSOLETE AND UNSERVICEABLE ARMS.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a list from the Chief of Ordnance, recommending an amendment to existing laws in regard to the disposition of obsolete and unserviceable arms, equipments, etc., returned to the Ordnance Department by the mili-

the laws of the United States; which was referred to the Committee on the Militia.

#### CATHAN MURPHY VS. THE UNITED STATES.

THE SPEAKER's chair before the House a communication from the Chief of Census, transmitted a copy of the findings of the census of 1880. The report contained a claim of Jonathan Murphy against the United States, which was referred to the Committee on Claims.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. COCHRAN, until Monday next, on account of important business.

To Mr. STODOLSKY, until Tuesday next, on account of important business.

To Mr. BRENTANO, until Monday next, on account of important business.

To Mr. LIND, for to-day, on account of committee work.

To Mr. HAMILTON, for this day, on account of important business.

To Mr. HENDERSON, of North Carolina, for this day, on account of sickness.

#### WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted Mr. BRENTANO, of Kentucky, to withdraw papers from the files of the House in the case of William P. Hall, captain Fifth Cavalry.

#### EXPENSES OF JUDICIAL INVESTIGATION.

Mr. CULBERSON. Mr. Speaker, I ask unanimous consent for the present consideration of this resolution.

The Clerk read as follows:

Resolved, That in the investigation now being made by the Senate Committee on the Judiciary of alleged abuses of process and other irregularities of the Judicial Department of the United States, during the administration of the Hon. Stephen A. Tilden, the Chief Justice of the United States, the House be authorized to employ such clerical and investigative aid as the House may deem proper, and investigation on the Clerk of the House from the Committee on the Judiciary, to be paid for by the House.

THE SPEAKER. Is there objection to the present consideration of this resolution?

Mr. DINGLEY. Reserving the right to object, I would like to have the gentleman explain the meaning of this resolution. I did not hear the reading of the first part.

Mr. CULBERSON. I will state to the gentleman from Maine that this investigation was undertaken at the instance of the Attorney-General.

Mr. DINGLEY. What is the investigation?

Mr. CULBERSON. An investigation into alleged irregularities charged to have occurred in several of the courts of the United States, abuse of process and so forth. The original resolution did not provide for the manner of getting the money out of the contingent fund.

Mr. HENDERSON, of Iowa. Is this reported from the Committee on the Judiciary?

Mr. CULBERSON. Yes, the resolution has already been made, providing for this investigation, but there was no provision with reference to payment of the money for this investigation.

THE SPEAKER. Is there objection to the present consideration of this resolution?

There was no objection.

THE SPEAKER. The question is on agreeing to the resolution.

The question being taken, the Speaker announced that changes seemed to have it.

Mr. BAILLY. Mr. Speaker, was it voted, and a division? I did not hear the reading of the resolution.

The House divided. Ayes 188, nays 4, yeas 1.

Mr. BAILLY. I make a report of no yeas, Mr. Speaker. THE SPEAKER. The gentleman from Texas (Mr. BENTLEY) makes the point that no yeas have been voted.

Mr. CULBERSON. I am occupying the floor for the courtesy of the gentleman from Indiana (Mr. MANNING) and I will not allow this resolution.

Mr. MARTIN. I demand the yeas and nays.

#### PENSIONS.

THE SPEAKER. The gentleman from Indiana (Mr. MANNING) is the regular order. The Clerk will report the speech.

The Clerk read from the Journal of the proceedings of March 19, 1882, as follows:

On motion of Mr. MANNING, unanimously passed, that the House do pass the resolution, which the Committee on the Ways and Means has reported, and which was considered on Saturday, March 19, 1882, and which reads:

Mr. MARTIN. I demand to know that I would like to know, and the agreement made on last Friday evening concerning the bills.

The Clerk read as follows:

Mr. BENTLEY. I am unanimous consent that the previous question be considered on the passage of the bill, and that the bill be passed.

THE SPEAKER. The gentleman from Indiana asks unanimous consent that the previous question be considered on the bill, which was passed on the 19th of March, 1882, and that the bill be passed.

Mr. BENTLEY. I have no objection.

THE SPEAKER. The previous question has been considered on the bill, and the bill has been passed.

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the following bills: in which it requested the concurrence of the Senate:

A bill (H. R. 670) granting a pension to Ellen Maguire;  
 A bill (H. R. 721) granting a pension to Esther Doolittle;  
 A bill (H. R. 723) granting a pension to Sarah L. Henderson;  
 A bill (H. R. 724) granting a pension to Jane Sherry;  
 A bill (H. R. 1078) to pension Jane Allen;  
 A bill (H. R. 1084) to remove the charge of desertion now standing against Michael Keefe, deceased;  
 A bill (H. R. 1425) for the relief of Wells Cheney;  
 A bill (H. R. 1445) for the relief of Kate P. Mitchell, daughter of Stephen Mitchell, late of the Fifth Maine Battery;  
 A bill (H. R. 1528) to pension Samuel O. Fisher, of Lynn, Mass.;

A bill (H. R. 1738) to pension Mrs. Adelia S. Ferris;  
 A bill (H. R. 1938) granting a pension to Caroline E. Quigg, formerly C. Elizabeth Henry, an army nurse in the late war;  
 A bill (H. R. 2425) granting a pension to Mrs. Jennie Vaughan;  
 A bill (H. R. 2433) granting a pension to Elizabeth Kelly;  
 A bill (H. R. 2436) granting a pension to Bridget Maloy;  
 A bill (H. R. 3199) to pension Margaret Turner; and  
 A bill (H. R. 3204) to pension Lewis L. Lane.

The message also announced that the House had passed the joint resolution (S. R. 49) construing article 4 of the agreement with the Citizen band of Pottawatomie Indians in Oklahoma Territory and elsewhere.

#### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills: and they were thereupon signed by the Vice-President:

A bill (H. R. 497) to determine the sessions of the circuit and district courts of the United States for the eastern district of Wisconsin;

A bill (H. R. 1487) to remove the political disabilities of John R. F. Tatnall;

A bill (H. R. 3885) to increase the pension of George R. Allen;

A bill (H. R. 5891) to authorize the appointment of clerk for the circuit and district courts in the Texarkana division of the eastern district of Arkansas; and

A bill (S. 444) granting to the State of South Dakota section No. 36 in township No. 94 north of range No. 56 west, in the county of Yankton, in said State, for the purpose of an asylum for the insane, to correct an act approved June 16, 1889, attempting to make such grant to the Territory of Dakota, and for other purposes.

#### BILLS INTRODUCED.

Mr. WILSON introduced a bill (S. 2730) granting an honorable discharge to William B. Barnes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. McMILLAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (S. 2731) making an appropriation for the expenses of the twenty-sixth annual encampment of the Grand Army of the Republic to be held in Washington, D. C.;

A bill (S. 2732) to authorize the Commissioners of the District of Columbia to make regulations for the control of the bridges within the District of Columbia, and for other purposes;

A bill (S. 2733) to provide for the rebuilding of the bridge across Rock Creek at P street northwest, in the District of Columbia; and

A bill (S. 2734) to provide for the rebuilding of the bridge across Rock Creek at K street northwest, in the District of Columbia.

Mr. GALLINGER (by request) introduced a bill (S. 2735) to pension Edmund Pendleton Gaines; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WELCOTT introduced a bill (S. 2736) to aid the State of Colorado to support a State university; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. SHERMAN (by request) introduced a bill (S. 2737) for the relief of John A. Lynch; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2738) granting a pension to Mrs. Mary Clute; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2739) for the relief of James Petty; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PERKINS introduced a bill (S. 2740) providing, within designated limits, for the diversion of natural waters and their appropriation to beneficial uses, and for the regulation thereof; which was read twice by its title, and referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also introduced a bill (S. 2741) granting an honorable discharge to Albert G. Romine; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 2742) for the relief and classification of letter carriers in second-class post-offices; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. HOAR introduced a bill (S. 2743) to amend an act entitled "An act to facilitate the disposition of cases in the Supreme Court of the United States, and for other purposes;" which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CULLOM introduced a bill (S. 2744) for the relief of Francis M. Perkins; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2745) granting a pension to Charles Scott; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CARLISLE introduced a bill (S. 2746) granting the right to sell burial sites in parts of certain streets in Washington City to the vestry of Washington Parish for the benefit of the Congressional Cemetery; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2747) for the relief of William W. Utterback; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. COLQUITT introduced a bill (S. 2748) to grant a pension to Essex M. Botsford; which was read twice by its title, and with the accompanying papers, referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 2749) to amend an act approved February 4, 1887, entitled "An act to regulate commerce;" which was read twice by its title, and referred to the Committee on Inter-State Commerce.

He also introduced a bill (S. 2750) for the relief of S. E. Gittings, administrator; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2751) for the removal of the charge of desertion against Charles Gotzandauer; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2752) granting an honorable discharge to John Cunningham; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. QUAY introduced a bill (S. 2753) supplementary to an act approved March 3, 1891, entitled "An act in amendment to the various acts relative to immigration and the importation of aliens under contract or agreement to perform labor;" which was read twice by its title, and referred to the Committee on Immigration.

He also introduced a bill (S. 2754) to extend the provisions of the act entitled "An act referring the claim of the owners of the steamer *L. N. Banton* to the Court of Claims," approved March 2, 1889, to the claims arising out of the loss of life on said steamer; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2755) granting a pension to Regina O'Brien and Elizabeth O'Brien, daughters of Edward O'Brien, deceased, etc.; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2756) granting an increase of pension to Cyrus Eakman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2757) for the relief of Michael A. Smith; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2758) for the relief of John Evans; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2759) granting an increase of pension to John A. Stewart; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2760) for the relief of Hugh Cosgrove; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PADDOCK introduced a bill (S. 2761) granting a pension to John D. Wakley; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2762) to pension Anna Morgan Burns; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2763) for the protection and administration of the public forest reservations; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. VILAS introduced a bill (S. 2764) for the relief of Sarah

E. Wedelstedt; which was read twice by its title, and referred to the Committee on Claims.

Mr. STOCKBRIDGE introduced a bill (S. 2765) granting to the Duluth and Winnipeg Railroad Company a right of way across the Fond du Lac Indian Reservation; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CALL introduced a bill (S. 2766) granting a pension to Thomas C. Ellis; which was read twice by title, and, with the accompanying papers, referred to the Committee on Pensions.

#### AMENDMENTS TO BILLS.

Mr. DAVIS submitted an amendment intended to be proposed by him to the agricultural appropriation bill; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

Mr. FELTON submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. PETTIGREW submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### RECIPROCAL TRADE RELATIONS WITH ARGENTINE REPUBLIC.

Mr. MORGAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the President is requested to send to the Senate, if in his opinion it is not inconsistent with the public interests, the correspondence with the Government of the Argentine Republic on the subject of commercial reciprocity with the United States under section 3 of the act of October 1, 1890. And that he inform the Senate as to the articles exported from the United States to the Argentine Republic in reference to which the United States proposed or demanded that the customs duties imposed by the Argentine Republic be reduced or abolished, so as to make the commercial relations between the two countries reciprocally fair and just or equal and reasonable.

#### SOUTHERN UTE INDIAN LANDS.

Mr. WOLCOTT submitted the following concurrent resolution; which was read:

*Resolved by the Senate (the House concurring)*, That the President be requested to refrain from allotting in severalty the lands of the present reservation of the Southern Ute Indians, pending legislation in the present Congress respecting the removal of said Indians to another reservation.

Mr. WOLCOTT. I give notice that I shall call up the resolution to-morrow at the close of the morning business and ask permission to make a few remarks upon it.

The VICE-PRESIDENT. Meanwhile the resolution will lie on the table.

#### REVENUE CUTTER SERVICE.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The resolution submitted on the 24th instant by Mr. SHERMAN was read, as follows:

*Resolved*, That the Secretary of the Treasury be directed to furnish the Senate a detailed statement of the saving or increase in the annual expense of the Revenue Cutter Service which would result from the transfer of said service from the Treasury to the Navy Department.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

Mr. CHANDLER. I desire to ask the Senator from Ohio whether he thinks that it is worth while to put the Secretary of the Treasury to the duty of preparing a statement of that kind? It is not exactly a call for information now on file in his Department, but a request to him to ascertain facts and make a comparison showing the results of the proposed transfer of the Revenue Marine. Now, the Secretary of the Treasury is a very busy man, and is it expedient to put him to doing that work at this time? If it were a mere call for facts within his Department I should not think of making this inquiry of the Senator; but the Secretary has just returned to his duties, and ought he to be taken away from more important duty to prepare this argument, so to speak, against the proposed transfer of the Revenue Marine Service to the Navy?

Mr. SHERMAN. Is the Senator through?

Mr. CHANDLER. That is my question. Is it worth while to put the Secretary of the Treasury to doing this work?

Mr. SHERMAN. The Secretary of the Navy has given his estimate of what he supposed would be the saving by this proposition, and now I want the estimate of the Treasury Department, where all the money is paid out, as to the saving or loss by the proposed change. As a matter of course, the Secretary of the Treasury will not have much to do in writing it out; his time will not be very much occupied in that particular pursuit when there are about 2,000 employes there who are very ready at that kind of business.

Mr. CHANDLER. But is there not danger, I ask the Senator, that the Secretary will take an estimate made by his subordinates, and being very busy himself transmit it here with-

out that personal examination which he ought to make to give the information and which the subject ought to have?

Mr. SHERMAN. If he does so, he will only do exactly what the Secretary of the Navy did in making his estimate. It was prepared by one of his subordinates, I presume. I hope we shall not fear that these gentlemen overwork themselves by furnishing figures found upon their ledgers, and in which they probably are not called upon to do anything further than to sign their names to general results.

Mr. CHANDLER. I think the Senator does injustice to the Secretary of the Treasury. I do not believe, from my knowledge of him, that he will take a mere perfunctory statement prepared by a subordinate and send it here without scrutiny. I am very certain that the Secretary of the Navy in making his estimate has not failed to give the subject his personal attention. I ask the Senator, if he thinks the resolution ought to be passed, whether he has any objection to adding to it an amendment.

Mr. HOAR. Let the resolution be read again.

The Chief Clerk read the resolution.

The VICE-PRESIDENT. The amendment proposed by the Senator from New Hampshire will be read.

The Chief Clerk. It is proposed to add to the resolution:

And further, to transmit to the Senate a list of the vessels of the Revenue Marine, with a statement as to each of its tonnage and the number of guns and other arms, the number of the officers and crew, and the miles cruised during the past year, and also a statement showing the nature of the duty performed by each vessel, and whether the discipline on the cutters and the practice in the use of great guns and small arms is the same as that on vessels of the Navy.

Mr. SHERMAN. I have no objection to the amendment. Indeed that information can be found already in the reports; but there is no objection to having it transmitted in this connection.

The amendment was agreed to.

Mr. ALLISON. I think there is another item of information which it might be well to have in this connection, and that is the number of people who would be placed immediately on the retired list in the event of the transfer. I do not know but that it is embraced in the resolution of the Senator from Ohio.

Mr. SHERMAN. I did not expressly embrace it. I have no objection to the amendment, but I think the number of officers who would be retired is given, and the computation would be based upon that.

Mr. BUTLER. That will appear from the Register, I take it.

Mr. ALLISON. Very well; I do not ask that that be inserted. I only want to be sure that we shall have the information.

Mr. BUTLER. We have the information.

The VICE-PRESIDENT. The question is on agreeing to the resolution as amended.

Mr. ALLISON. I would insert somewhere in the proper place "including the cost of the retired list."

Mr. SHERMAN. "The number of officers who will be placed on the retired list."

Mr. ALLISON. Yes, "the number of officers who will be placed on the retired list under the proposed change."

The VICE-PRESIDENT. The amendment will be stated.

The Chief Clerk. It is proposed to add to the resolution,

In adding the number of officers to be placed on the retired list under the proposed legislation.

The amendment was agreed to.

The resolution as amended was agreed to, as follows:

*Resolved*, That the Secretary of the Treasury be directed to furnish the Senate a detailed statement of the saving or increase in the annual expense of the Revenue Cutter Service which would result from the transfer of said service from the Treasury to the Navy Department, and further, to transmit to the Senate a list of the vessels of the Revenue Marine, with a statement as to each of its tonnage and the number of guns and other arms, the number of officers and crew, and the miles cruised during the past year; and also a statement showing the nature of the duty performed by each vessel, and whether the discipline on the cutters and the practice in the use of great guns and small arms is the same as that on vessels of the Navy, including the number of officers to be placed on the retired list under the proposed legislation.

#### LEAVES OF ABSENCE TO GOVERNMENT EMPLOYEES.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed, and the Calendar under Rule VIII is in order.

Mr. CAREY. I ask the Senate to proceed at this time to the consideration of Order of Business 221, Senate bill 1768, which was passed over without prejudice.

There being no objection, the Senate resumed the consideration of the bill (S. 1768) to allow thirty days' leave of absence to employees in the Bureau of Engraving and Printing and in the Navy Department.

The VICE-PRESIDENT. The bill has been heretofore passed, and the vote by which the bill was ordered to a third reading and passage has been reconsidered. The bill is before the Senate and the pending amendment will be read.

The Chief Clerk read the amendment heretofore submitted by



Mr. CAREY, to strike out all after the enacting clause and insert:

That the employes of the Bureau of Engraving and Printing, including the pieceworkers, shall be allowed leave of absence with pay, not exceeding thirty days in any one year, under such regulations and at such time or times as the Chief of the Bureau may prescribe and designate; and that all the draftsmen, assistant draftsmen, clerks, writers and copyists under the direction of the Navy Department who receive per diem pay shall be allowed thirty days' leave of absence each year without forfeiture of pay during such leave, under such regulations as the Secretary of the Navy may prescribe; *Provided*, That no such full leave of absence of thirty days shall be granted to any person, under the provisions of this act, who shall not have been an employe of said Bureau or Department for a period of not less than eleven months immediately preceding the granting of such leave.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. ALLISON. I suggest to the Senator from Wyoming that there should be inserted in line 7, after the word "Bureau," the words "with the approval of the Secretary of the Treasury," so as to read:

At such time or times as the Chief of the Bureau, with the approval of the Secretary of the Treasury, may prescribe and designate.

Mr. CAREY. I have no objection to that.

The amendment to the amendment was agreed to.

Mr. SHERMAN. I should like to ask the Senator from Connecticut [Mr. HAWLEY] whether this rule has been adopted in the Government Printing Office. This bill gives to all employes of the Bureau of Engraving and Printing, and therefore those who are employed by the day or the piece, thirty days' leave of absence with full pay.

Mr. HAWLEY. That is the law in regard to the Printing Office.

Mr. SHERMAN. It is adding one-twelfth to the expenses of this whole Bureau. If that is the desire it is not in my bailiwick, but still I think we ought to have a little regard for the public interests. When persons are employed on an annual salary there is a reason why they should have some holiday, extending from two weeks to thirty days, but when persons are employed by the piece they can regulate their own time in their own way and work as little or as much as they please. It seems to me the rule of allowing an additional thirty days' pay without work is not correct. If, however, that is the custom in the Printing Office, I do not see why it should not be applied to all the other branches of the Government.

Mr. CHANDLER. Mr. President, I would say to the Senator from Ohio that that is the law now as to the Government Printing Office both as to employes paid by the day and employes paid by the piece. The committee that reported this bill came to the conclusion that one class of these employes in Washington are entitled to this privilege just as much as another. If we do not give it to the class of persons who are provided for in this bill, then we ought to take it away from the employes of the Government Printing Office, and the rule, as has been explained, is applied not only to workers by the day and by the month and employes under salaries by the year, but to the pieceworkers under a rule for ascertaining the average of the amount earned by piecework. I am unable to see, as the committee that reported this bill have been unable to see, how we can make fish of one and flesh of another.

Mr. HALE. Mr. President, of course Senators understand the old rule and the good rule was to give a furlough with pay only to persons in steady employment by the year, who had no control over their time and who needed a respite, and it was believed to be for the good of the service generally that such regular employes upon a salary for yearly work should receive this holiday.

The first innovation was made in the case of the Public Printing Office, and that after discussion was based upon the ground largely urged that, in effect, these were permanent employes, that the force in the Printing Office, while it measured its work by the piece, was to all intents and purposes a regular force, and needed this change, this respite, as much as those paid annual salaries. So Congress gave them the leave, and the door was opened. Now, the employes of the Bureau of Engraving and Printing, which does most of its work by the piece, claim that they should have this leave as much as the Government Printing Office employes. I suppose that their work is of about the same order. It is practically a continued force throughout the year and needing, if anybody does, a holiday.

But I want to notify the Senate that this thing is not going to stop here. Not only the regular force, but the piece force, the fragmentary force, and all employes under the Government are coming and knocking at the doors of the Senate and of the House of Representatives and claiming to have thirty days out of each year with pay when they are not at work, and it will not be long before we shall be beset by men in employment in the Government navy-yards that they shall have thirty days' pay when they are not at work, although it is peculiarly a temporary force. The

foremen and the captains of ten and of twenties in the navy-yards are now pushing a claim that we should give them thirty days' furlough each year.

Mr. HARRIS. This does give it.

Mr. COCKRELL. This extends it to the navy-yards.

Mr. MORGAN. Not only to the clerical force of the navy-yards.

Mr. HALE. That I did not even know. The bill originally did not extend that far. I am informed that this bill now extends the leave to workmen in the navy-yards. That I did not know.

Mr. CHANDLER. The Senator from Maine is mistaken. The amendment of the Senator from Alabama [Mr. MORGAN] extends the provisions of the bill to draftsmen and copyists in the Navy Department, but the proposition to give the foremen in the navy-yards thirty days' leave of absence in each year with pay now rests in the Committee on Naval Affairs.

Mr. HALE. Then I was right about it. I did not suppose that it had got into the navy-yards and embraced foremen. It embraces draftsmen. That was the amendment offered by the Senator from Alabama [Mr. MORGAN] the other day—draftsmen and writers—the clerical force.

Mr. CHANDLER. If the Senator will allow me, he is quite right in stating that the Senate and House, perhaps, will have to meet the proposition to give the foremen in the navy-yards the same privilege, and I, for one, without knowing what the committee may do and what the Senate may do, am in favor of that, because I do not see how any distinction can be made.

Mr. HALE. The Senator has confessed frankly what we shall have to meet. It will go to the workmen in the navy-yards, who are a temporary force and who perhaps upon an emergency would need to be used every day in the year for the benefit and safety of the Government. Then it will go beyond, and it will be made to apply to any possible employment under the Government wherever it may be throughout the United States.

Mr. CHANDLER. Will the Senator allow me a question?

Mr. HALE. Yes.

Mr. CHANDLER. I ask the Senator whether he knows any reason why this particular privilege of receiving thirty days' pay in each year without work—thirty days of absence with pay—should be confined to employes of the Government within the city of Washington?

Mr. HALE. Not if the employes of the Government are a regular force from January 1 to December 31 and employed upon annual pay and needing, as human beings, physically this respite. Then I have no objection to its applying outside; but the rule never ought to have been changed, and it ought to have been confined to regular, permanent employes of the Government.

Mr. CAREY. Mr. President, this bill is exactly as the law now is with reference to employes in the Public Printing Office. In the Bureau of Engraving and Printing they are allowed now fifteen days leave of absence, and persons who work in that Bureau by the month, or by the day, or by the year are only allowed fifteen days. This bill merely equalizes the employes of the several Departments of the Government, and allows them all thirty days' leave.

The VICE-PRESIDENT. The question is on agreeing to the amendment as amended.

Mr. VEST. Mr. President, if this system is to be continued, no good reason, I think, can be suggested why it should not apply to the Bureau of Engraving and Printing, where a large number of delicate women are employed, and where the work is peculiarly irksome, unhealthy, and protracted.

If I could, I should like to vote against the whole system. If the same rule which we apply to Government employes should be applied to private life it would virtually stop employment throughout the country. If any one of us should have an employe whom we had employed for twelve months, who would insist that he should work eleven and receive pay for twelve, it would be considered a very great outrage. No employer throughout the country in his private business would stand any such rule for a moment.

Mr. CAREY. Will the Senator from Missouri permit me to ask him a question?

Mr. VEST. Certainly.

Mr. CAREY. I want to ask him if it is not almost the universal rule of merchants and manufacturers to give their employes a leave of absence?

Mr. VEST. No, Mr. President, it is not a universal rule; and even if it should be granted, for the sake of the argument, that it applies to large manufacturing establishments, it does not apply to contracts between farmers and their employes and mechanics and their employes and railroads and their employes, or banks and their employes. Very true, the Bank of England, I believe, has a rule to furlough every one of its employes, with-

out application on the part of the employé, but that is a measure of precaution in order to examine his accounts and books while he is absent on vacation, and for no other reason. It is not true in the United States that any of the large institutions or any of the large corporations have any such rule, and wherever it prevails in any of the cities it is an exception to the rule.

We know very well that if there is a vacancy in any one of the Departments there are immediately from ten to fifty applicants for it, and we know that these very same persons if employed in any other department or business throughout the country would not expect any such discrimination in their favor. Therefore, I repeat, if I had the opportunity I should vote against the whole system.

But, as the Senator from Maine [Mr. HALE] says, this is not the last of it, because when you have granted this privilege to the employés in any one bureau, it furnishes an argument for granting it to all; and I am frank to say if it is given to any of the employés of the Government it ought to be given to the women in the Bureau of Engraving and Printing; for any one who has visited that establishment knows that it is the most laborious, unhealthy, and irksome work that can possibly be conceived.

But again, look at this legislation. I have never belonged to that class of public men who attempt to secure popularity by demagoguing with the laboring people of the country and exciting their antipathies to men who possess wealth or capital. I have never been an expert in that sort of business and never expect to be; but if discrimination in favor of the working people is to be recognized as a political element in this country at all, look at this bill! Here we grant thirty days' leave of absence to copyists and draftsmen, the gentlemen who sit in a warm room and do delicate work that a woman probably could discharge as well or better than they, but when we come to the workman who labors out of doors in a navy-yard, who is subjected to all sorts of weather, who is compelled to work eight hours a day, then no such discrimination is given to him. I want the friends of the workman in this Chamber, and the gentlemen who understand the peculiar manipulation of that vote, to answer to the working organizations of this country when they vote for this bill. I think they will find it rather a difficult campaign experiment.

Mr. HALE. The truth is that the workmen of the country have not the least interest in these favors that are given to this special class.

Mr. COCKRELL. Not a bit.

Mr. HALE. The truth is that we are all the time raided by clerks, draftsmen, printers, engravers, and letter-carriers, who are in the employment of the Government, into which they have got by importunity, and have much better berths than the workmen of the country, and they are the ones who are coming down upon us all the time and demanding more and more favors. The workmen of the country are not interested in this legislation. The workmen of the country, those who do the work in private establishments and have no such favors as these, are not at all concerned in these movements, which are made by special classes. It is all the other way, and we are not legislating in favor of workmen when we are giving these favors to a favored class; we are legislating against the workmen.

Mr. VEST. I think the Senator from Maine [Mr. HALE] states the case accurately, Mr. President, but I do not hope for any reform. When I first came to the Senate I had a visionary idea of reforming such abuses, but I have long since contented myself with trying to keep things as they are, in order that they may not become any worse.

At the close of this session of Congress I suppose we shall pay a month's extra pay to our employés and the other House probably will do the same thing, and we shall not stop with giving this thirty days' leave of absence to the copyists and draftsmen in the navy-yards, but it will not be a week or a day possibly until this same privilege must be extended to the same class of people in every other department of the governmental service.

Mr. HALE. Does the Senator know that last year as a special favor we gave the letter-carriers fifteen days' leave of absence, much to the detriment of the postal service, and it is followed this year by a demand to make it thirty days?

There is but one rule about this matter. When we begin to legislate for these favored classes, the Government classes, we have got to select, but we never satisfy them.

The Senator refers to what we do for our employés here. It is not a pleasant thing for a Senator to stand up in the face of all these employés and talk as I am willing to talk about this. It is an outrage upon everybody else that we give our employés an extra month's pay. We ought not to do it. They have the best places in the Government. They are not required to be here all the time; they have a long vacation, and notwithstanding this they are paid for an extra month every year. While other people would be glad to hold these places for half the sum they get, we

pay them an extra month, because we are importuned by them. It is all wrong.

Mr. VEST. I have but one observation to make, but I suppose it will be entirely useless. I know but one rule, and I try to know but one rule in my public action in regard to such matters, and that is to treat all the citizens of this country alike.

Mr. HALE. Let me correct a statement I have just made in reference to the letter-carriers. It was the clerks of the first and second class post-offices to whom we gave fifteen days' leave of absence last year, and now they are asking for thirty days. We gave the letter-carriers the eight-hour limitation. I want to set that right.

Mr. VEST. As the Senator from Maine says, it is not a pleasant matter to antagonize movements of this sort. I am not standing here to make any professions of liberality. It is simply a question of duty upon our part, as it is a duty upon the people who come here for these extraordinary privileges. I repeat, we ought to establish one rule or the other—treat all the people of this country alike, or, if we extend these extraordinary privileges to any one class, then make the privileges universal so as to destroy class privileges and class legislation.

Mr. STEWART. Mr. President, there is only one condition of things that seems to make it almost necessary that the clerks in many of the Departments should have a vacation. If any Senator will visit the different rooms where the clerks are crowded together and where the atmosphere is most destructive of health, he will see that it would be almost impossible, with the conditions imposed, for the employés to work all the year round. I think it would be better to make the conditions of health such that they could work the year round, so that there would be no distinction between them and other laborers. But many of the rooms in which these clerks are employed, if Senators will visit them, they will find have no ventilation, and the clerks actually have to retire on account of ill health, which is occasioned by the crowded rooms and the bad ventilation that exists in many of the Departments.

Mr. HALE. Does not the Senator believe that tens of thousands and hundreds of thousands of workmen throughout the country perform their work and get their little subsistence in rooms and holes and corners that are ten times worse than the worst employed under the Government, and does not the Senator know that this great army of working people does not average half the amounts which are paid to these Government employés?

Mr. STEWART. I know all that is very true, but that is no reason why the Government should not make proper arrangements for the ventilation of the buildings and the health of the employés, because there are places where men and women are compelled to work under very unhealthy conditions.

Mr. HALE. The furlough business does not meet that: the furlough business does not meet narrow quarters, does not meet stifled air, does not meet malaria and pestilence that are said to exist in these places. It is another remedy that the Senator has in his mind which ought to be resorted to, and that is to give them more room, with plenty of sweet air and plenty of light.

Mr. STEWART. They ought to have some time to recruit. Senators must see the necessity for that. I think if we had plenty of light and rooms and good air furnished to our employés there would be very much less necessity for furloughs; no more necessity for them than the ordinary laborer has everywhere, and not as much; but as they are situated it would be a great hardship in many cases to decline to grant furloughs, because the employés need them to regain their health.

Mr. HALE. I move to lay the bill on the table.

The VICE-PRESIDENT. The question is on the motion of the Senator from Maine.

Mr. CAREY. Mr. President—

The VICE-PRESIDENT. Does the Senator from Maine withdraw his motion?

Mr. HALE. I yield to the Senator.

Mr. CAREY. I can not understand why there is so much indignation to-day in reference to this bill. As long ago as 1883 a bill of similar purport to this was passed and approved, allowing the employés in the Bureau of Engraving and Printing fifteen days' leave of absence in each year. In 1883 a law was passed through both Houses of Congress allowing thirty days' leave under the regulation of the heads of the several Departments to all the employés in the Departments in this District. In 1886 an act was passed allowing all employés in the office of the Public Printer thirty days' annual leave. Only in the last Congress, on the 28th day of March, 1890, an act was passed giving to all officers engaged in the collection of customs throughout this country thirty days' leave in each year.

Now, why should the employés of the Bureau of Engraving and Printing be discriminated against? This bill merely proposes to equalize these privileges, and it is fair that they should

have them if the employés in the other Departments enjoy them. The women in that Bureau who are employed by the year or by the day are allowed only fifteen days' leave of absence, while the more favored ones in the Treasury Department, in the Interior Department, in the Agricultural Department, and in the various other Departments, are allowed thirty days' leave.

This kind of legislation did not originate with the present Committee on Education and Labor. It originated years ago. The committee believes in dealing equitably and fairly with all the Government employés, and if you kill this bill to-day by laying it on the table, or by voting it down directly, you should, to be consistent, repeal all this class of legislation. If this other legislation is to remain on the statute book, then this bill—

Mr. VEST. Will the Senator permit me?

Mr. CAREY. Certainly.

Mr. VEST. The Senator has, with all respect to him, simply recapitulated the arguments which have been made from one Congress to another in favor of this class of legislation. I agree with him that you can not repeal the system. I am certain that you could not do it if you would let the matter lie over for twenty-four hours, for I am sure that personal solicitation to each Senator would prevent the repeal of the system.

I am prepared now, as much as I condemn the whole thing, but recognizing that it is impossible to get the system done away with, to vote for that portion of this bill which gives this privilege, wrong as I believe it to be in principle, to the women employed in the Bureau of Engraving and Printing. But it has been amended so as to include now the copyists, and draftsmen in the naval service and all the employés in the Bureau of Engraving and Printing besides.

Mr. HALE. Mr. President—

The VICE-PRESIDENT. The Chair feels bound to call the attention of Senators to the fact that this discussion is going on under Rule VIII, which forbids a Senator to speak more than once or exceeding five minutes on any question.

Mr. SHERMAN. The matter ought to go over.

Mr. HALE. The suggestion is made that by objecting the matter goes over, but as the Senator from Missouri [Mr. VEST] has well said, if this matter goes over a day the solicitations that will pile up on Senators will be unmeasured; there will be no end to them, and I am afraid, with the Senator from Missouri, that many Senators will weaken and falter. I hoped when I made the motion to lay upon the table, knowing how the Senator from Missouri feels, knowing what his estimate is of the justice of it, applied to all these people, that he would join with me in an effort, which required some small degree of courage to make, to stop this bad practice here and now. We have got to do it somewhere, or we have got to give way entirely.

Mr. VEST. I should like to ask the Senator if he will join with me in voting to repeal the whole system?

Mr. HALE. I will join the Senator in voting to repeal the whole system.

Mr. VEST. If you do that, there will be some equity in it.

Mr. HALE. I did not know before that the employés in the custom-houses throughout the country had got this thirty days' leave of absence. They ought not to have it. Everybody who has seen a custom-house, who has seen the ins and outs and the avenues, knows that there is the greatest clamor to get the places, that their holders are a favored class, so looked upon in their communities, and to give them what their neighbors and associates are not getting in private establishments is all wrong, and I will join with the Senator in any movement he may make to repeal that.

There is no courage required before the country in taking this ground. There is no public sentiment in favor of giving to these clerks and printers and others in Government employment extra favors that are not gained by the people outside. They make a sentiment by solicitation. They get together in meetings and organizations and pass resolutions and knock and thunder at the doors of Congress, but it is not the people who are interested in this matter. Therefore, I am inclined to see how many Senators will vote as I think they believe, to table this whole bill.

Mr. VEST. Insist on your motion, then.

Mr. HALE. I do. I am not going to withdraw it.

The VICE-PRESIDENT. The question is on the motion of the Senator from Maine that the bill as amended lie on the table.

Mr. CAREY. I ask for the yeas and nays on that motion.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GEORGE (when his name was called). I am paired generally with the Senator from Oregon [Mr. DOLPH]. Not knowing how he would vote if present, I withhold my vote.

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. NORRILL].

Mr. PADDOCK (when his name was called). I am paired with

the Senator from Texas [Mr. COKE]. I do not know how he would vote, if present, and I therefore withhold my vote.

While on my feet I desire to announce the pair of my colleague [Mr. MANDERSON] with the Senator from Kentucky [Mr. BLANCHARD]. My colleague is detained at home by illness.

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY]. In his absence I withhold my vote.

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. BARBOUR]. If he were present I should vote "yea."

Mr. QUAY (when his name was called). I am paired with the Senator from West Virginia [Mr. FAULKNER], who, I believe, is not present. If he were present I should vote "nay."

Mr. SHERMAN (when his name was called). I am paired with the Senator from Kentucky [Mr. CHARLES]. If he were present I should vote "yea."

Mr. TELLER (when his name was called). I am paired with the junior Senator from Texas [Mr. CHILTON]. I do not know how he would vote if present, and therefore withhold my vote.

Mr. WALTHALL (when his name was called). I am paired with the Senator from Rhode Island [Mr. DIXON].

The roll call was concluded.

Mr. DOLPH. I announce my pair with the Senator from Mississippi [Mr. GEORGE]. I do not see him in his seat at present and withhold my vote.

The result was announced—yeas 16, nays 33; as follows:

#### YEAS—16.

Allen, Conn.	Gibson, La.	Ransom,	Vest,
Berry,	Hale,	Sawyer,	Washburn,
Cockrell,	Hoar,	Stockbridge,	White,
Coke,	Jones, Ark.	Vance,	Wilson,

#### NAYS—33.

Allen,	Davis,	McPherson	Squire,
Bate,	Dawes,	Morgan,	Stanford,
Butler,	Dixon,	Palmer,	Stewart,
Call,	Dubois,	Peffer,	Turpie,
Cameron,	Gibson, Md.	Perkins,	Vilas,
Carey,	Gorman,	Pettigrew	Voorhees,
Chandler,	Hansbrough,	Pieh,	
Colquitt,	Kyle,	Sanders,	
Cullom,	McMillan,	Shoup,	

#### NOT VOTING—39

Aldrich,	Faulkner,	Hill,	Platt,
Barbour,	Felten,	Hiscock,	Power,
Blackburn,	Frye,	Irby,	Proctor,
Blodgett,	Gallinger,	Jones, Nev.	Quay,
Brice,	George,	Kenna,	Sherman,
Carlisle,	Gordon,	Manderson,	Teller,
Cassidy,	Gray,	Mitchell,	Walthall,
Chilton,	Harris,	Morrill,	Warren,
Daniel,	Hawley,	Paddock,	Wolcott,
Dolph,	Higgins,	Pasco,	

So the motion to lay the bill on the table was rejected.

The VICE-PRESIDENT. The question recurs on agreeing to the amendment as amended.

Mr. CALL. Mr. President. I wish to say a single word on this bill. I do not agree with those who have opposed it and have stated that it is not the desire of the working people of the United States. It is, in my opinion, the very general desire of the working people of this country, who pay the taxes and who pay the higher wages which these employés receive, that they should have this leave of absence. The reason is that they wish the United States to set an example to the employers of labor through the country by which the condition of the laboring classes may be benefited and they may receive a larger portion of the comforts of life than they do now.

It is an example that is needed. The laboring people of this country who pay the taxes are not, as a general rule, in that condition of comfort and well-being in which they ought to be and in which they may be, and this movement is in the lead of that new and better order of things which they are contemplating for the laboring people of the country.

Mr. CHANDLER. Mr. President, I think in view of the fact that allusion has been made to the case of the foremen in the navy-yards, I should state what their claim is.

The Senator from Missouri [Mr. VEST] took occasion to say that he did not understand that leaves of absence of this character were given to the foremen in private establishments. Why, sir, I understand that the contrary is the case, and that in the large private manufacturing establishments of this country of one kind and another it is the rule to give their foremen or leading men thirty days' leave of absence with pay. At any rate, that is the case which has been made by the foremen in the navy-yards in the application which they have made to Congress and in the bill which is now pending in the Committee on Naval Affairs of the Senate. The foremen come here and they submit evidence that in all the large mechanical shops in the vicinity of Norfolk, in the vicinity of Washington, in the vicinity of Balti-

more and Philadelphia, it is the custom to give to the foremen, the principal men, the leading men, thirty days' leave of absence with pay, and on that ground the passage of the bill giving these foremen thirty days' leave of absence when in Government employ is advocated.

Now, Mr. President, I understand that the principle upon which that bill is advocated, is the one which has been stated by the Senator from Maine: that is to say, I refer to the discrimination which he has made between those employes of the Government to whom the thirty days' leave of absence should be given and those to whom it should not be given. The foremen are yearly employes. Whether their pay is reckoned by the year or by the month or by the day, they are employed continuously the whole year round, and therefore conceive that they are as much entitled to have thirty days' leave of absence with pay, as the clerks in the Departments in Washington and as the employes in the custom-houses throughout the country, and I am unable to see how their petition can be refused.

With reference to the proposition that is implied in the motion of the Senator from Maine to lay this bill upon the table in order that he and the Senator from Missouri may have an opportunity to repeal all these grants of thirty days' leave of absence made to various Government employes, I have this to say, that not only do I believe it would be impossible to secure a repeal, as the Senator from Maine himself seems to admit, but I do not believe that it would be just, or wise, or expedient to do so.

The Senator from Maine can not but recognize the principle upon which these bills have been passed. The principle is that men who work the year round for employers, men who give all their physical and their mental strength to the service of their employers, can do as much work in eleven months with one month's leave of absence as they can do in twelve months continuous work. It is a universal principle in political economy that man needs rest, and he needs that rest whether he is engaged in purely physical, manual, menial labor, whether he is engaged in purely intellectual labor, or whether he is engaged in labor that is a combination of the two; and I undertake to say that the Senator from Maine would keep in his employment nowhere a man to whom he would not give thirty days' leave of absence with pay in each year, rather than compel that employe to work continuously twelve months in the year without any leave of absence.

The PRESIDING OFFICER (Mr. TURPIE in the chair.) The Senator's time has expired under the rule.

Mr. CHANDLER. I do not understand the reason why I was interrupted by the Chair.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CHANDLER. Shall I understand that the Chair is enforcing the five-minute rule?

The PRESIDING OFFICER. Such is the rule of the Senate, and the Chair is trying to enforce it.

Mr. ALLISON. Mr. President, I voted to table this bill, and I did so for the reason that I think the tendency is by successive steps to too greatly enlarge the leave of absence provided for by statute for employes of the Government.

I am perfectly familiar with the history of this legislation. The Senator from Wyoming alluded to it. It was first inserted in an appropriation bill in 1883, if I remember correctly, and it was placed there for the purpose of correcting an abuse. It was well known to Senators and Representatives that prior to that time in the Departments certain favored clerks could receive leaves of absence for thirty and sixty and ninety days, and in some cases six months and longer, and that other clerks could receive no grant whatever of leave of absence, and therefore there was inserted in the legislative and executive appropriation bill in 1883 a provision that all clerks might receive thirty days' leave of absence with pay, and that for a longer period of absence their pay should stop. The result of that has been that in the Executive Departments there has grown up a system of substitution, which has even been recognized by our Civil Service Commission, whereby when leaves of absence are granted to clerks in a Department for sixty days or ninety days or longer they can put in substitutes drawn by the Civil Service Commission, which substitutes receive the pay for the time being.

When that appeared, the next step was to give the employes in the Public Printing Office, who were not annual employes, a small leave of absence to the extent of fifteen days, and upon what I think a very proper ground, that these poorly paid employes, although practically employed all the year, were not decorated in these bills as were the clerks receiving from twelve to eighteen hundred dollars a year, or as our own employes, who often receive an extra month's pay. Fifteen days were granted at first; then it was extended to thirty days; and then the people in the Printing Office who work nights were allowed 20 per cent additional pay. So we have been running along since 1883 by adding to the privileged classes, because the act of 1883 was intended to correct an abuse and allow thirty days' leave of ab-

sence to the clerks employed here in the Departments receiving an annual salary; and now this bill, as I understand it, proposes not only to give to these employes who are here in the Departments, some of them poorly paid I agree, notably so in the Bureau of Engraving and Printing, but to extend it to the navy-yards; and this bill extends to certain classes of people who are under the control of the Navy Department wherever they may be.

Mr. CHANDLER. It does not.

Mr. ALLISON. It does not so state. I examined the bill. What I object to is that we are by these successive steps enlarging from time to time these privileges so that our civil service in the future will be added to just one-eleventh as respects compensation. Last year we extended leaves of absence to the clerks of the first and second class post-offices for fifteen days. Why should we limit them to fifteen days if we are to extend this privilege to thirty days now in all the cities of the country?

I was not aware until this moment that this privilege had been extended to employes of custom-houses in remote districts.

I think it is time that there should be a careful revision of this whole subject. I have great faith that the chairman and the membership of the committee, having this subject in charge will do full justice as respects this whole question.

The Senator from New Hampshire [Mr. CHANDLER] states that he favors the extension of this privilege to the foremen of navy-yards. What right have we to extend this to the foremen of navy-yards and not extend it to the workmen in the navy-yards who work side by side with the foremen for twelve months in the year? So we shall extend this by these gradual processes until every employe of this Government wherever he may be will receive twelve months' pay for eleven months' work.

The PRESIDING OFFICER. The time of the Senator from Iowa has expired.

Mr. PEPPER. Mr. President, if we were proposing to take from the employes who now enjoy thirty days' vacation annually that privilege, we should have before us altogether a different proposition from the one that we are now discussing. Whenever it is proposed to equalize the burdens and the pleasures of labor in the service of the Government in that direction, I shall perhaps feel differently altogether, in respect to such a measure, from what I do in respect to this one.

I understand, Mr. President, that this bill proposes simply as far as possible to equalize privileges in the Departments and among the employes thereof; that is to say, inasmuch as the employes mentioned in the bill have not heretofore enjoyed the privilege of a vacation of thirty days, such as other employes in other Departments enjoy, that they shall have it. It is equalizing the privilege to that extent, and on that account I am in favor of it.

I am in favor of it, furthermore, for the additional reason that I think it will be taking a step backward to take from any of our faithful employes, either in the Government service or in private service, a single privilege in the way of recreation that they now enjoy. Indeed, sir, if I had the power, or if I could control the power of the Government, I would, during the next year, after giving thirty days' notice, stop the wheels of every factory within our jurisdiction at the end of eight hours during the day, and at the end of the first year from that time I would stop them at the end of six hours.

I believe that we have enough of men and of women in this country to do the work that is needed to be done in the shops, on the farms, in the offices, and everywhere by working six hours a day; and doing that faithfully in properly ventilated apartments, we should have altogether a different condition of things from what we find now. We should not have a million, or two million, or two-and-a-half million of men and women moving about the country, as is the case to-day, upon the very verge of starvation, begging for employment.

So, it seems to me, it is wise for the Government to take the lead in this matter and make the burden of labor as light as possible and make the burden of the poor as light as possible. Let us, as far as our authority extends, wield it mercifully. Wherever we can take up one worker, no matter where, let us take him up and give him the same benefits and the same enjoyments that the rest of us have.

Mr. HALE. Mr. President, I do not think if this privilege is to be given to a portion of the employes of the Government that it ought to be kept from others. The remarks made by the Senator from Kansas [Mr. PEPPER] suggest to me more forcibly this proposition, and in order that there may be no complaint and that it may be understood that Congress has adopted the system of giving to its employes as they come up with special claims and demands from time to time this thirty days' leave, I propose an amendment that extends it generally, so that the Senate may see what is before it and may make this matter a subject of one action, take one bite at it and end it, because, so sure as we live, so sure as time passes, we shall be met by an irresistible demand, after we pass this bill, already extended beyond the scope of the

MRS. ELIZA FAYS.

The SPEAKER. The Chair is informed that the gentleman from Texas [Mr. KILGORE] withdraws his demand for the regular order; and the Chair will again submit the request of the gentleman from Massachusetts [Mr. COGSWELL]. Unanimous consent is asked for the present consideration of the bill (H. R. 1167) granting a pension to Mrs. Eliza Fays. The bill will be read.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he hereby is, authorized and directed to place upon the pension roll of the United States the name of Mrs. Eliza Fays, mother of Frank Fays, late a private in Company A, Seventeenth Regiment Massachusetts Volunteer Infantry, and to pay her a pension at the rate of \$12 per month.

There being no objection, the House proceeded to the consideration of the bill.

The question being taken on ordering the bill to be engrossed and read a third time, there were—ayes 133, noes 1.

Mr. BAILEY. No quorum.

Tellers were ordered; and Mr. COGSWELL and Mr. BAILEY were appointed.

The House again divided; and the tellers reported—ayes 172, noes 1.

So the bill was ordered to be engrossed for a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. COGSWELL, a motion to reconsider the last vote was laid on the table.

#### INVESTIGATION OF JUDICIAL ABUSES.

Mr. CULBERSON. I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The Clerk read as follows:

*Resolved*, That in the investigation now being made by a subcommittee of the Committee on the Judiciary of alleged abuses of process and authority by certain officers of the Judicial Department of the United States under a resolution of the House heretofore adopted, the chairman of said subcommittee be, and he is hereby, authorized to draw for the expenses of the said investigation on the Clerk of the House from the contingent fund of the House in sums not to exceed \$500 at any one time.

There being no objection, the House proceeded to the consideration of the resolution; which was adopted.

On motion of Mr. CULBERSON, a motion to reconsider the last vote was laid on the table.

#### CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. BLOUNT, from the Committee on Foreign Affairs, reported a bill (H. R. 7624) making appropriations for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1893; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. DINGLEY. I desire to reserve all points of order on that bill.

The SPEAKER. Points of order will be reserved.

#### VOTE OF MR. DONOVAN ON THE SILVER QUESTION.

Mr. LIVINGSTON. I rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. LIVINGSTON. On page 2630 of the RECORD, I am reported as having said last Thursday night in relation to the vote of the gentleman from Ohio [Mr. DONOVAN]—

He was here, and voted when his name was called.

The letter which has been read from the gentleman from Ohio this morning appears to call for some explanation from me. When the name of Mr. DONOVAN was called by the Clerk upon the vote referred to, the gentleman from Georgia [Mr. EVERETT], the gentleman from Texas [Mr. LONG], as well as myself, distinctly heard the response "No;" and the Clerk was right when he entered that response. I ask the gentleman from Georgia and the gentleman from Texas to bear me out in the statement that when the name of the gentleman from Ohio was called the answer "No" was distinctly given from that part of the building [pointing]—somewhere over there.

Mr. CABLE. I heard distinctly a response when the name was called.

Several MEMBERS. Somebody responded in the negative at that time.

Mr. LIVINGSTON. And here is a gentleman on my left from Ohio who says that he heard the response, another on my right, and several others who heard it.

Mr. OUTHWAITE. Nobody questions that statement. I knew, however, at the time that Mr. DONOVAN was not on the floor. That there was a response at the time I have not the slightest doubt; but it was evidently an error.

Mr. LIVINGSTON. I only know that somebody voted at that time, and I have nothing to take back from what appears in the RECORD.

Mr. HEMPHILL. I demand the regular order.

Mr. ATKINSON. I wish to ask the gentleman from Georgia a question.

The SPEAKER. The regular order is demanded.

#### ENROLLED BILL SIGNED.

Mr. WARWICK, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled the bill (S. 2384) to change the name of the customs collection district and port of Wilmington, Cal., to Los Angeles, and for other purposes; when the Speaker signed the same.

#### ORDER OF BUSINESS.

The SPEAKER. The Chair will direct the committees to be called for reports under the rule.

#### CONVEYANCE OF CERTAIN LANDS TO KANSAS.

Mr. AMERMAN, from the Committee on the Public Lands, reported back the bill (S. 800) to authorize the Secretary of the Interior to convey to the State of Kansas certain lands therein; which was referred to the Committee of the Whole House on the state of the Union.

#### TRINITY CHURCH, HOT SPRINGS, ARK.

Mr. McRAE, from the Committee on the Public Lands, reported back the bill (H. R. 3380) to authorize the trustees of Trinity Church, Hot Springs, Ark., to purchase certain lands, with the recommendation that it be indefinitely postponed.

The SPEAKER. In the absence of objection that order will be made, and the report will be printed.

There was no objection, and it was so ordered.

#### GRADE OF MEDICAL OFFICERS.

Mr. OUTHWAITE, from the Committee on Military Affairs, reported back the bill (S. 1039) to define the grade of certain medical officers of the Army, and for other purposes; which was referred to the House Calendar.

#### CUSTODY OF RECORDS, VOLUNTEER ARMIES.

Mr. OUTHWAITE, from the Committee on Military Affairs, reported back the bill (H. R. 6483) to provide for the permanent preservation and custody of the records of the volunteer armies, and for other purposes; which was referred to the House Calendar.

#### PAY AND ALLOWANCES OF CERTAIN MINORS.

Mr. BELTZHOVER, from the Committee on War Claims, reported back the joint resolution (H. Res. 24) authorizing the payment of pay and allowance to minors who were discharged from the armies of the United States at the close of the war of the rebellion, by special order secured by action of friends before the date of the general order mustering out their command; which was referred to the Committee of the Whole House on the state of the Union.

#### BUSINESS FROM THE COMMITTEE ON THE DISTRICT OF COLUMBIA.

The SPEAKER. This being the fourth Monday, under the rule, if claimed by the Committee on the District of Columbia, the Chair will recognize the chairman of that committee to call up measures pertaining to the District.

#### PREVENTION OF FRAUD, WATER REVENUES, DISTRICT OF COLUMBIA.

Mr. HEMPHILL. I call up for consideration the bill (S. 1884) to prevent fraud upon the water revenues of the District of Columbia.

The bill was read, as follows:

*Be it enacted, etc.*, That any person who, with intent to injure or defraud the District of Columbia, shall make or cause to be made any pipe, tube, or other instrument or contrivance, or connect the same or cause it to be connected with any water main or service pipe or other pipe for conducting or supplying Potomac water, in such manner as to pass or carry the water, or any portion thereof, around or without passing through the meter provided for the measuring and registering of the Potomac water supplied to any premises, or who shall, without permission from the Commissioners of the District of Columbia, tamper with or break any water meter or break the seal thereof, or in any manner change the reading of the dial thereof, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by imprisonment not exceeding six months, or by fine not exceeding \$250.

The bill was ordered to a third reading; and being read the third time was passed.

On motion of Mr. HEMPHILL, the motion to reconsider the last vote was laid upon the table.

#### NATIONAL UNION INSURANCE COMPANY OF WASHINGTON.

Mr. HEMPHILL. I now call up the bill (H. R. 5114) to amend an act entitled "An act to incorporate the National Union Insurance Company, of Washington," approved February 11, 1865.

The bill was read, as follows:

*Be it enacted, etc.*, That the act entitled "An act to incorporate the National Union Insurance Company, of Washington," approved February 11, 1865, be, and the same is hereby, amended as follows:

First, in section two, and the first paragraph thereof, cancel the word "nine" before "directors," and in place thereof insert the words "not less than nine nor more than fifteen;" so that said section two will read:



"SEC. 2. That the affairs of the company shall be managed by not less than nine nor more than fifteen directors, to be elected annually by ballot on the second Monday of July by the stockholders or by their legally empowered agents; and each share of stock shall entitle the holder thereof to one vote; the election to be held at the office of the company at a general meeting of the stockholders convened for that purpose, by ten days' public notice in two or more of the daily papers of the city of Washington; *Provided*, That the first election for directors shall be held pursuant to ten days' notice given in one or more of the daily papers of the city of Washington by the persons named in the first section of this act, or any five of them, who shall designate the time when and the place where said election shall be held; and the stockholders shall then and there elect nine directors to serve until the next ensuing election as provided for in this act. And at the first ensuing meeting of the directors after every election they shall appoint one of their number as president, who, together with themselves, shall hold office until the next ensuing election, as herein provided for; and five members of said board shall compose a quorum. And in case that an election for directors should not be made when, pursuant to this act, it should have been made, the company for that cause shall not be dissolved; and it shall be lawful, within forty days thereafter, to hold and make an election for directors in such manner as the by-laws of the company may prescribe, and the president and directors for the time being shall be continued in office until such election takes place; and in the event of death, resignation, or removal of any director from office his place for the remainder of his term may be filled by the president and directors for the time being, in such manner as the by-laws may prescribe."

Second, That said act be further amended by the addition of a tenth section, as follows:

"SEC. 10. That said company may lease, purchase, hold, and convey real estate, not exceeding in value \$250,000, and such in addition as it may acquire in satisfaction of debts due the corporation, under sales, decrees, judgments, deeds of trust, and mortgages:

The committee recommend the adoption of the following amendment:

Add to section 10 the following proviso: *Provided*, That any property so acquired in satisfaction of debts due the corporation as above provided shall not be held or owned by said company for more than five years, but shall be sold and conveyed within that time."

The amendment was adopted.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

The question being on its passage,

Mr. GOODNIGHT said: Mr. Speaker, we can not understand what this bill is. I ask that the title of the bill be read.

The SPEAKER *pro tempore* (Mr. RICHARDSON in the chair). The title of the bill will be again reported.

The title was again read.

The bill was passed.

On motion of Mr. HEMPHILL, the motion to reconsider the last vote was laid upon the table.

#### OPENING OF ALLEYS, DISTRICT OF COLUMBIA.

Mr. HEMPHILL. I now call up the bill (H. R. 3971) to provide for the opening of alleys in the District of Columbia.

The bill was read, as follows:

*Be it enacted, etc.*, That the Commissioners of the District of Columbia, as to the ordinance of the late corporation of Washington in regard to opening and extending alleys, approved November 4, 1812, be, and they are hereby, declared to be the legal successors of the mayor of the said corporation, are authorized and empowered as fully as the mayor was to open, alter, or change.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. HEMPHILL, the motion to reconsider the last vote was laid upon the table.

Mr. STOCKDALE. Mr. Speaker, I would like to inquire if copies of these bills ought not to be at the Clerk's desk? We can not know what bills are coming up. I have sent several times to the Sergeant-at-Arms, and can not get a bill that is being considered. We ought to have copies of all these bills at hand in the House.

The SPEAKER *pro tempore*. The Chair has no information on the subject, but has no doubt that copies of the bills may be obtained in the document room.

Mr. STOCKDALE. But, Mr. Speaker, by the time one of the pages gets back from the document room the bill has passed, and then we have the pleasure of looking over the bill after it has passed.

The SPEAKER *pro tempore*. The Clerk has copies of the bill at the desk.

Mr. STOCKDALE. I have sent to the desk, and the reply has come back every time that there are no extra copies there. I sent for a copy of this bill that is under consideration now.

The SPEAKER *pro tempore*. The Chair will direct that some copies of these bills be brought to the desk, in order that members may examine them.

#### ROCK CREEK RAILROAD COMPANY.

Mr. HEMPHILL. I ask to call up the bill (H. R. 62) to amend the charter of the Rock Creek Railroad Company.

The bill was read, as follows:

*Be it enacted, etc.*, That the Rock Creek Railroad Company be, and it is hereby, authorized to extend its road from its present terminus on U street to Florida avenue, thence along Florida avenue to North Capitol street; *Provided*, That it shall run on the same track with the Metropolitan Railroad Company between Ninth and Seventh streets. Said company is authorized to extend a branch road from a point on its line in Cliffburne tract across the

Adams Mill road to Kansas street, thence along Kansas street to Ontario avenue, thence along or adjacent to Ontario avenue to the east line of the Zoological Park, on such line as shall be approved by the Commissioners of the District of Columbia. That the extension and branch herein provided for shall be subject, in all respects, to the acts of Congress granting and amending the charter of the Rock Creek Railway Company as fully as if such acts were incorporated herein.

SEC. 2. That whenever the route of the foregoing extension coincides with the track occupied by the Metropolitan Railroad Company, both companies shall use the same track upon such fair and equitable terms as may be agreed upon by said companies; and in the event that said companies shall fail to agree upon equitable terms, either of said companies may apply by petition to the supreme court of the District of Columbia, who shall hear and determine summarily the matter in due form of law, and adjudge to the proper party the amount of compensation to be paid therefor. Whenever more than one of the tracks of said railroad company shall be constructed on any of the streets, avenues, or other public highways in the District of Columbia, the width of space between the two tracks shall not exceed 4 feet, unless otherwise especially ordered by the Commissioners of the District of Columbia.

SEC. 3. That the Rock Creek Railway Company and the Eckington and Soldiers' Home Railway Company shall have the power to make any contracts or agreements that may be necessary to enable the said companies to run the cars of each or either company over the tracks of the other company, and also to contract for and use the power of each or either company to propel the cars of the other company. The said extension and branch shall be completed within one year and a half from the passage of this act.

SEC. 4. That the streets or avenues opened under the provisions of this act shall conform to the general plans for the extension of the streets and avenues of the District of Columbia, and shall be laid out under the direction of the Commissioners of the District of Columbia.

SEC. 5. That Congress reserves the right at any time to alter, amend, or repeal this act.

Mr. HEMPHILL. Mr. Speaker, I ask for the reading of the report upon this bill.

The SPEAKER *pro tempore*. The Clerk will read the report.

The report (by Mr. HEARD) was read, as follows:

The Committee on the District of Columbia have had under consideration the bill (H. R. 6286) to amend the charter of the Rock Creek Railroad Company, and make the following report thereon:

The object of the bill is to authorize and enable the Rock Creek Railroad, which is a purely a suburban line, to connect with three of the existing lines of street railway now being operated inside the city limits, and to build a branch line outside the city limits to enable it to reach the Zoological Park. The line proposed on U street and Florida avenue covers only a few squares, and there has been no protest against its occupancy of said streets, so far as your committee is advised. The other street railroad lines which the extension of this affects do not object, but desire the connection which this bill gives, and your committee consider the same of material importance to the public, and recommend its passage. It has the approval of the District Commissioners, and of the Senate District Committee, which has favorably reported the same in the form recommended by your committee.

Mr. HEARD. Mr. Speaker, I deem it only necessary to say, in addition to what the report states, that this Rock Creek line begins at the boundary practically, at the head of Connecticut avenue and Eighteenth street, and runs entirely outside of the city with the exception of probably a very few blocks on U street, near the western boundary. The proposition of this bill originally was to run the line east on U street and connect with the Seventh street line (which connected it with the Eleventh and Ninth street lines), but the Commissioners recommend, and your committee adopted the recommendation, that the company be compelled to extend it still farther, to North Capitol street, by which it will connect with two other lines. The object is to give this road which runs in the country and runs out through this Rock Creek Park section a connection with the city lines of road, and this will connect it, I believe, with four or five different lines of railroads.

The other proposition, authorizing them to build a branch line and run out to the Zoological Park, refers to a district entirely outside of the city, and is either over the land of the company or they must buy the right of way for themselves. The Commissioners approve of the proposition, and your committee are unanimous in recommending it. I have no doubt that it will result in a public benefit.

Mr. BUCHANAN of New Jersey. Mr. Speaker, I suppose that as the system of granting corporate privileges is now being carried on in this House and in our State Legislatures perhaps this is as innocent a bill as could be presented. But I want to submit to this House, whether the time has not arrived when, in the capital of this country, there should not be some system adopted with reference to the transportation of passengers in the city by railway.

It seems to me, from the cursory examination of the subject I have made, that so far we have had an utter lack of system in all the cities of this Union in that respect, and it seems to me that in the capital of the country, where the legislation must be had at the hands of the national Congress, where members come up from different sections of the country, posted as to the best means of transportation used in their respective cities, that here and perhaps now are the proper place and time for us to stop and consider whether, instead of continuing this piecemeal legislation, granting to one company the right to transport a passenger for a short distance, and to another and entirely distinct company the right to take up that transportation to the end of its line and then to turn him over in turn to another corporation, we should not adopt some general system to provide for the



Cobb, Mo.	Halvorson.	McKeighan.	Shell.
Coburn.	Hamilton.	McMillin.	Shively.
Cooper.	Hare.	McRae.	Simpson.
Cox, Tenn.	Henderson, N. C.	Montgomery.	Snodgrass.
Crawford.	Herbert.	Moore.	Steward, Ill.
Crosby.	Holman.	Moses.	Stewart, Tex.
Culberson.	Jones.	Mitchler.	Stone, Ky.
Davis.	Kem.	O'Ferrall.	Tarsney.
De Armond.	Kilgore.	O'Neil, Mass.	Terry.
Dockery.	Kyle.	Otis.	Tillman.
Dumphy.	Lanham.	Owens.	Turner.
Edmunds.	Lawson, Va.	Parrett.	Warwick.
Epes.	Layton.	Patterson, Tenn.	Washington.
Everett.	Livingston.	Patton.	Watson.
Fluhman.	Long.	Paynter.	Wheeler, Ala.
Forney.	Lynch.	Pearson.	Williams, N. C.
Fyan.	Magner.	Pendleton.	Williams, Ill.
Gant.	Mallory.	Robertson, La.	Wilson, Mo.
Goodnight.	Mansur.	Sayers.	Winn.
Gorman.	McCellan.	Scott.	Wolverton.
Grady.	McCreary.	Seerley.	

## NAYS—117.

Amerman.	Dalzell.	Houk, Tenn.	Reed.
Atkinson.	Daniell.	Huff.	Reyburn.
Bartine.	De Forest.	Hull.	Richardson.
Belden.	Dingley.	Johnson, Ind.	Rife.
Bellnap.	Dixon.	Johnson, N. Dak.	Rockwell.
Beltzhoover.	Doan.	Johnson, Ohio.	Russell.
Bentley.	Dolliver.	Jolley.	Scull.
Bergen.	Enochs.	Kribbs.	Shonk.
Bowers.	Fellows.	Lagan.	Smith.
Bowman.	Fitch.	Lapham.	Snow.
Broderick.	Finston.	Lawson, Ga.	Sperry.
Brosius.	Geary.	Little.	Stackhouse.
Buchanan, N. J.	Geissenhainer.	Lockwood.	Stephenson.
Bullock.	Greenleaf.	Lond.	Stone, C. W.
Bunting.	Hall.	Martin.	Stone, W. A.
Burrows.	Hallowell.	McAleer.	Taylor, Ill.
Busey.	Harmer.	McGinn.	Taylor, Tenn.
Bynum.	Harries.	McKinney.	Taylor, J. D.
Cadmus.	Hatch.	Meredith.	Townsend.
Caldwell.	Haugen.	Meyer.	Tucker.
Campbell.	Hemphill.	O'Donnell.	Van Horn.
Causey.	Henderson, Iowa.	O'Neil, Pa.	Wadsworth.
Clancy.	Henderson, Ill.	O'Neil, Mo.	Weadock.
Cockran.	Hermann.	Onthwaite.	Whiting.
Cogswell.	Hitt.	Payne.	Williams, Mass.
Coollidge.	Hoar.	Perkins.	Wilson, Wash.
Coombs.	Hooker, Miss.	Post.	Wilson, W. Va.
Craig, Pa.	Hooker, N. Y.	Raines.	
Curtis.	Hopkins, Pa.	Ray.	
Cutting.	Hopkins, Ill.	Rayner.	

## NOT VOTING—102.

Allen.	Dickerson.	Lodge.	Springer.
Babbitt.	Donovan.	McDonald.	Stahlnecker.
Bacon.	Dungan.	McKaig.	Stevens.
Baker.	Durborow.	McKenna.	Stockdale.
Bankhead.	Elliott.	Miller.	Storer.
Bingham.	Ellis.	Miliken.	Stout.
Blanchard.	English.	Mills.	Stump.
Bland.	Enloe.	Mitchell.	Sweet.
Boatner.	Flick.	Morse.	Taylor, E. B.
Bontelle.	Forman.	Newberry.	Taylor, V. A.
Brawley.	Fowler.	Norton.	Tracey.
Breckinridge, Ky.	Gillespie.	Oates.	Turpin.
Bunn.	Griswold.	Page, R. I.	Walker.
Byrns.	Grant.	Page, Md.	Warner.
Cable.	Harter.	Pattison, Ohio.	Wangh.
Castle.	Hayes, Iowa.	Peel.	Wever.
Catchings.	Haynes, Ohio.	Pickler.	Wheeler, Mich.
Cheadam.	Heard.	Pierce.	White.
Chapin.	Houk, Ohio.	Powers.	Wike.
Clark, Wyo.	Johnstone, S. C.	Price.	Willcox.
Compton.	Ketcham.	Quackenbush.	Wilson, Ky.
Covert.	Lane.	Randall.	Wise.
Cowles.	Lester, Va.	Reilly.	Wright.
Cox, N. Y.	Lester, Ga.	Robinson, Pa.	Yumans.
Crain, Tex.	Lewis.	Rusk.	
Cummings.	Lind.	Sanford.	

The following pairs were announced:

Mr. ELLIOTT with Mr. SANFORD, until further notice.

For this day:

Mr. ENLOE with Mr. WILSON of Kentucky.

Mr. PAGE of Maryland with Mr. MORSE.

Mr. NORTON with Mr. STORER.

Mr. STEVENS with Mr. RANDALL.

Mr. BOATNER with Mr. PICKLER.

Mr. HAYNES of Ohio with Mr. LODGE.

Mr. BLANCHARD with Mr. QUACKENBUSH, for the rest of this day.

Mr. HAYES of Iowa with Mr. KETCHAM, on this vote.

Mr. TURPIN with Mr. HOOKER of New York, on all political questions, including election case, until further notice, except on the silver question.

Mr. EZRA B. TAYLOR with Mr. OATES, from March 14 to April 7, 1892.

Mr. PEEL with Mr. HENDERSON of Illinois, on all political questions, and the Bland silver bill. If present Mr. PEEL would vote "yea" in all its stages; Mr. HENDERSON of Illinois would vote "nay" on the main question.

Mr. HENDERSON of Illinois. Mr. Speaker, I desire to inquire if a quorum has voted?

The SPEAKER *pro tempore*. A quorum has voted.

Mr. HENDERSON of Illinois. Then I desire to withdraw my vote, as I am paired.

The SPEAKER *pro tempore*. On this question the yeas are 108, nays 111. The yeas have it, and the motion to lay on the table the motion to reconsider the vote by which the bill was laid on the table is not agreed to, and the question now is on the motion to reconsider the motion by which the bill was laid on the table.

Mr. BRECKINRIDGE of Arkansas. And on that I demand the yeas and nays.

The yeas and nays were ordered.

After the Clerk had proceeded to call the roll for some time,

Mr. HOLMAN said: Mr. Speaker, I think there is a misapprehension as to the nature of the vote.

The SPEAKER *pro tempore*. The Chair will state the question. The gentleman from Arkansas [Mr. BRECKINRIDGE] moved to lay the bill and pending amendments on the table, which motion prevailed. He then moved to reconsider the vote laying the bill and amendments on the table. The latter motion was voted upon a moment ago by yeas and nays, and the House decided that it would not lay the motion to reconsider on the table; and the question now recurs upon the question to reconsider the vote by which the bill and amendments were laid on the table. Those in favor of the motion to reconsider the vote laying the bill on the table will, when their names are called, vote yea, and those not in favor of reconsidering the vote will vote nay.

Mr. BRECKINRIDGE of Kentucky. Then the opponents of the bill should vote nay?

The SPEAKER *pro tempore*. The Chair can not make that statement.

Mr. BRECKINRIDGE of Kentucky. I will be kind enough to make it for the Chair.

The question was taken; and there were—yeas 111, nays 111 not voting 105; as follows:

## YEAS—111.

Atkinson.	Coombs.	Hopkins, Pa.	Reyburn.
Bartine.	Craig, Pa.	Hopkins, Ill.	Richardson.
Bellnap.	Curtis.	Houk, Tenn.	Rife.
Beltzhoover.	Cutting.	Huff.	Rockwell.
Bergen.	Dalzell.	Hull.	Rusk.
Bontelle.	Daniell.	Johnson, N. Dak.	Russell.
Bowers.	De Forest.	Johnson, Ohio.	Scull.
Bowman.	Dingley.	Jolley.	Shonk.
Brawley.	Dixon.	Kribbs.	Smith.
Breckinridge, Ky.	Dolliver.	Lagan.	Stackhouse.
Broderick.	Ellis.	Lapham.	Stephenson.
Buchanan, N. J.	Enochs.	Lawson, Ga.	Stone, C. W.
Bullock.	Fellows.	Lockwood.	Stone, W. A.
Bunting.	Fitch.	Lond.	Stump.
Burrows.	Flick.	McKaig.	Taylor, Ill.
Bynum.	Finston.	McKinney.	Taylor, Tenn.
Cable.	Geissenhainer.	Meredith.	Taylor, J. D.
Cadmus.	Greenleaf.	Miliken.	Townsend.
Caldwell.	Hallowell.	Mitchell.	Tracey.
Campbell.	Harmer.	O'Donnell.	Van Horn.
Castle.	Harries.	O'Neil, Pa.	Warner.
Causey.	Haugen.	O'Neil, Mo.	Waugh.
Clancy.	Heard.	Onthwaite.	Weadock.
Cockran.	Hemphill.	Payne.	Wever.
Coollidge.	Henderson, Iowa.	Perkins.	Whiting.
Coombs.	Hermann.	Post.	Wilson, Wash.
Craig, Pa.	Hitt.	Ray.	Wilson, W. Va.
Curtis.	Hoar.	Reed.	
Cutting.	Hooker, Miss.	Reilly.	

## NAYS—111.

Abbott.	Cooper.	Kilgore.	Robertson, La.
Alexander.	Cox, Tenn.	Kyle.	Sayers.
Andrew.	Crawford.	Lanham.	Scott.
Arnold.	Crosby.	Lawson, Va.	Seerley.
Bailey.	Culberson.	Layton.	Shively.
Bankhead.	Davis.	Livingston.	Simpson.
Barwig.	De Armond.	Long.	Snodgrass.
Beaman.	Dickerson.	Lynch.	Sperry.
Blount.	Dockery.	Martin.	Stewart, Ill.
Branch.	Dumphy.	Mansur.	Stewart, Tex.
Breckinridge, Ark.	Edmunds.	Mauls.	Stockdale.
Brelz.	Epes.	McCellan.	Stone, Ky.
Brieker.	Everett.	McKeighan.	Tarsney.
Brookshire.	Fluhman.	McMillin.	Terry.
Brunner.	Forney.	McRae.	Tillman.
Bryan.	Fyan.	Meyer.	Turner.
Buchanan, Va.	Gant.	Montgomery.	Warwick.
Bullock.	Geary.	Moses.	Washington.
Burley.	Goodnight.	Mitchler.	Watson.
Cabinetti.	Gorman.	O'Ferrall.	Wheeler, Ala.
Capphart.	Gray.	O'Neil, Mass.	Wike.
Caruth.	Halvorson.	Otis.	Williams, N. C.
Cats.	Hamilton.	Owens.	Williams, Ill.
Chapman.	Hare.	Parrett.	Wilson, Mo.
Clarke, Ala.	Hatch.	Patterson, Tenn.	Winn.
Cobb, Ala.	Herbert.	Patton.	Wolverton.
Cobb, Mo.	Holman.	Paynter.	
Coburn.	Kem.	Pearson.	

## NOT VOTING—105.

Ablerson.	Bingham.	Byrns.	Cowles.
Allen.	Blanchard.	Catchings.	Cox, N. Y.
Amerman.	Bland.	Cheadam.	Crain, Tex.
Babbitt.	Boatner.	Chapin.	Cummings.
Bacon.	Brosius.	Clover.	Doan.
Baker.	Brown.	Compton.	Donovan.
Balden.	Bunn.	Covert.	Dungan.

Dunbarrow, Elliott, English, Enloe, Forman, Fowler, Gillespie, Grissold, Groat, Hall, Harter, Hayes, Iowa, Haynes, Ohio, Henderson, N. C., Henderson, Ill., Hoeker, N. Y., Honk, Ohio, Johnson, Ind., Johnstone, S. C., Jones,	Ketcham, Lane, Lester, Va., Lester, Ga., Lewis, Lind, Little, Lodge, Magner, McAleer, McCreary, McDonald, McGinn, McKenna, Miller, Mills, Moore, Morse, Newberry, Norton,	Oate- Page, R. I., Page, Md., Pattison, Ohio, Peel, Pendleton, Pickler, Pierce, Powers, Price, Quackenbush, Raines, Randall, Rayner, Robinson, Pa., Sanford, Snow, Springer, Stallmecker, Stevens,	Storer, Stout, Sweet, Taylor, E. B., Taylor, V. A., Tucker, Turpin, Wadsworth, Walker, Wheeler, Mich., White, Wilcox, William, Mass., Wilson, Ky., Wise, Wright, Yountans,
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Mr. HALL. Mr. Speaker, I would like to be recorded.

The SPEAKER *pro tempore*. Was the gentleman in the Hall, and did he vote?

Mr. HALL. I did not vote.

The SPEAKER *pro tempore*. Was the gentleman in the Hall?

Mr. HALL. I was not in my seat.

The SPEAKER *pro tempore*. Was the gentleman in the Hall?

Mr. HALL. I think I was in the Hall.

The SPEAKER *pro tempore*. Under the circumstances, the gentleman can not be allowed to vote.

The following additional pairs were announced:

Mr. HAYES of Iowa with Mr. KETCHAM for the rest of the day.

Mr. HENDERSON of North Carolina with Mr. ROBINSON of Pennsylvania for the rest of the day.

Mr. FITHIAN. Mr. Speaker, I ask for a recapitulation of the vote.

The SPEAKER *pro tempore*. The gentleman from Illinois asks for a recapitulation of the vote. The vote is very close, and the Chair thinks it is proper that it should be recapitulated. The Chair, however, requests gentlemen to pay attention to the announcements made by the Clerk, so that any error may be corrected.

The vote was recapitulated.

Mr. HEMPHILL. Mr. Speaker, there was some correction made by the tally clerk, and I do not know what it was. I would like to know what the correction was.

The SPEAKER *pro tempore*. The gentleman from Virginia [Mr. LAWSON] thought that there was a mistake in calling his name.

Mr. HEMPHILL. I could not understand it.

The SPEAKER *pro tempore*. On this question the yeas are 111, the nays 110. So the House determines to reconsider the vote by which the bill and amendments were laid on the table. The question now is on the motion of the gentleman from Arkansas [Mr. BRECKINRIDGE] to lay the bill and pending amendments on the table.

Mr. FITHIAN. Mr. Speaker, I would like to ask the gentleman a question—

The SPEAKER *pro tempore*. That motion is not debatable.

Mr. FITHIAN. I want to ask the gentleman from South Carolina [Mr. HEMPHILL] a question, if the House will allow me.

The SPEAKER *pro tempore*. The question is not debatable. The gentleman can only ask by unanimous consent.

Mr. FITHIAN. I ask unanimous consent that I may be permitted to ask the gentleman from South Carolina a question.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. FITHIAN. I should like to know whether the whole charge for this institution is to be upon the Government or whether half of it is to be paid by the District of Columbia?

Mr. HEMPHILL. I will state to the gentleman that the bill in its present form does not provide that half the expense shall be paid by the District, but there is an amendment pending—

Mr. HOLMAN. The bill provides that the whole of it shall be paid out of the Treasury.

Mr. HEMPHILL. The gentleman from Indiana [Mr. HOLMAN] was not asked for his view.

The SPEAKER *pro tempore*. The gentleman from Illinois [Mr. FITHIAN] asked unanimous consent that he might ask the gentleman from South Carolina [Mr. HEMPHILL] a question. The House gave permission, and the gentleman from Illinois has asked his question, and the Chair trusts that the gentleman from South Carolina will be permitted to answer it.

Mr. HEMPHILL. The bill itself does not make any provision for having one-half of the cost placed upon the District of Columbia, but there is an amendment pending.

Mr. HOLMAN. The bill appropriates \$50,000 from the Treasury.

Mr. CROUT. The amendment mentioned by the gentleman

from South Carolina is pending, and the gentleman from Indiana [Mr. HOLMAN] knows it.

The SPEAKER *pro tempore*. The question is upon the motion to lay on the table the bill and pending amendments.

Mr. BRECKINRIDGE of Arkansas. Upon that I ask for the yeas and nays.

The yeas and nays were ordered.

Pending the roll call.

Mr. HEMPHILL said: Mr. Speaker, I ask unanimous consent that this bill be laid aside until next District day, when we may have a fuller House, and that in the mean time members may have an opportunity to examine the bill—

Mr. BRECKINRIDGE of Arkansas. And that we now adjourn?

Mr. HEMPHILL. No. There are two or three other measures that we desire to bring before the House to-day.

Mr. BRECKINRIDGE of Arkansas. I have no objection to that.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from South Carolina?

Mr. HATCH. Mr. Speaker, a parliamentary inquiry. This bill, I understand, will retain its present position on the Calendar?

The SPEAKER *pro tempore*. It will.

Mr. DOCKERY. And the yeas and nays have been ordered upon it.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from South Carolina [Mr. HEMPHILL]?

There was no objection, and it was so ordered.

#### SAFEGUARDS IN THEATERS.

Mr. HEMPHILL. Now, Mr. Speaker, I want to submit and ask to have considered at this time a joint resolution which has not been reported until now because we have not had time.

The joint resolution was read, as follows:

Joint resolution amending the joint resolution to regulate licenses to proprietors of theaters in the city of Washington, D. C., and for other purposes, approved February 26, 1892.

*Resolved, by the Senate and House of Representatives, etc., That the Commissioners of the District of Columbia are hereby authorized to extend for a reasonable period, to be determined by them, the time for compliance with the regulations prescribed by them for the public safety, pursuant to the requirements of the first section of the joint resolution to regulate licenses to proprietors of theaters in the city of Washington, D. C., approved February 26, 1892, in cases where they are satisfied that the persons notified are making due exertion to effect such compliance; and that said Commissioners may continue in force, pending such compliance, the license for any such theater or other public place of amusement, provided that no more than ninety days' extension of time in the aggregate shall be allowed for compliance with such regulations.*

The SPEAKER *pro tempore*. Is there objection to the present consideration of this joint resolution?

Mr. BLOUNT. Mr. Speaker, I think there ought to be some explanation of it.

Mr. HEMPHILL. Congress recently passed a resolution authorizing and requiring the Commissioners of the District of Columbia to establish certain regulations for the safety of the public in theaters and other places of public amusement, and it required that those regulations should be complied with in ten days under penalty of a revocation of license. We find now that it is impossible to comply with the regulations which the Commissioners have made within the limited period of ten days.

For instance, they require the procurement in one theater of new curtains which can not possibly be made in less than twenty days. They require the putting of an iron fire-escape of iron on the upper side of Albaugh's theater. They require the taking out of the front of that theater and putting in iron steps, and it is impossible to do all this work within ten days. That is what the parties concerned say and the Commissioners say the same thing, and they write asking that this resolution be passed, authorizing them to extend the time to a reasonable extent, not exceeding under any circumstances, ninety days.

The joint resolution having been read twice, was ordered to be engrossed and read a third time, and it was accordingly read the third time, and passed.

Mr. HEMPHILL moved to reconsider the vote by which the joint resolution was passed, and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### INSPECTOR OF PLUMBING, DISTRICT OF COLUMBIA.

Mr. HEMPHILL. Mr. Speaker, I call up the bill (S. 4492) to authorize the appointment of an inspector of plumbing in the District of Columbia, and for other purposes.

The bill was read, as follows:

*Be it enacted, etc., That the Commissioners of the District of Columbia and their successors be, and they hereby are, authorized and empowered to make, modify, and enforce regulations governing plumbing, house drainage, and the ventilation, preservation, and maintenance in good order of house sewers and public sewers in the District of Columbia, and also regulations governing the examination, registration, and licensing of plumbers and the*

practice of the business of plumbing in said District; and any person who shall neglect or refuse to comply with the requirements of the provisions of said regulations after ten days' notice of the specific thing required to be done thereunder, within the time limited by the Commissioners for doing such work, or as the said time may be extended by said Commissioners, shall upon conviction thereof be punishable by a fine of not more than \$200 for each and every such offense, or in default of payment of fine, to imprisonment not to exceed thirty days.

SEC. 2. That the said Commissioners and their successors be, and they hereby are, authorized and empowered to require every person licensed to practice the business of plumbing in the District of Columbia, before engaging in the said business, to file a bond in such amount and with such number of sureties as the said Commissioners shall determine, conditioned upon the faithful performance of all work in compliance with the plumbing regulations, and that the District of Columbia shall be kept harmless from the consequence of any and all acts of the said licensee during the period covered by the said bond.

SEC. 3. That the said Commissioners and their successors be, and they hereby are, authorized to establish and charge a fee for each permit granted to connect any building, premises, or establishment with any sewer, water, or gas main, or other underground structure located in any public street, avenue, alley, road, highway, or space; and also to establish and charge a fee for each permit granted to make an excavation in any public street, avenue, alley, highway, road, or space, for the purpose of repairing, altering, or extending any house, sewer, water main, or gas main, or other underground construction. The fees authorized by this section shall be paid to the collector of taxes of the district of Columbia and by him deposited in the Treasury of the United States, to the credit of the District of Columbia.

SEC. 4. That the said Commissioners of the District of Columbia and their successors be, and they hereby are, authorized and empowered to appoint an inspector of plumbing and such number of assistants as they deem necessary, which may be authorized by appropriations made by Congress, not exceeding four, in and for the District, whose duty it shall be, under the direction of said Commissioners, and they are hereby empowered accordingly, to inspect or cause to be inspected all houses when in course of erection in said District, to see that the plumbing, drainage, and ventilation of sewers thereof conform to the regulations hereinbefore provided for; and also at any time, during reasonable hours, under like direction, to inspect or cause to be inspected any house in said District, to examine the plumbing, drainage, and ventilation of sewers thereof, and generally to see that the regulations hereinbefore provided for are duly observed and enforced.

SEC. 5. That all laws or parts of laws inconsistent herewith be, and they hereby are, repealed.

The SPEAKER. The question is on the third reading of the Senate bill.

Mr. BUCHANAN of New Jersey. Mr. Speaker, I listened with what care I could to the reading of the bill, but I did not catch the amount of the salary named in it.

Mr. HEMPHILL. That is to be provided for by the committee.

Mr. BUCHANAN of New Jersey. So that the committee can vary the compensation of these people at their own sweet will. Is that the purpose?

Mr. HEMPHILL. That is not the purpose, but that is the way the bill came over to us from the Senate and we have agreed to it.

Mr. BUCHANAN of New Jersey. Then there is nothing to prevent the Committee on Appropriations from appropriating, in a moment of liberality, \$10,000 a year for this official.

Mr. HEMPHILL. No, sir.

Mr. BUCHANAN of New Jersey. How many officials does the bill provide for?

Mr. HEMPHILL. An inspector of plumbing, and three assistants, I think, or four.

Mr. BUCHANAN of New Jersey. That would make five additional officers.

Mr. HEMPHILL. Yes, sir.

Mr. BUCHANAN of New Jersey. I simply wanted to call the attention of the gentleman from Indiana [Mr. HOLMAN] to that fact, but he does not seem to be here. [Laughter.]

The bill was read a third time.

Mr. HOLMAN. I wish to inquire whether this bill imposes any charge on the Treasury?

Mr. HEMPHILL. It does not.

Mr. HOLMAN. How are these officers to be paid?

Mr. HEMPHILL. By salaries to be appropriated hereafter upon the report of the Committee on Appropriations.

Mr. HEARD. Are not these officers to be paid by fees?

Mr. HOLMAN. If the bill creates five new salaried officers, I certainly object to it.

Mr. HEARD. My impression is that these officers are to be paid by fees.

Mr. HEMPHILL. I beg pardon of the gentleman from Indiana. I see now, on examining the bill, that salaries are to be paid—\$2,000 per annum to the inspector and \$1,200 to each of the assistants.

Mr. BUCHANAN of New Jersey. Is that provided in the bill as read by the Clerk?

Mr. HEMPHILL. Yes, sir.

Mr. BUCHANAN of New Jersey. I was listening, and did not hear that provision.

Mr. HEARD (to Mr. HEMPHILL). Does the bill provide salaries?

Mr. HEMPHILL. Yes, sir.

Mr. HEARD. My impression was that these officers were to be paid by fees.

Mr. HEMPHILL. They are to be paid out of the fees coming in; but they are not to get all the fees that come in.

Mr. HOLMAN. I do not think that these five officers should be fastened upon the Treasury. We know how fees come in. I certainly think my friend from South Carolina can frame this bill so as not to create a new class of salaried officers. The bill could very readily be arranged so that the fees should be paid directly to the parties who do the inspection. If the fees which these officers are to receive be paid by the persons for whom the work is done, I have no objection.

Mr. HEMPHILL. The fees have to be paid in the first instance into the Treasury. Under existing arrangements there is no authority for any of these officers to receive any fees; and they make nothing out of it. This bill simply provides that these men shall have a reasonable salary out of the fees received from this work.

Mr. HOLMAN. What is the salary?

Mr. HEMPHILL. Two thousand dollars for the inspector and \$1,200 for each of the assistants.

Mr. HOLMAN. How many assistants?

Mr. HEMPHILL. Not exceeding four.

Mr. HOLMAN. Then this means that five new salaried officers, one at \$2,000 and the others at \$1,200, are to be created. It would be a very easy thing to provide that the expense of these services be paid by the persons who have the work done. Why not?

Mr. HEMPHILL. For the reason that if the fees for this class of work should amount to ten or fifteen thousand dollars a year there is no reason why these inspectors should get the whole amount. That is all there is of it. We have been obliged to cut down the pay of the recorder of deeds and the register of wills, whose compensation has been made up of fees, and to give those officers a limited salary. This bill provides a limited salary for the inspector of plumbing and his assistants.

Mr. HOLMAN. Who is to collect these fees?

Mr. HEMPHILL. They are to be paid to the collector of taxes, who is to turn them into the Treasury of the United States.

Mr. BUCHANAN of New Jersey. Let me call the gentleman's attention to the fact that, so far as I have examined, neither the manuscript bill as read by the Clerk, nor the printed copy of the bill as passed by the Senate, contains any provision as to the amount of salary.

Mr. HEMPHILL. Mr. Speaker, does not the fifth section of this bill make provision as to these salaries?

The SPEAKER *pro tempore*. Section 5 is simply a repealing provision, which the Clerk will read.

The Clerk read as follows:

SEC. 5. That all laws or parts of laws inconsistent herewith be, and they hereby are, repealed.

Mr. HEMPHILL. Now, I ask the Clerk to read section 4.

The Clerk read as follows:

SEC. 4. That the said Commissioners of the District of Columbia and their successors be, and they hereby are, authorized and empowered to appoint an inspector of plumbing and such number of assistants as they deem necessary, which may be authorized by appropriations made by Congress, not exceeding four, in and for the District, whose duty it shall be, under the direction of said Commissioners, and they are hereby empowered accordingly, to inspect, or cause to be inspected, all houses when in course of erection in said District, to see that the plumbing, drainage, and ventilation of sewers thereof conform to the regulations hereinbefore provided for; and also at any time, during reasonable hours, under like direction, to inspect, or cause to be inspected, any house in said District, to examine the plumbing, drainage, and ventilation of sewers thereof, and generally to see that the regulations hereinbefore provided for are duly observed and enforced.

Mr. HEMPHILL. It seems, Mr. Speaker, that the Senate bill as printed and the Senate bill as engrossed are different things; in this way I was misled when I made my statement to the gentleman from Missouri [Mr. HEARD] and the gentleman from Indiana [Mr. HOLMAN]. I am willing that the bill as passed by the Senate, leaving out all provision for salaries, be passed by the House. I think that ought to satisfy the gentleman from Indiana.

Mr. HOLMAN. I am satisfied if all provision for the creation of new salaried officers is omitted.

Mr. HEMPHILL. Then I ask a vote on the passage of the bill.

Mr. HOLMAN. The amendment, I believe, has not yet been placed on the bill.

Mr. HEMPHILL. It has not been amended; but the Senate bill, read from the desk, the manuscript bill, which is the real bill, does not provide any salary. The bill which was printed as the Senate bill did provide a salary, and I imagine the mistake came about by this clause being stricken out in the Senate. But as the bill is read by the Clerk, and will be passed by the House, it does not provide any salary. I am willing it should be passed in that way.

Mr. HOLMAN. Does it provide that these fees shall be paid direct to the inspector by the person who has the work done?

Mr. HEMPHILL. No, sir; it does not provide that they shall be paid directly to the inspector, but that they shall be paid through the assessor's office and into the Treasury of the United States. This will leave the question of compensation to the inspectors to be fixed by the Committee on Appropriations.

Mr. HOLMAN. I submit to the gentleman from South Carolina that it would be better, and more in harmony with safe legislation, to let this bill be recommitted with instructions to so amend the bill that the fees thereby provided for shall be paid to the inspection officers by the persons for whom the work is done. It is a private business largely, not public.

Mr. HEARD. Mr. Speaker, I want to ask if the gentleman from Indiana thinks it would not be safe to leave in the hands of the Committee on Appropriations the fixing of the compensation of these officers? Now, while it is, in one sense, as the gentleman has said, a private matter, to the extent that the private individual is to pay for the inspection, it is in another, and in a much broader sense, a public matter of very great concern. Under existing law it is competent to control the inspection and supervision of plumbing in new houses being erected.

But these officers have no authority whatever, as I am advised, to overhaul and control the plumbing in old buildings, these old hotels and other establishments in the city; and it is regarded that this work is vitally important, not only to the health of those living in such buildings, but to the adjacent community. The bill provides for the necessary inspector and only so many plumbers as may be necessary shall be employed, and leaves to the Committee on Appropriations the providing for compensation. I should think that ought to be entirely satisfactory.

Mr. HOLMAN. But when you create an office you make a charge upon the Treasury for compensation, and the first thing you know the fees to be paid will disappear, and all that will remain will be the fact that certain new officers are appointed whose salaries must be provided for.

Mr. HEARD. Oh, well, that is merely an assumption.

Mr. HOLMAN. I know it is an assumption, but it is entirely in accordance with my experience since I have been in Congress.

I insist, Mr. Speaker, that the gentleman shall so amend the bill that this comparatively private business shall be transacted as private business is generally transacted elsewhere.

Mr. HEMPHILL. I venture to assert to the gentleman from Indiana that he can not find a well-regulated city in the United States that is governed in any of its departments on any such principle as that. This plan is certainly as safe as anything that can be adopted. All the public mains through which the water of the city comes are public property. The Commissioners ought to have some power of saying that they shall not be tapped unless there is a fee paid, and when that fee is received it ought to go into the public Treasury; and these officers who perform the duty of inspection should be allowed a reasonable salary for the work done, which will be fixed, of course, by the Committee on Appropriations.

Mr. HOLMAN. But I submit to my friend from South Carolina that this business is so purely a private matter that Congress should have nothing at all to do with it.

Mr. HEMPHILL. Now, Mr. Speaker, on that point a word.

Mr. HOLMAN (continuing). These inspectors—

Mr. HEMPHILL. Let me say to the gentleman just there—

Mr. HOLMAN. Let me finish my statement first. These inspectors are appointed by the Commissioners. Now, there are how many inspectors, I wish to inquire of the gentleman before proceeding, in this city?

Mr. HEMPHILL. At present there are none, I will say in response to the question. They run wild, so to speak, and all the public water mains here that we have made large appropriations for, and are making appropriations for every year, are being tapped by these people at will without law or regulation to control them.

Mr. HOLMAN. When this matter was up in the last Congress the attention of the House was called to the fact that there were a great number of inspectors. Now, how are they paid?

Mr. HEMPHILL. There are no inspectors in this department now.

Mr. HEARD. The Committee on Appropriations have to make provision for their salaries, and you ought to know what the amount is.

Mr. HOLMAN. Well, there are inspectors here.

Mr. HEARD. There is a building inspector, Mr. Entwistle; but my information from the Commissioners is that they have no authority at present to overhaul the plumbing in these old buildings. They can inspect the new ones that are being erected, but that is as far as their authority goes.

Mr. HOLMAN. Oh, well, if gentlemen want to pile up burdens upon the Treasury—

Mr. HEARD. We do not want to, and we do not want the gen-

tleman from Indiana to put us in that attitude. Our committee stand here having recommended the cutting down of the fees of the recorder and the register, which the gentleman's committee had failed to cut down. We did that by an amendment to the bill which your committee brought in here, and we do not propose to have the gentleman put us in any such position as he suggests now. He can not thus pose before the country at our expense.

Mr. HOLMAN. But my friend admits, I suppose, that this is a proposition to create five new public offices?

Mr. HEARD. I admit that it proposes to create the office of an inspector and as many assistants as the Commissioners find necessary, but it leaves the whole question of providing compensation to the Committee on Appropriations.

The gentleman from Indiana can sit on those fellows as much as he has a mind to, and pose before the country as the savior of its money in that direction.

Mr. HOLMAN. My friend knows very well that when you create an office the officer must be paid.

Mr. HEARD. My dear sir, you have the opportunity to say how much the compensation shall be, and that limits it.

Mr. HOLMAN. I know how it is with public offices. They grow right straight along; when you get them fastened on the Treasury you do not get them off. The policy of the gentlemen of the District Committee is to let these inspectors be appointed, while there are certainly now quite a number of inspectors.

Mr. HEARD. There are building inspectors.

Mr. HOLMAN. They are inspectors just as much as these are.

Mr. HEARD. But they are not plumbers, nor inspectors of plumbing.

Mr. HOLMAN. How many inspectors are there?

Mr. HEARD. I do not know. There is one building inspector. I suppose he has such assistants as may be required to do what is necessary in the supervision of the construction of new buildings; but the point is made that these inspectors have no right to inspect plumbing already put into houses. The Commissioners and others who have investigated it insist that to overhaul the plumbing in these old hotels and other buildings is a vital matter to the health of the city.

Mr. HOLMAN. How many salaries are we now paying for inspection in this city?

Mr. HEARD. My information is that there is a building inspector. I do not know how he is paid. The gentleman who gets up the appropriation bill ought to know. He is perhaps paid by fees.

Mr. HOLMAN. Why not pay these other officers in the same way?

Mr. HEMPHILL. Has the gentleman from Indiana completed his remarks?

Mr. HOLMAN. I wish to make a motion to recommit.

Mr. HEMPHILL. I would like to state for the information of the House—

Mr. HOLMAN. Mr. Speaker, I wish to submit this motion to recommit the bill.

The SPEAKER *pro tempore*. The gentleman from Indiana offers the amendment, which the Clerk will report.

The Clerk read as follows:

To recommit with instructions to amend the bill so that the services of the inspectors shall be paid directly by the persons whose property is inspected, and not out of the public Treasury.

The SPEAKER *pro tempore*. The question is on the amendment of the gentleman from Indiana.

Mr. HEMPHILL. I would like to say something about that. The bill as it is now prepared provides that certain fees for licenses and otherwise are to be paid to the assessor of the District of Columbia, and deposited in the United States Treasury. It provides for an inspector of plumbing and not to exceed four inspectors, to be provided for by the Committee on Appropriations. The gentleman from Indiana [Mr. HOLMAN] asks that this bill shall be recommitted with instructions that all fees received from the opening up of the water mains, and other such matters connected with the District of Columbia, shall be received by the man who does the work; and if it amounts to \$10,000, that he shall get it. I say that there is an injustice in allowing any such regulation as that. The gentleman from Indiana knows that the recorder of deeds in this District has been drawing from \$10,000 to \$15,000 a year in fees out of the money of the people of this District and adjoining country here; and we have within the last month cut his salary down to \$3,000. Now, this is a proposition to do exactly the same thing for other people, after we have refused it to the recorder of deeds.

Now, the gentleman has no information as to the amount of fees these inspectors will get. He has no idea how much the work is; and I say that this House ought not to instruct this committee to bring in a bill to direct that the services of the in-

spectors shall be paid for directly by persons having the work done instead of paying them salaries.

Mr. HOLMAN. I think that this private business of plumbing in the city should not be a source of revenue, and it should not be a source of expenditures either. As this bill will stand, without any reference to what the fees paid here may be, or the salaries fixed, they have to be paid.

Mr. HEMPHILL. I have said that the bill as read from the Clerk's desk does not provide a cent for it.

Mr. HOLMAN. It provides for the inspectors.

Mr. HEMPHILL. Well, let the Committee on Appropriations provide for the payment then, if the work is to be paid for out of the fees.

Mr. HOLMAN. When you propose to create offices, of course the salaries must be provided for.

Mr. HEMPHILL. I trust that the House will not put the Committee on the District of Columbia in the ridiculous attitude that the gentleman from Indiana asks it shall be put.

Mr. HOLMAN. If the gentleman will allow me to finish my sentence, I think this business should be conducted in this way: The District Commissioners, who are the recognized authorities here, should appoint the inspectors, and let them fix the fees low enough so that no more shall be paid than would afford a reasonable compensation. I insist that our Government should have just as little to do with the affairs of this District as possible. It only seems to increase the charges against the public Treasury, and somehow or other tends to diminish the charges that the District of Columbia are to pay.

On reflection, while I certainly think that gentlemen are honest in their efforts not to increase the number of public officers unnecessarily, and while I regret the Committee on the District of Columbia have not informed us how many inspectors there are now and the amount of their salaries, and how they are paid—while we have no such information before us whatever, I will not further antagonize the committee, but will see whether I can not make some such arrangement. Now, Mr. Speaker, I withdraw my motion.

Mr. HEARD. I desire only to say to the gentleman from Indiana that I join in his expression of regret that the information has not come to the House, but think we might naturally expect that such information ought to be in the possession of the Committee on Appropriations; for surely they ought to know more about this than the Committee on the District of Columbia, since that is the committee which appropriates the money to pay all such salaries.

The health of this District seems to me a matter of sufficient importance to require the exercise of these duties. It appears to me clearly necessary; and I do not believe there is a gentleman on the floor of this House who, upon reflection or investigation, will decide that there ought not to be inspectors of all plumbing in this District.

The SPEAKER *pro tempore*. The question is on the motion of the gentleman from Indiana [Mr. HOLMAN] to recommit the bill with instructions.

Mr. HOLMAN. I said, Mr. Speaker, that under the circumstances I shall not antagonize the Committee on the District of Columbia and would withdraw my motion, with the statement that when the opportunity occurs I will seek to get this matter so arranged as to provide that these inspectors shall be appointed by the District Commissioners and that the fees charged shall only be sufficient to pay a reasonable compensation to the persons employed as inspectors by the persons for whose benefits the inspection is made.

The SPEAKER *pro tempore*. The gentleman withdraws the motion to recommit, and the question now is on the passage of the bill.

The question was taken; and the Speaker *pro tempore* announced that the ayes seemed to have it.

Mr. BAILEY. I demand a division, Mr. Speaker.

The House divided; and there were—ayes 65, noes 16.

Mr. BAILEY. No quorum.

Mr. BUCHANAN of New Jersey. I move that the House do now adjourn.

Mr. DOCKERY. Pending that, I ask the gentleman from New Jersey to permit the Chair to lay before the House a few personal requests.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. WILSON of Kentucky, indefinitely, on account of important business.

To Mr. JOHNSON of Indiana, this day, on account of important business.

Mr. DOCKERY. On behalf of the subcommittee on appropriations charged with the investigation of the World's Fair expenditures, I desire to ask indefinite leave of absence. The com-

mittee consists of Mr. BRECKINRIDGE of Arkansas, Mr. COMPTON of Maryland, Mr. HENDERSON of Iowa, Mr. COGSWELL of Massachusetts, and myself.

There was no objection, and leave was granted.

The motion of Mr. BUCHANAN of New Jersey was then agreed to; and accordingly (at 5 o'clock and 1 minute p. m.) the House adjourned.

#### REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. BYRNS, from the Committee on Claims: A bill (H. R. 3223) for the relief of Daniel Woodson and of the estate of Ely Moore. (Report No. 880.)

By Mr. COX of New York, from the Committee on Claims: A bill (H. R. 4303) for the relief of Franklin Lee and Charles F. Dunbar. (Report No. 881.)

By Mr. BULLOCK, from the Committee on Claims: A bill (H. R. 3675) for the relief of W. T. Scott and others. (Report No. 882.)

By Mr. MANSUR, from the Committee on Claims:

A bill (S. 1538) for the relief of the heirs of James S. Ham. (Report No. 883.)

A bill (S. 1539) for the relief of the heirs of John W. Vose. (Report No. 884.)

By Mr. STONE of Kentucky, from the Committee on War Claims:

A bill (H. R. 3375) for the relief of the Little Rock and Memphis Railroad Company. (Report No. 885.)

A bill (H. R. 1694) for the relief of Laura E. Maddox, sole executrix of Joseph H. Maddox, deceased. (Report No. 886.)

By Mr. HOUK of Tennessee, from the Committee on War Claims: A bill (H. R. 6813) for the relief of the widow of Dabney Walker. (Report No. 887.)

By Mr. DOLLIVER, from the Committee on War Claims: A bill (S. 634) to authorize and direct the Secretary of War to investigate the claim made for fuel alleged to have been taken and used by the United States Army during the war from the property in Chattanooga known as "Cameron Hill," and to provide for the payment thereof. (Report No. 888.)

By Mr. PAGE of Rhode Island, from the Committee on Claims: A bill (H. R. 5271) for the relief of the heirs of the late Mrs. Catherine P. Culver. (Report No. 889.)

By Mr. SHELL, from the Committee on War Claims: A bill (H. R. 1015) for the relief of Rinaldo Johnson and Ann E. Johnson. (Report No. 890.)

By Mr. NORTON, from the Committee on Pensions: A bill (H. R. 6763) for the relief of Agnes P. Ellis, of Lincoln County, Mo. (Report No. 891.)

By Mr. PARRETT, from the Committee on Pensions: A bill (H. R. 5599) to increase pension of George Marshall. (Report No. 892.)

By Mr. WILSON of Missouri, from the Committee on Pensions:

A bill (H. R. 2395) granting a pension to D. M. Lang. (Report No. 893.)

A bill (H. R. 2399) granting a pension to John Mercier. (Report No. 900.)

A bill (H. R. 3120) to pension Abraham Landes, for services in the Black Hawk war. (Report No. 901.)

A bill (H. R. 3845) to increase the pension of Edward R. Chapman. (Report No. 902.)

By Mr. BELTZHOVER, from the Committee on War Claims: A bill (H. R. 4112) for the relief of the Roman Catholic Church of St. Peter's, at Jackson, Miss. (Report No. 903.)

#### BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced, severally read twice, and referred as follows:

By Mr. SMITH of Arizona: A bill (H. R. 7625) for the relief of certain settlers on public land in the Tucson land district, in Arizona—to the Committee on the Public Lands.

By Mr. HARVEY: A bill (H. R. 7626) to amend the second proviso of the twenty-second section of the act entitled "An act to provide a temporary government for the Territory of Oklahoma, to enlarge the jurisdiction of the United States court in the Indian Territory, and for other purposes," approved May 2, 1890—to the Committee on the Public Lands.

By Mr. BELTZHOVER: A bill (H. R. 7627) to establish a limited post and telegraph service, and for other purposes—to the Committee on the Post-Office and Post-Roads.

By Mr. CULBERSON (by request): A bill (H. R. 7628) relating to the courts in the Territory of Oklahoma—to the Committee on the Judiciary.

By Mr. BRODERICK: A bill (H. R. 7629) to prohibit the sale of intoxicating liquor on land belonging to any national military home for disabled soldiers, and for other purposes—to the Committee on Military Affairs.

By Mr. DUBBOLOW: A bill (H. R. 7630) to amend section 22 of an act to regulate commerce, approved February 4, 1887, and as amended March 2, 1889—to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Arizona: A bill (H. R. 7631) authorizing the removal of the Indians of the Papago or Gila Bend Reservation in Maricopa County, Ariz., to the Papago Reservation in Pima County, or to one of the Pima and Maricopa Reservations known as the Gila River and Salt River Indian Reservations—to the Committee on Indian Affairs.

By Mr. SMITH of Arizona: A bill (H. R. 7632) to provide for the construction of a levee at the junction of the Gila and Colorado Rivers, near Yuma, Ariz., and to improve and maintain the navigable condition of the Colorado River—to the Committee on Rivers and Harbors.

By Mr. HARVEY: A bill (H. R. 7633) to ratify and confirm an agreement with the Kickapoo Indians, in Oklahoma Territory, and to make appropriations for carrying the same into effect—to the Committee on Indian Affairs.

By Mr. FUNSTON: A bill (H. R. 7634) to authorize the construction of a bridge across the Kansas River—to the Committee on Interstate and Foreign Commerce.

By Mr. HOAR: A bill (H. R. 7635) to provide for the recovery of duties erroneously assessed and paid in certain cases—to the Committee on Claims.

By Mr. JOHNSON of Ohio (by request): A bill (H. R. 7636) to amend section 738, chapter 22, of an act of Congress for the District of Columbia, passed June 19, 1860, specifying and designating the grounds for divorce—to the Committee on the District of Columbia.

By Mr. HERBERT: A bill (H. R. 7637) to increase the efficiency of the Navy by the reorganization of the active list of line officers and to establish in the future a regular system of promotion, and for other purposes—to the Committee on Naval Affairs.

By Mr. O'NEILL of Pennsylvania: A bill (H. R. 7638) to amend rule 7, section 4233, of the Revised Statutes—to the Committee on Interstate and Foreign Commerce.

By Mr. BELTZHOVER: A joint resolution (H. Res. 114) proposing an amendment to the Constitution of the United States in relation to the election of President and Vice-President—to the Select Committee on Election of President and Vice-President and Representatives in Congress.

By Mr. SMITH of Arizona: A resolution making inquiry of the Secretary of the Interior as to the number of acres of unsurveyed land within the Atlantic and Pacific Railroad grant in Arizona and New Mexico and cost of surveying same—to the Committee on the Public Lands.

#### PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. ALLEN: A bill (H. R. 7637) for the relief of Shelby Newman, of Alcorn County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7638) for relief of estate of Francis Whitfield—to the Committee on War Claims.

Also, a bill (H. R. 7639) for the relief of the estate of James Roach, deceased, of Hinds County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7640) for the relief of F. S. Casper—to the Committee on War Claims.

Also, a bill (H. R. 7641) for the relief of the trustees of Cumberland Presbyterian Church of Corinth, Miss.—to the Committee on War Claims.

By Mr. ANDREW: A bill (H. R. 7642) for the relief of Charles Erskine—to the Committee on Claims.

By Mr. BELTZHOVER: A bill (H. R. 7643) for the relief of Abraham Heckendorn—to the Committee on Invalid Pensions.

By Mr. BRUNNER: A bill (H. R. 7644) granting an increase of pension to Benjamin F. Fair—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7645) for the relief of John A. Haas—to the Committee on Military Affairs.

By Mr. BYRNS: A bill (H. R. 7646) granting a pension to Henrietta Gottweiss—to the Committee on Invalid Pensions.

By Mr. CATE: A bill (H. R. 7647) for the relief of Mary E. Whitehead—to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 7648) to remit the penalties on gunboat No. 3, the Concord, and gunboat No. 4, the Bennington—to the Committee on Naval Affairs.

By Mr. DINGLEY: A bill (H. R. 7649) to correct the military record of Charles A. Coffin—to the Committee on Military Affairs.

Also, a bill (H. R. 7650) granting a pension to Luther Sanborn, jr.—to the Committee on Invalid Pensions.

By Mr. DUNPHY: A bill (H. R. 7651) to increase the pension of Annie Charlesly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7652) to increase the pension of Annie M. Chaisley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7653) granting an increase of pension to H. Louise Gates—to the Committee on Invalid Pensions.

By Mr. ELLIS: A bill (H. R. 7654) for the relief of Frank L. Hall—to the Committee on War Claims.

By Mr. FYAN: A bill (H. R. 7655) for the relief of Henry S. Spivey, administrator of Joel Hearrell, deceased—to the Committee on War Claims.

By Mr. GROIT: A bill (H. R. 7656) granting relief to H. R. Sturtevant, postmaster at Hartland, Vt.—to the Committee on the Post-Office and Post-Roads.

By Mr. HARRIES: A bill (H. R. 7657) for the relief of John W. McCann—to the Committee on Military Affairs.

By Mr. HARE: A bill (H. R. 7658) for the relief of John Freund—to the Committee on War Claims.

By Mr. HATCHE: A bill (H. R. 7659) granting a pension to Harriet Overall Williams—to the Committee on Invalid Pensions.

By Mr. HENDERSON of North Carolina (by request): A bill (H. R. 7660) for the relief of the executors of Lewis Thompson, deceased—to the Committee on War Claims.

By Mr. HERBERT: A bill (H. R. 7661) for the relief of Willis Darby, of Conecuh County, Ala.—to the Committee on War Claims.

By Mr. HULL: A bill (H. R. 7662) granting a pension to Marion Kera Sharman—to the Committee on Invalid Pensions.

By Mr. LAGAN: A bill (H. R. 7663) for the relief of Omer Baudry, of St. John the Baptist Parish, La.—to the Committee on War Claims.

By Mr. LAYTON: A bill (H. R. 7664) for the relief of John C. Douglass—to the Committee on Military Affairs.

By Mr. MARTIN: A bill (H. R. 7665) granting a pension to William Lindsay—to the Committee on Invalid Pensions.

By Mr. MCALFEER: A bill (H. R. 7666) for the relief of First Lieut. Michael Carroll—to the Committee on Military Affairs.

By Mr. McKEIGHAN: A bill (H. R. 7667) to pension Mary F. Parker, widow of George W. Parker—to the Committee on Invalid Pensions.

By Mr. MILLS: A bill (H. R. 7668) for the relief of Brig. Gen. and Bvt. Maj. Gen. David S. Stanley, United States Army—to the Committee on Military Affairs.

By Mr. MILLIKEN: A bill (H. R. 7669) granting a pension to George H. Rand—to the Committee on Invalid Pensions.

By Mr. OFFERRALL: A bill (H. R. 7670) for the relief of the estate of Gideon Tobin, deceased, of Page County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 7671) for the relief of Henry Doll, of Shenandoah County, Va.—to the Committee on War Claims.

By Mr. PAYNTER: A bill (H. R. 7672) for the relief of John M. Rice—to the Committee on Claims.

By Mr. PERKINS: A bill (H. R. 7673) granting a pension to Libbie Hamilton—to the Committee on Invalid Pensions.

By Mr. RAYNER (by request): A bill (H. R. 7674) granting a discharge to John Cunningham—to the Committee on Military Affairs.

By Mr. RUSSELL: A bill (H. R. 7675) to correct the military record of James L. Townsend—to the Committee on Military Affairs.

Also, a bill (H. R. 7676) granting pension to Maggie McDavid—to the Committee on Invalid Pensions.

By Mr. STEWART of Texas: A bill (H. R. 7677) granting an increase of pension to Theodore Hyatt, late a soldier in Company D of the One hundred and twenty-seventh Regiment Illinois Volunteers—to the Committee on Invalid Pensions.

By Mr. STONE of Kentucky: A bill (H. R. 7678) to increase the pension of W. P. Campbell—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Massachusetts: A bill (H. R. 7679) for the removal of the charge of desertion from the record of John Harney—to the Committee on Military Affairs.

By Mr. BOWERS: A bill (H. R. 7680) for the relief of Jonathan J. Warner—to the Committee on Claims.

By Mr. DANIELL: A bill (H. R. 7681) for the restoration of pension to Priscilla F. Jackman—to the Committee on Pensions.

By Mr. KRIBBS: A bill (H. R. 7682) granting a pension to Emma M. Springer—to the Committee on Invalid Pensions.

By Mr. EZRA B. TAYLOR: A bill (H. R. 7683) granting a pension to Abner N. Hanson—to the Committee on Invalid Pensions.



gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Mr. PLATT presented memorials of citizens of Luzerne, Lebanon, Fulton, Huntingdon, and Montgomery Counties, Pa.; memorials of citizens of Philadelphia, Bridgeport, Gibraltar, Hazleton, and Guthrie, Pa.; and a memorial of citizens of Waysville, Ky., remonstrating against the passage of the Faulkner, Caine, and Teller bills relative to home rule in Utah Territory; which were referred to the Committee on Territories.

He also presented the following petitions of Cromwell, Pleasant Valley, Shetucket, Wallingford, Plymouth, Housatonic, Clinton, and Indian River Granges, Patrons of Husbandry of Connecticut:

Petitions praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petitions praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debt—to the Committee on Finance.

#### REPORTS OF COMMITTEES.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (S. 2483) granting a pension to Eliza A. Criner, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 2717) to provide for the appointment of a commission to examine and report relative to the employment of the pneumatic-tube system, or other process, for the rapid dispatch of mails in large cities, reported it without amendment, and submitted a report thereon.

Mr. QUAY, from the Committee on the Library, to whom were referred the following bills and joint resolution, reported them severally without amendment:

A bill (S. 2691) to provide for an official index of public documents (with a written report);

A bill (S. 316) for the erection of a statue of the late Robert Dale Owen, of Indiana, to be placed in the grounds of the Smithsonian Institution;

A bill (S. 306) authorizing the Librarian of Congress to purchase Townsend's Library of National, State, and Individual Records, comprising a collection of historical records concerning the origin, progress, and consequences of the late civil war (with a written report);

A bill (S. 95) making an appropriation for a public monument to the memory of John Ericsson, the inventor and constructor of the Monitor;

A bill (S. 2554) providing for the erection of an equestrian statue of Gen. Francis Marion;

A bill (S. 891) to purchase a painting of Abraham Lincoln (with a written report); and

A joint resolution (S. R. 35) providing for the purchase of historical manuscripts relating to the District of Columbia. (with a written report).

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 7092) to authorize building a bridge over the Tennessee River, reported it with amendments.

Mr. CAREY, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 300) for the construction of a public building at Owosso, Mich., reported it with amendments, and submitted a report thereon.

Mr. SANDERS, from the Committee on Public Lands, to whom was referred the bill (S. 1774) to enable the Secretary of the Interior to carry out the provisions of certain laws, reported it with an amendment, and submitted a report thereon.

#### BILLS INTRODUCED.

Mr. TELLER introduced a bill (S. 2767) to deliver to the State of Colorado certain guns: which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2768) increasing the pension of

James F. Patterson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2769) increasing the pension of Mrs. Ruann Burk; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. VOORHEES introduced a bill (S. 2770) granting an increase of pension to Isaac C. Ross; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2771) granting an increase of pension to James M. Singer; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2772 for the relief of Seaton Norman; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. CARLISLE introduced a bill (S. 2773) granting a pension to William Coudell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT introduced a bill (S. 2774) granting increase of pension to Albert E. Daniels; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 2775) authorizing the construction of a bridge across the Kansas River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CULLOM introduced a bill (S. 2776) to remove the charge of desertion from the military record of William Thomas; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2777) granting jurisdiction to the Court of Claims to hear and determine the claim of the heirs at law or legal representatives of Benjamin R. Neal, deceased, for the burning and destruction of certain property and effects by the Union forces at Hazlehurst, Miss., during the late rebellion; which was read twice by its title, and referred to the Committee on Claims.

Mr. DAWES introduced a bill (S. 2778) granting a pension to Anna E. Barnard; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 2779) for the relief of the legal representatives of Chief Winnumpsnot, late chief of the Umatilla Indians; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2780) for the relief of Louis Napoleon, of West Port, Oregon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. QUAY introduced a bill (S. 2781) granting a pension to Julia A. Nicholson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

#### AMENDMENT TO A BILL.

Mr. HANSBROUGH submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

#### FREE COINAGE.

Mr. STEWART. I desire to give notice that on Monday next, immediately after the morning business, I shall move to take up the bill (S. 51) to provide for the free coinage of gold and silver, and for other purposes.

Mr. HOAR. Where is the bill now?

Mr. STEWART. The bill is on the Calendar, reported adversely. I shall move to take it up on Monday.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The resolution submitted yesterday by Mr. WOLCOTT was read as follows:

*Resolved by the Senate (the House concurring), That the President be requested to refrain from allotting in severally the lands of the present reservation of the Southern Ute Indians pending legislation in the present Congress respecting the removal of said Indians to another reservation.*

The VICE-PRESIDENT. The question is on agreeing to the resolution.

Mr. WOLCOTT. Mr. President, this resolution, which I introduced yesterday, is pertinent by reason of the legislation now pending before this body in the form of a bill which rests with the Committee on Indian Affairs. The bill practically provides that the Southern Ute Indians shall be removed from their present reservation in Southwestern Colorado to another reservation in Southeastern Utah. It provides that the payment of \$50,000 shall be made to the tribe, with an allowance of \$2,000 to the headmen of the tribe. It provides for the valuing of their present lands, with a further provision that all these lands are sold the proceeds arising from their sale shall go to a permanent fund for the benefit of the Southern Ute Indians. It provides that

the new reservation shall be cleared of the present claimants, who occupy it without any adequate protection of law; that their improvements shall be estimated in value and allowance made for them. It provides for an appropriation of \$5,000 to move the Indians from the one reservation to the other.

This legislation has been pending before this body in former Congresses. A similar bill was reported at a former Congress to the other House, but Congress adjourned without taking action upon it. A similar bill is now pending in both branches of Congress.

The present bill was introduced on the 10th day of December last and still slumbers in the Committee on Indian Affairs. Two years ago the Commissioner of Indian Affairs wrote an urgent letter, which was duly forwarded to the Senate committee, urging that immediate action be taken on this legislation for the reason that the Indians were restless; that it was essential that some conclusion be had in the matter, and that it was important before the new reservation should be settled up by white men that something definite should be determined as to the policy to be pursued toward these Southern Ute Indians.

The protracted delay in the report of this bill leads me to offer the resolution asking that the President do not, as he is authorized to do by the act of 1880, allot the present lands of these Indians in severalty. In the bill pending before the other House there is an amendment to the effect that all Indians who so desire may remain upon the present reservation and take their lands in severalty. That amendment is ready to be offered to this bill when the Senate can have it again in its charge.

The wisdom of the bill has been sustained by extensive testimony taken before the committees of both Houses of Congress, and the delay in the Indian Affairs Committee would not have occurred and no opposition would have arisen to this measure had it not been for the persistent efforts of an association known as the Indian Rights' Association. This association has been flooding the country with printed forms of petitions, has been laying upon the desks of every Senator printed matter showing the hardships of the removal, and giving reasons why the bill should not pass. The association has created a false and an untrue sentiment among good men and women in the East. I presume there is not a Senator within the hearing of my voice who has not received letters from people urging him to vote against the proposed removal of the Southern Utes from Colorado to Utah.

The claim made by the Indian Rights Association is in substance that the present reservation is better for the Indian than the one to which it is proposed to remove him; that the welfare of the Government would be subserved by keeping him where he is and dividing his lands in severalty; that the proposed legislation is prompted by the cupidity of the whites and is being urged for unworthy motives; that the Indians have consented to a removal only through pressure, and that their real desire is to remain upon their present reservation. These statements of the Indian Rights Association originate in the brain of one C. C. Painter, to whom I shall hereafter refer. They are untrue in substance and in fact, and by their circulation an entirely false impression and opinion have been created in the minds of people.

Because of the delay in the reporting of the bill it is a duty I owe to the Senate and to so much of the public as have taken an interest in this question as well as to the people of the State of Colorado that these falsehoods be met and refuted at this time.

We in Colorado are not unfriendly to the Indian. When we were first organized as a Territory we found within our borders thousands of Mexicans who came to us by conquest, aliens in race and language and traditions and habits. We have assimilated them to us and they are now rapidly adopting our language and our methods. They have become good, intelligent citizens, and many of them are now occupying important positions of trust in the State of Colorado.

Had the Indian offered the slightest evidence of capacity for civilization he too would have been taken by the hand and lifted up and planted on the firm ground of citizenship. No effort has been spared in this direction, but the Southern Ute Indian who now lives in Colorado is not capable of civilization in this generation or in this century.

In all the legislation that has been sought due regard has been uniformly had to the interest of the Indian as well as the white; and if the population surrounding the present reservation did not exist, if the two reservations stood with no white man within a thousand miles of either of them, the same reasons for the removal of the Indians from the one reservation to the other would still largely exist.

This tribe of Southern Ute Indians consists of about 1,000 souls—about 250 men. They are brave and ignorant and shrewd. They are blanket Indians.

Mr. HOAR. How many are there?

Mr. WOLCOTT. Nine hundred and eighty-four, I think, is the exact number. I describe them as about a thousand.

Mr. SHERMAN. What is the number of men?

Mr. WOLCOTT. The number of men is from about 230 to 250. They are essentially what are known as blanket Indians. All efforts to civilize them have failed. They follow the chase. Of late years they have taken to the herding of stock. Sheep have been given them. They butchered and killed many of them, but a few of the Indians saved some of theirs, and they are now raising some sheep and some goats. But they are essentially the Indian known as the blanket Indian, not amenable to the influences of civilization.

They are divided into three bands, the Weeminuchas, who comprise about one-half of the Southern Ute Indians, the Capotas, and the Moaches. The tribe is a recent acquisition to the United States and a more recent acquisition to Colorado. They came to us as part of the fruits of the Mexican war. They lived at the time of the conquest in the Territory now known as New Mexico, and they continued to reside there for more than a generation afterwards. They are attached to their reservation by no ties of association or tradition. They roam no ancestral acres. Their dead are buried in New Mexico and not within the confines of their reservation.

In 1849, after our treaty with Mexico, we made our first treaty with these Southern Utes—a treaty simply of amity, in which we agreed to deal with them as friends and they agreed to recognize the jurisdiction of the United States. At that time, as I say, they roamed in New Mexico without any settled habitations. Later, in 1863 and in 1868, other treaties were made with other tribes of Utes, which treaties recognized a portion of this tribe of Southern Utes and provided for their residence generally in Southern Colorado.

In 1873 a treaty was made with all the Utes by which the Utes gave up certain of their lands, retaining the present strip now devoted to the Southern Utes and another strip equally inconveniently located along the western border of Colorado. As early as 1878 the Indian agent reported that the southern strip was entirely unfitted for the purposes for which it was dedicated. These Ute Indians up to nearly 1878, although they had been included within the treaties, had not occupied the reservation in Colorado, but for nearly ten months in the year they had roamed in New Mexico, coming to the San Luis Valley and other sections of our State from time to time for hunting and other purposes.

As a result of the objection by the Indian agent, in 1878 Congress authorized negotiations looking to the removal of the Utes to a more favorable reservation. Then followed the massacre of the Meeker family in 1879, in which these Southern Utes did not participate, but which was conducted by the other Utes, the Uncompahgres, and the White Rivers.

The result of that massacre, followed by the disastrous defeat of Capt. Thornton, was the appointment of another commission, which was empowered to treat with the Indians upon the basis of their removal from Colorado. This was followed by a treaty with the Ute Indians speaking of them all as a tribe and thereby including the Southern Ute Indians, whereby the Ute Indians generally agreed to give up their lands in Colorado and to take such lands in Utah and elsewhere as should be allotted to them. The other Utes, the Uncompahgres, and the White Rivers were put in Northwestern Colorado, but there were soon threats of another outbreak, and these Indians were hurried off to the Uintah Reservation in Utah, the Southern Utes remaining upon this southwestern strip.

Then in 1880 negotiations were had looking to the confining of the Southern Ute Indians to some specific reservation. A commission was appointed, and in 1880 this present reservation was made the permanent home and the exclusive abode of the Southern Ute Indians. At the time this reservation was set aside my colleague [Mr. TELLER], then as now in the Senate, entered his vigorous protest against the allotting of the Indians to this reservation, predicting the very thing that has come to pass, foreshadowing the growth and development of that section in Colorado, describing the awkward and the inconvenient arrangement of the reservation, and protesting that the Indians should be sent elsewhere.

This reservation, however, was adopted as a temporary expedient, with a provision that the Indians should have the right to hunt in the Lasalle Mountains, and that if these lands along the La Plata, in Colorado, were insufficient, they might go to the lands of the La Plata River in New Mexico. That section of country was inconvenient and ill-suited to their wants, and was settled by the white men, to whom patents had been issued.

The reservation which the Southern Utes at present occupy is a narrow strip or tongue of land in the southwestern corner of Colorado, 115 miles in length by 15 miles in width—a long, narrow strip of land. Its altitude is 7,000 feet above the sea. For nine years out of fourteen the snow has laid in solid mass more than two feet in depth for from ninety to one hundred days every

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 2262) for the relief of the next of kin of Robert Morris, deceased, submitted an adverse report thereon: which was agreed to, and the bill was postponed indefinitely.

Mr. VOORHEES, from the Committee on the Library, to whom was referred the bill (S. 680) to authorize the purchase of Lawrie's picture of Gen. George H. Thomas, reported it without amendment.

Mr. CAREY, from the Committee on Education and Labor, to whom was recommitted the bill (S. 1768) to allow thirty days' leave of absence to employes in the Bureau of Engraving and Printing, reported it with an amendment, and submitted a report thereon.

Mr. STOCKBRIDGE, from the Committee on Indian Affairs, to whom was referred the bill (S. 2765) granting to the Duluth and Winnipeg Railroad Company a right of way across the Fond du Lac Indian Reservation, reported it with an amendment.

Mr. VILAS, from the Committee on Claims, to whom was referred the bill (S. 41) for the relief of E. B. Crozier, executrix of the last will of Dr. C. W. Crozier, of Tennessee, reported it without amendment, and submitted a report thereon.

Mr. SAWYER, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 2735) authorizing the employment of mail-collectors at free-delivery offices, reported it without amendment, and submitted a report thereon.

#### EULOGIES ON THE LATE SENATOR PLUMB.

Mr. HAWLEY. By direction of the Committee on Printing I report favorably a concurrent resolution in the usual form for printing the eulogies on the life and services of Preston B. Plumb, late a Senator from Kansas, with a substitute for the original draft of the resolution. I hope there may be no objection to acting upon it now.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution: which was read, as follows:

*Resolved by the Senate (the House concurring), That 10,000 copies of the eulogies delivered in the two Houses of Congress on the life and services of the late Preston B. Plumb, a Senator from Kansas, be printed in the usual form, with portrait, bound; 4,000 copies for the use of members of the Senate, including its presiding and recording officers, and 6,000 copies for the use of the members of the House, including its recording officers.*

The VICE-PRESIDENT. The amendment of the committee will be stated.

The CHIEF CLERK. Strike out all after the resolving clause and insert:

*That there be printed and bound 8,000 copies of the eulogies delivered in Congress on Preston B. Plumb, of which number 2,000 shall be delivered to the Senators and Representatives of Kansas, which number shall include 50 copies to be bound in two for the use of the family of the deceased, and the remaining number shall be distributed according to the proportion of 2,000 to the Senate and 4,000 to the House. The engraving for the said eulogies shall be done at the Bureau of Engraving and Printing and paid for out of the appropriation for that Bureau.*

Mr. COCKRELL. Is that the usual number prescribed in the public printing bill that was passed by the Senate?

Mr. HAWLEY. Yes; it follows the bill we have just passed.

Mr. COCKRELL. The substitute is in accordance with the resolutions that have been passed since the passage of the public printing bill?

Mr. HAWLEY. Yes; in accordance with all that have been passed since that bill was passed by the Senate.

The amendment was agreed to.

The resolution as amended was agreed to.

#### COURTS IN TEXAS.

Mr. VEST. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 5176) to change the time of holding the courts in the eastern judicial district of Texas, to report it favorably, without amendment, and I ask for its present consideration. The bill is intended simply to change the time of holding courts in the State of Texas. Day before yesterday the Senate passed the same bill identically, a Senator bill reported from the Committee on the Judiciary. It was intended at the time to pass the House bill so as to save the necessity of sending the Senate bill to the other House. The bills are identical. It was simply a mistake day before yesterday that the wrong bill was passed.

Mr. COCKRELL. The Senator proposes to have the House bill passed and to recall the Senate bill?

Mr. VEST. There is no necessity to recall it, I presume, because the other House can indefinitely postpone the Senate bill, and this bill becomes a law when signed by the President.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. VEST subsequently moved to reconsider the vote by which the bill (S. 2467) to fix the times of holding courts in the eastern district of Texas was ordered to a third reading and passed, and the motion was agreed to.

#### BILLS INTRODUCED.

Mr. VEST introduced a bill (S. 2752) to restore Eugene Wells to the Army; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. MANDERSON introduced a bill (S. 2783) authorizing the President to place on the retired list of the Army Sergt. Long and others, late of the Signal Corps, United States Army, survivors of the Lady Franklin Bay expedition; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2784) granting an increase of pension to Susan S. Worrell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. WARREN introduced a bill (S. 2785) for the relief of officers of the Army retired for wounds received in battle; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2786) providing for the retirement of certain officers of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PROCTOR (by request) introduced a bill (S. 2787) authorizing the restoration of the name of Charles H. Allen, late post quartermaster-sergeant, to the rolls of the Army, and providing that he be placed on the enlisted retired list of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. POWER introduced a bill (S. 2788) creating two additional land districts in the State of Montana; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 2789) authorizing the Secretary of the Interior to place on the pension roll the name of Agnes Wallendorf; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2790) for the relief of George A. Norton; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

Mr. PERKINS introduced a bill (S. 2791) granting an honorable discharge to Samuel Dollaif; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2792) granting a pension to Josiah H. Bross; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2793) for the relief of Crank & Hoffman; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 2794) to pension soldiers and sailors for disabilities received in addition to loss of a leg or an arm; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CAMERON introduced a bill (S. 2795) for the relief of William R. Colby; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2796) for the relief of certain officers of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2797) for the relief of A. H. Rush; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. PALMER introduced a bill (S. 2798) for the relief of Peter Light; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HISCOCK introduced a bill (S. 2799) to provide for the dedication of the statue erected to the memory of the Marquis Mari Jean Paul Roch Yves Gilbert Motier de Lafayette, a major-general in the Army of the United States; which was read twice by its title.

Mr. HISCOCK. I present the petition of Lafayette Post, No. 140, Department of New York, Grand Army of the Republic, praying for a proper dedication of the statue of the Marquis de Lafayette; and I move that it be referred, with the bill, to the Committee on the Library.

The motion was agreed to.

Mr. HISCOCK introduced a bill (S. 2800) for the erection of a public building at the city of Dunkirk, N. Y.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2801) for the erection of a public building at the city of Jamestown, N. Y.; which was read twice

by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. HIGGINS introduced a bill (S. 2802) for the relief of George F. Hamilton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. CALL introduced a bill (S. 2803) for the relief of Meda A. Coyle, granddaughter and administratrix *de bonis non* of Lieut. Joseph Wheaton, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. JONES of Arkansas introduced a bill (S. 2804) to grant lot No. 1 in block No. 72 of the Hot Springs Reservation to the school district of the city of Hot Springs for school purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. CALL (by request) introduced a bill (S. 2805) to establish a botanic hospital and home and a free school in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. McPHERSON introduced a bill (S. 2806) to authorize the construction of a telephone line on the coast of Virginia from Cape Charles to Assateague Island, in aid of the preservation of life and property; which was read twice by its title, and referred to the Committee on Commerce.

#### AMENDMENT TO A BILL.

Mr. HAWLEY submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

#### UNLAWFUL APPROPRIATION OF PROPERTY IN DISTRICT.

Mr. FAULKNER submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to: *Resolved by the Senate (the House of Representatives concurring). That the President be requested to return to the Senate the bill (S. 1657) to punish the unlawful appropriation of the use of the property of another in the District of Columbia.*

#### LITERARY AND SCIENTIFIC COLLECTIONS.

Mr. McMILLAN. I ask leave to call up from the table the joint resolution (H. Res. 92) to encourage the establishment and endowment of institutions of learning at the national capital by defining the policy of the Government with reference to the use of its literary and scientific collections by students.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. COCKRELL. Let it be read for information.

The VICE-PRESIDENT. The joint resolution will be read for information.

The Chief Clerk read the joint resolution.

Mr. McMILLAN. I move to amend the joint resolution in section 1, line 9—

Mr. COCKRELL. Wait one moment. Has the joint resolution just been reported?

Mr. McMILLAN. No, it came from the other House. It passed the other House yesterday and was sent over here. The Methodist and the Catholic University people are very anxious to have it passed to-day.

Mr. COCKRELL. Has it been considered by any committee?

Mr. McMILLAN. Oh, yes; a similar measure is on the Calendar, reported favorably from the Committee on the District of Columbia. The same measure has now passed the other House.

Mr. COCKRELL. What is the purpose of the bill?

Mr. McMILLAN. To allow the students of these universities the Catholic University and the Methodist University, to have access to our public institutions here.

Mr. COCKRELL. Do they not already have access there as has every other citizen of the United States?

Mr. McMILLAN. They have generally, but there are scientific collections they can not have access to unless this measure is passed. It is asked for and concerned in by all the heads of Departments.

Mr. DAWES. I move that the Senate proceed to the consideration of the Indian appropriation bill.

Mr. PLATT. Will not the Senator allow this joint resolution to be passed? The Senator from Michigan is trying to have it passed.

Mr. McMILLAN. It will take but a moment.

Mr. DAWES. If it will not cause debate of course I shall not interfere.

Mr. McMILLAN. All right.

Mr. DAWES. I will reserve my motion until it appears that there is to be debate. The Senator from Michigan will not insist upon it if it causes debate?

Mr. McMILLAN. It will cause none, I think.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. McMILLAN. In line 9 of section 1, after the word "to," I move to insert the words "scientific investigators and to;" so as to read:

That the facilities for research and illustration in the following and any other governmental collections now existing or hereafter to be established in the city of Washington for the promotion of knowledge shall be accessible, under such rules and restrictions as the officers in charge of each collection may prescribe, or as are already, or hereafter may be, prescribed by act of Congress, to scientific investigators, and to the students of any institution of higher education now incorporated or hereafter to be incorporated under the laws of Congress or of the District of Columbia, etc.

The amendment was agreed to.

Mr. HOAR. Is it the effect of this measure to take from the joint Committee on the Library its superintending power over the Library of Congress?

Mr. McMILLAN. Not at all; nothing of that kind.

Mr. HOAR. Is not that the effect of it?

Mr. McMILLAN. I think not.

Mr. HOAR. The rules and restrictions are to be made by the officers in charge of each collection, according to the joint resolution.

Mr. McMILLAN. That would not interfere at all.

Mr. HOAR. I am not sure about that.

Mr. McMILLAN. The passage of this joint resolution has been asked for by all the heads of Departments.

Mr. HOAR. That does not answer my question.

Mr. McMILLAN. It is not intended to interfere at all, and I am sure it does not interfere.

Mr. HOAR. I ask the Senator to allow the joint resolution to stand over one day. I should like to look at it. I presume it is all right.

Mr. McMILLAN. Very well.

The VICE-PRESIDENT. The joint resolution will go over.

#### EXECUTIVE SESSION FOR THURSDAY.

Mr. DAWES. I renew my motion that the Senate proceed to the consideration of the Indian appropriation bill.

Mr. CAMERON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Pennsylvania for morning business?

Mr. DAWES. Certainly.

Mr. CAMERON. Not for morning business; but I wish to make a statement. Yesterday I gave notice that I should move an executive session this morning. The Senator from Massachusetts has asked me to postpone that motion for the purpose of allowing him to proceed with the Indian appropriation bill. I now give notice that to-morrow I shall move an executive session immediately up to the conclusion of the morning business.

#### WILLIAM BURROUGH.

Mr. BERRY. I should like to ask the Senator from Massachusetts to let me call up a bill that will just take two minutes to pass. It is to give a pension to a man who is 96 years old, who served in the war of 1812, and unless the old man gets it at once it is likely to do him no good.

Mr. DAWES. If no other Senator objects, I shall not.

Mr. BERRY. I ask the Senate to proceed to the consideration of the bill, H. R. 6214, to increase the pension of William Burrough, of Crawford County, Ark., a veteran of the war of 1812.

The VICE-PRESIDENT. Is there objection to the present consideration of this bill?

Mr. DAWES. I yield to the urgent solicitation of the Senator from Arkansas.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to increase the pension of William Burrough, of Crawford County, Ark., veteran of the war of 1812, to \$30 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### VALUE OF THE DOLLAR.

Mr. DAWES. The Senator from California [Mr. STANFORD] represents to me that he is obliged to leave for California to-morrow and he desires to make a few remarks this morning. Under those circumstances, I feel justified in consenting myself that he may have that opportunity, if the rest of the Senate does not object.

The VICE-PRESIDENT. The unfinished business will be informally laid aside in the absence of objection, and the Senator from California will proceed.

Mr. STANFORD. Mr. President, before proceeding with the remarks I desire to submit, I wish to read the bill itself. It is very short and is as follows:

*Be it Enacted, etc.* That the value of 258 grains of gold shall be the standard by which shall be measured and determined the value of a dollar, and all dollars shall be received and paid out in discharge of debts, both public and private, at par, measured by the aforesaid standard of value, whether the stamp of the Government making the dollar be on gold, silver, paper, or any other material.

their work but Sunday. I move that the memorial be referred to the Select Committee on the Quadro-Centennial.

The motion was agreed to.

Mr. BUTLER presented a memorial of the Chamber of Commerce of Charleston, S. C., remonstrating against the passage of Senate bill 1755, to amend the steamboat laws of the United States; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of Charleston, S. C., praying that an appropriation be made for the purpose of establishing and maintaining gas-lighted beacons and buoys in the sixth light-house district; which was referred to the Committee on Commerce.

Mr. VEST presented the following petitions of Apple Creek Grange, Patrons of Husbandry, of Missouri:

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining land and imposing a tax thereon—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Mr. BATE presented a memorial of 30 citizens of Birdstown, Tenn., remonstrating against the passage of any Federal bankruptcy bill; which was referred to the Committee on the Judiciary.

Mr. BRICE presented a petition of the First United Presbyterian Congregation, of Cincinnati, Ohio, and a petition of citizens of Rix's Mills, Ohio, praying that the World's Columbian Exposition be closed on Sunday, that the sale of intoxicants be prohibited thereat, and that the art department be managed according to the American standard of purity in art; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented resolutions adopted by the Trades and Labor Council of Zanesville, Ohio, favoring the passage of what is known as the Hoar clothing-label bill; which were referred to the Committee on Education and Labor.

He also presented a petition of Columbus Council, No. 26, Junior Order United American Mechanics, of Philadelphia, Pa., praying for the passage of the bill to amend the naturalization laws; which was referred to the Committee on the Judiciary.

He also presented the following petitions of Odell, Perry, Hart, Pleasant, and Nevada Granges, Patrons of Husbandry, of Ohio:

Petition praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petitions praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining land and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. COCKRELL. I present the memorial of John T. Lewis, L. D. Ramsay, and other citizens of Lockport, Mo., remonstrating against the passage of any bankruptcy law. I move that the memorial be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. COCKRELL. I also present a petition of sundry leading citizens of St. Louis, Mo., in favor of a sixteenth amendment to the Constitution providing that no State shall pass any law respecting the establishment of religion or prohibiting the free exercise thereof, etc. I move that the petition be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. TURPIE presented a petition of citizens of Indianapolis, Ind., praying for the adoption of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

Mr. HAWLEY presented a petition of the Woman's Christian Temperance Union, representing 75 members, of Torrington, Conn., praying for the closing of the World's Columbian Exposition on Sunday, the prohibition of the sale of liquor thereat, and the maintenance of the standard of purity of Ameri-

can art at the exhibition; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the following petitions of Jewett City Grange, Patrons of Husbandry, of Connecticut:

Petition praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petition praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining land and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. SAWYER presented the following petitions of Ono Grange, Patrons of Husbandry, of Wisconsin:

Petition praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petition praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petition praying for the free delivery of mails in rural districts—to the Committee on Post-Offices and Post-Roads.

Mr. SHERMAN. I present a genuine old-fashioned petition, written out by some one and signed by several hundred people, men and women, of Wooster, Ohio. It is a contrast to the petitions that I and others have presented, printed in due form, resolving, etc., and probably signed by one or two persons. This is a genuine petition praying that no appropriation be made for the World's Fair until provision is made for closing the World's Fair on the Sabbath day, and the reasons given are very sensible and very good. I move that the petition be referred to the Select Committee on the Quadro-Centennial.

The motion was agreed to.

Mr. SHERMAN presented a petition of 100 citizens of Tuscarawas, Ohio, praying for the adoption of a constitutional amendment prohibiting the States from passing laws respecting an establishment of any religion, etc.; which was referred to the Committee on the Judiciary.

Mr. FELTON presented a petition of citizens of Fresno, Cal., praying for the passage of legislation regulating speculation in fictitious farm products; which was referred to the Committee on the Judiciary.

Mr. GALLINGER presented the following petitions of Warren Pond Grange, Patrons of Husbandry, of New Hampshire:

Petition praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining land and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. CHANDLER presented the petition of W. F. Grant and 379 other citizens of Newport, N. H., praying that the sale of intoxicants be prohibited on the grounds of the World's Columbian Exposition; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the following petitions of Forest and Mount Blanknapp Granges, Patrons of Husbandry, of New Hampshire:

Petitions praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petitions praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining land and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.



Mr. MANDERSON presented a petition of sundry citizens of Nebraska, praying that the World's Columbian Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HANSBROUGH presented a petition of 36 citizens of Richland County, N. Dak.; a petition of 16 citizens of Richland County, N. Dak.; a petition of 65 citizens of Richland County, N. Dak.; a petition of 29 citizens of Richland County, N. Dak.; a petition of the St. Paul, Minneapolis and Manitoba Railroad Company, and a petition of 5 citizens of Richland County, N. Dak., praying for the passage of legislation granting relief from threatened eviction by the great Northern Railway Company from lands which such company claims under grant but for which the residents hold patents from the United States Government; which were referred to the Committee on Public Lands.

Mr. GEORGE presented a petition of citizens of Summit, Miss., praying for the adoption of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 2500) for the relief of Edward Clemmens, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (H. R. 1923) granting an honorable discharge to William W. Wedgwood, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 711) to remove the charge of desertion now standing against Albert Keach, reported it with amendments, and submitted a report thereon.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 1959) donating 29 acres of land from the Fort Sidney military reservation, on the northeast corner thereof, to the city of Sidney, Neb., for cemetery purposes, reported it without amendment, and submitted a report thereon.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred a petition of the organized workmen of the District, praying for sufficient appropriations to provide free text-books for pupils in public schools and for the erection of necessary buildings, asked to be discharged from its further consideration, and that it be referred to the Committee on Appropriations; which was agreed to.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 611) for the relief of the legal owners of the Columbia bridge, at Columbia, Pa., asked to be discharged from its further consideration, and that it be referred to the Committee on Claims; which was agreed to.

Mr. WALTHALL, from the Committee on Military Affairs, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 619) for the relief of George P. Hrie;

A bill (S. 1937) for the relief of James L. Williams; and

A bill (S. 1957) for the relief of Meyer B. Haas.

Mr. BATIE, from the Committee on Military Affairs, to whom was referred the bill (S. 2390) for the relief of Monroe Blackburn, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. CAMERON, from the Committee on Military Affairs, to whom was referred the bill (S. 512) for the relief of Benjamin F. Campbell, late second lieutenant of the Eighteenth Pennsylvania Cavalry, reported it with amendments, and submitted a report thereon.

He also, from the Committee on Naval Affairs, to whom was referred the bill (S. 2667) to provide for the detail of an assistant to the Bureau of Navigation in the Navy Department, reported it with amendments, and submitted a report thereon.

Mr. BUTLER. I am instructed by the Committee on Naval Affairs, to whom was referred the bill (S. 67) to transfer the Revenue Cutter Service from the Treasury Department to the Navy Department, to report it with amendments, and to state that a written report will hereafter be made to accompany the bill.

HON. R. H. M. DAVIDSON.

Mr. CHANDLER. The Senator from North Carolina [Mr. VANCE] submitted a resolution, which was referred to the Committee on Privileges and Elections, for the payment of the expenses of Hon. R. H. M. Davidson in prosecuting his claim for a seat in the Senate. I am instructed to report back the same favorably, but after consultation with the chairman of the Committee on Appropriations it was deemed best that the amount should be paid by a special appropriation. I therefore report an

amendment to the deficiency appropriation bill, which I ask to have read and referred to the Committee on Appropriations.

Mr. COCKRELL. Is there any written report accompanying it?

Mr. CHANDLER. There is not. The committee recommended the allowance of the round sum of \$1,250.

The proposed amendment was read, referred to the Committee on Appropriations, and ordered to be printed, as follows:

To enable the Secretary of the Senate to pay to R. H. M. Davidson the expenses incurred by him in prosecuting his claim for a seat in the Senate under appointment of the governor of Florida, \$1,250.

#### PUBLIC BUILDINGS.

Mr. CAREY. I am instructed by the Committee on Public Buildings and Grounds to report back with an amendment the resolution referred to that committee relating to the construction of public buildings in this city, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution, which was read, as follows:

Whereas the best interests of the General Government demand that it should own and have absolute control of all buildings necessary for public purposes, and for the proper care and custody of its records, at the seat of Government; Be it therefore

*Resolved*, First, That the Committee on Public Buildings and Grounds be instructed to investigate, inquire, and report as to the condition of the public buildings in the city of Washington, and report what additional buildings in said city are needed for the uses of the General Government in order to carry on its business, to preserve and protect its public records, to afford proper and healthful accommodations for those engaged in the public service, the estimated cost of such buildings; and in this connection to report the sums annually expended by the several branches of the Government for leased or rented buildings in the city of Washington.

Second, That the said committee report by bill or otherwise, on or before the first Monday of December next, such legislation as in their opinion may be necessary in the premises.

Third, If it is necessary to carry out the object of this inquiry said committee, or subcommittee thereof, is authorized to sit during the recess.

The VICE-PRESIDENT. The amendment of the committee will be stated.

The CHIEF CLERK. The committee report to strike out the third subdivision of the resolution and insert:

Third, That the Committee on Public Buildings and Grounds have authority for the employment of a stenographer to report the hearings before said committee or its subcommittee in investigating the questions proposed by the foregoing resolution.

The amendment was agreed to.

The resolution as amended was agreed to.

#### OFFICERS OF NATIONAL VOLUNTEER SOLDIERS' HOME.

Mr. HAWLEY. I report favorably from the Committee on Military Affairs a brief bill passed by the other House, entirely unobjectionable. It is unanimously reported, and I ask that it be considered and passed now.

The VICE-PRESIDENT. The title of the bill will be stated.

The CHIEF CLERK. A bill (H. R. 3867) to amend the act concerning officers of the National Home for Disabled Volunteer Soldiers, and for other purposes.

The VICE-PRESIDENT. The bill will be read for information.

The bill was read, as follows:

*Be it enacted*, That section 1829 of the Revised Statutes of the United States, being section 6 of the act of Congress approved March 21, 1898, concerning the National Home for Disabled Volunteer Soldiers, be, and the same is hereby, amended to read as follows, to wit:

"Sec. 1829. The officers of the National Home shall consist of a governor, a deputy governor, a secretary, a treasurer, and such other officers as the managers may deem necessary. They shall be appointed from honorably discharged soldiers who served as mentioned in the following section; and they may be appointed and removed from time to time, as the interests of the institution may require, by the Board of Managers."

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. HAWLEY. A word of explanation, Mr. President. The bill does not disclose its effect. The present law requires the managers of the Soldiers' Home in selecting their subofficers to choose only from those who were soldiers in the late war. They say they can get some better men occasionally if they have the whole range open, taking enlisted men.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. WASHBURN introduced a bill (S. 2807) for the relief of E. Douglass, late Indian agent at White Earth Indian Agency; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. WILSON introduced a bill (S. 2808) granting bounties in certain cases; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. VILAS introduced a bill (S. 2809) for the relief of Royal E. Drake; which was read twice by its title, and referred to the Committee on Military Affairs.



I therefore, Mr. President, feel perfectly free, and I intend always while I have a seat on this floor to feel perfectly free to cast my vote upon any question concerning the welfare of my constituency according to what I believe are the substantial merits of the proposition.

I shall not complain that any other Senator does not do the same thing: I shall not criticise him or suppose that he does not, for there are other Senators in this body who believe that the acquisition of the Presidency is of more worth to the great body of the people even than the bread that they are to eat and the clothing which they are to wear. They believe it will be a better thing that the people should almost starve, six months of the year, on the lowest possible support for humanity, rather than that they should lose a Presidential election. I do not feel that way about it. I feel as if this was a government instituted for the purpose of providing for the welfare of the people who compose it, and I try never to get out of sight either of their power, their influence, their wishes, or their interests.

I believe that it is a duty of the Government of the United States to care for those men who are not here in person, and who sent us here to take care of their material interests and welfare and to provide those measures which we conscientiously believe are necessary for that result and that effect, and I will never turn my back upon any question that comes up in this Senate, because I may suppose that it will redound to the advantage of the political party to which I happen to belong when I believe by my vote I can secure a proper advantage, a necessary opportunity for prosperity and justice, at least, to the people that I have the honor to represent here.

Mr. President, the Senator from Ohio does not want to hear any debate about this matter. I do not blame him. It has been dinned in his ears for many years, and after a large portion of the Democratic party and a large portion of the Republican party have combined in these latter days to elevate the honorable Senator's great policy against silver to this throne of power, from which it is supposed it will never be dethroned, I do not blame him for enjoying the situation and wanting to do it in quietude and silence, for surely the Democratic party of the United States never before paid such a tribute to Whig or Republican as has been paid recently to the honorable Senator from Ohio by crowning him as the king of finance in this country and the man to lead the hosts of Democracy here on this question.

He rules supreme, and that policy seems new to be fixed which he inaugurated in 1873, when silver was 3 per cent premium over gold as bullion or as coin, and which has dragged silver down into the mere category of a metal of commerce like nickel and aluminum and copper and iron—that Senator who has had the power to expel and keep expelled from the money metals of this country two-thirds of its mineral products for twelve or fourteen years, practically to destroy its value as a money metal and to reduce it to the category of a commodity which invites the speculation of all the thieves in Wall street or thereabouts—the Senator who has accomplished that much and has got a large Democratic indorsement for it ought to feel easy and quiet.

I do not blame him for the supreme indifference that he now manifests towards the interest and the welfare of the common people of this country. He ought to feel easy and happy, and he ought not to wish a man of my caliber and my location, my very remote connection, either personal or through my people, with the control of the vast wealth and money power of this country, to rise here and disturb his peace of mind when he is glorifying himself upon his recent triumph in connection with a fragment of the Democratic party in this country in crushing out the free coinage of silver. I do not propose that that Senator shall rest quite at ease about it until we have entered a final plea for the people.

I represent a constituency here that, if they have not a dollar apiece in their pockets, have the worthy manhood of the greatest and best of men—the manhood of a good conscience and an honest record through life for devotion to their country; and I intend that they shall have a representative on this floor who is not afraid to speak out and who will bring these subjects forward and try to have them considered, without reference to where or when or how far they may dethrone or break the idols of party worship.

So, Mr. President, I will ask that this resolution may go over until to-morrow, and I ask it in the hope that some of the Senators on this floor who I believe as I do about this subject will come to my support and sustain me in an effort to do justice to the patient and forbearing industrial classes.

Mr. PUGH. Yes.

Mr. MORGAN. And that, notwithstanding the rules of the Senate which will apply on next Monday, we shall have the opportunity when the Senator from Nevada calls his motion to take that bill up, which is reported adversely upon the Calendar, and notwithstanding the silence that will then be imposed

upon us by that rule, that we shall, under these resolutions or in some form, have an opportunity of expressing our opinions and extracting also from other gentlemen their opinions upon these questions, for I want to know who are the friends of free coinage and who its enemies are in the Senate of the United States.

The VICE-PRESIDENT. The resolutions will be printed and go over.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the resolution of the Senate requesting the President of the United States to return to the Senate the bill S. 1657 to punish the unlawful appropriation of the use of the property of another in the District of Columbia.

The message also returned to the Senate, in compliance with its request, the bill (S. 2167) to fix the terms of holding courts in the eastern district of Texas.

The message further announced that the House had passed the following bills:

A bill (S. 2315) to protect foreign exhibitors at the World's Columbian Exposition from prosecution for exhibiting wares protected by American patents and trade-marks; and

A bill (S. 2643) changing the time for holding the circuit and district courts in the district of West Virginia.

The message also announced that the House had passed a joint resolution (H. Res. 69) authorizing the use of the martello tower, on Tybee Island, Georgia, for a signal station; in which it requested the concurrence of the Senate.

#### HEARINGS BEFORE JUDICIARY COMMITTEE.

Mr. HOAR submitted the following resolution; which was read:

*Resolved*, That the Committee on the Judiciary be authorized to employ a stenographer, to be paid from the contingent fund of the Senate, to report the evidence and arguments at the hearing with regard to pending measures for the relief of the supreme court of the District of Columbia.

By unanimous consent, the Senate proceeded to consider the resolution.

Mr. HOAR. I will say to my friend from Nebraska [Mr. PADDOCK], who is a member of the Committee on Contingent Expenses, that this is a matter merely of employing a stenographer for an hour or an hour and a half. It is not of any great importance.

Mr. PADDOCK. It gives me great pleasure to be able to announce to the Senator from Massachusetts that the honored chairman of the Committee on Contingent Expenses is now present, and the Senator may consult with him.

Mr. HOAR. Very well.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, in the absence of objection.

#### PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had this day approved and signed the act (S. 2384) to change the name of the customs-collection district and port of Wilmington, Cal., to Los Angeles, and for other purposes.

#### LITERARY AND SCIENTIFIC COLLECTIONS.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed, and the Calendar under Rule VIII is in order.

Mr. McMILLAN. I ask unanimous consent for the present consideration of House joint resolution 92, which is now on the table. It was partially considered yesterday and went over until to-day.

Mr. DAWES. Is the morning business concluded?

The VICE-PRESIDENT. The morning business is concluded.

Mr. DAWES. Then I move to take up the Indian appropriation bill.

Mr. McMILLAN. I hope the Senator will allow the consideration of the joint resolution to be finished.

Mr. DAWES. If it will not cause any debate I shall not insist on my motion.

By unanimous consent, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. Res. 92) to encourage the establishment and endowment of institutions of learning at the national capital by defining the policy of the Government with reference to the use of its literary and scientific collections by students.

Mr. McMILLAN. I wish to offer an amendment, in line 8, after the word "prescribe," to strike out "or as are already or hereafter may be prescribed by act of Congress" and insert "subject to such authority as is now or may hereafter be permitted

by law;" and in line 9, before the word "students," to insert "scientific investigators and to."

I will say that I offer the amendment at the request of the Senator from Massachusetts [Mr. HOAR], and as I understand it does away with his objection.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. In line 8, after the word "prescribe," it is proposed to strike out "or as are already or hereafter may be prescribed by act of Congress" and insert "subject to such authority as is now or may hereafter be permitted by law;" and in line 9, after the words "to the," to insert "scientific investigators and to;" so as to read:

That the facilities for research and illustration in the following and any other governmental collections now existing or hereafter to be established in the city of Washington for the promotion of knowledge shall be accessible, under such rules and restrictions as the officers in charge of each collection may prescribe, subject to such authority as is now or may hereafter be permitted by law to the scientific investigators and to the students of any higher institution of higher education now incorporated or hereafter to be incorporated under the laws of Congress or of the District of Columbia, etc.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

#### USE OF SENATE CHAMBER.

Mr. SHERMAN. I wish to ask the unanimous consent of the Senate, and it is requisite that the consent should be unanimous, to allow a formal caucus to be held in the Senate Chamber this evening by the Republicans of the two Houses for the purposes of organization in the usual way. It not being convenient this evening to hold it in the Hall of the other House on account of a desire to hold a session there, I ask unanimous consent of the Senate that it may be held this evening in the Senate Chamber.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Ohio? The Chair hears no objection, and the request is granted.

#### INDIAN APPROPRIATIONS.

Mr. DAWES. I move that the Senate proceed to the consideration of the Indian appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5974) making appropriations for current and contingent expenses and fulfilling treaty stipulations with Indian tribes, for the fiscal year ending June 30, 1893.

The VICE-PRESIDENT. The pending question is on the amendment reported by the Committee on Appropriations as amended, on which the yeas and nays have been ordered.

Mr. COCKRELL. Let the amendment be again reported.

The CHIEF CLERK. After line 11, of section 1, on page 1, it is proposed to strike out:

*Provided*, That from and after the passage of this act, the President shall detail officers of the United States Army to act as Indian agents at all agencies where vacancies from any cause may hereafter occur, who, while acting as such agents, shall be under the orders and direction of the Secretary of the Interior. *Provided further*, That whenever the President shall be of opinion that the good of the service specially requires it, he may appoint a civilian.

Mr. DAWES. I believe the yeas and nays have been ordered.

The VICE-PRESIDENT. The yeas and nays have been ordered, and the roll will be called.

Mr. COCKRELL. Let me understand it. The motion is to strike out the House provision, as it has been amended?

The VICE-PRESIDENT. That is the question, on the amendment reported by the Committee on Appropriations as amended yesterday.

The Secretary proceeded to call the roll.

Mr. BATE (when his name was called). I am paired with the Senator from Washington [Mr. ALLEN], who is absent in committee necessarily.

Mr. HARRIS (when his name was called). I have a general pair with the Senator from Vermont [Mr. MORRILL], but feeling, as I do, that if he were here he would vote "nay," I shall record my vote "nay."

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN], who is detained from the Chamber by a domestic affliction. If he were present I should vote "nay."

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY]. If he were present, I should vote "nay."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Rhode Island [Mr. DIXON]. If he were present, I should vote "nay."

Mr. WOLCOTT (when his name was called). I am paired with the Senator from West Virginia [Mr. KENNA]. In his absence from the Chamber, I withhold my vote.

The roll-call was concluded.

Mr. BRICE. I am paired with the Senator from California [Mr. FELTON].

Mr. FAULKNER. I am paired with the junior Senator from Pennsylvania [Mr. QUAY]. I understand if he were present he would vote "nay." I therefore record my vote "nay."

Mr. DAVIS. I am paired with the Senator from Indiana [Mr. TURPIE].

The result was announced—yeas 29, nays 34; as follows:

#### YEAS—29

Allen	Gorman	Palmer	Stewart
Call	Hansborough	Perkins	Stockbridge
Carry	Ingalls	Pettibrew	Teller
Colquitt	Hiscock	Platt	Warren
Cullom	Jones, Ark	Powers	Wilson
Dawes	Jones, Nev.	Ransom	
Dolph	Morgan	Sanders	
Dubois	Paiblock	Shoup	

#### NAYS—34

Barbour	Paulkner	Hill	Sherman
Berry	Gallinger	Kyle	Vance
Butler	George	McMillan	Vest
Cameron	Gibson, La	McPherson	Vilas
Carlisle	Gibson, Mo	Mills	Voorhees
Chandler	Gooden	Peffer	Washburn
Cockrell	Gray	Proctor	White
Coke	Harris	Pugh	
Daniel	Hawley	Sawyer	

#### NOT VOTING—25

Aldrich	Davis	Kenna	Stanford
Allen	Dixon	Manderson	Thurpie
Bate	Felton	Mitchell	Walthall
Blackburn	Frye	Morrill	Wolcott
Bodgett	Hale	Pasco	
Brice	Hear	Quay	
Cassidy	Irby	Spurne	

So the amendment of the committee was rejected.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The Secretary resumed and continued the reading of the bill to the following provision in line 19, on page 2:

At the Colville Agency, at \$1,500.

Mr. DAWES. I ask that that line may be passed over until the Senator from Washington [Mr. ALLEN] is able to be in the Chamber.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). It will be so ordered.

The reading of the bill was resumed at line 21, on page 2.

The next amendment of the Committee on Appropriations was, in section 1, on page 4, line 7, after the words "At the," to strike out "Forest City Agency (formerly Cheyenne River)," and insert "Cheyenne River Agency;" so as to make the clause read:

At the Cheyenne River Agency, at \$1,500.

The amendment was agreed to.

The next amendment was, in section 1, on page 5, line 13, before the word "Territory," to strike out "Indian" and insert "Oklahoma," so as to make the clause read:

At the Sapulpa Agency, Oklahoma Territory, at \$1,200.

The amendment was agreed to.

The next amendment was, in section 1, on page 6, after the words "per annum," at the end of line 16, to insert "which sum is hereby appropriated for the purpose;" and in line 20, after the word "thousand," to strike out "three hundred;" so as to make the clause read:

The superintendent of the Indian training school at Cherokee, N. C., shall, in addition to his duties as superintendent, perform the duties heretofore required of the agent at said Cherokee Agency, and receive, in addition to his salary as superintendent, \$200 per annum, which sum is hereby appropriated for the purpose and shall in no event be paid to other Indian agents, and that the other agent be and the same is hereby abolished at that place in all \$20,000 and all provisions of law having compensation for Indian agents in excess of that herein provided are hereby repealed.

The amendment was agreed to.

The next amendment was, in section 1, on page 7, line 3, after the words "inspectors at," to strike out "two thousand five hundred" and insert "three thousand;" and in line 4, after the word "each," to strike out "twelve thousand five hundred" and insert "fifteen thousand;" so as to make the clause read:

The pay of five Indian inspectors at \$1,000 per annum each, \$5,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 7, line 9, to increase the appropriation "for pay of one superintendent of Indian schools" from "\$1,000" to "\$1,000."

The amendment was agreed to.

The next amendment was, in section 1, on page 7, line 20, after the words "and repairs of the same," to strike out "and repairs of the same;" so as to make the clause read:

The building and repair of buildings at agencies, \$20,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 9, line 1, in the

agent has added to his duties the care of other agencies it is true, because those other agencies require but very little work. I do not think, taking his labor compared with what his labors were ten years ago, that the raising of the salary would be justified. However, Mr. President, I shall ask for the yeas and nays on the amendment.

Mr. PADDOCK. I hope the Senator will not do that now. The increase of this salary has been recommended half a dozen times by the Commissioner of Indian Affairs. It is conceded by the Department that it is a hardship and an injustice to retain this small salary considering the added duties and responsibilities.

Now, the very fact that part of these Indians at least, as the Senator states, have had lands allotted to them in severalty indicates that the duties are more important and responsible. I believe the stage of civilization to which the Indians have reached, which involves the allotment of land in severalty, itself brings new questions, new duties, new complications, and new responsibilities. I happen to know the agent in charge of that agency. He is a man of superior ability and has a splendid record. I know he is inadequately paid for the laborious, painstaking, and thorough service he renders.

Mr. DAWES. Does the Senator know how long his commission has run?

Mr. MANDERSON. About two years.

Mr. GEORGE. I should like to ask the Senator from Nebraska a question. Have you got a splendid agent there?

Mr. PADDOCK. We always have splendid agents under the present Administration. This is one of the best. I do not quite agree with my colleague about the detailing of military officers because we can not furnish good civilian agents.

Mr. GEORGE. The present salary, then, gets a splendid agent? Is there any danger of his resigning?

Mr. PADDOCK. Every laborer is worthy of his hire, and we have multiplied the duties of this one by three. As a matter of decency the salary should be raised.

Mr. GEORGE. Is the present agent not entirely willing to keep the agency at the present salary?

Mr. PADDOCK. That is a question which I can not answer. I do not know about it. I never asked him. Nor is that argument in this case. I know it would be only decent to moderately increase his salary after so largely adding to his labors and his responsibilities.

Mr. PETTIGREW. I offer a substitute for the amendment proposed by the Senator from Nebraska. I move to amend by striking out, on page 5, lines 7 and 8, and inserting:

At the Santee Agency the President is authorized to detail an army officer to take charge of said agency.

Then it will not require any appropriation at all, if there is to be economy.

The VICE-PRESIDENT. The amendment proposed by the Senator from South Dakota will be stated.

The SECRETARY. It is proposed to strike out lines 7 and 8, on page 5, as follows:

At the Santee Agency, at \$1,200.

And insert:

At the Santee Agency the President is authorized to detail an army officer to take charge of said agency.

Mr. MANDERSON. That is a very excellent amendment, and I think I shall propose it, when the proper time comes, to all the agencies in South Dakota, where I know it will meet with the approval of the Senator. [Laughter.]

#### CONSIDERATION OF THE CALENDAR.

Mr. DOLPH. Before the roll is called on the amendment I wish the Senator having charge of the bill would give way to me to make a request for unanimous consent, for I am afraid it may disclose that we are not in a condition to proceed with business.

Mr. DAWES. What is the request?

Mr. DOLPH. I desire to request that after this bill is concluded the Calendar under Rule VIII shall be taken up for two days.

Mr. DAWES. To-night?

Mr. DOLPH. No, after this bill is concluded, that the Calendar be taken up and proceeded with for two days.

Mr. PADDOCK. I shall accede to that with all my heart.

Mr. BUTLER. The request seems to be unanimous, but will the consent be?

Mr. ALLISON. I will agree to the request of the Senator from Oregon if he will except the consideration of the District of Columbia appropriation bill, which I think will be ready early next week, and which I am very anxious to get out of the way.

Mr. DOLPH. I will modify my request that the Calendar under Rule VIII be taken up after the conclusion of the pending bill, subject to the consideration of the District of Columbia appropriation bill, and proceeded with for two days.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Oregon? The Chair hears none.

#### INDIAN APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5974) making appropriations for current and contingent expenses and fulfilling treaty stipulations with Indian tribes for fiscal year ending June 30, 1893.

The VICE-PRESIDENT. The pending question is on the amendment submitted by the Senator from Nebraska [Mr. MANDERSON], in line 7, on page 5, to strike out "two hundred" and insert "five hundred," so as to make the salary of the agent at the Santee Agency \$1,500, on which the yeas and nays have been demanded.

Mr. PETTIGREW. I should like to know if my amendment is not in order first?

The VICE-PRESIDENT. It is not in order at present until the amendment of the Senator from Nebraska [Mr. MANDERSON] is passed upon.

The yeas and nays were ordered.

Mr. GEORGE. I should like to have the pending question stated.

The VICE-PRESIDENT. The Secretary will report the amendment proposed by the Senator from Nebraska.

The SECRETARY. On page 5, line 7, it is proposed to strike out "two" and insert "five;" so as to read:

At the Santee Agency, at \$1,500.

Mr. GEORGE. Instead of \$1,200.

The VICE-PRESIDENT. The roll will be called.

The Secretary proceeded to call the roll.

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN]. I should vote "yea" if he were present.

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. I therefore withhold my vote.

The roll call was concluded.

Mr. PASCO. I am paired with the Senator from North Dakota [Mr. CASEY]. In his absence I withhold my vote.

Mr. CALL. I am paired generally with the Senator from Vermont [Mr. PROCTOR]. I am told, however, that I may properly vote on this question, and I vote "nay."

The result was announced—yeas 19, nays 30; as follows:

#### YEAS—19.

Allen,	Hansbrough,	Pettigrew,	Squire,
Chandler,	Hawley,	Powers,	Teller,
Davis,	McMillan,	Sanders,	Vilas,
Dolph,	Paddock,	Sawyer,	Washburn,
Dubois,	Perkins,	Shoup,	

#### NAYS—30.

Allison,	Coke,	Hill,	Stewart,
Bate,	Cullom,	Hoar,	Stockbridge,
Borah,	Daniel,	Jones, Ark.	Turpie,
Butler,	Dawes,	Kyle,	Vance,
Call,	George,	Mills,	Walthall,
Carney,	Gibson, Md.	Peffer,	White,
Carlisle,	Gorman,	Pugh,	
Cockrell,	Gray,	Ransom,	

#### NOT VOTING—39.

Aldrich,	Felton,	Jones, Nev.	Proctor,
Barbour,	Frye,	Kenna,	Quay,
Blackburn,	Gallinger,	McPherson,	Sherman,
Blodgett,	Gibson, La.	Manderson,	Stanford,
Brice,	Gordon,	Mitchell,	Vest,
Cameron,	Hale,	Morgan,	Voorhees,
Casey,	Harris,	Morrill,	Warren,
Colquitt,	Higgins,	Palmer,	Wilson,
Dixon,	Hiscock,	Pasco,	Wolcott,
Faulkner,	Irby,	Platt,	

So the amendment was rejected.

The VICE-PRESIDENT. The question now is on the amendment proposed by the Senator from South Dakota [Mr. PETTIGREW].

Mr. CULLOM. Pending that, I move that the Senate do now adjourn.

The motion was agreed to; and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Friday, April 1, 1892, at 12 o'clock m.

#### HOUSE OF REPRESENTATIVES.

THURSDAY, March 31, 1892.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read.

Mr. WATSON. Mr. Speaker, I ask unanimous consent for the present consideration—

The SPEAKER. Does the gentleman rise with respect to the Journal?

Mr. WATSON. No, sir.

Mr. McMILLIN. We want to go on with the consideration of the revenue bill.

The SPEAKER. If there be no objection, the Journal as read will be approved.

There was no objection, and the Journal was approved.

#### FRANCIS TILLMAN, DECEASED.

The SPEAKER laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Francis Tillman, deceased, against the United States; which was referred to the Committee on War Claims, and ordered to be printed.

#### COURTS OF THE EASTERN DISTRICT OF TEXAS.

The SPEAKER laid before the House the following request of the Senate:

The Clerk read as follows:

*Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill (S. 2467) to fix the terms of holding courts in eastern district of Texas.*

The SPEAKER. If there be no objection, this request of the Senate will be complied with, and that bill returned to the Senate. There was no objection.

#### RETURN OF BILL TO THE SENATE.

The SPEAKER also laid before the House the following Senate resolution:

The Clerk read as follows:

*Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill (S. 1654) to punish the unlawful appropriation of the use of the property of another in the District of Columbia.*

The SPEAKER. Without objection, the House will proceed to the present consideration of this resolution, and the question is on concurring in the resolution.

Mr. BURROWS. What is the resolution? Simply for return of a matter?

The SPEAKER. It is simply a request from the Senate and the House to the President to return a bill.

Mr. BURROWS. I have no objection.

The resolution was agreed to.

#### ALLOTMENT IN SEVERALTY TO SOUTHERN UTE INDIANS.

The SPEAKER also laid before the House the following concurrent resolution, which was referred to the Committee on Indian Affairs, and ordered to be printed:

*Resolved by the Senate (the House of Representatives concurring), That the President be requested to refrain from allotting in severalty the lands of the present reservation of the Southern Ute Indians pending legislation in the present Congress respecting the removal of said Indians to another reservation.*

#### HOT SPRINGS, ARK.

The SPEAKER laid before the House the bill (S. 2767) to include lot numbered 53, in block 89, at Hot Springs, Ark., in the public reservation at that place; which was read a first and second time, referred to the Committee on Public Lands, and ordered to be printed.

#### BRIDGE ACROSS ILLINOIS RIVER AT HAVANA, ILL.

The SPEAKER also laid before the House the bill (S. 1935) to establish a railway bridge across the Illinois River, between a point at or near the city of Havana, in Mason County, and a point on the opposite side of said river, in Fulton County, in the State of Illinois; which was read a first and second time, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted, as follows:

To Mr. COBB of Missouri, for one week, on account of important business.

To Mr. ALDERSON, indefinitely (at the request of Mr. PENDLETON), on account of sickness.

#### SIGNAL STATION OF TYBEE ISLAND, GEORGIA.

Mr. LESTER of Georgia. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (H. Res. 69) authorizing the use of the martello tower, on Tybee Island, Georgia, for a signal station.

The SPEAKER. The Clerk will report the resolution, after which the Chair will ask if there be objection.

The Clerk read as follows:

*Resolved, That the Secretary of War be, and he is hereby, authorized to permit the use of the martello tower, on Tybee Island, Georgia, by telegraph, or telephone companies, for a signal station to report passing vessels, under such conditions as he may deem proper to protect the interest of the United States.*

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. DINGLEY. Reserving the right to object, I would like an explanation of the bill.

Mr. McMILLIN. If this is to result in any lengthy discussion, I shall have to object.

Mr. LESTER of Georgia. I will state to the gentleman that the object sought is set forth in the report.

The report (by Mr. LESTER of Georgia) was read, as follows:

The Committee on Interstate and Foreign Commerce, to which was referred the joint resolution (H. Res. 69) authorizing the use of the martello tower, on Tybee Island, Georgia, for a signal station, submit the following report:

Gen. Thomas L. Casey, brigadier-general, Chief of Engineers, says in regard to this joint resolution that—

"The commercial interests of Savannah will be benefited by the exercise of the authority which this resolution proposes to give the Secretary of War."

The passage of the resolution will involve no expenditure from the Treasury of the United States.

And for all the reasons assigned your committee recommend that the resolution do pass.

The SPEAKER. Is there objection to the present consideration of this resolution? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

On motion of Mr. LESTER of Georgia, a motion to reconsider the last vote was laid on the table.

#### WARES OF FOREIGN EXHIBITORS AT WORLD'S FAIR.

Mr. TILLMAN. Mr. Speaker, I am directed by the Committee on Patents to ask unanimous consent of the House to take up for immediate consideration the bill (S. 2315) to protect foreign exhibitors at the World's Columbian Exposition from prosecution for exhibiting wares protected by American patents and trade-marks.

The SPEAKER. The Clerk will report the bill, after which the Chair will ask if there be objection.

The Clerk read as follows:

*Be it enacted, etc., That no citizen of any other country shall be held liable for the infringement of any patent granted by the United States or of any trade mark or label registered in the United States where the act complained of is or shall be performed in connection with the exhibition of any article or thing at the World's Columbian Exposition at Chicago.*

The SPEAKER. Is there objection to the present consideration of the Senate bill?

Mr. BURROWS. I would like to inquire of the gentleman from South Carolina whether that bill has been considered by his committee?

Mr. TILLMAN. It has, sir; and the committee has unanimously recommended its adoption by the House. I will explain, Mr. Speaker, in two or three minutes—

Mr. BURROWS. I have no objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the Senate bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. TILLMAN, a motion to reconsider the last vote was laid on the table.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCOOK, its Secretary, announced that the Senate had passed without amendment bill and joint resolution of the following titles:

A bill (H. R. 3867) to amend the act concerning officers of the National Home for Disabled Volunteer Soldiers, and for other purposes.

Joint resolution (H. Res. 115) amending the joint resolution to regulate licenses to proprietors of theaters in the city of Washington, D. C., and for other purposes, approved February 26, 1892.

It also announced that the Senate had passed with amendments joint resolution (H. Res. 92) to encourage the establishment and endowment of institutions of learning at the national capital by defining the policy of the Government with reference to the use of its literary and scientific collections by students; in which concurrence was requested.

It also announced that the Senate had passed the following Senate concurrent resolution:

*Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 8,000 copies of the eulogies delivered in Congress on Preston B. Plumb, of which number 2,000 shall be delivered to the Senators and Representatives of Kansas, which number shall include 50 copies to be bound in morocco for the use of the family of the deceased, and the remaining number shall be distributed according to the proportion of 2,000 to the Senate and 4,000 to the House. The engraving for the said eulogies shall be done at the Bureau of Engraving and Printing and paid for out of the appropriation for that Bureau.*

It also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 808) establishing a port of delivery at Des Moines, Iowa.

It also announced that the Senate had passed the following resolution:

*Resolved, That the Secretary be directed to return to the House of Representatives, in compliance with its request, the concurrent resolution authorizing the President of the United States, the President of the Senate,*

ers of Webster and Hamilton Counties, Iowa, remonstrating against the passage of what are known as the Washburn and Hatch antiopium bills; which was referred to the Committee on the Judiciary.

Mr. MANDERSON presented a petition of the United Presbyterian Congregation, of Majors, Neb., praying that the World's Columbian Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. YOORHEES presented the petition of George W. Barnard and other citizens of Wayne County, Ind., and the petition of Michael Hammans and other citizens of Morgan County, Ind., praying for the passage of what are known as the Washburn-Hatch antiopium bills; which were referred to the Committee on the Judiciary.

Mr. COCKRELL presented a petition of the North Sabbath School, of North, Henry County, Mo., signed by Louis Georgens, secretary, praying that the World's Columbian Exposition be closed on Sunday, and that the sale of intoxicants be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. CULLOM presented a petition of citizens of Morrison, Ill., praying for the closing of the World's Columbian Fair on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of sundry citizens of Vandalia, Ill., remonstrating against the passage of any general bankruptcy law; which was referred to the Committee on the Judiciary.

Mr. ALLISON presented a petition of the Young People's Society of Christian Endeavor of the Plymouth Congregational Church of Des Moines, Iowa, praying for the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of sundry citizens of Iowa, praying for the passage of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

He also presented the following petitions of Oak Ridge Grange, Patrons of Husbandry, of Iowa:

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 335, defining land and imposing a tax thereon—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Mr. HALE presented a petition of the Bangor (Me.) Board of Trade, praying for the passage of Senate bill 1282, relating to pilotage and coastwise sailing vessels; which was referred to the Committee on Commerce.

He also presented the following petitions of Cherryfield Grange, Patrons of Husbandry, of Maine:

Petition praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petition praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petition praying for the passage of House bill 335, defining land and imposing a tax thereon—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. DANIEL presented the memorial of W. H. K. Pendleton and others, instructors and students of the Episcopal High School of Virginia, remonstrating against the removal of the Southern Ute Indians from their present reservation in Colorado to Utah Territory; which was referred to the Committee on Indian Affairs.

Mr. BERRY presented a petition of citizens of Johnson County, Ark., praying for the enactment of legislation regulating speculation in fictitious farm products; which was referred to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES.

Mr. HIGGINS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1788) to incorporate the Church Orphanage Association of St. John's Parish, of Washington, D. C., submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. McMILLAN. I am instructed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 6286)

to amend the charter of the Rock Creek Railroad Company, to report it without amendment, and to ask that it take the place on the Calendar of Order of Business 293, the bill (S. 1607) to amend the charter of the Rock Creek Railroad Company, which I ask to have indefinitely postponed.

The VICE-PRESIDENT. The House bill will be placed on the Calendar as indicated, if there be no objection, and the Senate bill will be indefinitely postponed.

Mr. PERKINS. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 5414) to amend an act entitled "An act to incorporate the National Union Insurance Company, of Washington," approved February 11, 1865, to report it without amendment, and to ask that it take the place on the Calendar of the bill (S. 2136) to amend an act entitled "An act to incorporate the National Union Insurance Company, of Washington," approved February 11, 1865, reported from the same committee, and that the Senate bill be indefinitely postponed.

The VICE-PRESIDENT. The House bill will be placed on the Calendar as Order of Business 457, if there be no objection, and the Senate bill will be indefinitely postponed.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 2576) for the relief of C. L. Coder, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 299) granting an honorable discharge to Melancthon Borgst, alias Joseph Morgan, submitted an adverse report thereon, which was agreed to, and the bill was postponed indefinitely.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 1230) amending the act of October 1, 1890, entitled "An act to provide for the examination of certain officers of the Army and to regulate promotions therein," reported it with an amendment, and submitted a report thereon.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 250) to authorize the construction of a bridge across the Missouri River at De Witt, Carroll County, Mo., and to establish it as a post-road, reported it with amendments.

Mr. WOLCOTT, from the Committee on the District of Columbia, to whom was referred the bill (S. 2457) to provide for the erection of a building for a flower market in the city of Washington, in the District of Columbia, reported it without amendment, and submitted a report thereon.

Mr. PLATT, from the Committee on Territories, to whom the subject was referred, reported a joint resolution (S. R. 70) directing payment of the unexpended balance of an appropriation made for the payment of the expenses of the constitutional convention of the State of Idaho; which was read twice by its title.

HON. FRED T. DUBOIS.

Mr. MITCHELL, from the Committee on Privileges and Elections, reported the following resolution, and moved that it be referred to the Committee on Appropriations; which was agreed to:

*Resolved*, That there be allowed and paid to FRED T. DUBOIS, Senator from the State of Idaho, out of any moneys in the Treasury not otherwise appropriated, the sum of \$2,000, in full compensation for his expenses incurred in connection with the contest inaugurated by William H. Clagett, involving his right to a seat in the Senate as Senator from the State of Idaho.

WILLIAM H. CLAGETT.

Mr. MITCHELL, from the Committee on Privileges and Elections, reported the following resolution, and moved that it be referred to the Committee on Appropriations; which was agreed to:

*Resolved*, That there be allowed and paid to William H. Clagett, out of any moneys in the Treasury not otherwise appropriated, the sum of \$4,000, in full compensation for his time and expenses in prosecuting his claims to a seat in the Senate as Senator from the State of Idaho.

#### BILLS INTRODUCED.

Mr. PEPPER introduced a bill (S. 2810) to authorize the Secretary of the Treasury to exchange legal-tender Treasury notes, in excess of amount now in use, for all or any part of the interest-bearing debt of the United States; which was read twice by its title, and referred to the Committee on Finance.

Mr. FELTON (by request) introduced a bill (S. 2811) to enable the Secretary of Agriculture to promote the industry of raising and ungumming fiber from fibrous plants; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. FELTON. I ask that the bill be not printed unless the committee may think it necessary.

Mr. FAULKNER (by request) introduced a bill (S. 2812) to provide for a change of grades and the opening of streets in that part of the District of Columbia lying outside of the city of Washington bounded by Sixteenth street extended, Eighteenth street extended, Florida avenue, and Columbia road; which was

read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BRICE (by request) introduced a bill (S. 2813) granting an increase of pension to Lucy Ord Mason, widow of Lieut. John S. M., late of the United States Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2814) granting a pension to Russell N. Reynolds; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 2815) for the relief of Capt. D. F. Callinan, United States Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PERKINS introduced a bill (S. 2816) for the relief of Capt. John T. Bruce, late of Tenth Independent Battery, New York Volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PROCTOR (by request) introduced a bill (S. 2817) for the relief of Prof. Peter Collier; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. DANIEL introduced a bill (S. 2818) for the erection of a tower on the new public building in Norfolk, Va., for the use of the Weather Bureau; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. PADDOCK introduced a bill (S. 2819) appropriating funds for investigations and tests of American timber; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. VOORHEES introduced a bill (S. 2820) to correct the military record of James Corridon, Fourth United States Infantry; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALLEN introduced a bill (S. 2821) to ratify and confirm an agreement between the Payallup Indians and the Northern Pacific Railroad Company for right of way through the Payallup Indian Reservation; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. DANIEL introduced a joint resolution (S. R. 69) declaring the true intent and meaning of the act of March 2, 1891, directing the refunding of all moneys collected under the direct tax levied by act of Congress in the year 1861, and amendatory acts thereto; which was read twice by its title, and referred to the Committee on Finance.

#### EMPLOYMENT OF PERSONS NOT CITIZENS.

Mr. GALLINGER. On the 14th day of December last I introduced a bill (S. 770) for the better protection of the public service; which, on my motion, was laid on the table. I now move that the bill be taken from the table and referred to the Committee on Civil Service and Retrenchment.

The motion was agreed to.

#### THE FINANCIAL SYSTEM.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day.

The CHIEF CLERK. Resolutions by Mr. MORGAN directing the Committee on Finance to make examination and report to the Senate certain information in relation to currency and coinage.

The VICE-PRESIDENT. The resolutions will be read.

Mr. MORGAN. I do not wish to call up these resolutions for action to-day. I prefer that they should go over until Monday.

The VICE-PRESIDENT. The resolutions will go over.

#### MICHAEL O'BRIEN.

The VICE-PRESIDENT. If there be no further morning business, the Calendar under Rule VIII is in order; and the first bill on the Calendar will be proceeded with.

The bill (S. 639, granting an increase of pension to Michael O'Brien was announced as first in order; and the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension rolls the name of Michael O'Brien, late major and brevet lieutenant-colonel of Sixth California Volunteer Infantry, at the rate of \$50 per month in lieu of his present pension of \$30 per month, he being totally incapacitated from performing any manual labor whatsoever.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### THE PORT OF OGDENSBURG, N. Y.

Mr. HISCOCK. I wish to ask consent to call up the bill (H. R. 610) extending the privileges of the first and seventh sections of the act approved June 10, 1880, governing the transportation of merchandise without appraisement, to the port of Ogdensburg,

in the State of New York. The necessity for early action is that it is the opening of the spring business, and it is very necessary that the bill should be passed.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### JOSEPH FRANCIS.

Mr. HOAR. I ask unanimous consent of the Senate that Mr. Joseph Francis, who has received the thanks of Congress as the inventor of the Life-Saving Service, who is 81 years old, and who marched in 1812 with a company to the defense of the seacoast, being then a lad of 12 years old, be admitted to the floor of the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered.

#### ADJOURNMENT TO MONDAY.

Mr. HARRIS. I move that when the Senate adjourns to-day it be to meet on Monday next.

The motion was agreed to.

#### INDIAN APPROPRIATION BILL.

Mr. DAWES. I move that the Senate proceed to the consideration of the Indian appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 5774) making appropriations for current and contingent expenses and fulfilling treaty stipulations with Indian tribes for fiscal year ending June 30, 1893.

The PRESIDING OFFICER. The pending question is on the amendment proposed by the Senator from South Dakota [Mr. PETTIGREW].

Mr. MANDERSON. Let it be read.

The PRESIDING OFFICER. The amendment will be read.

The CHIEF CLERK. In section 1, page 5, it is moved to strike out lines 7 and 8 in the following words:

At the Senate Agency, at St. Paul.

And insert in lieu thereof:

At the Senate Agency the President is authorized to detail an army officer to take charge of said Agency.

Mr. MANDERSON. Mr. President, if I supposed that this amendment was one that was moved in all candor and perfect good faith, I would feel like congratulating the Senator from South Dakota upon this evidence of generous and broad-minded statesmanship. It is evidence, if it is evidence of anything perfectly fair, that he has become a convert to the views expressed by the House of Representatives in the bill that has come to the Senate, and in the views maintained by a majority of this body on a year-and-a-half vote.

I feel, however, that I must be excused if I suggest that I believe this is more in the nature of what might be called parliamentary condemnation of the action of a majority of this body than anything else. If I believed that the amendment was moved with a design to accomplish the purpose at which it is aimed, I should feel like going along with my brother from South Dakota and extending this very excellent remedy to all of the Indian agencies, and I would move to amend the amendment by providing that immediately, as soon as the machinery could be put in motion, all civilian Indian agents should give way, in the interest of a better government and in the interest of a better treatment of the Indians themselves, to army officers who might be detailed to the performance of this duty.

But having the views I have expressed, I do not feel like moving that amendment, because both the amendment and this amendment would be contrary to the rules of the Senate. The Senator from Alabama [Mr. MORGAN] day before yesterday, I think, raised the point of order as to the paragraph that was proposed to be stricken out by the Committee on Appropriations, and the Chair very properly, I think, ruled, and the almost unanimous opinion of the Senate seemed to be, that it was not subject to the point of order, because while it was legislation upon an appropriation bill it was legislation which had been placed there by the House of Representatives, and coming in that form it could not be stricken from the bill on any point of order.

But I submit that the pending amendment is certainly in the nature of legislation upon an appropriation bill, and I therefore make the point of order against it.

The PRESIDING OFFICER. The Chair is of opinion that the point of order made by the Senator from Nebraska is well taken. The Chair sustains the point of order.



petition of David Ballingall and 64 other citizens, of Philadelphia, Pa.; the petition of Solomon B. Mack and 113 other citizens of Pavia, Pa.; and the petition of H. B. Pearce and 46 other citizens, of Irwona, Pa., praying for the passage of an amendment to the Constitution of the United States prohibiting the States from passing any law respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which were referred to the Committee on the Judiciary.

Mr. WILSON presented a petition of 202 citizens of West Branch, Iowa, praying that the World's Columbian Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. COLQUITT presented the petition of Dr. W. A. Candler, president, members of the faculty, and 260 students of Emory College, Oxford, Georgia, praying for the closing of the World's Columbian Exposition on Sunday, the prohibition of the sale of intoxicating liquors on the grounds, and the management of the art department according to the American standard of purity in art; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. VEST presented the petition of L. C. Humphrey and other citizens of Cass County, Mo., praying for the passage of the Washburn-Hatch anti-temple bills; which was referred to the Committee on the Judiciary.

Mr. COCKRELL presented a petition of the congregation of the First Presbyterian Church of Clinton, Mo., praying for the closing of the World's Columbian Exposition on Sunday and the prohibition of the sale of intoxicating liquors on the grounds; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. SAWYER presented a petition of the faculty of Ripon College, Wisconsin, praying that the World's Columbian Exposition be closed on Sunday, and that no intoxicating liquors be sold on the grounds; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of citizens of Dunn County, Wis., praying for the passage of the Washburn-Hatch anti-temple bills; which was referred to the Committee on the Judiciary.

Mr. MANDERSON presented a memorial of citizens of Scotia, Neb., remonstrating against the passage of a general bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented a petition of citizens of Arnold, Neb., and a petition of citizens of Kearney, Neb., praying for an amendment to the Constitution of the United States, prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which were referred to the Committee on the Judiciary.

Mr. HARRIS presented the petition of T. D. Wilson and other citizens of Madisonville, Tenn., praying for the passage of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

Mr. COKE presented a petition of citizens of Mason County, Tex., praying for the passage of the Washburn-Hatch anti-temple bills; which was referred to the Committee on the Judiciary.

He also presented a petition of citizens of San Antonio, Tex., praying for the passage of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

Mr. BLACKBURN presented a memorial of sundry citizens of Kentucky, remonstrating against the passage of a general bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented a petition of the Legislature of Kentucky, praying that the franking privilege be extended to the commissioners of agriculture of the several States; which was referred to the Committee on Agriculture and Forestry.

#### ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the Vice-President:

A bill (S. 898) establishing a port of delivery at Des Moines, Iowa;

A bill (S. 2315) to protect foreign exhibitors at the World's Columbian Exposition from prosecution for exhibiting wares protected by American patents and trade-marks;

A bill (S. 2643) changing the time for holding the circuit and district courts in the district of West Virginia;

A bill (H. R. 3867) to amend the act concerning officers of the National Home for Disabled Volunteer Soldiers, and for other purposes; and

A joint resolution (H. Res. 115) amending the "Joint resolution to regulate licenses to proprietors of theaters in the city of Washington, D. C., and for other purposes," approved February 26, 1892.

#### REPORTS OF COMMITTEES.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom were referred the following bills, reported them each with amendments, submitted reports thereon, and moved their reference to the Committee on Appropriations; which was agreed to:

A bill (S. 2733) to provide for the rebuilding of the bridge across Rock Creek at P street NW., in the District of Columbia; and

A bill (S. 2734) to provide for the rebuilding of the bridge across Rock Creek at K street NW., in the District of Columbia.

Mr. McMILLAN, from the Committee on the District of Columbia, reported an amendment intended to be proposed to the District appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. DOLPH, from the Committee on Public Lands, to whom were referred the following bills, reported them each without amendment:

A bill (S. 75) granting to the State of North Dakota certain lands heretofore set apart as a wood reservation for Fort Totten military reservation, for the use of the militia of North Dakota, and for other purposes; and

A bill (S. 2221) for the relief of Mary J. Neenan.

Mr. ALLISON. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 6746) to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1893, and for other purposes, to report it with amendments. I submit with the bill a written report, which I ask may be printed; and in this connection I desire to give notice that to-morrow morning I shall ask the Senate to proceed to the consideration of the bill.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. HOAR, from the Committee on the Judiciary, to whom was referred the bill (S. 396) confirming titles to certain lands in Columbia County, State of Florida, asked to be discharged from its further consideration and that it be referred to the Committee on Public Lands; which was agreed to.

He also, from the Committee on the Judiciary, to whom was referred the bill (S. 1615) to facilitate the disposition of causes in the Court of Claims, reported it with amendments.

Mr. HOAR. I desire an order of the Senate. I move that a letter of the Attorney-General relating to the subject of Senate bill 1615, which I will send to the desk, be printed as a document for the use of the Senate.

The motion was agreed to.

Mr. TELLER. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 1958) to submit to the Court of Claims the title of William McGarrahan to the Rancho Panoche Grande, in the State of California, and for other purposes, to report it with amendments, favorably.

Mr. HOAR. I desire to state that I was absent from the sittings of the committee during most of the time when that bill was before it, and that since I have been able to attend I have been unable to give the subject the very extensive investigation which it requires. I therefore do not concur with the report at present, and reserve the right either to concur with it or to oppose it as I shall determine after examining the subject.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the bill (S. 2644) to authorize the Glen Echo Railroad Company to cross the Washington Aqueduct, reported it with an amendment, and submitted a report thereon.

Mr. WALTHALL, from the Committee on Public Lands, to whom was referred the bill (S. 855) providing for the extension of the coal laws of the United States to the District of Alaska, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. CHANDLER, from the Committee on Naval Affairs, to whom was referred the bill (S. 1772) for the construction of a wooden dry-dock at the United States navy-yard at Portsmouth, N. H., reported it with amendments, and submitted a report thereon.

#### BILLS INTRODUCED.

Mr. DAVES introduced a bill (S. 2822) to prescribe the manner in which individual Indian and tribal lands in the Puyallup Reservation in Washington may be alienated; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PETTIGREW introduced a bill (S. 2823) for the relief of

Mary Almarolia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. COLQUITT (by request) introduced a bill (S. 2824) regulating rates of postage on second-class mail matter at letter-carrier offices; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also (by request) introduced a bill (S. 2825) to amend the postal laws so as to prevent certain classes of books from being transmitted through the mails as second-class matter; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. CARLISLE introduced a bill (S. 2826) to restore to Simpson County court, Kentucky, a certain amount of money illegally collected as an income tax; which was read twice by its title, and referred to the Committee on Finance.

Mr. SANDERS introduced a bill (S. 2827) providing for the expenses of a commission to negotiate with the Crow Indians as to certain lands; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. WALTHALL introduced a bill (S. 2828) for the relief of L. M. Garrett; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

Mr. HANSBROUGH introduced a bill (S. 2829) granting to the State of North Dakota certain portions of the abandoned Fort Abraham Lincoln military reservation, together with the buildings thereon; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. GEORGE introduced a bill (S. 2830) to repeal section 714 of the Revised Statutes, allowing pensions to judges in certain cases; which was read twice by its title and referred to the Committee on the Judiciary.

Mr. PROCTOR introduced a bill (S. 2831) to promote the efficiency of the militia; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TELLER introduced a bill (S. 2832) for the relief of William P. Hogarty; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DOLPH introduced a bill (S. 2833) granting a pension to Wilson Rittenhouse; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2834) to amend section 2893 of the Revised Statutes of the United States, and for other purposes; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. CAMERON introduced a bill (S. 2835) to correct the military record of Thomas Amey; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. QUAY introduced a bill (S. 2836) for the relief of Hannah B. Crosmen, executrix; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL. I desire to introduce a bill granting a pension to James M. Ray. The bill is accompanied by the affidavits of J. A. Devinney, William Elledge, and Dr. T. B. Owings, and I move that it be referred to the Committee on Pensions.

The bill (S. 2837) granting a pension to James M. Ray was read twice by its title, and referred to the Committee on Pensions.

Mr. VOORHEES introduced a bill (S. 2838) for the relief of the legal representatives of Henry Wingate, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. HISCOCK introduced a joint resolution (S. R. 71) authorizing the Secretary of War to loan certain guns to the Rensselaer County Soldiers and Sailors' Monument Association, of Troy, N. Y.; which was read twice by its title, and referred to the Committee on Military Affairs.

#### AMENDMENT TO A BILL.

Mr. PERKINS submitted an amendment intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### MISSISSIPPI RIVER BRIDGE AT MEMPHIS.

Mr. BERRY. I submit a resolution, which I ask to have read, printed, and lie over until to-morrow.

The resolution was read, as follows:

*Resolved*, That the Secretary of War be directed to inform the Senate whether or not the Kansas City and Memphis Railway and Bridge Company, authorized by act of Congress approved April 24, 1888, to construct a bridge across the Mississippi River at Memphis, Tenn., have complied with that portion of said act which required such company to provide for a passageway for wagons and vehicles of all kinds and for the transit of animals.

The VICE-PRESIDENT. The resolution will lie over until to-morrow.

#### NATIONAL SANITARIUM.

Mr. GALLINGER. I desire to give notice that on Monday next, at the close of the morning business, I shall ask the permission of the Senate to briefly address it on the joint resolution (S. R. 67) providing for the appointment of a commission to select a site for the establishment of a national sanitarium for the treatment of pulmonary diseases—not to interfere with the appropriation bills.

#### PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 1st instant approved and signed the act (S. 444) granting to the State of South Dakota section numbered 36, in township numbered 94 north, of range number 56 west, in the county of Yankton, in said State, for the purpose of an asylum for the insane, to correct an act approved June 16, 1880, attempting to make such grant to the Territory of Dakota, and for other purposes.

#### THE FINANCIAL SYSTEM.

Mr. SHERMAN. As the Calendar is now in order, I desire to ask the Senate to consider a bill in which the farmers are largely interested. It is Senate bill 797, reported from the Committee on Agriculture and Forestry.

Mr. DAWES. I move that the Senate proceed to the consideration of the Indian appropriation bill.

The VICE-PRESIDENT. Before taking up that order—  
Mr. SHERMAN. I ask the Senator from Massachusetts to let me get this bill through. If it takes any time I will not stand in the way of the appropriation bill.

The VICE-PRESIDENT. It is proper for the Chair first to lay before the Senate resolutions coming over from a previous day, which were submitted by the Senator from Alabama [Mr. MORGAN]. The resolutions will be stated.

The CHIEF CLERK. Resolutions by Mr. MORGAN, directing the Committee on Finance to make examination and report to the Senate certain information in relation to currency and coinage.

Mr. WOLCOTT. I desire to give notice that at the close of the routine morning business on Wednesday I shall desire to address the Senate on the pending resolutions offered by the Senator from Alabama relative to the silver question.

Mr. SHERMAN. Will the Senator from Alabama yield to me?

The VICE-PRESIDENT. Does the Senator from Alabama yield to the Senator from Ohio?

Mr. MORGAN. For what purpose?

Mr. SHERMAN. I wish to have a bill passed to which I think there will be no objection and in regard to which there is some urgency. It will take but a moment.

The VICE-PRESIDENT. The title of the bill will be stated.

The CHIEF CLERK. A bill (S. 797) to provide for fixing a uniform standard of classification and grading of wheat, corn, oats, barley, and rye, and for other purposes.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MORGAN. That is a subject that must take up some time.

Mr. SHERMAN. I do not think there will be a single objection to the bill.

Mr. COCKRELL. Let it be read for information and then we can tell.

Mr. MORGAN. If I can get the consent of the Senate to an understanding that at the close of the routine business to-morrow morning I can call up these resolutions, upon which I propose to submit some remarks, I will not get in the way of Senators this morning, particularly of the chairman of the Committee on Indian Affairs, who wants to close the Indian appropriation bill, and which ought to be closed, of course. I ask the unanimous consent of the Senate that I may call up my resolutions to-morrow at the close of the routine morning business, and then that I shall be permitted to address the Senate upon them.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Alabama?

Mr. SHERMAN. I wish to make a qualification. I wish the Senate itself to understand the nature of this request. Under the rules, when a resolution goes over, the Senator introducing it has a right to call it up and to address the Senate upon it, but when it is interrupted by the expiration of the morning hour at 2 o'clock, it goes on the Calendar, and it can then be taken up only on motion. That is the rule, and if the Senator asks that by unanimous consent these resolutions shall stand in the way of all the morning business just so long as anybody desires to speak upon the prolific topic of the silver question I most respectfully object. But if he simply—

Mr. MORGAN. I most respectfully object to the Senator taking me off the floor to bring up a bill.

Mr. SHERMAN, from the Committee on Finance, to whom were referred the following bills, reported adversely thereon, and the bills were postponed indefinitely:

A bill (S. 2226) to prohibit national banks from receiving or paying interest on deposits made by national banks; and

A bill (S. 1589) to repeal section 3699 of the Revised Statutes which empowers the Secretary of the Treasury to anticipate interest upon the public debt.

Mr. SHERMAN, from the Committee on Finance, to whom was referred the resolution submitted by Mr. GEORGE on the 14th of February, 1892, instructing the Committee on Finance to report a bill requiring the issuing and keeping in circulation of legal-tender Treasury notes, reported adversely thereon, and the resolution was postponed indefinitely.

Mr. DAVIS, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 1078) to pension Jane Allen; and

A bill (S. 1254) granting a pension to Anson Northrup.

Mr. DAVIS, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to, and the bills were postponed indefinitely:

A bill (S. 1255) granting a pension to Catherine Creed; and

A bill (S. 1258) granting a pension to George W. Brant.

Mr. McMILLAN, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 2604) to reclassify and prescribe the salaries of railway postal clerks, reported it without amendment, and submitted a report thereon.

Mr. PADDOCK, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 1671) granting an increase of pension to Everard Bierer; and

A bill (S. 1472) granting a pension to Mrs. Sarah Schafer.

He also, from the same committee, to whom was referred the bill (S. 1186) granting a pension to Joseph H. Welty, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1008) granting a pension to Abasha Risk, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1536) to increase the pension of Leroy Root, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 1528) to pension Samuel O. Fisher, of Lynn, Mass., reported it without amendment, and submitted a report thereon.

Mr. CAREY, from the Committee on Public Lands, to whom the subject was referred, submitted a report accompanied by a bill (S. 2839) for the relief of the inhabitants of the town of El Reno, Okla.; which was read twice by its title.

He also, from the same committee, to whom was referred the bill (S. 1452) for the relief of the occupants of the town site of El Reno and to confirm the entry made by J. A. Foreman for the lands covered thereby, and for other purposes, reported adversely thereon, and the bill was postponed indefinitely.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (S. 1573) granting a pension to Kate A. S. Connor, submitted an adverse report thereon, which was agreed to, and the bill was postponed indefinitely.

Mr. SHOUP, from the Committee on Pensions, to whom was referred the bill (S. 1691) granting a pension to Josephine Q. Olley, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 231) granting arrears of pensions to P. Q. Healy, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

JOHN A. DEAN.

Mr. TURPIE. I am directed by the Committee on Pensions, to whom was referred the bill (S. 2606) granting a pension to John A. Dean, to report it favorably, without amendment.

Mr. PASCO. I ask that that bill be taken up for immediate consideration. It is a very meritorious bill. The party in whose behalf the pension is proposed to be granted is a very old man.

The VICE-PRESIDENT. The bill will be read for information.

Mr. DAWES. I hope the Senator from Florida will not insist upon the consideration of the bill at this time.

Mr. PASCO. It will not take a moment. If it takes any time I shall not insist upon it.

The Chief Clerk read the bill as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John A. Dean, a private in

Capt. Ledwith's company, Florida Mounted Militia, of the Seminole Indian wars of Florida, during the years A. D. 1839 and 1840, and in the later Indian wars in that State.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### REPORTS OF BUREAU OF ANIMAL INDUSTRY.

Mr. MANDERSON. I am instructed by the Committee on Printing, to whom was referred the joint resolution (S. R. 56) providing for the printing of the eighth and ninth annual reports of the Bureau of Animal Industry, for the years 1891 and 1892, to report it with certain amendments, that I will state to the Secretary. I ask for the present consideration of the joint resolution.

Mr. COCKRELL. Let it be read for information.

The Chief Clerk read the joint resolution, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. MANDERSON. I move to fill the blanks in the first section by inserting in line 6, "thirt" before "thousand," and in line 7 "twenty-seven" before "thousand;" so as to make the section read:

That there be printed 50,000 copies of the eighth and ninth annual reports of the Bureau of Animal Industry for the years 1891 and 1892, of which 13,000 copies shall be for the use of members of the Senate, 27,000 copies for the use of members of the House, and 10,000 copies for the use of the Secretary of Agriculture; the illustrations to be executed under the supervision of the Public Printer, in accordance with the directions of the Joint Committee on Printing, the same to be subject to the approval of the Secretary of Agriculture.

Mr. COCKRELL. Why make a variance of only a thousand? Why not put it at 26,000 for the House of Representatives and preserve the usual proportion?

Mr. MANDERSON. This was fixed for the reason that it leaves 10,000 for the use of the Secretary of Agriculture. The Senator from Missouri will remember that when the general printing bill was under consideration the Senate changed the number of this report to be printed to this exact number.

Mr. COCKRELL. This, then, corresponds with that bill?

Mr. MANDERSON. It simply conforms to that bill?

Mr. COCKRELL. Very well.

The amendment was agreed to.

Mr. MANDERSON. I move to strike out the second section of the joint resolution.

The CHIEF CLERK. It is proposed to strike out the second section, in the following words:

SEC. 2. That the sum of \$—, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the cost of printing and binding said reports, the two reports to be bound in one volume.

Mr. MANDERSON. I do this so that the form may be changed from a joint to a concurrent resolution. The provision of the general statutes requires that printing for Congress shall be done by concurrent resolution. Congress has frequently departed from this rule where the measure was self-appropriating. Then of course it must assume the form of a joint resolution; but the committee have thought it best (and after consultation with the chairman of the Committee on Appropriations I find that he agrees with the committee in that view) that the printing of Congress had better be done by concurrent resolution, perhaps with the exception of the printing of the report of the Commissioner of Agriculture, which always involves a large amount of money, because we print more than half a million copies of that report, and that the appropriation had better be made for all the printing in the general appropriation bill. For that reason I propose to change the form of this resolution.

The VICE-PRESIDENT. The question is on agreeing to the amendment striking out the second section.

The amendment was agreed to.

Mr. PADDOCK. I simply desire to ask my colleague if any reduction in the report as to the number was made by the committee.

Mr. MANDERSON. None whatever. We propose the printing of 50,000 copies by the distribution that is made.

I move that the form of the resolution be changed from a joint to a concurrent resolution by striking out the resolving clause and putting in the proper words at the beginning of the resolution.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Nebraska, to strike out the words "Resolved by the Senate and House of Representatives of the United States of America in Congress assembled" and inserting "Resolved by the Senate (the House of Representatives concurring)."

The amendment was agreed to.

The VICE-PRESIDENT. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

#### ETHNOLOGICAL REPORTS.

Mr. MANDERSON. I am directed by the Committee on Printing to report back favorably with amendments the concurrent resolution for printing the eleventh and twelfth annual reports of the Director of the Bureau of Ethnology, and I ask for the present consideration of the resolution.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution, which was read, as follows:

*Resolved by the Senate (the House of Representatives concurring), That there be printed at the Government Printing Office 15,500 copies each of the eleventh and twelfth annual reports of the Director of the Bureau of Ethnology, with accompanying papers and illustrations, and uniform with the preceding volumes of the series, of which 3,500 shall be for the use of the Senate, 7,000 for the use of the House of Representatives, and 5,000 for distribution by the Bureau of Ethnology.*

Mr. MANDERSON. I move to amend the resolution first by striking out, in line 3, after the word "Office," "15,500" and inserting "8,000." The question on all the amendments might as well be taken in gross. I send the amendments that I propose to the desk.

The VICE-PRESIDENT. The amendments will be stated.

The CHIEF CLERK. In line 3, strike out the words "fifteen thousand five hundred" and insert "8,000;" in line 6, strike out "3,500" and insert "1,000;" in line 7, after the word "Senate," strike out "7,000" and insert "2,000;" so as to make the concurrent resolution read:

*Resolved by the Senate (the House of Representatives concurring), That there be printed at the Government Printing Office 8,000 copies each of the eleventh and twelfth annual reports of the Director of the Bureau of Ethnology, with accompanying papers and illustrations, and uniform with the preceding volumes of the series, of which 1,000 shall be for the use of the Senate, 2,000 for the use of the House of Representatives, and 5,000 for distribution by the Bureau of Ethnology.*

Mr. MANDERSON. These amendments make the concurrent resolution conform to the public-printing bill that has passed the Senate.

The amendments were agreed to.

Mr. COCKRELL. Was the number of those ethnological reports cut down to 1,000 for the Senate in the public-printing bill?

Mr. MANDERSON. Yes; that was the provision of the general bill, 1,000 for the Senate, 2,000 for the House, and 5,000 for the Bureau of Ethnology.

The concurrent resolution as amended was agreed to.

#### TARIFF COMPILATION.

Mr. COCKRELL. Before we leave the question of printing I should like to inquire of the Senator from Nebraska whether any order has been made for printing the tariff compilation of 1891. That was the report of the Senate Committee on Finance. It is a very valuable document, and it ought to be printed. I supposed it had been ordered printed until I inquired this morning and found it had not been printed.

Mr. MANDERSON. My recollection is that such a concurrent resolution has passed the Senate. I am not positive that it has passed the House of Representatives. I will look the matter up, however.

Mr. COCKRELL. It ought to have been printed long ago.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the concurrent resolution of the Senate to print the eulogies delivered in Congress on the late Hon. Preston B. Plumb.

The message also announced that the House had passed the bill (S. 2050) to repeal the provisions of an act entitled "An act to amend sections 4488 and 4489 of the Revised Statutes, requiring life-saving appliances on steamers," approved March 2, 1889, so far as they relate to steamers plying exclusively upon any of the lakes, bays, or sounds of the United States.

The message further announced that the House had passed a bill (H. R. 6185) to absolutely prohibit the coming of Chinese persons into the United States, in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice-President:

A bill (H. R. 610) extending the privileges of the first and seventh sections of the act approved June 10, 1880, governing the transportation of merchandise without appraisement to the port of Ogdensburg, in the State of New York; and

A joint resolution (H. Res. 92) to encourage the establishment and endowment of institutions of learning at the national capital, by defining the policy of the Government with reference to the use of its library and scientific collections by students.

#### BILLS INTRODUCED.

Mr. McPHERSON introduced a bill (S. 2840) to confer appointments upon the enlisted men of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. COCKRELL (by request) introduced a bill (S. 2841) for the relief of Henry C. Rose; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BUTLER introduced a bill (S. 2842) to reappoint Warren C. Beach as a captain in the Army and to place him on the retired list in addition to the number now authorized; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CAREY (by request) introduced a bill (S. 2843) creating a commission to inquire into and report upon the material, industrial, and mental progress of the colored race in the United States of America since the year 1865, and making appropriation for the same; which was read twice by its title, and referred to the Committee on Education and Labor.

Mr. SHERMAN introduced a bill (S. 2844) for the relief of John Eckert; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. McMILLAN introduced a bill (S. 2845) regulating the sale of distilled and fermented liquors in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PADDOCK introduced a bill (S. 2846) granting a pension to Granville R. Turner; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 2847) granting an increase of pension to Sarah Clorson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2848) granting an increase of pension to William A. Hogg; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2849) granting an increase of pension to John A. Miller; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALLISON introduced a bill (S. 2850) exempting from taxation the House of the Good Shepherd of the city of Washington, and providing for the cancellation of assessments or taxes heretofore levied against the said corporation; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. COKE (by request) introduced a bill (S. 2851) granting an increase of pension to Eli Moore Boggs; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MANDERSON (by request) introduced a bill (S. 2852) to change the name of the Capitol, North O Street, and South Washington Railway Company, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

#### AMENDMENT TO A BILL.

Mr. WARREN submitted an amendment intended to be proposed by him to the agricultural appropriation bill; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

#### COMMITTEE SERVICE.

Mr. COCKRELL. I ask unanimous consent that the Chair may fill the vacancies upon the Committees on Coast Defenses, Mines and Mining, Patents, and Post-Offices and Post-Roads, made vacant by the retirement of Senator Chilton, of Texas.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the Chair appoints the Senator from Texas [Mr. MILLS] upon the Committees on Coast Defenses, Mines and Mining, Patents, and Post-Offices and Post-Roads.

#### MISSISSIPPI RIVER BRIDGE AT MEMPHIS.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day; which will be read.

The Chief Clerk read the resolution submitted yesterday by Mr. BERRY, as follows:

*Resolved, That the Secretary of War be directed to inform the Senate whether or not the Kansas City and Memphis Railway and Bridge Company, authorized by act of Congress approved April 21, 1888, to construct a bridge across the Mississippi River at Memphis, Tenn., have complied with that portion of said act which required such company to provide for a passageway for wagons and vehicles of all kinds and for the transit of animals.*

The VICE-PRESIDENT. The question is on agreeing to the resolution.

Mr. BERRY. Mr. President, when the bill was before the Senate four years ago to authorize the Kansas City and Memphis Railway Company to build a bridge across the Mississippi River at Memphis, the bill as it came from the committee left it at the option of the company to provide a wagon-way for vehicles or not, as they saw proper. I offered an amendment at the time

have heard much talk of "the Silver Baron." He must be a rare bird. We have never heard of him where silver is found. And we are told of the cheap cost at which the white metal is produced.

I wish, sir, that you could know something of the toil and the failures that accompany its finding. The cañons and valleys of Colorado are full of the discarded processes for the extraction of the metals from the rock, which proved unsuccessful. They stand deserted and decaying, with only ruin and their tall chimneys to tell the story of the investments that failed. The mountain sides are dotted and covered from one end of the State to the other with prospect holes and shafts and tunnels and workings, now filled with water, caved in, and abandoned, and in them all are buried hopes and fortunes. There is no dollar of coin produced that has not cost in the sum of the labor which supplied it, far more than the value it represents. The search is fraught with excitement, and buoyed by hope and courage, and success sometimes means fortune, but for one success there are dozens of failures. No, Mr. President, the silver that we seek to add to the wealth and credit of the nation, is represented to its full value in toil and industry, and the men who dig for it have discovered no royal road to wealth.

It is difficult to anticipate what the voters of Colorado will do in November. Unless I am greatly mistaken they will first endeavor, with the limited influence at their command, for the State is not large in population, to secure at the national conventions the nomination of candidates who would feel bound to give to the expression of the will of the two Houses of Congress on this great question, the sanction of law. Failing in this they will seek some other honorable solution of the difficulty.

The people of Colorado are intelligent, thoughtful, and independent. They have been the architects of their own fortunes, and they are devoted to the interests of the Commonwealth which they have founded and developed and made prosperous. Her citizens claim the privilege of liberty of thought and freedom of action, and they concede the same right in those who stand for them here. And I may add that their Representatives in this body would cease to value their high office as worth a moment's holding if this full freedom were not accorded them.

Mr. President, so marvelous and so extensive has been the growth of our country during the past century that it may even now be said of us as a nation, as was said a hundred and twenty years ago, that we "are a people still in the gristle, and not yet hardened into the bone of manhood." Vast areas have been reclaimed from savagery, the boundaries of the Union have been widened, and States have come into being that a generation ago were uninhabited wilderness. This process of moulding is still active; new industries, new sources of wealth, and new settlements are everywhere springing into life and activity. With them come greater demands for such wise and careful legislation as shall enable this widely scattered population, engaged in various pursuits, to yet coalesce with each other, and to conduce by their individual efforts to the prosperity of all. There was never a time when a broadened, a humane, and unsectional view was so demanded. Sin and poverty and suffering will, no doubt, always abound, but a wise and generous economical policy can do much for the amelioration of the people of these States and the establishment of their permanent prosperity. No partisan feeling should be invoked. An equal patriotism pervades every hamlet in the land, and while we differ as to policies, no one State surpasses another in lofty devotion to the perpetuity and welfare of our institutions.

It is a mistake for the representatives of one section to seek financial aggrandizement at the expense of any other. We have a common interest, a common country, and should share a common prosperity. The music of the looms in New England, the song of the field hand on the cotton plantation, the echo of the woodman's ax in Oregon, and the ring of the prospector's pick on the granite of the Western mountains, all blend in one melodious harmony, and tell the same story of the energy of free men, who conquer success because in this country industry and hope are companions. The uniting of all these interests so that no one shall suffer because of the other, and so that each shall benefit and bless the other, is a mission more glorious than one of conquest, is the noblest task that could be imposed upon man by his brother man. [Applause in the galleries.]

Mr. MORGAN. I offer an amendment to the resolutions, which I send to the desk and which I will ask the Secretary to read.

The VICE-PRESIDENT. The amendment proposed by the Senator from Alabama to the resolutions heretofore submitted by him will be read.

The CHIEF CLERK. It is proposed to add to the resolutions the following:

*Resolved*, That the Committee on Finance is instructed to prepare and report to the Senate an act supplementary to the "act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other pur-

poses," approved July 11, 1890, which shall provide for the coinage of gold and silver bullion on equal terms as to each metal, and for the issue of Treasury notes in denominations not to exceed \$500, and upon the terms and conditions prescribed in said act, upon all gold and silver bullion that the United States shall acquire by purchase, and that any depositor who shall deposit in the Treasury gold or silver bullion in quantities of not less than \$100 in value, the product of mines in the United States, which has not been previously coined, shall, at his option, receive coin certificates for the same at the mint value of such bullion.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 4th instant approved and signed the act (S. 1841) for the relief of Daniel McClure.

The message also announced that the President had on the 5th instant approved and signed the following act and joint resolution:

An act (S. 1884) to prevent fraud upon the water revenues of the District of Columbia; and

A joint resolution (S. R. 49) constraining article 4 of the agreement with the Citizen band of Pottawatomie Indians in Oklahoma Territory and elsewhere.

#### INDIAN APPROPRIATION BILL.

Mr. DAWES. I move that the Senate proceed to the consideration of the Indian appropriation bill.

The motion was agreed to; and the Senate resumed the consideration of the bill (H. R. 5974) making appropriations for current and contingent expenses and fulfilling treaty stipulations with Indian tribes for fiscal year ending June 30, 1893.

The VICE-PRESIDENT. The Senator from Indiana [Mr. VOORHEES] is entitled to the floor.

Mr. DAWES. Before the Senator from Indiana takes the floor he will allow me a moment?

Mr. VOORHEES. Certainly.

Mr. DAWES. Yesterday, in calling the attention of the Senate to the manner in which President Grant followed out the policy prescribed by law at his suggestion for keeping the peace with and promoting civilization among the Indians I was unable at the moment to give the names of those men to whom he intrusted that work, and was compelled to speak from memory. I desire now simply to put upon record those names and call the attention of the Senate to them. They were William Welsh, John V. Farwell, George H. Stuart, Robert Campbell, William E. Dodge, E. S. Tobey, Felix R. Brunot, Nathan Bishop, and Henry S. Lane.

Mr. VOORHEES. Mr. President, with the music of the silver-toned eloquence with which we have just been charmed by the Senator from Colorado [Mr. WOLCOTT] still ringing in our ears, I do not know that I can get any hearing for the Indian at this time.

I have been very reluctant to take any part in this discussion, but there are certain matters which I think ought to be known and laid before the Senate and the country in regard to the proposed change in the management of Indian affairs.

It is proposed here to make a change of policy, a great and marked change, and I confess it ought not to be made unless for weighty and sufficient reasons. I propose to occupy the time of the Senate briefly, in order to give the reasons which will govern me in the vote I shall cast. In doing so, I do not desire to be understood as assailing anybody, or any bureau, or set of men. I shall leave the facts, when I am through, to speak for themselves.

I have the most kindly sympathy for the Senator from Massachusetts [Mr. DAWES] in his earnest efforts to retain the system which he believes is best. The facts which have come to my knowledge, however, for some years past have led me to a different conclusion. It is but a little more than twelve months since this country was shocked throughout all its borders by a bloody disaster connected with one of our Indian agencies.

It is but little more than a year since I stood upon this floor, and, in response to a proposition to arm the people of the Northwestern States for their own defense, I said that it would be better to feed the Indians than to fight them. I gave the authority then on which I spoke; I gave some facts which were then in my possession and which have accumulated up to this time. That is as it were but yesterday, and yet this protracted debate, this able debate, has progressed thus far with hardly an allusion to the great facts which led to what I conceive to be one of the most deplorable events in the modern history of this country.

I have been accustomed in considering questions in court and elsewhere to rely upon the facts of the case. I know of no reason to displace one system of policy for another except it arises out of the experience which the system tried and to be retired has passed through. Now, I propose for a short time to speak further upon the point I made a little more than a year ago, and that is, that the administration of Indian affairs under its present



system has been inefficient and dangerous to the peace and welfare of the Indian and of the white settlers and corrupt.

I know no other way to reach a correct conclusion than by searching the record upon this question. I hold in my hand a most valuable report, authorized and required by law; a report which the American people are entitled to have, and to which they should listen. Maj. Gen. Miles is not a West Point man. He did not enter the Army through that military gateway on the Hudson. He is a native of the Senator's own State, a son of Massachusetts, and I believe is the only volunteer officer who has achieved a major-generalship in the regular Army in modern times. He is one of the three major-generals of the American Army, and, I repeat, he is the only one of modern times who has achieved that great distinction from a volunteer standpoint, as far as I now recall. He has none of the prejudices of the regular Army, if any they have, in regard to matters of civil life.

Mr. HIGGINS. The Senator will allow me to suggest that I think Gen. Terry was also a volunteer officer.

Mr. VOORHEES. I am glad to be corrected, if I am in error. I simply did not think of any more, but the number is very small and very exceptional.

On this subject, in December 1890, I quoted Gen. Miles. At that time I quoted him verbally. I stated then that, in his opinion, the troubles which were brewing, and which had not yet culminated, were due to the wrong and imperfect policy of our Indian affairs. I was antagonized very sharply upon the subject and the foresight of Gen. Miles was violently discredited. Bloodshed came sooner than I anticipated, and after the slaughter was over Gen. Miles had to speak up on the subject to his superiors in the War Department. In his report of last September, only about six months ago now, after stating his transfer under orders from San Francisco to his headquarters in Chicago, he proceeds as follows:

While en route to the division headquarters at Chicago, I received information at Fort Keogh, Mont., from Cheyenne Indians I had known for many years, of the distressed condition they were in, particularly the tribe of Northern Cheyennes; their suffering for want of food, their being compelled to kill cattle belonging to the white people to sustain life, and the disaffection then existing, as well as the alarm prevailing among the citizens of that State.

I presume I need waste no time in elaborating the idea that the purpose of Indian agencies is to so treat the Indian as to keep the peace, protect the frontier, and preserve the property of settlers.

To relieve their immediate wants—

Continues Gen. Miles—

I sent a telegram to the Adjutant-General at Washington stating that the principal trouble with the Cheyenne Indians, whose reservation was south of Fort Keogh, was the result of the Government's failure to provide sufficient food and the means to render them self-supporting, saying, when I left there ten years previous they had a herd of cattle and were at the time largely self-supporting; that they had been obliged to kill their cattle for food; that they had been on the verge of starvation and were at that time very little better; that when without food, or the means of providing for it, they had been obliged to kill cattle belonging to white men; that there was not the least difficulty in controlling them, but ample means should be appropriated at once to supply them with food and the means to render them self-supporting. At the same time I recommended that funds should also be appropriated to reimburse the white citizens who had been obliged to supply them with food. This telegram resulted in their being granted an additional appropriation of \$25,000, and reasonable appropriations for their necessities.

Mr. President, if there is somebody ready to say that we are oversensitive, humane, and careful for the Indian and his rights, I wish for one moment in this connection to call attention to the true relations between this Government and the Indians. My heart goes out to those who are helpless and dependent more than to the powerful. The Supreme Court of the United States, in the case of the United States *vs.* Kagama (118 U. S. Reports), use this language:

These Indian tribes are the wards of the nation; they are communities dependent on the United States; dependent largely for their daily food, dependent for their political rights. They owe no allegiance to the States and receive from them no protection; because of the local ill feeling, the people of the States where they are found are often their deadliest enemies. From their very weakness and helplessness, so largely due to the course of dealing of the Federal Government with them, and the treaties in which it has been promised, there arises the duty of protection, and with it the power. This has always been recognized by the Executive, by Congress, and by this court whenever the question has arisen.

The recognized relation between the parties to this controversy, therefore, is that between a superior and an inferior, whereby the latter is placed under the care and control of the former, and which, while it authorizes the action on the part of the United States of such policy as their own public interests may dictate, recognizes, on the other hand, such an obligation of their acts and promises as justice and reason demand in all cases where power is exerted by the strong over those to whom they owe care and protection.

In commenting upon this opinion of the Supreme Court the following sentence commends itself to my sense of equity and justice:

This opinion—

Says the writer—

is simply the application, as between the United States and the Indians, of the uniform rule of equity that where any person has an habitual influence

over another, or where there are relations of confidence between the parties, or where there are any fiduciary relations existing, or where one has dominion or power over the other, relief will be granted in favor of the inferior who has been unfairly dealt with.

We are dealing with people who stand to us as wards, as orphan children toward their guardian, and the spectacle of their starvation at the hands of this Government has sometimes given me sleepless nights. I do not rest easily when a spectacle of that kind is presented by a great and powerful government.

Let us go further, however, with the testimony. I am dealing with this case as I would in court upon evidence. I have called witnesses and shall examine them here and comment upon their testimony. Gen. Miles continues by saying:

The causes that led to the serious disturbance of the peace in the Northwest last autumn and winter were so remarkable that an explanation of them is necessary to comprehend the seriousness of the situation. The Indians assuming the most threatening attitude of hostility were the Cheyennes and Sioux. Their condition may be stated as follows: For several years following their subjugation in 1877, 1878, and 1879 the most dangerous element of the Cheyennes and the Sioux were under military control. Many of them were disarmed and dismounted; their war ponies were sold and the proceeds returned to them in domestic stock, farming utensils, wagons, etc. Many of the Cheyennes, under the charge of military officers, were located on land in accordance with the laws of Congress, but after they were turned over to civil agents, and the vast herds of buffalo and large game had been destroyed, their supplies were insufficient and they were forced to kill cattle belonging to white people to sustain life.

These words are pregnant with meaning to my mind, and while they do not fill the ears of Senators who are just now comfortable at their lunch, at this the lunch hour, still perhaps, like bread cast upon the waters, they will do some good hereafter.

The fact that they had not received sufficient food is admitted by the agents and the officers of the Government who have had opportunities of knowing.

Mr. President, if anybody is to be arraigned here for these statements let it be this high officer; let them arraign this man of splendid military reputation, and high character for truth and honor. He proceeds to say:

The majority of the Sioux were under the charge of civil agents, frequently changed and often inexperienced. Many of the tribes became alarmed and remounted. They claimed that the Government had not fulfilled its treaties and had failed to make large enough appropriations for their support; that they had suffered for want of food, and the evidence of this is beyond question and sufficient to satisfy any unprejudiced, intelligent mind. The statements of officers, inspectors, both of the military and the Interior Department, of agents, of missionaries, and civilians familiar with their condition leave no room for reasonable doubt that this was one of the principal causes.

Causes of what? One of the principal causes of that field of blood, where nearly 100 of our young soldiers went down—thirty-old killed outright, I believe, and more than double that number wounded, one of the bloody disasters of the American frontier. This distinguished officer is dealing with the causes which led to that result. They are not remote. This disaster occurred only a little while ago, but yesterday as it were, and enters directly into the question under debate. Shall the system which produced that result be continued, or shall we try something else? As I said in the beginning, I do not desire to engage in reproaches unnecessarily, but at the same time these facts bear on the vital question whether the present system of Indian affairs ought to be continued, or whether we shall be justified, indeed compelled by our sense of duty to try another.

Gen. Miles, continuing, says:

While statements may be made as to the amount of money that has been expended by the Government to feed the different tribes, the manner of distributing those appropriations will furnish one reason for the deficit.

#### FAILURE OF CROPS.

The unfortunate failure of the crops in the plains country during the years of 1889 and 1890 added to the distress and suffering of the Indians, and it was possible for them to raise but very little from the ground for self-support. In fact, white settlers have been most unfortunate, and their losses have been serious and universal throughout a large section of that country. They have struggled on from year to year, occasionally they would raise good crops, which they were compelled to sell at low prices, while in the season of drought their labor was almost entirely lost. So serious have been their misfortunes that thousands have left that country within the last few years, passing over the mountains to the Pacific slope or returning to the east of the Missouri and the Mississippi.

The Indians, however, could not migrate from one part of the United States to another; neither could they obtain employment as readily as white people either upon or beyond the Indian reservation. They must remain in comparative idleness and accept the results of the drought—an insufficient supply of food. This created a feeling of discontent even among the loyal and well-disposed, and added to the feeling of hostility of the element opposed to every process of civilization.

I will now ask the Secretary at the desk to read the report made by Brig. Gen. Roger, commanding the Department of North Dakota, in regard to the disaffection at Standing Rock Agency, commencing on page 6 and ending on page 7, as I have marked.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

The commanding officer at Fort Yates, N. Dak., under date of December 7, 1890, at the time the Messiah delusion was approaching a climax, says in reference to the disaffection of the Sioux Indians at Standing Rock Agency, that it is due to the following causes:

1. Failure of the Government to establish an equitable southern boundary for the Standing Rock Agency Reservation.
2. Failure of the Government to expend a just proportion of the money re-



means anything) that representative government is a failure. Hence we have earnest advocates for laws to restrict the power of the people to control their servants.

That is followed with assaults upon men in executive positions, and this movement to substitute army and navy officers for civilians.

Mr. President, when you look back over the past fifteen years and see what steps you have taken in that direction, I think Senators would be amazed—I am sorry that I can not present them all to the Senate—but begin with the District of Columbia. Here it was said that there was corruption in the administration by civil officers; and it was said you can not find among the great corps of civil engineers of the entire country honorable and honest men to conduct the affairs of the District of Columbia; they can not be had from civil life, and therefore we must go to the Army and select from that splendid corps an officer and make him a Commissioner; put him over a people as intelligent and as wealthy as are to be found upon the face of the globe. And on the sole ground that in that way only could you have honesty and integrity. The integrity and capacity of the Engineer Corps I gladly concede. I protest against the proposition that they are more honest or capable than those in civil life.

We have by law placed public buildings to be constructed in a city in charge of army officers. Ten million dollars or more per annum is expended upon your rivers and harbors by army men, all for the reason, as it is claimed, that there have been cases of mismanagement and sometimes corruption and extravagance by the civil engineers.

The integrity of the army officer is conceded, but the claim that they alone can be trusted is offensive to the American people. The dishonest man in the public service is the exception, not the rule. The people are honest; their public servants are honest, and this substitution of the military for the civilian can not be justified except in cases of war or threatened outbreak.

Mr. President, this is not the only proposition to substitute the military for civil officers. Now, you have another proposition to take your revenue police, the men who guard your rivers and harbors, and say that they, civilians as they are, are no longer fit for that duty, that the boys who grow up, the sons of these sea captains coming into your Revenue Marine Service from private life, without influence and without much education—only such as they may gain from the public schools—that they are to be excluded, and none shall enter that service except through the Naval Academy at Annapolis, appointed upon the recommendation of a member of Congress or the President of the United States, so that you may have honesty and efficiency and better service than you have now, and, of course, the life tenure, with retirement upon half pay.

Mr. President, to any and all propositions looking to the use of army and naval officers in the civil service I enter my protest. I protest against such legislation upon an appropriation bill. It will be a bad precedent; it will return to plague us. Now, it is said a few Indian agents have misbehaved, and therefore the whole system must be turned over and placed in the hands of captains and lieutenants. Next year it may be your collectors of internal revenue or the United States marshals.

Mr. President, I believe that this is only one of the steps in the assault that is being made, as I before said, upon the civil service. I am not content, sir, to cast my vote without this one word of protest against an innovation which I think leads us away beyond what those who advocate the passage of the bill to-day contemplate.

Mr. COCKRELL. Mr. President, I had hoped that I should not be called upon to say anything in this matter; but as all the members of the Committee on Appropriations who favor this provision, including my colleague on the committee from Maryland [Mr. GORMAN], have spoken, it is proper for me to say just a few words in vindication of my dissent from the distinguished gentlemen who constitute the majority of the committee and the only argument they have made here.

I am for this provision of the bill unequivocally, and not because it transfers any civil jurisdiction to military officers, for it does not do any such thing. I am for it because it is the best thing for the Indian and the best thing for the white man, and saves money to the taxpayers of the United States. Those are three sufficient reasons.

This is no great innovation. Once the Indian Bureau was under the War Department, and whenever the management of the Indian Bureau has been such as to bring the Indians and the whites into mortal combat by its civil administration an army officer is always called in to adjust it. We want to anticipate the conflicts that have been caused by the civil management and the Indians getting into conflict, having wars, destruction of life, and waste of money, by putting army officers there, not as army officers with their shoulder straps to exercise military power under the orders of the Commanding General of the Army, but detailed to

do that specific duty under the orders and regulations and control of the Interior Department just as completely and as fully as are the Indian agents to-day.

We take no power from the Secretary of the Interior. We take no power from the Commissioner of Indian Affairs. They are still to be supreme. The only thing is that they are not to recommend to the President, if they do such a thing, the appointment of some man as Indian agent. That is the only power we take from the civil branch. The only power that this provision wrests from the Secretary of the Interior and the Commissioner of Indian Affairs is simply the privilege of soliciting the President to appoint somebody, a civilian, as an Indian agent. These army officers are to be under their control.

It seems to me that the distinguished Senator from Iowa and my colleague on the committee from Maryland should have seen that only good can result when you will have the civilians there appointed under the Secretary of the Interior and an army officer detailed there from the War Department, each watching the other, each supervising the action of the other. It must result in good. It has resulted in good, and it will result in good. The provision of the bill simply authorizes the President to exercise a discretion in this matter. It says:

That from and after the passage of this act the President shall detail officers of the United States Army to act as Indian agents at all agencies where vacancies from any cause may hereafter occur, who, while acting as such agents, shall be under the orders and direction of the Secretary of the Interior.

The following additional proviso has been agreed to by the Senate:

*Provided further*, That whenever the President shall be of opinion that the good of the service specially requires it, he may appoint a civilian.

So we leave the President almost as free as he is to-day. Whenever he thinks it is better to have a civilian he can appoint him, otherwise he details an army officer and saves the salary in the Treasury of all the Indian agents where an army officer acts. There is where the saving is, and it is a considerable item to save.

Mr. President, I am not criticising the Indian Bureau. If it has managed this matter ever so well, twice as well as the Senator from Iowa and the Senator from Massachusetts have represented, it would be an improvement to put new blood into these agencies where there are collected so many civilians, by detailing an army officer as Indian agent, an educated gentleman who has something at stake, his character, his life, his being, in acting honestly and honorably. There they will be in contact with each other, the civilian jealous of the officer, and the officer watching the civilian employees, and no harm can come from such a thing.

I trust the Senate will keep this wise and just and economical provision in the bill.

Mr. DAWES. I hope we may now have a vote.

The VICE-PRESIDENT. The question is on the amendment of the Senator from South Dakota [Mr. PETTIGREW], on which the yeas and nays have been ordered.

Mr. CULLOM and Mr. TELLER. Let it be read.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. On page 1, beginning with line 12, it is proposed to strike out the following proviso:

*Provided*, That from and after the passage of this act the President shall detail officers of the United States Army to act as Indian agents at all agencies where vacancies from any cause may hereafter occur, who, while acting as such agents, shall be under the orders and direction of the Secretary of the Interior: *Provided further*, That whenever the President shall be of opinion that the good of the service specially requires it he may appoint a civilian.

And to insert in lieu thereof the following:

The President is authorized to detail officers of the United States Army to act as Indian agents at all agencies where he shall deem such action for the best interests of the service.

The VICE-PRESIDENT. The Secretary will call the roll on agreeing to the amendment.

The Secretary proceeded to call the roll.

Mr. BRICE (when his name was called). I am paired with the Senator from California [Mr. FELTON].

Mr. CAREY (when his name was called). I am paired with the Senator from Tennessee [Mr. HARRIS] on this question. If he were present he would vote "nay" and I should vote "yea."

Mr. DUBOIS (when his name was called). I am paired with the Senator from New Hampshire [Mr. CHANDLER] on this question. If he were present he would vote "nay" and I should vote "yea."

Mr. GEORGE (when his name was called). I am paired on all these questions with the Senator from Oregon [Mr. DOLPH]. If he was present he would vote "yea" and I should vote "nay."

Mr. BERRY (when the name of Mr. JONES of Arkansas was called). My colleague [Mr. JONES] is paired with the Senator from New York [Mr. HISENCK].

Mr. FAULKNER (when Mr. KENNA's name was called). My colleague [Mr. KENNA] is detained from the Senate by indis-

position, and is paired with the Senator from Colorado [Mr. WOLCOTT].

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE].

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN]. He would vote "nay" on this proposition, and I therefore vote "nay."

Mr. STEWART (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON]. If he were present I should vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Rhode Island [Mr. DIXON]. With the consent of the Senator from Nebraska [Mr. MANDERSON], I will transfer my pair to the Senator from Kentucky [Mr. BLACKBURN].

Mr. MANDERSON. I think that is right, for I know that the Senator from Kentucky [Mr. BLACKBURN], if present, would vote "nay" on this proposition.

Mr. WALTHALL. I vote "nay."

Mr. WARREN (when his name was called). I am paired with the Senator from Georgia [Mr. GORDON]. Perhaps my pair may be transferred. Perhaps the Senator from West Virginia [Mr. FAULKNER] may wish to transfer the pair of the Senator from Georgia [Mr. GORDON]. I will withhold my vote for the present.

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were present I should vote "yea."

The roll call was concluded.

Mr. FAULKNER. I understand that there has been a transfer of pairs, so that the Senator from Kentucky [Mr. BLACKBURN] and the Senator from Rhode Island [Mr. DIXON] stand paired. As the Senator from Kentucky [Mr. BLACKBURN] has come into the Chamber, I propose to transfer his pair to the Senator from Georgia [Mr. GORDON], who will stand paired with the Senator from Rhode Island [Mr. DIXON], so that both the Senator from Kentucky [Mr. BLACKBURN] and the Senator from Wyoming [Mr. WARREN] can vote.

Mr. BLACKBURN. I vote "nay."

Mr. WARREN. I vote "yea."

Mr. CAREY. I see that the Senator from Tennessee [Mr. HARRIS] is now in his seat, and I will vote "yea."

Mr. HARRIS. I agreed with the Senator from Massachusetts a moment since that I would pair with the Senator from Alabama [Mr. MORGAN] upon these questions, but I understand that the Senator from North Carolina [Mr. VANCE], who voted "nay" on the former occasion, and who would, if present, vote "nay" now, is not paired, and I transfer my pair with the Senator from Alabama [Mr. MORGAN] to the Senator from North Carolina [Mr. VANCE], and record my vote. I vote "nay."

Mr. ALLISON (after having voted in the affirmative). I voted inadvertently, having agreed with the Senator from Vermont [Mr. PROCTOR] to pair with his colleague [Mr. MORRILL]. I therefore withdraw my vote.

Mr. McMILLAN. Now that the Senator from North Carolina [Mr. VANCE] has been paired, I vote "nay."

Mr. HANSBROUGH (after having voted in the affirmative). I find that I am paired with the Senator from Connecticut [Mr. HAWLEY], and I withdraw my vote.

The result was announced—yeas 24, nays 29, as follows:

YEAS—24.			
Allen.	Gallinger.	Palmer.	Sawyer.
Call.	Gorman.	Perkins.	Shoup.
Carey.	Hale.	Pettigrew.	Squire.
Cullom.	Hoar.	Platt.	Stockbridge.
Dawes.	Mitchell.	Power.	Teller.
Frye.	Paddock.	Sanders.	Warren.
NAYS—29.			
Barbour.	Faulkner.	Manderson.	Vilas.
Bate.	Gibson, Md.	Mills.	Voorhees.
Berry.	Gray.	Peltor.	Walthall.
Blackburn.	Harris.	Proctor.	Washburn.
Blodgett.	Higgins.	Pugh.	White.
Cockrell.	Kyle.	Quay.	
Coke.	McMillan.	Turpie.	
Davis.	McPherson.	Vest.	
NOT VOTING—35.			
Aldrich.	Daniel.	Hawley.	Pasco.
Allison.	Dixon.	Hill.	Ransom.
Brice.	Dolph.	Hiscock.	Sherman.
Butler.	Dubois.	Irby.	Stanford.
Cameron.	Felton.	Jones, Ark.	Stewart.
Carlisle.	George.	Jones, Nev.	Vance.
Casey.	Gibson, La.	Kenna.	Vilas.
Chandler.	Gordon.	Morgan.	Wilson.
Colquitt.	Hansbrough.	Morrill.	Wolcott.

So the amendment was rejected.

The VICE-PRESIDENT. The question now is on agreeing to the amendment proposed by the Senator from Massachusetts [Mr. DAWES], to strike out the paragraph.

Mr. DAWES. I hope that we shall now have a vote on the orig-

inal proposition. The yeas and nays have been ordered upon it. Mr. MANDERSON. I ask that the question be stated so that it may be understood.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out the proviso beginning on the last line of page 1 of the bill in the following words:

*Provided*, That from and after the passage of this act the President shall detail officers of the United States Army to act as Indian agents at all agencies where vacancies from any cause may hereafter occur, who, while acting as such agents, shall be under the orders and direction of the Secretary of the Interior.

*Provided further*, That whenever the President shall be of opinion that the good of the service specially requires it he may appoint a civilian.

The VICE-PRESIDENT. The roll will be called on agreeing to the amendment of the Senator from Massachusetts [Mr. DAWES], to strike out the proviso which has been read.

The Secretary proceeded to call the roll.

Mr. BRICE (when his name was called). I am paired with the Senator from California [Mr. FELTON].

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. STEWART (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. WALTHALL (when his name was called). I am paired generally with the Senator from Rhode Island [Mr. DIXON]. I have arranged to transfer that pair to the Senator from Georgia [Mr. GORDON]. I vote "nay."

Mr. WARREN (when his name was called). I am paired with the junior Senator from Georgia [Mr. GORDON]. By an arrangement that pair has been transferred, and I vote "yea."

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were present I should vote "yea."

The roll call was concluded.

Mr. DUBOIS. I am paired with the Senator from New Hampshire [Mr. CHANDLER].

Mr. ALLISON. At the request of the Senator from Vermont [Mr. PROCTOR] I have agreed to pair with the senior Senator from Vermont [Mr. MORRILL] on this question. If he were present I should vote "yea."

The result was announced—yeas 25, nays 28, as follows:

YEAS—25.			
Allen.	Gorman.	Perkins.	Squire.
Call.	Hale.	Pettigrew.	Stockbridge.
Carey.	Hoar.	Platt.	Teller.
Cullom.	Mitchell.	Power.	Warren.
Dawes.	Morgan.	Sanders.	
Frye.	Paddock.	Sawyer.	
Gallinger.	Palmer.	Shoup.	
NAYS—28.			
Barbour.	Davis.	McMillan.	Quay.
Bate.	Faulkner.	McPherson.	Turpie.
Berry.	Gibson, Md.	Manderson.	Vest.
Blackburn.	Gray.	Mills.	Voorhees.
Blodgett.	Harris.	Peltor.	Walthall.
Cockrell.	Higgins.	Proctor.	Washburn.
Coke.	Kyle.	Pugh.	White.
NOT VOTING—35.			
Aldrich.	Daniel.	Hawley.	Ransom.
Allison.	Dixon.	Hill.	Sherman.
Brice.	Dolph.	Hiscock.	Stanford.
Butler.	Dubois.	Irby.	Stewart.
Cameron.	Felton.	Jones, Ark.	Vance.
Carlisle.	George.	Jones, Nev.	Vilas.
Casey.	Gibson, La.	Kenna.	Wilson.
Chandler.	Gordon.	Morrill.	Wolcott.
Colquitt.	Hansbrough.	Pasco.	

So the amendment was rejected.

Mr. SANDERS. I desire to offer an amendment to the bill, which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 46, add, after line 10, the following:

To enable the Secretary of the Interior to appoint a commission to negotiate with the Crow Indians of Montana, for a modification of the agreement concluded with said Indians December 24, 1890, and ratified by Congress March 3, 1891, and to pay the necessary and actual expenses of said commissioners, the sum of \$1,500, said sum to be immediately available: *Provided*, That no such modification shall be valid unless assented to by a majority of the male adult members of the Crow tribe of Indians and be approved by the Secretary of the Interior.

Mr. DAWES. If the Senator will turn to the last line on the forty-first page of the bill and propose to change the \$10,000 which is put in the hands of the Secretary of the Interior to carry on all these negotiations I will not raise the point of order on him. Otherwise I shall, because undertaking to specify just what terms and on what ratification by the Indians a new negotiation shall be made I think is not proper, but it should be left to the Secretary of the Interior. On the forty-first page, for the very purpose of putting in the hands of the Secretary of the Interior all the money necessary for every one of these negotiations, there is a sum appropriated. That sum may not be enough.

people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, two petitions of certain citizens of Idaho, in favor of electing United States Senators by the people—to the Select Committee on Election of President, Vice-President, and Representatives in Congress.

Also, petition of the Woman's Christian Temperance Union of Idaho, 180 signatures, against opening any exposition on Sunday where Government funds are used—to the Select Committee on the Columbian Exposition.

Also, petition of National Woman's Christian Temperance Union of Idaho, against opening any exposition on Sunday where United States funds are used—to the Select Committee on the Columbian Exposition.

Also, petition of certain citizens of Idaho, in favor of a postal savings bank—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Idaho, against speculation in futures on certain farm products—to the Committee on Agriculture.

By Mr. TERRY: Petition of citizens of Paris, Logan County, Ark., in favor of the Butterworth bill against options and dealing in futures—to the Committee on Agriculture.

Also, memorial of council of the Choctaw Nation, against bill to enlarge jurisdiction of United States courts in the Indian Territory—to the Committee on the Territories.

Also, petition of A. Quesemerry and others, of Franklin County, Ark., in favor of the Butterworth bill against options and dealing in futures—to the Committee on Agriculture.

By Mr. TOWNSEND: Petition of citizens of Arapahoe County, Colo., in favor of the Washburn-Hatch anti-option bills—to the Committee on Agriculture.

Also, petition of the Methodist and Presbyterian Churches of Fort Collins, Colo., constituting 400 citizens, against liquor selling at the National Columbian Exposition, to close the Exposition on Sunday, and for the management of the art gallery to accord with the American standard of purity in art—to the Select Committee on the Columbian Exposition.

By Mr. TRACEY: Petition of over 200 citizens of Albany County, N. Y., asking that the law for retirement of enlisted men be amended—to the Committee on Military Affairs.

By Mr. TUCKER (by request): Petition of William D. Brooks and 16 other citizens, of Union Hall, Va., for pure-lard bill—to the Committee on Ways and Means.

Also, petition of W. D. Brooks and 16 others, of Union Hall, Franklin County, Va., favoring pure-food bill—to the Committee on Agriculture.

By Mr. WATSON: Petition of Pine Grove Alliance of Haralson County, Ga., for passage of the subtreasury bill—to the Committee on the Judiciary.

By Mr. WHEELER of Alabama: Petition of ex-soldiers and sailors. E. M. Stanton Post, No. 68, Grand Army of the Republic, Department of Arkansas, praying for preserving and properly marking the battle lines at Gettysburg, Pa.—to the Committee on Military Affairs.

By Mr. WIKE: Protest of Farmers' Alliance and Industrial Union, No. 88, of Cass County, Ill., against the passage of the Brosius lard bill (H. R. 395), and praying for the passage of a general pure-food law—to the Committee on Agriculture.

By Mr. WILLIAMS of North Carolina: Resolution for the relief of the heirs or representatives of Israel G. Lash—to the Committee on Accounts.

By Mr. WILLIAMS of Massachusetts: Petition of Reno Post, No. 9, Grand Army of the Republic, of Massachusetts, praying for the passage of the bill providing for preserving and properly marking the battle lines of Gettysburg, Pa.—to the Committee on Military Affairs.

## SENATE.

THURSDAY, April 7, 1892.

Prayer by the Chaplain, Rev. J. C. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

### EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, calling the attention of Congress to the evil resulting from the present method of selecting candidates for vacancies in the offices of local inspectors of steam vessels under the existing law, etc.; which, with the accompanying papers, was referred to the Committee on Commerce, and ordered to be printed.

### LISTS OF GOVERNMENT EMPLOYÉS.

The VICE-PRESIDENT laid before the Senate a communication from the Commissioner of Labor, transmitting, in response to a resolution of the 24th ultimo, information in regard to employés in that office not specifically appropriated for; which, with the accompanying papers, was referred to the Committee on Civil Service and Retrenchment, and ordered to be printed.

### PETITIONS AND MEMORIALS.

Mr. HARRIS. I present a petition of the members of the Nashville (Tenn.) Academy of Medicine and practicing physicians of Nashville, signed by Dr. Briggs and some 40 others, praying for the establishment of a department of health, with a cabinet officer at its head. I move that the petition be referred to the Committee on Epidemic Diseases.

The motion was agreed to.

Mr. HARRIS. I present the petition of Mosby & Hunt, of Memphis, Tenn., praying compensation for the sinking of one of their coal boats by collision with a Government vessel. I move that the petition be referred to the Committee on Claims to accompany Senate bill 674, for the relief of the petitioners, now pending before that committee.

The motion was agreed to.

Mr. DAWES. I present a petition of 800 citizens of the United States and of Massachusetts, praying Congress to provide by law for the naturalization of such Chinamen as came into this country before the first exclusion act for the purpose of making this country their home and identifying themselves with its institutions. I move that the petition be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. DAWES presented two petitions of Dalton Grange, No. 23, Patrons of Husbandry, of Massachusetts, praying for the passage of the bill to prevent gambling in farm products; which was ordered to lie on the table.

He also presented a petition of Dalton Grange, No. 23, Patrons of Husbandry, of Massachusetts, praying for the passage of the bill to prevent the adulteration of food and drugs; which was ordered to lie on the table.

He also presented a petition of Dalton Grange, No. 23, Patrons of Husbandry, of Massachusetts, praying for the passage of the bill making certain issues of money full legal tender in payment of all debts; which was referred to the Committee on Finance.

He also presented sundry petitions collected by the National Woman's Christian Temperance Union, containing 750 individual signatures of citizens of Massachusetts, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. CULLOM presented a memorial of the Congregational Church of Harvey, Ill., remonstrating against the opening of the World's Columbian Exposition on Sunday and the sale of intoxicating liquors thereat; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the following petitions of Pina Grange, Patrons of Husbandry, of Illinois:

Petition praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petition praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Mr. DOLPH presented a petition of citizens of Lane County, Oregon, praying for the enactment of a law that shall impose a tax upon all transactions whereby parties contract or agree to sell and deliver at a future time any of the articles, and under the circumstances mentioned in the bills now pending in Congress, and sometimes designated as the Washburn-Hatch anti-option bills; which was referred to the Committee on the Judiciary.

Mr. FELTON presented a petition collected by the National Woman's Christian Temperance Union, signed by 1,027 individual signatures and 492 representative indorsements of citizens of California, and a petition collected by the National Woman's Christian Temperance Union, containing 44 individual signatures and 3,567 representative indorsements of citizens of California, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. PEPPER presented a petition of citizens of Pawnee County,

Kans., praying that the homestead right be restored to citizens who have lost such right under the homestead laws of the United States; which was referred to the Committee on Public Lands.

He also presented sundry petitions collected by the National Woman's Christian Temperance Union, containing 216 individual signatures, of Kansas, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. BARBOUR presented a memorial of the Board of Trade of Hampton, Va.; a memorial of the Board of Trade of Lynchburg, Va.; and a memorial of the members of the council of West Point, Va., indorsing the resolutions recently adopted by the Chamber of Commerce of Norfolk, Va., remonstrating against the passage of any legislation changing the existing pilot laws; which were referred to the Committee on Commerce.

He also presented sundry petitions collected by the National Woman's Christian Temperance Union of Virginia, containing 216 individual signatures, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. BATE presented a petition of citizens of Lincoln County, Tenn., indorsed by 70 members of Hopewell United Presbyterian Church of Tennessee, praying that no exposition or exhibition where United States funds are expended be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of citizens of Sumner County, Tenn., praying for the enactment of a law imposing a tax upon all transactions whereby parties contract or agree to sell and deliver at a future time any of the articles and under the circumstances mentioned in the bills now pending in Congress and some-  
times designated as "the Washburn-Hatch anti-option bills;" which was referred to the Committee on the Judiciary.

Mr. JONES of Arkansas presented sundry petitions of citizens of Arkansas, numerously signed, praying for the passage of the Washburn-Hatch anti-option bills; which were referred to the Committee on the Judiciary.

Mr. QUAY presented the petition of George Spitzer and 29 other citizens of Pennsylvania, praying for the passage of the bill defining lard and imposing a tax thereon; which was ordered to lie on the table.

He also presented sundry petitions collected by the National Woman's Christian Temperance Union of Pennsylvania, containing 360 individual signatures, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 46 citizens of Fayette County, Pa., praying for the passage of House bill No. 401, supplementary to various acts relative to immigration and importation of aliens under contract or agreement to perform labor; which was referred to the Committee on Immigration.

Mr. CALL presented the petition of John Gilmore and other citizens of Pensacola, Fla., praying that their title to the lands on the United States live-oak naval reservation, lying between Pensacola Bay and Santa Rosa Sound, be granted and approved by Congress; which was referred to the Committee on Public Lands.

Mr. COCKRELL presented a petition of the Central Labor Union of Springfield, Mo., signed by H. A. W. Junceman, secretary, praying for the passage of House bill 257, making eight hours a day's work; which was referred to the Committee on Education and Labor.

#### REPORTS OF COMMITTEES.

Mr. DAVIS, from the Committee on Military Affairs, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 469) granting an honorable discharge to William Mackey;

A bill (S. 513) to muster into the service of the United States, as second lieutenant of infantry, Joseph B. Samuels; and

A bill (S. 1261) for the relief of Nancy Wallace.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (S. 2260) for the relief of the trustees of Isaac R. Trimble, reported it without amendment, and submitted a report thereon.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (S. 2151) to perfect the military record of Capt. Jacob H. Hay, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 1877) for the relief of William

H. Nave, reported adversely thereon, and the bill was postponed indefinitely.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 1129) for the recognition of Henry O. Kent as colonel of the Seventeenth New Hampshire Volunteers, reported it with an amendment, and submitted a report thereon.

Mr. WOLCOTT, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 5119) to prevent the building of houses along certain alleys in the city of Washington, and for other purposes, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1203) to exempt improvements to real estate in the District of Columbia from taxation, reported adversely thereon, and the bill was postponed indefinitely.

#### PORT OF MARQUETTE, MICH.

Mr. SAWYER. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 4531) to extend to Marquette, Mich., the privilege of immediate transportation of unappraised merchandise, to report it favorably without amendment. I ask for immediate action, as it is a short bill and is recommended by the Department.

Mr. COCKRELL. Let it be read for information.

The Chief Clerk read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. SAWYER. I am directed by the Committee on Commerce, to whom was referred the bill (S. 1789) to extend to Marquette, Mich., the privilege of immediate transportation of unappraised merchandise, to report it back adversely. I move that the bill be indefinitely postponed.

The motion was agreed to.

#### HEARING BEFORE JUDICIARY COMMITTEE.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. HOAR March 31, 1892, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the Committee on the Judiciary be authorized to employ a stenographer, to be paid from the contingent fund of the Senate, to report the evidence and arguments at the hearing with regard to pending measures for the relief of the Supreme Court of the District of Columbia.

#### BILLS INTRODUCED.

Mr. CULLOM introduced a bill (S. 2861) to authorize the Secretary of War to purchase for governmental and industrial use at Rock Island Arsenal, Rock Island, Ill., a testing machine for tension and compression; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. QUAY introduced a bill (S. 2862) granting a pension to George Phillips; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PEEFFER (by request) introduced a bill (S. 2863) for the relief of Mrs. Lititia S. Elliott; which was read twice by its title.

Mr. PEEFFER. By reason of the fact that the claim arose out of a matter alleged to have occurred in the District of Columbia, it would be better to have the bill referred to that committee.

The VICE-PRESIDENT. The bill will be referred to the Committee on the District of Columbia.

Mr. CARLSLE introduced a bill (S. 2864) for the relief of Elizabeth Fulwiler; which was read twice by its title, and referred to the Committee on Claims.

Mr. FAULKNER introduced a bill (S. 2865) authorizing the construction of a building for the accommodation of the United States Patent Office; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. PERKINS introduced a bill (S. 2866) granting a pension to E. C. Trowbridge; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 2867) for the relief of Mrs. Mary L. Roderick; which was read twice by its title, and referred to the Committee on Pensions.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. Towles, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 18) for the relief of Edward S. Armstrong; and

A bill (S. 440) to authorize the construction of a bridge across the Missouri River, between the city of Chamberlain in Brule County and Lyman County, in the State of South Dakota.

The message also announced that the House had passed without amendment the following concurrent resolutions of the Senate:

A resolution to print 8,000 copies each of the eleventh and twelfth annual reports of the Director of the Bureau of Ethnology; and

A resolution to print 50,000 copies of the eighth and ninth annual Reports of the Bureau of Animal Industry for the years 1891 and 1892.

#### ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 2056) to repeal the provisions of an act entitled "An act to amend sections 4488 and 4489 of the Revised Statutes, requiring life-saving appliances on steamers," approved March 2, 1889, so far as they relate to steamers plying exclusively upon any of the lakes, bays, or sounds of the United States; and it was thereupon signed by the Vice-President.

#### WITHDRAWAL OF PAPERS.

On motion of Mr. DAVIS, it was

*Ordered*, That the papers on file in the office of the Secretary of the Senate, in the case before the Committee on Claims, in the Fiftieth Congress, of H. K. Belding, be, and the same are hereby, withdrawn, there having been no adverse report thereon.

#### PURCHASE OF SILVER BULLION.

Mr. TELLER submitted the following resolution; which was considered by unanimous consent and agreed to:

*Resolved*, That the Secretary of the Treasury be, and he is hereby, directed to furnish the Senate with a statement of the amount of silver bullion offered to the Government each month since the passage of the act approved July 14, 1890, entitled "An act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes," under the provisions of said act, and by whom and at what prices; and also the amount of silver bullion purchased each month during said period, and from whom and at what place, and the prices paid therefor; the number of days given each seller or person offering silver for sale in which to deliver the silver.

#### SANITARY CONDITION OF THE CAPITOL.

Mr. VEST submitted the following resolution; which was read:

*Resolved*, That the necessary expenses incurred by the Committee on Public Buildings and Grounds in making the examination of the sanitary condition of the Capitol, and especially the structure recently built on the terrace of the Capitol, and the tunnels through which the air is pumped through the two wings of the buildings, etc., adopted March 22, 1892, be paid out of the contingent fund of the Senate.

The VICE-PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. VEST. I ask for its present consideration.

Mr. HARRIS. I suggest to the Senator from Missouri that I think under a statute such resolutions must go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. VEST. Let it go, then, to the Committee on Contingent Expenses.

The VICE-PRESIDENT. The resolution will be so referred.

#### PERSONAL EXPLANATION.

Mr. STEWART. Mr. President, I ask leave to have business suspended for a moment while I make a short statement.

I find, in the New York Evening Post of April 5, 1892, a list of mortgages in Alameda County, Cal., made to me, wherein it is charged, and I suppose truthfully, that they contain an obligation to pay in gold coin.

These mortgages to me resulted from several sales made at auction through a firm of brokers in San Francisco, Easton Eldridge & Co., in the usual way, and were made for deferred payments. The mortgages undoubtedly were made on the ordinary blanks used in that country. I never examined the mortgages myself. I signed some of the deeds, but most of the deeds, however, were signed by my agent. Undoubtedly in making the mortgages the ordinary printed form was used, which contained an obligation to pay in gold. That has existed since about 1863, when there was passed in California what was known as the specific contract law, by which the gold standard was maintained during the war. Greenbacks, as they are called, Treasury notes, never circulated on the Pacific coast previous to the resumption of coin payments. In consequence of that specific contract law all the printed forms for mortgages and notes contain an obligation to pay in gold, and I presume my agent used the ordinary form in taking mortgages. I have no doubt of that at all, though I gave no directions in regard to it. I do not recollect that I ever saw one of the mortgages, but take for granted they were the usual forms. That is the established practice there, as is well known on that coast.

Mr. HALE. The Senator will see to it that no such forms of mortgage are used hereafter. [Laughter.]

Mr. STEWART. I shall see to it, because money is so scarce now that I shall be glad to get any kind of legal-tender money.

This business was conducted without any directions from me, and in the usual form of doing business there. I have always been opposed to the specific contract law, as is well known, and believe that it was always a great detriment to the Pacific coast. During the war, and for years afterwards, until the resumption of specie payments, immigration to that country was absolutely shut out because the people would not stand the discount in taking their money from here and investing it there. It even kept travelers away. For a time a man who had \$100 had to reduce it to \$50 when he got to California. I have always been opposed to that law, but the business referred to in this article has been done in the usual way, for which I am not responsible, and I make no apology.

Mr. FELTON. You still survive.

Mr. STEWART. Yes; I still survive, notwithstanding I have seen some hard times.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 6th instant approved and signed the following acts:

An act (S. 808) establishing a port of delivery at Des Moines, Iowa;

An act (S. 2315) to protect foreign exhibitors at the World's Columbian Exposition from prosecution for exhibiting wares protected by American patents and trade-marks; and

An act (S. 2643) changing the time for holding the circuit and district courts in the district of West Virginia.

#### DISTRICT APPROPRIATION BILL.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed and the Calendar under Rule VIII is in order.

Mr. ALLISON. I move that the Senate proceed to the consideration of the bill (H. R. 6746) making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1893, and for other purposes.

The motion was agreed to.

Mr. CALL. I ask the Senator from Iowa to consent to allow me to call up for consideration a pension bill to grant a pension to a very old man. It is a very meritorious case, and I think will only require the reading of the bill. It was favorably reported by the committee yesterday while I was absent. The man is nearly 90 years old.

Mr. CAMERON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Pennsylvania?

Mr. ALLISON. I will yield for an inquiry, to see what the Senator desires.

Mr. CAMERON. I was about to make a motion that the Senate proceed to the consideration of executive business. I did not know that the morning business had been finished. I intended when it was completed to ask the Senate to proceed to the consideration of executive business, but it seems that the Senator from Iowa made a motion to take up the District appropriation bill.

Mr. ALLISON. Does the Senator desire to make some other motion?

Mr. CAMERON. I desire to make a motion to go into executive session. I have been wanting to do that for a week past, but the Indian appropriation bill was delayed so long that I put it off until now.

Mr. HOAR. Why not wait until after the District appropriation bill is concluded?

Mr. CAMERON. The executive session will probably take some time. It will be a long session.

Mr. ALLISON. I hope the Senator from Pennsylvania will not interpose that motion at this moment. I desire very much, I will say to the Senator and to the Senate, for reasons that are personal to myself, to dispose of this appropriation bill, and in addition to that the public business, I think, would be best promoted by going on with the bill now.

Mr. CAMERON. I have no objection to the appropriation bill being considered to-day, but I now give notice to the Senate that to-morrow immediately upon the conclusion of the morning business—

Mr. ALLISON. Or immediately after the appropriation bill is disposed of, I suggest.

Mr. CAMERON. No, I do not want to do that. I want the executive session early in the day. I shall make the motion to-morrow morning immediately upon the completion of the morning business.

Mr. ALLISON. Very well. Then I hope the Senate will sit with me until we can conclude this bill to-day.

I ask the Senator from Florida [Mr. CALL] not to interpose



this morning. I think we can finish this bill to-day if we go on carefully with it.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6746) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1893, and for other purposes; which had been reported from the Committee on Appropriations with amendments.

Mr. ALLISON. I ask that in the consideration of the bill the formal reading be dispensed with and that the amendments of the Committee on Appropriations may be first disposed of and acted on as the reading progresses.

The VICE-PRESIDENT. That course will be pursued if there be no objection.

The Chief Clerk proceeded to read the bill, and read to line 21, on page 2.

Mr. ALLISON. On behalf of the committee, I move to strike out all after the word "dollars" in line 21 down to and including the word "dollars" in line 22, being the words:

Three laborers, at \$1 per day each, \$839

And to insert:

One laborer, at \$1 per day, \$313; two laborers, at \$350 each, \$720

The amendment was agreed to.

The reading of the bill was resumed. The first amendment of the Committee on Appropriations was, in the appropriations "for salaries and contingent expenses, executive office," in section 1, on page 3, line 3, before the word "assistant," to strike out "two" and insert "three;" so as to read:

Three assistant inspectors of plumbing, at \$1,000 each.

The amendment was agreed to.

The next amendment was, in section 1, on page 3, line 6, to increase the total amount of the appropriations "for salaries and contingent expenses," executive office, from "\$41,047" to "\$45,017."

Mr. ALLISON. I move to strike out "forty-seven" before "hundred" and to insert "one hundred and forty-one;" so as to read "\$45,141," to agree with the amendment just adopted.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations "for assessor's office," in section 1, on page 3, line 8, after the words "assistant assessors," to strike out "until January 1, 1893, at the rate of," and insert "at;" so as to read:

For assessor's office: for one assessor, \$5,000; three assistant assessors, at \$2,500 per annum each.

The amendment was agreed to.

The next amendment was, in the same clause, in section 1, on page 3, line 20, after the word "law," to insert "in the assessment of real and personal property;" so as to read:

And perform such other duties as may be assigned to them by the assessor not inconsistent with existing law in the assessment of real and personal property.

The amendment was agreed to.

The next amendment was in the same clause, in section 1, on page 3, line 23, after the word "dollars," to insert:

Two clerks, at \$1,300 each.

The amendment was agreed to.

The next amendment was in the same clause, in section 1, on page 3, line 24, after the word "each," to strike out "one clerk, \$1,200," and insert "two clerks, at \$1,200 each."

The amendment was agreed to.

The reading of the bill was continued to line 7, on page 4.

Mr. ALLISON. In line 6, on page 4, I move to strike out the words "and messenger;" so as to read, "one clerk, \$900."

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, in section 1, on page 4, line 7, to increase the total amount of the appropriations "for assessor's office" from "\$22,250" to "\$30,000."

The amendment was agreed to.

The next amendment was, in section 1, on page 4, line 11, after the word "dollars," to strike out "four" and insert "two;" in line 12, after the word "each," to strike out "three" and insert "two;" in line 13, after the word "each," to insert "one clerk and bank messenger, \$1,000;" and in line 15, after the word "all," to strike out "seventeen" and insert "fourteen;" so as to make the clause read:

For collector's office: For one collector, \$4,000; one cashier, \$1,800; one bookkeeper, \$1,000; two clerks, at \$1,400 each; two clerks, at \$1,200 each; one clerk and bank messenger, \$1,000; one messenger, \$600; in all, \$14,200.

The amendment was agreed to.

The next amendment was in the appropriations "for auditor's office," in section 1, on page 4, line 22, after the word "each" to insert "one clerk, \$1,000."

The amendment was agreed to.

The next amendment was, in section 1, on page 5, line 20, to increase the total amount of the appropriations "for auditor's office," from "\$16,700" to "\$17,700."

The amendment was agreed to.

The next amendment was, in the appropriations "for engineer's office," in section 1, on page 6, line 17, after the word "each," to insert:

One clerk and stenographer, at \$1,000.

The amendment was agreed to.

The next amendment was, in the same clause, in section 1, on page 6, line 24, after the word "dollars," to insert:

One general inspector of surveys, \$1,800.

The amendment was agreed to.

The next amendment was, in the same clause, in section 1, on page 7, line 2, after the word "dollars," to strike out "one inspector of lamps, at \$900," and insert "two inspectors of lamps, at \$900 each."

The amendment was agreed to.

The next amendment was, in the same clause, in section 1, on page 7, line 13, to increase the total amount of the appropriations "for engineer's office" from "\$41,530" to "\$45,230."

The amendment was agreed to.

The next amendment was in section 1, on page 9, line 15, after the word "exceeding," to strike out "three" and insert "four;" so as to read:

That the register of wills of the District of Columbia shall not, hereafter, retain of the fees and emoluments of his office for his personal compensation, over and above his necessary clerk hire and the incidental expenses of his office, certified to by the supreme court of the District of Columbia, or by one of its justices, appointed by it for that purpose, and to be audited and allowed by the proper accounting officers of the Treasury, a sum exceeding \$4,000 a year, or exceeding that rate for any time less than a year; and the surplus of such fees and emoluments shall be paid into the Treasury to the credit of the District of Columbia.

The amendment was agreed to.

The next amendment was, in the same clause, in section 1, on page 9, line 19, after the word "clerks," to strike out "copyists;" in line 20, after the word "increased," to insert "except that additional copyists may be employed for temporary service as the necessities of the office may require;" in line 23, after the word "salary," to insert "or compensation;" in the same line, before the word "clerks," to strike out "said" and after the word "clerks," to strike out the word "copyists;" and in line 24, after the word "salaries," to strike out "rates" and insert "or compensation;" so as to read:

*Provided*, That the number of clerks and others employed in the office of the register of wills shall not be increased, except that additional copyists may be employed for temporary service as the necessities of the office may require, nor shall the salary or compensation of clerks and others be increased beyond the salaries or compensation paid during the fiscal year 1891.

The amendment was agreed to.

The next amendment was in section 1, on page 10, line 1, after the date "1891," to insert the following proviso:

*Provided further*, That a deputy register of wills, at a salary of \$4,500, to be paid out of such fees and emoluments, is hereby authorized to be appointed as the register of wills, who shall hereafter, in the necessary absence or inability of the register from any cause, perform his duties without additional compensation.

The amendment was agreed to.

The next amendment was, in section 1, on page 10, line 15, after the word "exceeding," to strike out "three thousand and six hundred" and insert "four thousand;" so as to read:

That the recorder of deeds of the District of Columbia shall not hereafter retain of the fees and emoluments of his office for his personal compensation, over and above his necessary clerk hire and the incidental expenses of his office, certified to by the supreme court of the District of Columbia, or by one of its justices, appointed by it for that purpose, and to be audited and allowed by the proper accounting officers of the Treasury, a sum exceeding \$4,000 a year, or exceeding that rate for any time less than a year; and the surplus of such fees and emoluments shall be paid into the Treasury to the credit of the District of Columbia.

The amendment was agreed to.

The next amendment was, in the same clause, in section 1, on page 10, line 19, after the word "clerks," to strike out "copyists;" in line 21, after the word "increased," to insert "except that additional copyists may be employed for temporary service as the necessities of the office may require;" in line 23, after the word "salary," to insert "or compensation;" in the same line, before the word "clerks," to strike out "said;" in line 24, after the word "clerks," to strike out "copyists;" in line 25, before the word "paid," to insert "or compensation;" and on page 11, line 1, after the date "1891," to insert "and the salary of the deputy recorder of deeds shall hereafter be \$4,800 per annum;" so as to make the clause read:

*Provided*, That the number of clerks and others employed in the office of the recorder of deeds shall not be increased, except that additional copyists may be employed for temporary service as the necessities of the office may require, nor shall the salary or compensation of clerks and others be increased beyond the salaries or compensation paid during the fiscal year 1891, and the salary of the deputy recorder of deeds shall hereafter be \$4,800 per annum.



The amendment was agreed to.

The next amendment was, in section 1, on page 11, line 5, to increase the appropriation for compensation of "superintendent of charities" from "\$2,500" to "\$3,000."

The amendment was agreed to.

The next amendment was, in the appropriations for "contingent expenses," in section 1, on page 11, line 11, after the word "records," to strike out "books and repairs of books for register of wills;" in line 18, after the words "sinking-fund office," to insert office of superintendent of charities;" and in line 19, before the word, "thousand," to strike out "twenty-four and insert "twenty-five;" so as to make the clause read:

For contingent expenses of the government of the District of Columbia, namely: For printing, checks, books, stationery, detection of frauds on the revenue, repairs of market houses, painting, binding, re-binding, repairing, and preservation of records, maintaining and keeping in good order the laboratory and apparatus in the offices of the inspector of gas and meters and inspector of asphalt and cement, damages, care of horses, not otherwise provided for, horseshoeing, fuel, ice, gas, repairs, insurance, repairs to potters and vehicles, and other general necessary expenses of District offices, including the sinking-fund office, office of superintendent of charities, health department, and police court, \$25,000; and the Commissioners shall so appropriate this sum as to prevent a deficiency therein: *Provided*, That horses and vehicles appropriated for in this act shall be used only for official purposes.

The amendment was agreed to.

The next amendment was, in section 1, on page 12, after line 9, to insert:

For rent of attorney's office, \$100.

The amendment was agreed to.

The next amendment was, in section 1, on page 13, to strike out the clause from line 1 to line 11, inclusive, as follows:

That whoever intends to present to Congress a petition or bill for an act of incorporation, or for an alteration or extension of the charter of a corporation in the District of Columbia, or for any special privileges in said District, shall give notice of such intention by publishing a copy of the petition or bill at least once a week for four successive weeks, in a newspaper published in the District of Columbia, the last of said publications to be made at least fourteen days prior to the presentation of such petition or bill. Such newspaper shall be designated by the petitioner and approved by the Commissioners of the District of Columbia.

The amendment was agreed to.

The next amendment was, in section 1, on page 13, line 15, before the word "dollars," to strike out "five thousand five hundred," and insert "eight thousand;" so as to make the clause read:

For advertising notice of taxes in arrear July 1, 1891, as required to be given by act of March 19, 1890, \$8,000, to be reimbursed by a charge of \$1.20 for each lot or piece of property advertised.

The amendment was agreed to.

The next amendment was, in section 1, on page 13, in line 23, after the word "taxes," to insert "on real property;" and in line 24, before the word "thousand," to strike out "one" and insert "two;" so as to make the clause read:

To enable the assessor to continue account of arrears of taxes on real property due the District of Columbia, including the payment of necessary clerical force, \$2,000.

The amendment was agreed to.

The next amendment was, in the appropriation for "improvements and repairs," in section 1, on page 14, line 10, before the words "hundred thousand," to strike out "two" and insert "four;" so as to make the clause read:

#### IMPROVEMENTS AND REPAIRS.

For work on sundry streets and avenues named in Appendix C, Book of Estimates, for the fiscal year 1893, \$400,000, to be expended in the discretion of the Commissioners upon streets and avenues specified in the schedules named in said appendix and in the aggregate for each schedule as stated herein, namely, etc.

The amendment was agreed to.

The next amendment was, in section 1, on page 14, line 15, to increase the appropriation for "Georgetown schedule" from "\$18,000" to "\$36,000."

The amendment was agreed to.

The next amendment was, in section 1, on page 14, line 16, to increase the appropriation for "Northwest section schedule," from "\$73,150" to "\$146,300."

The amendment was agreed to.

The next amendment was, in section 1, on page 14, line 19, to increase the appropriation for "Southwest section schedule," from "\$27,220" to "\$54,440."

The amendment was agreed to.

The next amendment was, in section 1, on page 14, line 22, to increase the appropriation for "Southeast section schedule," from "\$38,070" to "\$76,140."

The amendment was agreed to.

The next amendment was, in section 1, on page 14, line 24, to increase the appropriation for "Northeast section schedule," from "\$48,560" to "\$97,120."

The amendment was agreed to.

The next amendment was, in section 4, on page 15, line 2, after the word "dollars," to insert the following proviso:

*Provided*, That the streets and avenues shall be completed in the order in

which they appear in said schedules, except High street, so far as the amount of money herein appropriated shall suffice for the work, and the cost of widening High street, named in the Georgetown schedule, shall be charged to the Georgetown and Tonnallytown Railway Company of the District of Columbia and collected from said company in the same manner as the cost of laying down pavements, sewers, and other works, or repairing the same, lying between the exterior rails of the tracks of street railways, and for a distance of 2 feet from and exterior to such track or tracks on each side thereof, are collectible under the provisions of section 5 of the act entitled "An act providing a permanent form of government for the District of Columbia," approved June 11, 1878; and the act of August 22, 1888, entitled "An act to incorporate the Georgetown and Tonnallytown Railway Company of the District of Columbia," is hereby altered and amended so as to authorize and require such charge and collection.

Mr. MORGAN. I move to amend that amendment, in line 6, by inserting, after the word "schedule," the words "one-half of which."

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. In line 6 of the amendment of the committee, after the word "schedule," it is proposed to insert the words "one-half of which;" so as to read:

And the cost of widening High street, named in the Georgetown schedule, one-half of which shall be charged to the Georgetown and Tonnallytown Railway Company, etc.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. ALLISON. I ought to say in respect to this subject that when the committee had it under consideration they thought the whole of this expense should be charged to the Georgetown and Tonnallytown Railroad Company. Since that time I have ascertained that the company has made absolutely nothing in the way of income, and as far as I am concerned I am willing to let the matter go.

Mr. CULLOM. I hope it will be allowed, because my opinion is that the company is losing from \$600 to \$700 a month regularly.

Mr. HALE. Mr. President, the thing that ought to be done is to require this company to take up its tracks and place them where they will not be the constant nuisance and menace which they are to-day to everybody who travels this great thoroughfare into the country. The right which this company got to spoil this road was gained in an insidious fashion, and some of us remember that when we returned to Washington one winter a few years ago the Tonnallytown road had been occupied by this company and its uses destroyed under a bill which none of us knew anything about. Since that time no man can send his family, his wife, or his children into the country by this road without the greatest danger of accident and loss of limb or life.

The intent of these companies, Mr. President, is by constant importunities before the committees of the House and the Senate to gradually absorb and occupy every avenue from this city into the country. They do not recognize any public rights in these great thoroughfares, and the Senate has been remiss in its duty in not watching and guarding the public interests against these corporations. I do not hold myself wholly free from blame in this regard, although I have sometimes, as Senators may think, "in season and out of season," protested against the gobbling up of the great streets and thoroughfares leading into the country by these companies, but it goes on from year to year, and although Washington is to be the great winter resort, the pride and satisfaction and comfort of a great people, soon to be one hundred millions in number, we are going to be encircled by these street railroad corporations so that it will not be possible for men or women or children to get into the country without great danger, as I have said, to life and limb from these railroads.

Senators know that already there are schemes here for cutting off the few avenues that remain to ourselves, to our friends, and our constituents: that the determination is to occupy and possess them all. I am glad to be able to say that the Committee on the District of Columbia has been awakened to the importance of this matter, and is looking to these things, and I commend to the chairman of that committee, who is a vigilant business man, and who knows what business is, the necessity for eternal vigilance on his part against the encroachments of these corporations. If he does not look out these matters will be smuggled through the committee, and will get through the Senate and the House at hours when nobody is paying attention, and we shall find every year the rights of the public curtailed and at last destroyed.

Now, this company is a chief sinner. It got its privileges and proceeded in a way that nobody knew anything about. It has got the most valuable franchise of all the roads that run into the country.

There are other roads that have put out thousands and tens of thousands and hundreds of thousands of dollars, who have been obliged to lay their tracks in such a way that it would not be unsafe to the public, because somebody had found out that the intention was to restrict them by amendments to their charters, which have to a degree prevented their doing this mischief; but this company has no such restriction. They went onto that road,

a great thoroughfare, and destroyed it, and now because for a short distance—what is the distance they are required to pave?

Mr. STEWART. A little over a thousand feet.

Mr. HALE. A little over a thousand feet, a fifth of a mile; and because, without having paid a dollar for their franchise and contributed nothing to the public revenues, we ask that they shall be compelled to pave this thousand feet, which is only a small fractional part of their line, they come in with a declaration that they are not making money and that they only ought to pave half. Mr. President, they not only ought to be obliged to pave the whole of this, but they ought to be obliged to take their track up and lay it as some other companies that we have been watching and guarding are obliged to do.

But nobody asks that; no committee reports that; and when an amendment is put on here compelling them to do this little paving, all that they have ever done for the public and all that they have ever paid, then we are beset and importuned by agents and lawyers and lobbyists lurking in the pathway of Senators, who clamor at their doors and meet them at their committee rooms and in the corridors, and Senators are persuaded to give way, to yield to them.

Well, the Senate can do that, Mr. President, if they choose. I have done my duty in informing the Senate what this situation is. If the Senate choose to give up to this company and cut the amount down which the committee reported this company should pay, I can not hinder it. I have done what I think is right in notifying the Senate, and I certainly, for one, shall not vote to reduce this amount one-half, whatever may be the action of the Senate.

Mr. MORGAN. Mr. President, it has been about thirty years since the people in that neighborhood and on that road have been clamoring for some conveniences in the way of a street railroad leading from Georgetown out towards Rockville, in Maryland. Some gentlemen who had more intrepidity about this matter than they had money, I suppose, to back them with, induced a large number of citizens of this city to make contributions in the way of subscriptions to the stock for getting this railway established. They came to Congress; they have been here twice; two bills have passed upon this subject, having gone before the Committee on the District of Columbia and been thoroughly examined, and their charter has been amended since it was first granted, and no provision has been inserted of the kind that is now presented on a bill of appropriations.

Well, I think that after all this is rather a harsh way of legislation. The legislation of itself is simply destructive of the railroad. We have granted the privilege; these people have put their money in there; and now, upon a bill of appropriations, to take this subject up and give no chance for consideration, and no chance to answer at all, and bring in an amendment of this kind to the bill, is harsh legislation. I think that the whole provision ought to go off this appropriation bill and go to the Committee on the District of Columbia and let them investigate it.

I am not prepared to accept the very earnest and intense statement of the Senator from Maine [Mr. HALE] on this question. I think the Senator is very widely mistaken about it. I think he is very much mistaken in respect of the men who are concerned in this road, or of their having in any degree or at any time insidiously got an act of Congress passed for their benefit. The truth is, they were making a very risky venture in putting any money in the enterprise at all. This matter has been twice investigated by the Committee on the District of Columbia. The company have got their charter, and this proposition is merely to amend or repeal the charter on a bill of appropriations.

Now, the company can live at one-half of this cost, but they can not live if they have to pay it all. It is pretty bloody sort of work to get a set of people to invest their money in a railway of this kind, and then come in on a bill of appropriations and destroy them. This is going to be the effect of it. I am informed that the railroad company can get along with one-half of this, having to tax their own pockets for the purpose of doing it, and having no chance to get it out of the community.

So I think the Senator from Maine ought not to make the objection after bringing in this amendment here. He ought to be satisfied with one-half now. If that is not enough, let the Committee on the District of Columbia take up the subject and amend the charter. That is the way to do it. The only power we have got over them is to amend it or repeal it, and let the matter come up in some form where these gentlemen can have a chance to be heard.

The Senator complains that lobbyists and lawyers and friends of railroad schemes are around the Capitol. Who else have they got to represent them in this place? What government have they got to represent them? What voice have the people here got in any government of theirs? If the right of petition and the right to see Senators and to talk with them and explain to the Committee on the District of Columbia and the Committee

on Appropriations is cut off from them, then they are helpless, they have no chance to say a word or do anything. They can not make an appeal through any local authority at all. The local authorities in the city of Washington are not under the control of the people in the slightest degree and not responsible to them. They sit in judgment upon their rights and destroy them at will and pleasure; they carry out their own schemes and purposes of government doubtless with good intent, but at the same time it is a cruel method of administering law in an American community.

I hope the Committee on Appropriations will not take upon itself now to amend all the charters of railway companies in the District of Columbia. I have noticed here in the last four or five years that whatever has been done in respect of the amendment of railroad charters or a change of plan, traction, and the like of that, has been done by the Committee on Appropriations, and we have to submit to it because we can not get any appropriation unless we take the wishes of that committee in regard to a proposed improvement or the repeal or the amendment of a charter.

So I think we ought to go moderately about this. While the Senator from Maine doubtless has some good reason for every statement he has made here, I think it would appear that the men who are concerned in this railroad are about as honorable a set of men as there are in this country, just about as good as Washington City can afford, and if they have to be urgent and attentive to their interests it is only because they have got no other chance in the world of being heard.

I hope the amendment will be allowed to stand.

Mr. VEST. Mr. President, as a matter of course, whenever the District of Columbia appropriation bill comes up we have the same old discussion in regard to self-government here and corporations. It is hardly necessary to observe that there are two very distinct sides to this question.

I never belonged to the class of legislators who believe that corporations deserve no consideration at the hands of Congress or Legislatures, but I believe they ought to be treated exactly like private individuals, made to observe the law, to assume their portion of the public burdens, and also receive their portion of the public benefits. But it seems to me that, in regard to this matter, it makes no difference what we say here in this bill; the railroads will do exactly as they please, and our experience in the past shows it.

Here is a provision that if the company do not comply with this law, the amount necessary shall be "collectible under the provisions of section 5 of the act entitled 'An act providing a permanent form of government for the District of Columbia, approved June 11, 1878,'" and the legislation in regard to laying down pavements, etc., between the external tracks of the railroads. I remember very distinctly some years ago that we had a protracted contest over the question of forcing these railroads in the city of Washington to put their tracks down level with the surface of the streets, which is required in every other city in the United States, in order that their rails should make no obstruction to vehicles. It was finally passed here after a long debate, and I call the attention of the Senate to-day to the fact that the Belt Line in this city has paid no more attention to it than if the act had never been passed.

Two of the railroad companies have complied with it so far as I know, but the Belt Line, that runs entirely around the city, so far as my knowledge extends—and I ride upon it every day going to and coming from my residence—has paid no more attention to it than if Congress had never passed the law, and the officers of the District of Columbia have made no attempt, so far as I am informed, to enforce the law at all, just as if, in so many words, they were saying the railroad company cares nothing for an act of Congress, and will do as it pleases. My experience teaches me that they do not propose to obey the law unless they see proper to do it.

If we continue in this line of legislation, as I have noticed here for the last ten years, there will not be a street in this entire city that will not be in possession of some railroad company. The chairman of the Committee on the District of Columbia informed me this morning that there were over twenty bills now pending before that committee for constructing street railroads here, all of them speculative enterprises, and the railroad tracks proposed to be laid down upon streets from 30 to 32 feet wide, where the construction of such railway tracks absolutely destroys the street for any other purposes than the purposes of the railroad, making property upon both sides of it almost untenable; and yet these bills slip through Congress in some sort of way, and the first thing those of us who own property here or live here know is that we wake up some morning and find the street torn to pieces and a railroad being constructed of which we never heard before. So it seems to me that it is "mere leather and prunella" whether we pass this provision of the present bill or not.

I shall take the course indicated by the Senator from Maine

[Mr. HALE], with my present information, being under the impression that the railroad company afterwards, no matter what we do, will do exactly what it pleases.

Mr. HALE. Does not the Senator think it is worth while for the Senate, before adopting that fatalistic view, to make a few more efforts, or one more effort at least, to see if we can not stand up against the corporations?

Mr. VEST. I will stay with the Senator from Maine to the last ditch, but I do not expect any other result than what we have had.

Mr. CULLOM. I agree with the Senator from Missouri [Mr. VEST] and with the Senator from Maine [Mr. HALE] on the question of legislation. I desire to say that on one occasion since the road in question has been built, I became very much outraged by finding myself involved almost in a runaway with a carriage team, on account of an electric car on that road. I felt that certainly the track had been put there without authority. I could not imagine that the Congress of the United States would deliberately pass a bill authorizing any railroad company to put a track down in the middle of the ordinary traveled road. Hence I felt that the railroad company was greatly to blame for the condition; but on inquiry and examination it turned out that we had authorized all this, and if there is anybody to blame about it it certainly is the Congress of the United States. I have two of the acts which have been passed—I do not know whether these are all or not—first the act incorporating the Georgetown and Tennyaltown Railway Company of the District of Columbia. After reciting the names of the corporators, the act proceeds:

Created a body corporate under the name of the Georgetown and Tennyaltown Railway Company of the District of Columbia, with authority to construct and lay down a single or double track railway, with necessary switches, turn-outs, and other mechanical devices for operating the same by cable or electric power for carrying passengers in the District of Columbia, from the Potomac River near High street, to, and along High street in Georgetown to the Tennyaltown road, but wholly outside of the limits of said road, and along the side of the said road to the District line.

Now, whether the track was put down under that act or under another act that was passed on the 24th of March, 1890, I am not advised.

Mr. ALLISON. Will the Senator yield to me a moment?

Mr. CULLOM. Yes.

Mr. ALLISON. The original act from which the Senator has just read provided for a track on High street. High street is a very narrow street, the roadway between Georgetown and Tennyaltown.

Mr. VEST. What is the width?

Mr. ALLISON. It is a very narrow street. I do not remember what is the width of it. I do not think it exceeds 60 feet, perhaps not over 54 feet. It is a narrow street, extending entirely through the city of Georgetown and beyond that to the summit of the hill, where it intersects the Tennyaltown road.

By that first act the company was authorized to build in the middle of that street or anywhere they saw proper, and they did construct a railroad in the center of the street until they reached the Tennyaltown road. Then the original act required that when they reached the Tennyaltown road, they should build their track outside of the Tennyaltown road. The subsequent act which the Senator from Illinois now has in his hand, was passed on the 24th of March, 1890, which authorized them to build, not outside of the Tennyaltown road, but in the Tennyaltown road. So the charter was modified in their interest from the point of intersection of High street and the Tennyaltown road.

The point in question here is a little portion of the road between the Tennyaltown road and the city of Georgetown, wherein the Commissioners of the District of Columbia have discovered that, as a matter of fact the road is, as they believe, 120 feet wide, but it is fenced up, so that it is a narrow lane. Now, the Commissioners of the District of Columbia desire to widen so much of High street as will bring High street to the point of Thirty-fifth street, which is now a paved road through its entire length, a road that has asphalt up to the point where this intersection is proposed by this amendment. It will cost a considerable sum of money to widen that road, and the Committee on Appropriations believed, after such examination as they were able to give it, that the Georgetown and Tennyaltown Railroad Company should pay the whole expense, because they had placed their tracks in such a way as to destroy this road practically, as they have.

Mr. MORGAN. They placed the track according to law.

Mr. ALLISON. Undoubtedly the law authorized them to do just what they have done.

Mr. HALE. The Senator will bear in mind that in the organic law specific provision is made that the charter may be changed at any time.

Mr. MORGAN. I know that.

Mr. CULLOM. I have only a word more to say.

Mr. ALLISON. I beg the Senator's pardon. I believe he has the floor.

Mr. CULLOM. It is all right. The chairman of the committee has said much of what I intended to say myself, and has said it better than I could have done, and I am very glad of it.

I confess when this subject was up in committee I voted that the railroad company should pay the whole cost of that provision in the bill, but I was not as familiar then with the law that controlled the subject under which the tracks were built as I am now. I confess that it would seem to me a little hard, perhaps, for a company that has not violated any law that I know of, and which is losing money, as this company seems to be doing, to be required to incur the whole expense provided in the amendment reported by the Committee on Appropriations; and while I shall go with the committee, I am perfectly willing myself that the Senate shall adopt the amendment proposed by the Senator from Alabama.

Mr. MORGAN. Mr. President, the Senator from Missouri [Mr. VEST] has a general complaint to make about railroad legislation and railroad procedure here in this town. I expect it is very just; but at the same time a great deal of the fault of this matter rests upon Congress, and I do not know but that the whole of it rests upon Congress. But the Senator from Missouri, I think, has not stated, and perhaps he will not state, that this railroad company has not complied exactly with the statutes of the United States upon this question.

If the people who took stock in the railroad company to enable the company to build the road had known that Congress, after the railroad had been laid down, would place upon that company or upon that road a burden which would be impossible for it to bear, they certainly never would have put their money in there; and it is the people who have built the railroad by taking stock and paying for their subscriptions who are affected by this legislation. It is very harsh and very wrong. It is true we have the power to amend or repeal this charter, and this provision in this appropriation bill proposes to do that. But we know that that is not a fair way of proceeding, to repeal charters or to amend charters. Men have no notice; they can not bring forward the facts or the circumstances to the attention of the proper committee, the Committee on the District of Columbia, to look into this matter and to ascertain what were all the circumstances.

Now, I am not advised, while I am advocating this amendment, whether this road, or any part of it, is upon an embankment, or whether it is through a cut, or on a level. My impression is that that part of High street, in the center of the street through which this road passes, according to the provision of the act of Congress, is precisely in the location we authorized the company to put it. The widening of a street, either by making a deep cut or a fill is a very difficult work, and I am not certain but both have to be done. Perhaps some Senator can inform me about that.

Mr. McMILLAN. Mr. President, I have given this matter some little attention; in fact I introduced a bill here for the opening of Thirty-seventh street for the purpose of enabling people driving in carriages with their families to escape this dangerous track that had been built there on High street. When the chairman of the Committee on Appropriations spoke to me about the arrangement which he proposed to make to widen this street so as to connect with Thirty-fifth street and avoid to a great extent the travel on this narrow part of the road, I thought it was a very fair proposition to ask this company to pay this small amount. It is only for a short distance, and it does not affect their main line down in the city. It can not cost a great deal of money. The charter is a very valuable charter, and, though the road may not pay now, it will pay hereafter.

Mr. VEST. How much will it cost to do this work?

Mr. McMILLAN. I can not tell exactly, because they have to widen the street, but there is no heavy work to be done there. After this company obtained its charter, built the road on this narrow street and built the road up High street, they never fixed the street at all, but they left it just as it was. They never leveled the street at all. The result is that a man driving there has to go right into a ditch to get rid of the cars. If the company had treated the public a little differently, leveled the road and made it possible for carriages to pass over it, I have no doubt the people of Georgetown and the people of Washington would not have had so much fault to find with it. But now it is actually impassable. This piece of road provided for in the bill is not a very great distance. I do not think it will be a very great hardship for this company to be asked to pay the expense.

Mr. MORGAN. I understand under the provisions of the bill it will cost \$26,000.

Mr. ALLISON. That is the estimate.

Mr. McMILLAN. I would say in that connection that the District Committee have decided that hereafter these country

roads shall be protected and that no company shall be chartered, if the committee can prevent it, unless it has its right of way entirely free from the roadway which has been laid out.

Mr. HALE. That is right.

Mr. CULLOM. I hope the District Committee will protect the streets somewhat, as well.

Mr. McMILLAN. We are going to do that if we can.

Mr. CULLOM. That has not been done heretofore.

Mr. MORGAN. There is another question about this matter. The private owners, I am informed, on either side of this street have been permitted for thirty or forty years to encroach upon it, and perhaps to the extent of 40 or 50 feet have appropriated the public land of the city of Georgetown to their own private purposes, and yet we find these men are to escape entirely from all the punishment which we are inflicting upon the Tennallytown Railroad, and the whole matter is to be dumped upon that corporation, I suppose, because it is a corporation; but that corporation represents only the people of this District who have subscribed their money to it, and I insist again that it is a very great hardship to require them to take upon themselves the whole expense of rectifying that which the Congress of the United States has permitted to take place there in the way of the encroachment of private owners upon that street.

If the encroachments of these private owners had been removed, or if they had been compelled to go back to their proper lines heretofore, there would have been no difficulty, perhaps, about this street at all, but it would have been wide enough and good enough for the accommodation of the public. They are the people who brought this hardship upon the railroad company and upon the community. I think the committee ought to proceed at least now on the line that I suggest, and if Congress think proper let them put one-half the expense upon this railroad company, but let us see if, on a proper adjustment of this matter, the owners of the adjacent lots, who have made these encroachments, ought not themselves to bear at least one-half of this burden.

Mr. HALE. Mr. President, the Senator from Michigan [Mr. McMILLAN], who is chairman of the Committee on the District of Columbia, and largely intrusted by the Senate to see that the rights of the public are maintained, and also that the corporations shall have their fair treatment, has told the whole story about this matter.

Mr. MORGAN. He has not said anything about these encroachments of private owners on that road, I understand. Has the Senator from Michigan made any mention of that?

Mr. McMILLAN. No; I have not.

Mr. MORGAN. That is a very important matter.

Mr. HALE. The railroad company, when it got this charter, which nobody would father, built the road in the most reckless defiance of public rights, ran its track through the center of the narrow street, and did not even look to the care and safety of the street. Whoever has gone along since over this way has been obliged to run into the ditch, as the Senator from Michigan has said.

Now, if it is found that this road, over which this company got its charter, has a width ample to protect the public. It is to be opened and paved, and all that is asked here is that this company with this valuable franchise shall do now precisely what, if any attention had been called to it at the time, it would have been compelled to do at first, that is, pave this street. Can anybody give any reason why it should not?

All that has been said is that it seems hard that it should pay the whole, and that therefore we had better let up on it; because it is not making any money now that we should ask it to pay but half. If it is hard that these corporations should pay the whole, it is hard that they should pay half. They have got, as the Senator from Michigan has said, a very valuable franchise, and whether they are making money or not now, they were glad to put their money in there, and in the end it will be one of the most valuable properties about Washington.

Mr. MORGAN. I will state to the Senator from Maine that, while it may be true that it may hereafter be very valuable property, it will be after these people have been driven out who are not able to hold it and pay \$26,000, and a new company can come in and absorb this, and perhaps that is the bottom of the whole business.

Mr. HALE. Contrast the treatment which this company has had which is now importuning Congress that it shall not pave this little part of the road which it occupies—contrast its treatment with that of so many other companies. When the Rock Creek Railroad Company was chartered, we obliged that company to find its own right of way, to condemn lands, to pay the value of them, do its own grading, let the public streets alone, and gave them no avenues, and we put upon that company burdens of hundreds of thousands of dollars compared with what this company has had to bear.

Mr. McMILLAN. If the Senator will allow me, the bridge alone that that company has built at Rock Creek must have cost \$130,000 or \$140,000.

Mr. HALE. I am obliged to the Senator.

Mr. McMILLAN. We granted a charter at the last Congress to build a railroad from the other side of the Potomac at Arlington, near the Three Sisters, in which we compelled the company to build a bridge across the Potomac that will cost \$200,000 at least.

Mr. HALE. Precisely. Any one of these items that we have obliged other companies to expend in the way of bridges will six times swamp the little sum that is asked of this company now for paving this street which it has destroyed; and yet this company comes in and finds its advocates here to declare that it is hard that we should oblige it to pay the whole of this sum of \$26,000, when we oblige other companies to build bridge after bridge, costing from \$100,000 to \$200,000 each.

Mr. MORGAN. I wish to call the attention of the Senator from Maine to the concluding proviso in the act of March 24, 1890:

*And provided further,* That said railway shall be located on such side of the roadway as may be indicated by the Commissioners of the District of Columbia.

The whole jurisdiction was placed in the hands of the Commissioners. What have the Commissioners been doing?

Mr. HALE. All of these acts have that provision. They followed the letter of the law. There is no doubt about that. As somebody has said here, why should we oblige this company to pay this money when they have not violated the law? They got this law through to the surprise of everybody, and nobody will father it. They then come in and want to take advantage of their own wrong. Undoubtedly the provisions of the bill that Congress passed looked out for these people, because they drew the bill themselves; and it is no answer, when we are seeking to subject them, not to hardship but to an ordinary burden in the course of the transaction of public business, that we shall take this matter in hand, as we are permitted to do by the terms of the act, and vary this charter at any time.

It is to me a wonder, Mr. President—like the Senator from Missouri I ought to be more fatalistic and cease to wonder—that whenever any attempt is made to make a railroad corporation in the District of Columbia contribute its portion to the public burdens, it finds advocates here who declare it is not fair, when here are a thousand feet or less of road that this company has heretofore ruined, which we seek to make it put in order, so that the public can travel over it, and Senators declare that it is hard on this company to oblige them to do it.

Instead of discussing this question we ought to be discussing the question of whether this company shall not be obliged to take up its tracks entirely and find its roadway outside of the street, as we have obliged other companies to do. This has been a favorite company. No company has had the favors that this has. It was allowed to select its avenues, the choicest and best leading into the country, run its line through them, destroy their use, and oblige men to go off elsewhere so as to get out into the country. Here is an opportunity to make the evil less, and this great company is asked to pave part of the roadway to the extent of twenty-five or twenty-six thousand dollars.

Senators say it is hard to make them pay more than \$13,000. I do not see the difference. If we are going to exempt this company, if we are going to wait until they begin to make money, and do not ask them to pay anything until then, let us do all the paying for them. If they are not paying dividends, when their track needs repairs, let Congress furnish the new rails, and if their funds are not enough to pay their officers and employees, then let Congress pay them, because it is hard for them to pay their employees! Let us help them! There is no end to this. The truth is it ought to end here. The company ought to be glad to get off with paying this small sum.

The Senator from Michigan, who is vigilant in looking after these things, and who knows all about this matter, voices his committee in saying what ought to be done here. I hope the Senate will stand by the action of the committee.

Mr. MORGAN. I do not think that there is any more impropriety in advocating what a Senator thinks is a just thing on this floor than there is for a Senator to get up here and lampoon Congress and plead the baby act on what we have enacted solemnly and deliberately. I think Congress is perfectly able to take care of the District of Columbia at all events; it has been compelled to do it very much against what I think is the best policy, to be adopted in regard to the government of this city, at least the American policy, if not the best.

The Committee on Appointments seems to have taken charge of all this business of reforming all the laws of corporations, charters, and the like, in the District of Columbia. Why not leave it to the Senator from Michigan [Mr. McMILLAN] and his

committee, allow that matter to come before that committee, and let it have a fair investigation and debate on this floor without voting it on appropriation bills?

Mr. HALE. The Senator knows, by the rules of the Senate, that the question of appropriations for these streets, the paving of them, and all that, is found and settled upon the District appropriation bill.

Mr. MORGAN. Not always.

Mr. HALE. That is the rule, and in this case the Committee on Appropriations is backed up by the chairman of the Committee on the District of Columbia.

Mr. MORGAN. Let the chairman of the Committee on the District of Columbia bring his bill in here and let us have a proper discussion of it without the embarrassment of its being attached to an appropriation bill. That is the fair way to do the thing, not proposed to amend or alter the charter upon accusations which, I am informed, are not correct. I am so informed by gentlemen of very high respectability, and I know personally many persons in this city have taken stock in this railroad company because they thought it was a fair investment. It has never paid a cent of dividends, may never pay a cent of dividends, and the result of this legislation, I think, will be simply to break up this company and transfer it into the hands of some speculators. That is not infrequently done here.

The harsh legislation of Congress prohibits men to make fair and just investments upon the merits of property like this, and prohibits them from enjoying the benefits of their investment by putting burdens upon them that they can not afford, by reason of which they are compelled to sell out their stock, go into bankruptcy and liquidation, and the property passes into the hands of somebody else.

This seems to be, according to the opinion of the Senator from Maine, a very valuable corporation, and yet it will be in the hands of people who can not hold it if these enormous burdens are put upon it. Here is a judgment of condemnation; here is a fine, and nothing but a fine, imposed upon this company for some dereliction that the Senator from Maine thinks he has discovered, perhaps when his carriage horses may have been scared in passing over this road.

The Senator from Missouri [Mr. VEST] is very much distressed because some morning he may wake up and find a street-car line progressing through the city of Washington. That may be, Mr. President, but after all there is nothing that contributes as much to the happiness and comfort and health and welfare of the common population of this city and of the great number of visitors, too, who do not happen to have large sums of money in their hands, as this street-railway system. While it is a system to be regulated, it is nevertheless a system to be encouraged.

It is the poor man's way of getting through the town, and I think there is scarcely a road, not even that Belt line that the Senator from Missouri says has its tracks above the level of the streets, that could be dispensed with without inconvenience to a very large number of people who need this assistance. I have never seen a community in my life where there was as few enormously rich men and such a vast mass of poor people as there are in Washington City. They are drawn here by the invitation of the Government to hold minor offices and the like, in the employ of the Government of the United States, to educate their children, etc., and we have a very large number of impecunious people. They are an industrious people, a good people, for I do not believe that the streets of any city of America, or in the world, present as little that is offensive to the people who pass along them at any time of the night or day as Washington City. According to the outside appearance of it, according to what happens here night and day, we would call it one of the best regulated and one of the most moral cities in the world. There is no question of that.

It is the most orderly city I ever saw. So then, in contributing to the welfare and the happiness and the comfort of this people, we are not violating any of the great laws of government or the proprieties of legislation. Congress has to give due consideration to all these measures. This subject has been twice before Congress, and these provisions have been put into the statutes with care, and I maintain that they have been put into them without lobbying and without any incorrect operations on the part of the persons interested.

The fact is I do not believe any bill of this character or any bill of any other character passes through the Senate of the United States in consequence of its being lobbied. I have never seen a bill passed here that I thought had the least touch of dishonesty about it, and it does not become us to get up here and plead that an act has been surreptitiously passed, then surreptitiously amended, that lobbyists have been about, that Congress has been asleep, and that Senators have not been paying attention to the public interests, have not been taking care of the general welfare of the people. I can not be induced to vote upon a

hypothesis of that sort against or for any measure. I must take what is recorded in the statutes of the United States as having been honestly and honorably put there.

These people have built there, they have spent their money upon the foundations that we have laid for them. Here are your Commissioners of the District of Columbia, who are authorized expressly by the proviso to this last act of 1890, to indicate where this line of road shall be put. Now, what have they been doing? I do not hear that they are arraigned here for neglect of duty. Doubtless their attention was called to this subject. Senators say that that provision is in every such bill.

Mr. ALLISON. That discretion given to the Commissioners applies to that portion of the road lying west of the junction of the Tennallytown road, and does not include the portion of the road that is now under debate.

Mr. MORGAN. Well, Mr. President, if I am incorrect about the part of the road to which this proviso refers—

Mr. ALLISON. I am speaking about the act of the 24th of March, 1890.

Mr. MORGAN. At the same time the Commissioners have made no complaint here of this company. They have had the duty resting upon them. I do not hear of any report of the Commissioners condemning it or saying that the company has placed the road in the wrong place, that it obstructed the highway or is impeding travel. Nothing of that sort has been done, and I claim this is very harsh and surprising legislation. If this had come in the form of a bill reported and placed upon the Calendar, somebody would have attended here, evidence would have been produced to have brought the correct information before the Senate of the United States, but the first we hear of it, it originates in the Appropriations Committee room.

No amendment was offered to this bill in the Senate and sent to the committee, but it is the work of the committee itself, with no notice given, no opportunity for defense; and yet because I arise here and say in my opinion this is harsh legislation and unjust in its character, the Senator from Maine rather impeaches me for being always ready to cry out hardship in favor of a corporation.

No, Mr. President, I have as little to do with corporations as any man in the world. I have as much desire and have as frequently tried to put the hand of control upon them as any man in this body, according to my feeble ability. I have been instant "in season and out of season" to try to control the corporations here. I have not been hand in glove with any of these great arrangements by which this city or any part of the United States is controlled, with national banks, or any of the plans of the great corporations of this country.

On the contrary, while I have been willing to do them justice, I have been in a sense inimical to them; that is to say, I have been always anxious that they should have no more power than was absolutely necessary to carry on such part of their functions as made for the general welfare of the people. I feel no embarrassment in the world in getting up here and asking the committee who have originated in this appropriation bill this new measure of appeal, which has never been before the legitimate committee of the District of Columbia for a hearing—I feel no embarrassment in saying that this is a harsh fine to place upon a company that is unable to bear it, and I merely ask that the committee, with all their great powers, will have a little mercy, and at all events postpone one-half of this amendment, one-half of this fine, one-half of this penalty, until the subject can be looked into. I have only had an hour to study it, or less time even than that. At the same time my information comes from sources that I do not discredit in the slightest degree. I believe just as much in the statement made to me about this as in the statements of any person in the world.

Mr. HALE. Has the Senator the act from which he was reading a moment ago?

Mr. MORGAN. I have.

The PRESIDING OFFICER. Mr. PLATT in the chair. The present occupant of the chair understands that the amendment proposed by the Senator from Alabama [Mr. MORGAN] to the amendment of the committee was announced as agreed to.

Mr. MORGAN. It was.

The PRESIDING OFFICER. And the announcement was made that the amendment of the committee as thus amended was agreed to.

Mr. HALE. The discussion has proceeded upon the assumption that no vote had been taken.

The PRESIDING OFFICER. If it is the desire of the Senate that the amendment of the committee shall be considered open, as well as the amendment of the Senator from Alabama, the Chair will so rule; otherwise there is nothing before the Senate.

Mr. HALE. The discussion has proceeded, as I said, upon the assumption that the subject was still open. I did not know that any vote had been declared.



The PRESIDING OFFICER. If there is no objection, the amendment of the Senator from Alabama will be regarded as pending to the amendment of the committee, and both will be considered open.

Mr. HARRIS. Both amendments remain open, the committee amendment and the amendment proposed to it.

The PRESIDING OFFICER. It will be so considered.

Mr. HALE. Mr. President, this is no question between the people who use these roads and anybody else. The company has got its charter and built its road in a way that has been described, and now, as an incident to this privilege, finds not suddenly—for this company is not taken unawares; it is not fighting for the people—it finds, as an incident to the great privilege which it has got, that a certain portion of its track needs to be paved for the convenience of the whole public. There is no surprise to this company in this. This condition might occur at any time. The company all the time must take notice. If next year it should be found that another piece of the road that this company occupies needs to be paved and the company has neglected to pave it, the Committee on Appropriations would have to put it on the bill, because by the rules of the Senate that committee takes charge of roads and appropriations for paving, and always decides what part shall be paid by the public and what part by the companies, what part by the nation and what part by the District.

So there is no surprise here. I do not need to repeat and I do not want to repeat what has already been said. It is a small sum. It is not to be compared with what we put upon other companies. The company ought to be glad to get off as cheaply as this.

Mr. FAULKNER. I will ask the Senator, who is a member of the Committee on Appropriations, whether there has been any consideration by that committee of the cost of this work and the probable effect upon this corporation if the entire amount of this liability is thrown upon it.

Mr. HALE. The committee has no expectation or fear from its investigation that the payment of this small sum of anywhere from \$15,000 to \$25,000 (it has been stated at \$26,000, but I do not think it will cost that) will be any serious mischief to these people. It is not a large sum compared with their plant and compared with their resources. It is not a burdensome thing. If we were putting a half million dollars on this company, or if we were obliging them to take up their tracks and find their own right of way, as the Rock Creek Company had to do, it might be said we were interfering with their existence and that we were seeking to stomp the breath of life out of the company; but it is not anything of that kind.

It is an incident of their occupation and their privilege, and I notify the committee that next year if it is found that another portion of the road that they occupy ought to be paved, it is within the jurisdiction of Congress to provide that they shall pave it. It will not be very hard if they have to do it. This other road had to do all its grading, buy its land, and spend hundreds of thousand of dollars. It had to build bridges. They did not come in and ask that we should build them. They paid the bills.

Mr. FRYE. Do you require here that they shall pave anything more than the roadway?

Mr. HALE. Nothing more than in the midst of the street.

Mr. FAULKNER. I think the Rock Creek road, as the Senator has said, has done an immense service to this city.

Mr. HALE. And has spent an immense amount of money.

Mr. FAULKNER. It has spent, I think, thus far, between \$400,000 and \$500,000 in its improvements. But the Senator must take into consideration also, when he examines into the question, that where these companies spend large amounts which would not be justified by reason of the patronage that they receive in the transportation of passengers, they have ulterior ends which necessarily affect private interests of their own. They own large bodies of land there, and they could afford probably to make a very large expenditure which would not be reimbursed by the return from the passenger travel of the road but in the building up and enhancing of the value of the property through which the road runs, which is owned mostly by themselves. At the time the Rock Creek road was chartered there was no road laid out.

I am perfectly willing to vote for what is fair and just in reference to this matter, but I think that we ought to be satisfied that we are not doing an injustice to this corporation. I think in some instances we have done injustice to them. We have required corporations, and I voted myself in favor of it, to pay judgments which were declared null and void by the Supreme Court of the United States. We required them to pay a large amount of money, and yet I thought the equities were in favor of the District, and I voted even in a case of that kind to require them to pay it. We have also required the Washington and Georgetown Railroad Company to expend, I suppose, not less than \$3,000,000 to give greater facilities to the people by a better road

along Pennsylvania avenue and connected with it. Wherever the expenditures are at all equal to the receipts or will benefit the road and also the District and will not operate too harshly upon them I am in favor of perfecting the service of street railways. I believe that the Metropolitan and the Washington and Georgetown Railroad Companies have complied with the law in reference to laying the rails on a level with the surface of the street, and in every other respect I believe those roads are complying with the provisions of law.

Mr. HALE. Now, let me ask the Senator a question. He has large familiarity with the management of this District from his valuable service on the District Committee. Will the Senator inform the Senate, while Congress has been obliging these other roads to pay thousands and tens of thousands and hundreds of thousands and millions of dollars for the public convenience up to this day, what has Congress required this company to pay?

Mr. FAULKNER. I know of no instance in which Congress has required any railroad company to pave a street except between the rails and two feet on either side. I do not know of any instance in which Congress has required any corporation to which it has granted a privilege similar to this, to grade a street if the grade was established at the time the corporation was granted the privilege of using the street.

Mr. HALE. No; but it has obliged them to do other things in the way of adopting a certain method of motive power. It has obliged them to build bridges entirely at their own expense, involving sums of money, ten and twenty and thirty times larger than this amount, and this is the first that has been asked of this company.

Mr. FAULKNER. In the case of the Rock Creek road that was not required by Congress, but it was asked as a privilege by the corporation when it applied to Congress for the franchise which it obtained. The bill which was presented on behalf of that corporation had all those provisions in it. There was no street then laid out through which they desired to run, and they had to grade the street in order to accomplish the purposes which they had in view. They had provided in that very bill when it was presented that the bridge over Rock Creek should be paid for by the company. I do not know of an instance in which, after the franchise has been granted, a regrading even has been charged to the corporation that had the privilege of running upon the street.

Yet that consideration will not affect my vote. If this matter has been properly investigated and it is not too severe a tax upon this corporation, I should be willing to go with the Committee on Appropriations; but when we required the Washington and Georgetown road to lay down the cable system, to change its motive power, to change its rails, as we did the Metropolitan road, we investigated thoroughly as to the ability of both those corporations to do it, as to their capacity to stand under the tax to be imposed upon them; and having once become satisfied of that we then determined to bring up the roads to the very highest state of efficiency.

Mr. HALE. That involved some millions of dollars.

Mr. FAULKNER. Three million dollars, at least, in the case of the Georgetown road.

Mr. VEST. While we are upon this question I should like to have some information from the District of Columbia Committee. I wish to ask the Senator from West Virginia, while the committee has made this and that road comply with the law, why it is that the B & O Line have never been compelled to do it? They can never observe that law any more than if they were not under the jurisdiction of Congress.

Mr. FAULKNER. I do not know anything in reference to the B & O Line. I never traveled over it, and I do not know whether they have complied with the law or not. I assume that they have not done so from what the Senator from Missouri has said.

Mr. VEST. I travel on it every day.

Mr. FAULKNER. But I desire to state for myself and not for the Committee on the District of Columbia that it is our province and duty to pass legislation, not to execute the laws. There are other persons whose function it is to see that the laws passed by Congress are properly executed. That does not belong to the District Committee. I did not know there was any violation of the provisions of law in reference to that question by the Belt Line, but I assume that it is true from what the Senator says.

Mr. President, before I am willing to vote for this amendment of the Committee on Appropriations I should like to be satisfied, as that question has been raised by the Senator from Alabama, whether it would really be almost equivalent to the confiscation of this company's property.

Mr. HALE. Let me ask the Senator whether he supposes that the expenditure of anywhere from \$15,000 to \$25,000 by this corporation would be in anyway a death blow to the company? It seems to me that the Senator himself, who is a lawyer, a man of business, and an experienced legislator, can not have in his mind



any fear lurking about that this provision is intended or will result as a serious mischief to this company's organization.

Mr. FAULKNER. I am frank to say that I can not answer that question to my satisfaction or that of the Senate.

Mr. MORGAN. I can answer that question upon the information of a gentleman in whose veracity I have perfect reliance, that it would be what the Senator from Maine has said, a death blow to the present organization.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The SECRETARY. A bill (S. 2729) to amend an act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdictions of the courts of the United States, and for other purposes."

Mr. ALLISON. I ask that the unfinished business be laid aside informally for the purpose of proceeding with the appropriation bill.

The PRESIDING OFFICER. If there be no objection, the unfinished business will be informally laid aside, and the consideration of the appropriation bill will be proceeded with. The Chair hears no objection.

Mr. FAULKNER. I think, when the Committee on Appropriations come forward with this amendment, they ought to be ready themselves to answer specific questions put by Senators who have examined to some extent at least into this matter, and who assert that it will be equivalent to the confiscation of the franchise and rights of this company. They ought to be able to state to the Senate that it will not prejudicially affect the company.

Mr. HALE. I have no doubt whatever upon that subject. The committee had no belief that it was going to interfere seriously with the company.

Mr. FAULKNER. But has the Senator from Maine examined into the financial condition of this corporation to ascertain that fact?

Mr. HALE. If this company is in a condition now where this slight burden for the public use is going to bankrupt it and throw it out of business, it will be bankrupted and go out of business from other cause. If this simple item is going to destroy it, then it is a failing company and can not maintain itself, and Congress will never find itself able to deal with a corporation to put a reasonable burden upon it without being confronted by the declaration of somebody interested in the company that that very act will cause the ruin of the company. This is a chimera. It is not an actual fear. I do not say that the Senator from West Virginia and the Senator from Alabama do not have these doubts about it; I am not impugning their sincerity, but the officers of the company have no fear of it. This company that is running the cars and getting public benefits increasing its property every year, which will be a great corporation with valuable property, is not going to be harmed by being obliged to pave these few hundred feet. It is not in that condition, and I repeat, if it is in that condition we can not help it.

Mr. FAULKNER. I wish to say that I know nothing about this matter. My only information is what the Senator from Alabama and the Senator from Maine have stated. I have no other information whatever. But I desire, in justification of myself and also of the District Committee, to say that any imputation by the Senator from Maine that the act was lobbied through originally, or that there was any improper course adopted either in committee or in the Senate in the passage of the bill originally, is an entire misapprehension upon his part as to the condition under which that act was passed.

Mr. HALE. All I said, which I firmly believe, is not that there was anything improper or any shade or approach of corruption, but that there was negligence on the part of the Senate generally in not looking into it. I know when we came back here and found that this company had taken possession of the street we had a discussion of it, and I could not find any Senator who knew that they had a right to do that; and they had afterwards to get an act through giving them authority to go into the middle of the street, as they claim, although the very act that they got through here to enable them to do this says at the close that—

Said railway shall be located on such side of the roadway as may be indicated by the Commissioners of the District of Columbia.

I think it was the impression—I think the chairman of the committee had that impression—that this road would not be built right through the middle of the street, but that it would be on one side, out of the way. The Senator himself may have known about this, and may have followed it up, but if so he is the first Senator I have ever found who was ready to take the responsibility of saying that he knew what this company was going to do with that street. We could not find anybody at the time who knew.

Mr. McMILLAN. I wish to try and answer the question which the Senator from West Virginia has just now asked. Everybody who is familiar with the building of street railroads knows that there is a period of time when the road does not pay very much to the stockholders; that they have to wait until the road develops the country round about. This road is built out from the populous part of Georgetown. It is the only road running in the direction of Tennallytown. Senators here know that Tennallytown and its vicinity are growing very rapidly and that that is a portion of the District where property is bound to increase in value. These gentlemen undoubtedly have a valuable franchise. The last report which we have in our committee shows that their receipts amounted to the neighborhood of \$35,000 or \$36,000.

Mr. FAULKNER. Gross?

Mr. McMILLAN. Their gross receipts, from their earnings from passengers, and their expenses were about \$30,000. I have not any hesitation in saying, as one who has had some experience in these matters, that this road will undoubtedly be a good investment. The stockholders may have to wait a year or two for the development of the region tributary to the road, but it is bound to be a valuable franchise, and I do not believe, looking at it in that light, that this is a very great hardship to that company.

Mr. FAULKNER. I wish to answer the question in regard to negligence, because, if I recollect aright, the original bill was reported by me from the District Committee. I do not know about the amendment to the charter, but the original bill, I am satisfied from my recollection, was reported by me, though I have not referred to the matter since the passage of the bill.

Mr. HARRIS. I will say to the Senator from West Virginia that I have just looked at the history of the legislation. The original bill was introduced in the Senate by the then Senator from Kansas, Mr. Ingalls, but that bill was indefinitely postponed. However, a bill having been introduced in the other House, the bill introduced in the Senate by the Senator from Kansas was adopted in the House as a substitute for the bill introduced there. It was passed there and came to the Senate and was reported by the Senator from West Virginia [Mr. FAULKNER] from the District Committee of the Senate, and was so passed.

Mr. FAULKNER. I remember that I had some connection certainly with the passage of the original bill, having reported it from the Committee on the District of Columbia. It was the universal practice of that committee, whenever a bill affecting the interests of the city of Washington was before it, to refer it to the Commissioners of the District and to get their report either for or against the bill, or with suggestion of any amendments that they deemed proper.

I have not the slightest belief that any member of the Committee on the District of Columbia or its chairman was guilty of any negligence in reference to this matter. If the bill was not referred to the District Commissioners by the Committee on the District of Columbia of the Senate, it was because the bill had come from the other House and had been passed on there by the District Committee and the District Commissioners. It has been the universal practice to do that, so as to bring the attention of those who necessarily have their minds constantly directed to all these local matters to the bills that are before the District Committee so that they may suggest any amendment and give their opinion as to the advisability of the passage of the bill.

Then the bill is considered by a subcommittee and discussed fully by the whole committee, because I can say right here from my experience of five years in the District Committee, that I know of no subcommittee that has ever been authorized to report bills that have not been passed upon before the whole committee.

Mr. HARRIS. Never.

Mr. FAULKNER. We have adopted that rule, believing that it is essential to the interests of this city and to good legislation that no subcommittee, even one composed of half the committee, shall have the power to pass on bills and report them to the Senate on behalf of the committee, but that every bill, before being reported by that committee, shall be voted upon when a quorum of the committee is present. I do not know of any exception to that rule. I do not think there has been any negligence on the part of the committee or on the part of those who reported the bill from that committee to the Senate. Perhaps if I had known the road as well as I do now I might have made some objection to its going up High street, but at that time, not knowing it personally, I did not see any reason to object to the bill when it had been passed by the House of Representatives and approved by the District Commissioners.

Mr. McPHERSON. I should like to ask the chairman of the committee who has charge of the bill if this street called High street was an open street in the city of Georgetown? I understand that it is located there. Was it an open street at the time

the authority was given to the railroad company to lay their tracks?

Mr. ALLISON. It was.

Mr. McPHERSON. What was the width of the street?

Mr. ALLISON. That I do not know. It is a very narrow street. Senators who have driven over it will know that it is the narrow street that turns towards Tennallytown right by the aqueduct.

Mr. McPHERSON. It is not the street then that is used for a carriage drive between the ferry and the Tennallytown road?

Mr. ALLISON. Oh, yes; I will ascertain the width of the street.

Mr. McPHERSON. I have heard somewhere mentioned in the debate that the carriage way is about 20 feet wide.

Mr. HALE. It is about 30 feet wide.

Mr. McPHERSON. The citizens of this city and Georgetown had a right, an easement, in 20 feet of carriage-way room on that road when the permission was granted to this railroad company to lay down their tracks. I understand that the effect of laying the tracks in that street has simply been to deprive the people of the use of the street and confer it upon a railroad company; and that there is authority in the act incorporating the railroad company to amend that act and to compel the railroad company to provide a wider street.

I want to know what there is in that proposition which ought to receive the condemnation of any Senator. In the first place the street belonged to the citizens of the city. They paid for it. The street had been opened perhaps by public condemnation and by tax upon the property on the line, or upon the whole city; but it was proposed to permit the railway company to lay down a railroad track on the street, from which they were to derive a private benefit; and in granting that permission Congress simply deprived the people of their right to the use of the street because, as I understand, the railway company occupy the whole street.

We have granted railroad franchises in the city of Washington as they have been granted in many other cities, that could be sold to-day for millions of dollars. These people invested their money in this railroad property with the full knowledge that the Congress of the United States sitting here and acting as a board of aldermen or councilmen for this city, because it practically has no other lawmaking power, have the right at any time to require this railway company to give better railway facilities for the transit of people over their line, and in giving better facilities they may require them at the same time to occupy only so much or such portions of a public road as will not deprive the people of the right to use it.

I say the franchises granted here could to-day be sold for millions of dollars. It is a gift, a right of way to a railroad, where the business of the road is assured for all time, and is unlike any other railroad property where you undertake to build a line of railroad across an unpopulated country. Here the population exists; it is contributing to the profits and the business of the road; and I think that this railway company should be compelled at their own private cost and expense to widen the road, retaining the rights which have been granted them, and to widen the road in order that the public benefit may not be entirely lost from it; and that the tax should be imposed upon the company instead of anybody else. I have no sympathy with any argument—and I hear it often made in the Senate—in which we approach one of these railroad companies very gingerly, and the question is asked, Can the railway company afford all this? After granting them the free franchise upon a graded road, the street graded at public expense, then the question is, after they have invested their money in this kind of property, whether we have a right to make any exaction upon them with respect to surrendering some portion of the value of that right which we have granted to them for nothing to enable the people to have some rights upon that street.

It would seem to me as though it was about time that we began to deal with railroad companies in the District of Columbia as they ought to be dealt with. If I invest my money in a railroad property in the District of Columbia, believing it to be a good investment, as I presume these people have done, I do it at my own peril. I do it with the full knowledge that the Congress of the United States may amend that law and require some exaction from me provided it be made to appear that it is a just and equitable and reasonable one. I can see no inequity in this requirement. We require these railroad companies, if I am correctly informed in respect to the law, to pave inside their tracks and outside their tracks, and to maintain the trackway; and we have just as much right to say to them, "You shall widen this street." The Congress of the United States did not grant to this railroad company the exclusive right to use that street. The public have some rights there.

Mr. KYLE. May I ask how many tracks there are on the street?

Mr. McPHERSON. I do not know. There are enough, I understand, to completely occupy it and blockade it so that travel is very difficult, if not dangerous, in going through the street.

Mr. HARRIS. Mr. President, I am inclined to think myself that justice demands that this railroad company should pay either the whole or a large proportion of the expenditure necessary to make that way what it ought to be, and I shall so vote.

I rose, however, chiefly for the purpose of saying that inferentially the Senator from Maine, the Senator from Missouri, and the Senator from New Jersey, criticize the action of the Committee on the District of Columbia in a way that seems to me hardly fair, and not kind nor just. I have for fourteen years, not in accordance with my wishes but in obedience to a duty, served on that committee, and I want to say frankly that in respect to chartering railroad companies in the District of Columbia I do not know of one single instance where the committee has consented to report a bill granting such a charter until the bill that had been introduced was referred to the Commissioners of the District of Columbia, and their scrutiny invited, and their report received as to the public necessity for the railroad, and as to the best method and the best location for such road.

In the light of the report of the District Commissioners and in the further light of all the information the committee could obtain from the localities to be served, the committee have responded invariably not to the demand of the people who asked the act of incorporation, but to what they understood to be the public demand and the public necessity.

I want to say further that in my fourteen years' experience on that committee, as organized at the various periods, I have served on no committee in this body that has given more careful attention to all the questions which have been submitted to it for its action. Like any other committee, it may commit errors and make mistakes, but it has been as vigilant, it has been as careful in scrutinizing the various propositions that have been submitted to it for its consideration and report as any other committee upon which I have had the honor of serving since I have been a member of this body.

I do not quite think the tone of criticism that has been indulged in here to-day is fair to the committee; nor is it such as I would be willing to make in respect of any one of the standing committees of this body.

Mr. McPHERSON. It is due to the Senator from Tennessee and the members of the Committee on the District of Columbia that I should disclaim any intention in any manner to criticize either the Senator from Tennessee or any member of that committee. I have done this: I have found fault with the methods that we have pursued with respect to railroads since the time that railroads were first organized in this District. I commend the committee for very much that it has done. It has, I understand, imposed a tax, which I think is perfectly right and proper, upon the receipts of these railroads, and in that way the city is benefited, to the extent of that tax.

Speaking for my self, I believe that upon railroad property, wherever it is located, and especially if located within the limits of a city, if franchises are granted and a right of way is given without any purchase of property for right of way or even for making the roadbed, the tax should be very heavy. It should equal at least the tax of any private citizen's property in the city.

I do not criticize the committee with respect to this bill. I think, considering the plan that has always been followed (and I have been a member of that committee myself, I would have voted to grant this railroad company the power to lay its tracks upon High street; I would have done just as the committee have done, and therefore there is no ground for criticism by me upon the Senator from Tennessee or other members of the committee. Congress reserved the right to amend the act, and now it is proposed to amend it. Congress is simply exercising its reserved right under the original franchise, and proposes to say now to that railroad company: "Your road is laid upon High street. That street should be widened, and we demand of you that you shall pay the expense of widening it." The committee are not censured by me. I have no intention to censure them. We have reserved all the rights that we need and require with respect to this railroad company in their charter, and we are asking to-day to exercise those rights; that is all.

Mr. CALL. Mr. President, the Committee on Appropriations have done nothing in this provision, but what this railroad company obligated itself to perform, and that is that whatever the public necessity should require should be done, and that all its franchises should be held subject to this requirement; that is the tenure and the conditions on which all corporate rights are granted.

The railroad corporations of the District of Columbia have been immensely profitable. They have received, I am told, five or

six times above their original stock valuation, and their original stock, as that of all railroad companies, is largely beyond the cost of construction. The value of a street railroad franchise in all municipalities is necessarily very great, and the prospective value is as much a part of the consideration value of the property as its present receipts.

The demand which has been made upon this company can not be regulated by its capacity to pay but by the necessity of the public. I do not think it was ever before heard of that while the citizen was taxed the corporation should be considered as exempt from the necessity of contributing to the public policy in the interest of the people.

Whether this corporation is able to perform this public duty, which is part of the consideration of its franchise, is somewhat immaterial. If they can not perform their obligations to the public, then some other persons must be found to take their place. All over this country it is a fact well known that corporations have been stocked far beyond their original cost; and that with this franchise as all other franchises of transportation there is granted a power of taxation of the people quite as direct and far more oppressive than that which is reserved to the people and their representative bodies.

As to whether this trilling imposition upon this corporation, possessing a franchise which of necessity must grow in value with the increase in population of this District, is to crush it out, it seems to me that there is nothing whatever to sustain this objection. The value of this franchise does not depend upon its receipts of to-day, which have been shown by the Senator from Michigan [Mr. McMILLAN] to be large and to be growing, but it depends upon the prospective value, the prospective increase in population. The Committee on Appropriations could not have done otherwise in respect to the impositions which have been made upon other corporations in this District than to have recommended this provision.

Mr. MORGAN. Will the Senator from Florida inform me what the width of that road is there where complaint is being made?

Mr. CALL. I do not know with accuracy.

Mr. MORGAN. Does the Senator know at all, with accuracy or without accuracy?

Mr. CALL. The Senator from Alabama should not ask me the question; he should know himself. His propositions are well founded. I know this about it. It was discussed in committee, and it was agreed by every one to be too narrow for public convenience.

Mr. MORGAN. The road?

Mr. CALL. The road.

Mr. MORGAN. As it originally stood?

Mr. CALL. It was said that there was necessity for widening it and for creating these additional facilities, and upon that subject the committee were all united. What the specific width is I do not undertake to say.

Mr. MORGAN. Mr. President, we are going in the dark about this business, and the reason of it is that the case has not come from a committee that is in the habit of making reports upon bills. If the facts could be spread before the Senate in the form of a report from the Committee on the District of Columbia we should find a different state of case from that which has been presented here this morning. I have searched around and got some private information from some Senators on this floor about what the question is and what the facts are. I understand now that they amount about to this: This part of High street was perhaps not originally called that, but it was the Tennallytown road. According to the map it had a certain width, which the Senator from Iowa perhaps has ascertained and can inform me of. I have been trying for an hour to find out what the width of the street is, and I can not find anybody who can tell me. It may be 22 feet or it may be 50 feet; we do not know. The Senator from Florida does not know. The Senator from Iowa, the chairman of the committee, does not know.

We do not know what the proper legal width of that street is, but one thing we do know, that for twenty or thirty or it may be for fifty years, or longer even than that, encroachments have been made upon what is now esteemed to be or supposed to be the east and west lines both of that street or that road, whatever you please to call it. Many other things have encroached there. There is a cemetery. That cemetery has a great many feet of frontage on the road, and I am informed that before the District of Columbia can tear up that road and make its proper width according to law they have to get the consent of the cemetery company to remove the graves and build a wall.

I suppose that is part of the expense that is to be put upon this railroad company. The expense is entirely indefinite. There is no sum fixed whatever. The sum the Commissioners may see proper to expend there, if it is a million dollars, this bill imposes upon the company. The tearing down of the cemetery, the re-

moval of the dead bodies, if you can get the consent of the people to do it, or if the law compels them to consent to it, is part of this scheme. Does the Senator from Florida know anything about that?

Mr. CALL. That was discussed in the committee.

Mr. MORGAN. I know it was discussed, but where is the report.

Mr. CALL. Will the Senator from Alabama allow me to interrupt him?

Mr. MORGAN. Certainly.

Mr. CALL. There is no reason to suppose that there is any very immense cost involved, or that anything like a million dollars are to be expended in the removal of a few graves.

Mr. MORGAN. We do not know the situation at all. Here is a measure proposed that brings in an indefinite charge against this railroad company, when the Commissioners of the District of Columbia see proper to improve High street, to widen it out to its original boundaries, whatever they are; we do not know what they are at all. They can go on and widen it in accordance with their own will and judgment as to what work ought to be done there. It may cost \$25,000 or \$250,000 it makes no difference, and we saddle the whole of it by this bill on this corporation. Yet that committee have not furnished us, and in the debate now on the floor of the Senate we are not furnished with the facts. We are mulcting this company in what could not be less than \$25,000 or \$250,000, and we are doing it really without any knowledge of what the facts are. We do not know what it is going to cost.

Private owners, in addition to the cemetery company, or the cemetery corporation, or whatever it is there, have also encroached upon this road or this street, and they must be gotten rid of in some way or other through some process of law. Actually the boundaries of the street are not now ascertained, and nobody knows whether it can be done or not. No person knows whether the original measurement of this road has not been obliterated by adverse holdings of citizens who have built their improvements down to the line of the road, so supposed to be, and even by the dead who are buried on its side.

Mr. GORMAN. Mr. President, I supported this amendment in the committee which reported it, requiring the railroad company to pay the whole of the cost of this improvement in widening the street. I am in entire sympathy with what the Senator from Maine [Mr. HALE] has said in regard to the looseness of Congress in granting charters to these various railroads, and when the proposition shall come in a few days before the body for granting another charter creating another means of destroying another one of the great boulevards here, I shall have something to say upon that matter.

As I said a moment since, when the proposition was presented to require this railroad company to pay the entire amount of this improvement of widening the street it met with my approval, and I voted for it. Since then I have examined the matter more carefully, and I am rather inclined to think that the proposition will be a hardship upon this company; that we are applying to them a rule we do not apply to any of the other existing railroad companies; that in the very bill which we are considering, in the amendments which were reported from the committee, we have adopted an entirely different measure, that is, to make the railroad company pay one-half of the amount.

As the Senator from Tennessee [Mr. HARRIS] has said, and said well, in the case of the charter of this railroad company, as in all others, the District Commissioners, or the engineer or officer of the District, it coming immediately under his charge, but with the approval of the whole board, recommended the location of this railroad on High street and then upon the road leading thence to Tennallytown; that when they located it on High street and on this road at the particular juncture here designated I understand that they knew that the street would not be wide enough to accommodate the railroad and leave sufficient room for carriages in the highway, but they had in mind and had perfect knowledge of the fact that the street had been encroached upon by private parties, and that more than one-half of the width of the street was occupied, as it is to-day, by private parties. Now the proposition comes to widen it.

The fault of locating the road is the fault of the District Commissioners as well as of the railroad company; and it seems to me that the only question is what amount we should make the railroad company bear. If it was a mistake, and I believe it was, in the location, Congress has determined that matter in all cases heretofore and in this bill by making the amount one-half.

Mr. McPHERSON. Will the Senator from Maryland allow me to ask him a question?

Mr. GORMAN. With great pleasure.

Mr. McPHERSON. If what he states is true, and I presume it is, that private parties have taken possession of the street, they certainly have no right there; and if the Commissioners will

force them to move back their improvements on the fence line it certainly would not cost the railroad company much to have the street opened.

Mr. GORMAN. That is all there is in the proposition. It is not one improvement. Under the charter they are required to pave between the tracks and 2 feet beyond; but it is proposed to widen the street, to make private individuals remove their fences and buildings and what not, and put them back to the building line, and to make this railroad company pay the entire cost of grading it and putting it in the form of a street.

Mr. McPHERSON. If the street has been encroached upon by owners of property along the line unlawfully, certainly the Commissioners could have the property moved back without any expense to the public.

Mr. GORMAN. But it is proposed to make the railroad company pay the entire amount of that improvement.

Mr. McPHERSON. Oh, no.

Mr. GORMAN. Yes; that is the whole proposition. There is nothing else in it. It is not a payment for making pavements.

Mr. President, what do we find upon an examination of the bill? Take the F street line of railroad, a rich corporation. They pay their dividends, and are able to make the improvements. They are thoroughly able, for the road has been in operation for a great many years, and runs through the center of the city. They were permitted to occupy the bridge across Rock Creek, on P street. They took the whole of that bridge for their use, except a small walkway on each side of the railroad. Public interest requires that there shall be a new bridge put up, the railroad company occupying the present structure almost solely. On page 24 of the bill we find the provision for the construction of a new bridge across Rock Creek at P street, and it is provided that the Metropolitan Company shall pay one-half of the cost of that construction and the District one-half. If that is the right measure, as I suppose it is, upon the recommendation of the Commissioners, then it does seem to me that the same rule should be applied to this smaller railroad.

We have this great railroad with a franchise on Pennsylvania avenue from Georgetown to the Navy Yard, the most valuable franchise I suppose to-day, certainly in this part of the country, paying 20 per cent dividend upon the capital stock and with a surplus nobody knows how much, with their six per cent bonds selling upon this market at 150. They occupy the bridge across Rock Creek at M street. They occupy at least the greater portion of it; but a new bridge is to be constructed. It is necessary for their change of motive power from horses to a cable line that there should be a new bridge, and on page 24 of the bill we provide that that bridge must be reconstructed for the public convenience and for the railroad. The District pays one-half and we require the railroad company to pay one-half.

Mr. McMILLAN. Will the Senator allow me to ask him a question?

Mr. GORMAN. With great pleasure.

Mr. McMILLAN. It is true that the recommendation came from the District Committee that the Washington and Georgetown Railroad should pay one-half and the District one-half, but that was because we have required the bridge to be the whole width of the street. It is now about half of the width of the street, and, as the Senator says, it deprives the public of the proper use of it. So we have compelled the bridge to be built the full width of the street, giving room enough for a street railway, room enough for a carriage way, and room enough for sidewalks, and then we ask the railroad company to pay one-half.

Mr. GORMAN. That is precisely as I understand the case.

Mr. McMILLAN. But in this other case the paying is only for a short distance, and the company do not pay for the street. They simply pay for improving one side of the street.

Mr. GORMAN. The distance has nothing to do with this case. In one case you want to make a small railroad company pay the entire cost of widening the street, if it is but for 1,000 feet, and the provision with reference to the Washington and Georgetown Railroad and the F Street Railroad is 300 feet. The principle is the same. The District Committee have come to the conclusion that one-half is the right allotment. If that be true, then we must apply it to all the roads and to this small road.

That is what has convinced me since the adjournment of the committee that we were in error. The Committee on Appropriations went beyond the recommendation of the District Committee, and it does not seem to be fair in the one case. There is no question about this new road. I have, like the Senator from Alabama in front of me, received this morning a statement from a gentleman as to whose integrity and knowledge of the affair I have no question. He says it is a new road and that the owners have not been able to make a dollar. They hope and expect to do so; and I believe, as the Senator from Maine says, that it will be a great charter in the future; but at present it would em-

barrass them. The point I insist on, however, is that we should not compare them with the Georgetown Railroad, the richest company in the District of Columbia, whose dividends are 20 per cent.

Mr. HALE. Does not the Senator remember that we have just put upon the Georgetown Railroad Company an immense burden in compelling them to change their entire plant and motive power and to spend, somebody said, \$3,000,000? We have never put anything on this company whatever.

Mr. GORMAN. I have no doubt, from my knowledge of the condition of these companies, that the Georgetown company, with its franchise running for twenty-five or thirty years, with a monopoly of the business, is more abundantly able to pay \$5,000,000 than this company would be able to pay \$50,000. I have no question about that. Left as it is to-day, requiring the Georgetown Railroad to have this new motive power, it is the most valuable franchise in this entire section of the country. It pays 20 per cent upon the capital stock, and I have no doubt that within a year I shall stand with the Senator from Maine in imposing upon them the additional burden of reducing their fare to 3 cents, which they can do and yet make 10 or 15 per cent upon their capital invested.

Mr. HALE. The Senator and I have always agreed in the policy of watching and restricting these railroads and putting proper burdens upon them, and the only way he and I will ever reach it is when the question comes up, as it does here, to make these roads contribute to the public burden. If whenever a case comes up we find reasons for letting them off, as the Senator is now finding reasons, he and I will find our work here in restraining and restricting them all the harder.

Mr. GORMAN. No, Mr. President, I am ready to go now, if the rule is a right one, and I am not certain that it is not, and apply the same requirement to all three of these roads in this very bill, making each of them pay for the whole improvement, if that is the right rule. But I do insist, since looking at the matter, that it is unjust to this company to make them pay the entire amount of the charge and only charge the other two great corporations one-half.

Mr. HALE. Does the Senator believe that anywhere in this city a selection can be made of a more valuable franchise than this company have in this very road? It is an exceptional case. There have been no burdens put upon them. This is the first time we have undertaken to make them contribute in any way. They are not like other roads. They have had everything their own way. It is a small matter we are asking from them.

Mr. GORMAN. I will go further than that, and join the Senator in the statement with regard to the recommendation of the District Commissioners in permitting this road to be located where it is that it was a great outrage. It ought never to have been permitted. It has destroyed one of the great drives out of this city, and they are nearly all destroyed. Begin in the eastern section of this city, and you have not built a bridge over the Eastern Branch but that there is a charter for a railroad to be constructed over it; there is not a drive out to any section of the city that there is not a horse railroad or an electric railroad on it, I think.

Mr. McMILLAN. I should like to correct the Senator from Maryland. We have not granted any charter to build a road on the two bridges, the Bennings bridge and the Eastern Branch bridge. There are applications for half a dozen roads to go over them, but we have not granted any such charter. In the case of the Bennings street road we have recommended that they build a bridge for themselves and that they shall not interfere at all with the highway. There have been no charters granted to go over the bridges.

Mr. GORMAN. There is a railroad across the Eastern Branch bridge, near the navy-yard.

Mr. McMILLAN. I am speaking of the new bridge.

Mr. GORMAN. I am speaking of the old one. There is one in the direction of Blandensburg; there is one in the direction of the Soldiers' Home on Seventeenth street, and on Fourteenth street. Then there is the road that is referred to here, that was built by a private corporation, on which they spent \$500,000, the Woodley Lane road, which goes out towards Georgetown, and the sharp angle there at the top of the hill almost destroys it for a drive. Then comes another project, to take the Aqueduct bridge and use that. There are one or two steam roads projected, crossing at right angles and on grade, or running along the side of the river. So we shall be hemmed in and bound down by these roads on every street leading out until every drive will be practically destroyed.

I am ready to restrict them whenever we have the opportunity; but the point I make, after consideration of this matter, is that it is not fair in the same bill to have a different rule for these roads. If we are to make them pay for the whole cost of improvements and widening the streets for these bridges are

nothing but a widening of the streets), then let us apply that rule to all, but if one-half the expense is to be considered fair and is charged on the two great railroads, then one-half ought to be applied to this road.

Mr. CALL. Mr. President, the proposition of the Senator from Maryland does not sustain his conclusions. There is no principle involved in this matter as to the rate of charge or the burdens to be imposed on either road. You can not make a principle out of that. It is a question that must be determined by the public convenience and the necessity for improvement, and whether the railroad company in the specific instance ought to perform that duty. It is true that the matter may be regulated somewhat by the financial condition of the company, but the Senator from Michigan has well discriminated in this case. In the one case there is a bridge to be constructed because of a new public necessity. In the other case there is a street already made and dedicated to the public use, and the question whether the use of that street shall be destroyed by this franchise or privilege given to a few private individuals is the only question to be decided.

In the case of the bridge, there is an artificial structure to be made new. In the other case there is a public property already created and ready for use. Upon what possible ground it can be said that when the use of this public property is granted to individuals they should not be required to keep it in a condition in which the public may make use of it I can not conceive. This is a private interest granted to individuals in a public property and a public use, and the proposition of the Committee on Appropriations, as I understand it, is that this private interest should not be permitted to destroy the public use.

Mr. GORMAN. Will the Senator from Florida permit me to interrupt him?

Mr. CALL. Certainly.

Mr. GORMAN. If the Senator will examine the question he will find that that is the identical case of the P street bridge. It is in the exclusive use of the railroad tracks. They occupy the whole bridge except two little walks on the sides. The improvement is not for the purpose of accommodating the public travel or to make width enough there to allow a carriage to pass, as is the case with this road.

Mr. CALL. So I agree; but a public bridge is required not only by the use of the corporation and its franchise but by the public convenience in connection with it for other purposes; and in that case we provide that the bridge to be built, not the old bridge, shall be made of the same width with the street in order that it may accommodate the public uses, and at the same time that the use of the corporation shall be provided for, and that they shall pay one-half. It seems to me that that is a very proper discrimination, and in that case a proper rule, because the new structure to be built is to be used conjointly for the two uses. But in the case of the street already built, already used by the public, and which has been destroyed by this franchise to private persons, the committee simply ask that the corporation shall put the street which has thus been rendered incapable of use in a condition in which it may subserve the purposes of a highway.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Alabama [Mr. MORGAN] to the amendment of the committee.

The amendment to the amendment was rejected.

The VICE-PRESIDENT. The question recurs on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in section 1, on page 16, line 24, before the word "thousand," to strike out "four" and insert "five;" so as to make the clause read:

Plats of subdivisions outside of Washington and Georgetown: To pay the expenses of such surveys as may be necessary to enable the Commissioners of the District to determine if plats of subdivisions of land within the District offered for record have been made in conformity to the "Act to regulate subdivision of land within the District of Columbia," approved August 27, 1888, §5,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 16, after line 24, to insert:

Plan for extension of highways: To enable the Commissioners of the District to prepare a plan for the extension of a permanent system of highways over all that portion of the District of Columbia not included within the limits of the cities of Washington and Georgetown, \$20,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, in the appropriations for "sewers" in section 1, on page 17, line 7, to increase the appropriation "for cleaning and repairing sewers and basins," from "\$40,000" to "\$45,000."

The amendment was agreed to.

The next amendment was, in section 1, on page 17, line 9, to increase the appropriation "for replacing obstructed and insufficient sewers" from "\$20,000" to "\$25,000."

The amendment was agreed to.

The next amendment was, in section 1, on page 17, line 11, to increase the appropriation "for main and pipe sewers" from "\$65,000" to "\$75,000."

The amendment was agreed to.

The next amendment was, in section 1, on page 17, line 14, after the words "intercepting sewer," to insert:

As a part of, and in accordance with, the general plan for sewers recommended by the Board of Sanitary Engineers, appointed by the President of the United States, pursuant to the provisions of an act of Congress approved March 2, 1889, and whose report is published in House Executive Document numbered 445, first session, Fifty-first Congress.

Mr. GORMAN. I wish the Secretary to read the rest of the paragraph without action upon any amendment.

The VICE-PRESIDENT. The Secretary will state the amendments to the entire paragraph.

The SECRETARY. Also, on page 17, line 22, after the word "northwest," the committee report to strike out "sixty thousand" and insert "one hundred and twelve thousand five hundred;" so as to read:

To run from the Potomac River near Easbys Point to near the intersection of Fifteenth and E streets northwest, \$112,500.

Also, on page 18, line 9, the committee report to add the following proviso:

*Provided further*, That the plans for said sewer shall be approved by a consulting civil and sanitary engineer, who shall be appointed by the President, and whose services shall be paid for from this appropriation; and who shall also make personal inspection of the work in detail as it progresses.

So as to make the paragraph read:

For commencing the construction of a main intercepting sewer as a part of, and in accordance with, the general plan for sewers recommended by the Board of Sanitary Engineers, appointed by the President of the United States, pursuant to the provisions of an act of Congress approved March 2, 1889, and whose report is published in House Executive Document No. 445, first session, Fifty-first Congress, to run from the Potomac River near Easbys Point to near the intersection of Fifteenth and E streets northwest, \$60,000: *Provided*, That the Commissioners of the District of Columbia are hereby authorized to enter into contract for the construction of the whole of the said sewer, at a cost not to exceed \$25,000, to be paid for as appropriations may from time to time be made by law. And the said Commissioners are hereby authorized to construct the said sewer where necessary across lands and reservations belonging to the United States: *Provided*, That after the construction of the said sewer the excavated portions of the said lands and reservations shall be restored to their original condition from the appropriations herein provided for: *Provided further*, That the plans for said sewer shall be approved by a consulting civil and sanitary engineer, who shall be appointed by the President, and whose services shall be paid for from this appropriation; and who shall also make personal inspection of the work in detail as it progresses.

The VICE-PRESIDENT. If there be no objection, the amendments of the committee to the paragraph will be treated as one question.

Mr. ALLISON. Before that is acted upon, in line 13, on page 18, in the last proviso, after the word "appropriation" I move to insert—

At a rate fixed by the President.

That relates to the compensation of the consulting engineer. These are amendments to perfect the text. I suppose there will be no objection to them.

Mr. GORMAN. None in the world.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Iowa to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. ALLISON. After the word "progresses," in line 14, at the close of the paragraph, I move to insert:

And shall forward all approved plans, and report the result of all inspection, to the Commissioners of the District of Columbia.

So as to read:

And who shall also make personal inspection of the work in detail as it progresses, and shall forward all approved plans, and report the results of all inspection, to the Commissioners of the District of Columbia.

Mr. GORMAN. I have no objection to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. ALLISON. Does the Senator object to any part of the amendment?

Mr. GORMAN. No, I only wish to ask the chairman of the committee, for I have not had an opportunity to read carefully the amendment until this moment, whether it is the intention of the amendment to follow out the plan recommended by the commission, consisting of Messrs. Hering, Gray, and Stearns, found in Executive Document No. 445, of the first session of the last Congress, or whether by the last provision, on page 18, in which "the Commissioners of the District of Columbia shall cause to be made the needful surveys and investigations, and cause to be prepared all the detailed plans, specifications, and estimates necessary for constructing in the District of Columbia a system of works for



the disposal of the sewage," etc., it is intended to place in the hands of the Commissioners and their engineers who may be employed the power to change this plan or to make a new one.

Mr. ALLISON. It certainly was not our intention, and if the words are not there I think they should be inserted. I am obliged to the Senator for calling my attention to it. I think, in line 10, on page 18, it should read, "that the detailed plans for said sewer," that is to say, the working plans for said sewer shall be approved by this consulting engineer. The general plan has been marked out by the sanitary commission or sanitary board; and our own purpose in the committee was—and I endeavored to execute that purpose in framing the amendment—

Mr. GORMAN. I am aware of that.

Mr. ALLISON. To provide that this sewer should be a part of this general plan, and that when the detailed plans for this portion should be made by the Engineer of the District of Columbia they should receive the approval of this consulting engineer. So I think the word "detailed" before "plans" should be inserted.

Mr. GORMAN. So I understood the intention of the Senator, as it was of the committee, and I thought it well to call attention to it, so that we may have no mistake about the construction of the language.

Mr. ALLISON. In line 10, after the word "the," I move to insert the word "detailed;" so as to read:

*Provided further,* That the detailed plans for said sewer shall be approved by a consulting civil and sanitary engineer, who shall be appointed, etc.

Mr. HALE. I had not noticed the print before. I thought it was the understanding that that was to be in.

Mr. ALLISON. I prepared the amendment with that understanding. The Senator from Maryland raises the point that the words as they appear here may not cover just what we intended.

Mr. GORMAN. That is all.

Mr. ALLISON. I intend to put words in that will.

Mr. HALE. That will exactly cover what the committee intended.

Mr. ALLISON. So I understand. I ask that the amendment to the amendment may be agreed to.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in section 1, on page 18, after line 14, to insert:

That the Commissioners of the District of Columbia shall cause to be made the needful surveys and investigations, and cause to be prepared all the detailed plans, specifications, and estimates necessary for constructing in the District of Columbia a system of works for the disposal of the sewage of said District and for the protection of the low portions of the city of Washington against damage by local flooding and freshets, which system of works shall be in accordance with the general plan recommended by the Board of Sanitary Engineers appointed by the President of the United States, pursuant to the provisions of an act of Congress approved March 2, 1889, and whose report is published in House Executive Document No. 445, first session Fifty-first Congress, and may employ all requisite assistance for said purpose, which said plans, specifications, and estimates shall be approved by the consulting civil and sanitary engineer hereinafter provided for. And for the purpose of carrying into effect the provisions of this paragraph there is hereby appropriated the sum of \$75,000, or so much thereof as may be necessary.

Mr. ALLISON. On page 19, line 6, after the word "approved," I move to insert the words "from time to time." Otherwise it might be inferred that this whole detailed plan should be completed before it is presented to the consulting engineer.

The amendment to the amendment was agreed to.

Mr. GORMAN. Mr. President, this is a very important provision in the bill. The matter of sewerage in this District is one of the greatest concern to everybody who has had occasion to examine into it. The Senator from Iowa, the chairman of the Committee on Appropriations, and his committee two years ago inserted a provision in the appropriation bill providing for the appointment of a commission of three sanitary engineers to take this whole matter into consideration and report to Congress. The result of their examinations is before us in the document referred to in the pending amendment; but in that report they have three or four or half a dozen suggestions, practically all on the same plan, differing in character as to the size of the sewers and the outlets and the pumping arrangement.

Mr. HALE. And location sometimes.

Mr. GORMAN. And locations. Either of these, they claim, would perfect the sewerage system. Their description of it in its present condition is alarming. It was constructed, I think principally, by army engineers who had had no special training and knowledge of that class of work, and the result I think is that we are simply living in the lower section of this city over a great cesspool, with no way at all to carry off the sewage. It is marvelous that the health of the town is as good as it is.

But what I want to get at, and I do it for the purpose of having the opinion of the Senator from Iowa that it may guide the gentlemen who are to do this great work, having disposed of the commission of scientists and provided for the employment of

someone to be appointed by the President, is whether they are at liberty to take any one or all of these systems which have been proposed. I understand that it is to be in accordance with the recommendations made in Executive Document No. 445. Has the Senator in his mind, after consultation with the engineers, any knowledge as to which of the recommendations will be acted upon?

Mr. ALLISON. Does the Senator want an answer now?

Mr. GORMAN. I do, and that is all I want to know.

Mr. ALLISON. I take it that the consulting engineer may adopt not any new plan, but that he may adopt suggestions respecting the general plan. For example, this board of consulting engineers suggest that the sewage of this city may be thrown into the Potomac at two or three different points. Then they suggest (I so regard it) that the best is a point crossing the Eastern Branch by a tunnel or pipe having the pumping station at the foot of New Jersey avenue, and emptying the material into the Potomac River below Gesboro Point, which is, I believe, the narrowest point in the river between here and its mouth, with a quick and rapid current, and with deep water.

So the Commissioners think that ultimately the whole sewage of this city should be thrown into the river by means of pumping machinery, etc., at that point. They have said, however, that it might be done at what is called Gravelly Point, which is a point, I believe, on the Virginia side. They say it might be thrown in there, but they think it would be only a question of time when that should be changed. I have no doubt that any consulting engineer will adopt what might be regarded as the plan suggested by these three eminent engineers.

So far as I am concerned as a member of this body, when that matter is brought to my attention for action I shall be in favor of appropriations of money that will put this city and this District into the best possible condition of sewerage. I believe that that is the best economy. If Senators will examine the details of this bill they will see, as the Senator from Maryland very well knows, that the increases we have made here have been made chiefly for the purpose of supplying this city with additional sewerage and additional water and conveniences for securing health. If I had supposed it could have passed the ordeal of another coordinate body, I should have been willing to double the appropriation this very year for this sewerage.

This sewerage system when completed will be completed upon the best modern plans and methods. They have been prepared by three of the best sanitary and mechanical engineers in the United States, and we have provided here that one of them, as we supposed, is to be employed as the consulting engineer to execute this work. It will cost when completed a very large amount of money, but it is so devised that it can be completed in detachments, as it were. The first sewer is the most important one of all for present construction.

Mr. McPHERSON. May I ask the Senator if this plan involves the pumping of the sewage?

Mr. ALLISON. It does eventually, a portion of the time.

Mr. McPHERSON. Are we to have the continual expense of pumping the sewage for all future time? Is it not possible to cast the sewage into the river here in front of the city?

Mr. ALLISON. We certainly are to have it. The annual cost of that pumping of sewage is given here. It will not exceed \$21,000, and there is no doubt, at least I think there is no doubt, as a layman having no special knowledge upon this subject, that the project and plan of these engineers is absolutely necessary to the future health of this city. If the Senator from New Jersey will take up House Executive Document No. 445, Fifty-first Congress, first session, and will read it carefully, as I have read it, and if he will examine as I have examined the maps accompanying this statement, I think he will readily agree with me that the plan here is a plan that should be entered upon and prosecuted with as much vigor as the condition of the finances of the District of Columbia will justify.

The first sewer under this plan is the sewer provided for in the bill. It will cost in round numbers \$228,000. It empties into the Potomac River at what is known as Easby's Point, a point where the river is comparatively narrow, and the channel of the river is on the Washington side, where the flow of the river is such that except perhaps during a very few weeks in the year, perhaps only two weeks, there will be an active flow of the sewage down the Potomac. During extreme low water there may be some trouble. When that is completed it will dispense with an open sewer which runs down Seventeenth street, and which is an absolute disgrace to this city and to this country.

The next important sewer that is to be built, and that one I should be perfectly willing to provide for myself in this bill, is a sewer which is called the Rock Creek connecting sewer, which also will cost about \$228,000, and that is the sewer into which empty two-thirds of the pipes of this city. The first sewer I have named extends as far as the Patent Office and the Post-Of-



five buildings, and this sewer comprehends the entire north-western portion of this city.

I will say to the Senator from Maryland that I do not believe there is any probability that the general plan which has been laid down here with such clearness by this board will be diverged from in any material particular by any sanitary engineer who may be consulted, because I think it will be seen that this general plan is practically the only effective plan whereby the people of the District of Columbia can have sewerage such as should be had here.

Mr. HALE. Mr. President, I am very glad that the Senator from Maryland has called the attention of the Senate to this most important matter which has evoked this discussion. The committee, which took a good deal of pains in this matter, was, as the Senator from Iowa has said, greatly impressed with the strength and wisdom of the report of these sanitary engineers. They were three of the most eminent in their profession throughout the country selected by the President and appointed on the 17th day of August, 1889—Rudolph Hering, of New York, Samuel M. Gray, of Rhode Island, and Frederic P. Stearns, of Massachusetts. They gave much time and attention to this great subject, coming upon the ground, employing all the assistance needed, and they mapped out this great work in which we are all and in which the whole country are interested. A short summary of their conclusions is found at the bottom of page 50 of their report, where they say:

The more important features and the merits of the recommended project may now be summarized as follows:

The proposed plan includes deeply-laid intercepting sewers to carry practically all the sewage of the city to a suitable outlet in deep water of the Potomac River, storm-water sewers to drain the low districts and to intercept the waters which would otherwise reach it from the higher districts, dikes to prevent the entrance of river water during freshets, and pumps to lift the sewage at all times and the storm water of the low district when the river is unusually high. The pumps for both purposes are to be at one station near the foot of New Jersey avenue. The large sewers designed primarily for storm-water removal, serve also as sewage interceptors.

They estimate the cost of this great work at \$3,598,093.

Mr. President, it is most important, if the scheme of the committee which rests upon the report of these engineers is carried out, that it should be carried out in complete harmony with that original project. That is why the committee have provided for this sanitary engineer. I should hope, and I think that is the feeling of the committee, that if it is practical one of the gentlemen who were engaged in the work of making this report shall be appointed for this purpose. The committee have given money enough so that it can be made an object for one of these great sanitary engineers to devote, if not the whole of his time, enough of it to take charge and supervision of the work. Then we may feel when we are appropriating from year to year, as we shall in reaching at last the sum of \$3,000,000, that if not for ourselves for others who will come soon after us there will be a city here at the national capital with as good a scheme for water and sewerage as the wit of man can devise.

Mr. GORMAN. My only object in interrupting the Senator in charge of the bill was to call attention, first, to the report under which we are acting and under which this scheme is proposed, so that there might be some expression from him as the representative of the committee immediately in charge of the bill, and we would have no trouble hereafter with a new scheme to be presented by the Commissioners of the District of Columbia, or the sanitary engineer, who may be appointed by the President, but to show that the intention of Congress in making this appropriation was to follow out the recommendations of the commission; and I am very glad to have had his expression.

There is one other thing that I desire to say. While the bill came here from the House of Representatives appropriating \$4,987,580.27, the recommendations of the Committee on Appropriations have been to increase it \$746,119, and of that amount of increase two hundred and seventy odd thousand dollars, I understand, are embraced in this one item of sewerage. While I am in favor of economy and of making the appropriations as small as they can possibly be made with due regard to the management of the affairs of the Government, I do express the hope that in paring down, if that shall be necessary, the appropriations we are making in this bill when it comes to be considered elsewhere, this one item will not be abandoned by the Senate conferees.

We have had complaints in this body of the bad ventilation of the Hall, and we have had them for years. There have been complaints in both Houses of Congress. When we come to take into consideration the facts stated in this report by the sanitary engineers that the sewerage from the building in which we are, emptying into the tide sewer, which is one-third of the time closed by high water or by high tides in the Potomac River, and driving the noxious gases back into this building and into all the buildings whose sewerage empties into the old Tiber Canal, we can

not afford, in my judgment, to abandon the worthy project we are now entering upon to correct that great defect.

I trust there will be no opposition here or elsewhere to the appropriation, and I again express the hope that if there is opposition to the appropriations we intend to make, the Senator from Iowa, in the interest of humanity and good health, will insist upon this appropriation being retained in the bill.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in section 1, on page 19, line 12, to increase the appropriation "for suburban sewers" from "\$58,300" to "\$75,000."

The amendment was agreed to.

The next amendment was, in section 1, on page 19, after the words "public sewers," to strike out "three thousand five hundred" and insert "five thousand;" so as to make the clause read:

For condemnation of rights of way for the construction, maintenance, and repairs of public sewers, \$5,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, in the appropriations for streets, in section 1, on page 20, in line 1, before the word "thousand," to strike out "fifty" and insert "sixty;" so as to make the clause read:

Repairs county roads: For current work of repairs of county roads and suburban streets, \$90,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 20, after line 20, to insert:

For the extension of Kenesaw avenue to the Zoological Park, \$1,000: *Provided*, That no part of this sum shall be expended until the owners of the land shall dedicate a street at least 90 feet wide for said purpose, nor until a street is dedicated by the owners of the land 60 feet wide from quarry road around the east side of the Zoological Park to the Rock Creek National Park; and connecting said Quarry road with Kenesaw avenue extended.

Mr. McPHERSON. Before agreeing to this amendment I should like to make an inquiry of the chairman of the committee: What disposition is being made in appropriations at this session of Congress to supply the Zoological Park or the grounds with animals; in other words, to complete the park in the manner intended and provided for in the original act? If nothing is to be done what is the particular necessity of improving the streets leading to the Zoological Park at a vast expense? I understand that there is a great deal of dissatisfaction, and justly, as I think, manifested on the part of the citizens of Washington against the plan which was adopted of charging one-half of the cost upon the people of the city of Washington for the Zoological Garden—one-half the cost of its maintenance, and even the purchase of the property as well. I should like to know if any change is contemplated by the committee with respect to that matter?

Mr. ALLISON. The appropriations for the Zoological Park are generally made, as the Senator is aware, in the sundry civil bill. That bill has not yet passed the other house. It has been reported by the Committee on Appropriations of the House of Representatives. It has not been considered by the Senate Committee on Appropriations. So I am not able to state what will or will not be done in that regard. I will say, however, as respects this particular appropriation, that it is an easy method of reaching the Zoological Park, and inasmuch as we own the ground, although we may not be able in the future to feed the animals, a good many people will want to go out there for recreation, I have no doubt.

Mr. CULLOM. While, as the Senator from New Jersey states, there is a good deal of complaint on the part of the citizens here on account of the division of the expense necessary to establish and maintain the park, yet I think in the other branch of Congress there will be an appropriation made probably in the line of taking care of the park, and it is only a question of amount as to what sum will be appropriated, so far as I now know. I am aware that there are a number of gentlemen who are taking quite an interest in the subject, and I think it may be reasonably expected that some reasonable appropriation will be made to maintain the park.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was continued. The next amendment of the Committee on Appropriations was, in section 1, on page 21, after line 3, to insert:

In regulating and macadamizing the street connecting Columbia road with Connecticut avenue extended toward the District Line, \$10,000, and the appropriation of \$10,000 made by the District appropriation act approved March 3, 1891, for graveling said street is hereby authorized to be used for regulating and macadamizing the same: *Provided*, That the sum of \$2,000 shall be contributed by the abutting owners for the same purpose.

Mr. FAULKNER. I desire to offer an amendment as a substitute for the one reported by the committee. I believe it is satisfactory to the committee. I move to strike out the amendment of the committee and insert what I send to the desk.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. It is proposed to strike out the paragraph and in lieu thereof to insert:

For regulating and macadamizing the street connecting Columbia road with Connecticut avenue extended, and thence along said avenue extended to the District line, \$30,000, which said amount shall be assessed upon the property fronting on said street and avenue in proportion to the number of front feet of each lot or parcel of land so fronting. Such assessment shall be collected in the same manner as other taxes on real estate in the District of Columbia. And the \$10,000 appropriated by the act of March 3, 1867 for graveling said street and avenue shall be used for regulating and macadamizing the same, and both of said sums shall be immediately available.

Mr. ALLISON. That amendment was prepared by some gentleman and shown to me. The difference between that and the amendment proposed by the committee is, that I believe the whole sum is assessed upon the property. I certainly see no objection to it if the property is worth enough to pay the cost of improvements. It seems to be assessed against the property.

Mr. FAULKNER. According to the front foot.

Mr. ALLISON. I suppose there is no doubt about the fact that the property is valuable enough to pay the cost of the improvement.

Mr. McPIERSON. I should like to inquire what has been the custom in regard to the opening and improving of streets in the District of Columbia heretofore? Has any portion of the expense heretofore in the opening, regulating, grading, and paving of the streets, been paid by the District, or has it all been paid out of the Treasury by taxes levied upon the whole people?

Mr. ALLISON. Mr. President, recently, as a rule, the cost of paving has been paid, under an arrangement we have made, one-half out of the Treasury of the United States and the other out of the taxes levied upon the people of this District; but that rule has been varied from in various ways and at various times. This is the best variation that I have seen. The amendment practically assesses the whole of the tax upon the abutting property-holders, except that \$10,000 of this sum is to be paid out of the general revenue and \$30,000 is to be assessed upon the property; that will be three-fourths to one.

Mr. McPIERSON. Right in the line of my previous inquiry. I now ask if the practice heretofore has been to make payments for these improvements out of the District Treasury, of which this property has paid its share to complete by way of taxes paid into the public Treasury? By what right do you vary the rule now, and because this property is to be improved and developed, compel the owners to pay the whole cost of the improvements, when they have already paid their share of the cost of all other improvements in the city of Washington? Is there any equity in that?

Mr. ALLISON. Well, Mr. President, to thoroughly go into that question would require considerable time, and it would be necessary to inquire why it was that the cost of improving and paving streets in this city and in Georgetown has been paid out of the general revenues.

I will state the case briefly as I understand it. It will be borne in mind that during the system of Government which prevailed here from 1871 to 1875 abutting property-holders were required to pay one-third of the cost of the grading and of the paving of the streets and alleys in the cities of Washington and Georgetown, and the cost was assessed against those property-holders.

The pavements that were laid were wooden pavements that rotted out, as we all know, in the course of five or six years. The people owning land in this city were taxed, of course, to pay for those pavements. When the readjustment was made, all these sums were thrown into the 3.65 bonds of the District of Columbia as respects the pavements not paid for by the city. Therefore, there was an equity in the Government of the United States by appropriations paying for these pavements, because they had once been paid for, or at least one-third of them had been, and they had proved to be of no value. That was within the cities of Washington and Georgetown.

Now, we go outside of the cities of Washington and Georgetown, and we find enterprising and energetic people who contribute their pittance of revenue and income to the purchase of land. They lay that land out into city lots and property, and they having paid a portion of the taxes that were assessed for the purposes of paving in this city, have no equity, in my judgment, that will justify us in paving outside of the city in the District as we have paved within the limits of the city. Therefore, for one, I wish to say that when the question comes up for my consideration I shall apply what I regard as an equitable rule outside of this city in any vote I may cast here, and that will be a rule which will put upon a par the people outside of the cities of Washington and Georgetown with the people inside the cities.

If we are to pave the new portions of this District that are carried

into our expenditures, I do not think it is wise, or even just, for us to pave these portions of the District outside of the city out of the general revenue. Hence I, for one, welcome this proposition which proposes to have three-fourths paid by the proprietors.

Mr. McPIERSON. I wish to say that I am in entire sympathy with the amendment. I see the distinction now which the Senator draws between the city of Washington and the District of Columbia. If I understand him aright, the rule which had been applied to the city of Washington was a rule which had not been enforced outside of the city within the District.

I believe street improvements should be assessed upon the property benefited, and whenever the people along a proposed street line desire the opening of a street, the regulating, the grading, the paving, or the sewerage of that street, they may petition the District Commissioners to do it, and when it is done, the cost of the entire improvement should be paid by them.

I supposed that the same rule was enforced outside of the city within the District which had been enforced within the city proper, and that was why I propounded the inquiry.

Mr. FAULKNER. I desire to say in reference to condemnation that, after a most thorough examination by the District Committee, as to the extension of streets here, the committee adopted the plan which seems to carry out the views of the chairman of the Committee on Appropriations, that, after first ascertaining by a jury the difference between the damages to the property taken and the benefits to the residue of the tract, say for a space of a thousand feet or any particular tract of land, after ascertaining and setting off the benefits against the damages of taking, then the bill provides that one-third of those damages shall be assessed upon the property, having already deducted from the damages the benefits received—one-third of the damages shall be assessed on the property so benefited and taken, and of the other two-thirds, one-third shall be paid by the District and the other third by the Government of the United States, carrying out, to some extent at least, the view of the chairman of the Committee on Appropriations.

Mr. McPIERSON. This amendment is right in the same line.

Mr. FAULKNER. This amendment goes further.

The VICE-PRESIDENT. This question is on the amendment of the Senator from West Virginia, which is offered as a substitute for the amendment of the Committee on Appropriations.

Mr. McPIERSON. Now, I wish to make another inquiry. I do not understand the Senator from West Virginia. If I understand him aright, he says the rule applied heretofore to property outside of the city within the District, has not been to assess the benefits entirely upon the property, which his amendment now proposes to do, if I understand the amendment.

Mr. FAULKNER. That is right.

Mr. McPIERSON. If the streets outside of the city limits and within the District line have been improved by other methods, and if other property outside of the city has been taxed a portion of the expense, and the public to-day have the benefits of those improvements, which they have not paid for *in toto*, but paid for in part, why adopt this rule in respect to that class of property?

If the Senator from West Virginia will give me his attention a moment, I understand him to say that this is a new rule and that it has not been applied to other property outside of the city limits within the District.

Mr. FAULKNER. Not to the extent that this amendment proposes.

Mr. McPIERSON. The improvements heretofore made are public improvements, and all the people of the District have the benefit of them. Why adopt a new rule, then, in respect to the people who own this property and compel them to pay a larger share of the expense of improvements than we have compelled other people to pay for like improvements of which they are now receiving the benefit?

Mr. FAULKNER. Because the parties who have to pay this I think are more benefited by these public improvements than others which have been made outside of the city limits. I do not think there is any objection on the part of the persons against whose land this amount would be assessed.

The VICE-PRESIDENT. The question is on the amendment offered by the Senator from West Virginia as a substitute for the committee's amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. ALLISON. On behalf of the Committee on Appropriations I offer an amendment to be inserted on page 21, after line 12.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 21, after line 12, it is proposed to insert:

For grading North Capitol street between T street and the Soldiers' Home, \$5,000, to be expended only when the land is donated: *Provided*, That the sum

of \$5,000 shall be contributed by the parties directly interested in the grading of said street for the same purpose.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in section 1, on page 21, in line 14, to increase the total amount of the appropriations for "streets" from "\$41,500" to "\$55,500."

The amendment was agreed to.

Mr. ALLISON. I ask that the Secretary may be authorized to change the footings so as to correspond with the amendments which have been made.

The VICE-PRESIDENT. It is customary to do that after the bill has been passed.

Mr. ALLISON. That is all right.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in section 1, on page 21, line 17, after the word "alleys" to strike out "two thousand five hundred" and insert "ten thousand;" so as to make the clause read:

Condemnation of streets, roads, and alleys: For condemnation of streets, roads and alleys, \$10,000

The amendment was agreed to.

The next amendment was, in section 1, on page 21, line 21, before the word "thousand," to strike out "three" and insert "fifteen;" and in line 22, after the word "dollars" to strike out the following proviso:

*Provided*, That no expenditure hereunder shall be made at a price higher than 24 cents per 1,000 square yards for improved streets and avenues—so as to make the clause read:

Sprinkling, sweeping, and cleaning: For sprinkling, sweeping, and cleaning streets, avenues, alleys, and suburban streets, \$115,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 22, line 5, before the word "thousand," to strike out "eighteen" and insert "nineteen;" so as to make the clause read:

For the parking commission: For contingent expenses, including laborers, cart hire, trees, tree-boxes, tree stakes, tree straps, planting and care of trees on city and suburban streets, whitewashing, care of parks, and miscellaneous items, \$19,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 23, line 17, after the word "scales," to strike out "fifty" and insert "one hundred;" so as to read:

For public scales: For repair and replacement of public scales, \$100.

The amendment was agreed to.

The next amendment was, in section 1, on page 24, beginning in line 1, to insert:

Rebuilding bridges: For rebuilding the bridge across Rock Creek at K street NW, to be rebuilt in such manner that the bridge shall be substantially a part of the street as to width, paving, and sidewalks, \$20,000: *Provided*, That no street railway shall be constructed over said bridge.

Mr. McMILLAN. I move to amend the amendment, in line 4, by striking out "twenty" and inserting "forty," before "thousand."

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. In the amendment of the committee, on page 24, line 4, before the word "thousand," it is proposed to strike out "twenty" and insert "forty;" so as to read: "\$40,000."

Mr. McMILLAN. The amendment is offered for the reason that the District Committee and the Commissioners believe that it is now proper to rebuild a number of bridges, and among others the K street bridge. Instead of having flimsy, narrow bridges, it is intended to build them as wide as the streets, pave them, and have proper sidewalks. The engineer in making up the estimate made a mistake in regard to the cost of this bridge across Rock Creek. He estimated that it could be done for \$20,000. He writes me now that it will require \$40,000, and I ask the Committee on Appropriations to allow that amendment to be made.

Mr. ALLISON. I have a letter of a similar character from the Engineer Commissioner.

Mr. GORMAN. I should like to ask the chairman of the Committee on the District of Columbia in regard to that bridge, for I know it is important, being on one of the principal streets in the city. On the west side of it, the Georgetown side, coming right up to the bridge, by a charter which has been granted, there is a steam railroad, with the right to construct a road, to lay tracks, but with no engines or cars yet running. There is a measure now pending before this body, reported from the Senator's committee, to permit the use of steam right across the creek where this bridge is to be constructed. It is true that there is a proviso that the bridge itself shall not be used for railroad purposes, but if that railroad is permitted to be operated there by steam, coming right up to the bridge, then the bridge will be practically of no earthly use for travel, and the \$40,000 proposed to be appropriated will be thrown away.

Mr. McMILLAN. I do not understand that to be the case, but the Board of Commissioners recommended that this bridge, being out of repair, should be rebuilt. They themselves prepared a bill. It was done under the charge and control of the engineer, and I suppose there is a necessity for this bridge.

Mr. GORMAN. I have no question but that the engineers are right. I am perfectly familiar with the bridge, and have been since its construction. It is in a very bad condition.

Mr. ALLISON. Do I understand the Senator from Maryland to say that there is authority now to run steam cars right above this bridge on the Georgetown side?

Mr. GORMAN. I do, and the tracks are down. The charter has been granted, and there is pending now in this body a bill providing for the extension of that road across Rock Creek. I have no doubt that but for this provision, which the Senator himself has inserted here, that the bridge shall not be used for railroad purposes, it would have been constructed for a steam railroad.

Mr. HALE. What bridge is that?

Mr. GORMAN. The K street bridge across Rock Creek.

Mr. HALE. Is it the bridge that we cross in driving out to Georgetown along Pennsylvania avenue?

Mr. GORMAN. No; below that.

Mr. HARRIS. Away below.

Mr. GORMAN. It is on the street below the Aqueduct bridge, where the water pipes are.

Mr. HALE. At the line of Rock Creek, and it is below Pennsylvania avenue?

Mr. GORMAN. It is below Pennsylvania avenue. I suggest to the chairman of the committee that this appropriation is, I think, a very proper one and a very necessary one, but he ought to move to recommit the bill which has been reported to this body providing for the extension of the line of that steam railroad. If this appropriation is to be of value, the railroad certainly ought not to be permitted to use the bridge or to come within 40 feet of it.

Mr. FAULKNER. I do not know of any railroad that has authority to use this bridge or cross it. I know of no such bill that ever came from the District Committee.

Mr. GORMAN. No, I did not say they had authority to use this bridge, but they occupy the street up to the bridge on the west side, and a bill is pending now permitting them to cross Rock Creek, and as a matter of course they will cross right at this proposed bridge to come over on the Washington side. There is no question about that at all.

Mr. FAULKNER. To what company does the Senator refer?

Mr. GORMAN. The Georgetown Barge, Dock, and Elevator Company.

Mr. FAULKNER. That bill requires the company to go south of this bridge in coming over as far as Twenty-sixth street. That is not involved in this question at all.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Michigan [Mr. McMILLAN] to the amendment of the committee.

Mr. McPHERSON. Let it be reported.

The CHIEF CLERK. On page 21, line 4, in the amendment of the committee, before the word "thousand," it is proposed to strike out "twenty" and insert "forty;" so as to make the clause read:

Rebuilding bridges: For rebuilding the bridge across Rock Creek at K street northwest, to be rebuilt in such manner that the bridge shall be substantially a part of the street as to width, paving, and sidewalks, \$40,000: *Provided*, That no street railway shall be constructed over said bridge.

Mr. HALE. I think it ought to be understood that the action of the Senate here, so far from being an encouragement that this road shall use this bridge or cross Rock Creek at the particular place where this bridge is to be rebuilt, shall be notice to them that they are not to have that privilege. Otherwise, with their tracks laid and coming squarely against the end of this bridge, unless we take such action here as would negative it, the presumption would be that they would ask us to run over this bridge, and permission would be given them. It ought to be understood that they must build somewhere else, that they must divert their track either below or above.

Mr. CULLOM. We could not afford to have engines standing at the other end of the bridge.

Mr. FAULKNER. If the Senator will examine either of the bills now pending in the Senate in relation to this subject he will see at once that they do not in any way interfere with this bridge.

Mr. HALE. The track should be taken away from the end of the bridge and there should be no railroad over the bridge.

Mr. FAULKNER. There is no railroad over this bridge.

Mr. HALE. No, but the Senator from Maryland says the track comes up square to the end of the bridge. That must be taken away, of course.

Mr. FAULKNER. It comes, I suppose, to within 50 or 100 feet of the bridge.

Mr. HALE. Below it?

Mr. FAULKNER. Yes, down by Water street, which is used entirely for warehouses and foundries.

Mr. HALE. That is below.

Mr. FAULKNER. No, it is on the same street. This bridge is right near Water street.

Mr. HALE. That is the river street, the lower street.

Mr. FAULKNER. Yes, there is nothing on either side of that street, except warehouses and foundries, and the railroad was put there originally for the purpose of supplying and accommodating those foundries and warehouses. That is the purpose for which it is used, entirely and exclusively.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Michigan to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. ALLISON. I move in line 5 of the amendment, after the word "street," to insert "or steam."

Mr. McPHERSON. I have not heard any reason for increasing this appropriation from \$20,000 to \$40,000.

Mr. ALLISON. I will state to the Senator that the Engineer Commissioner of the District of Columbia in making the original estimate for \$20,000, did not estimate for the full width of the street, and the Commissioners now recommend that it shall be built with sidewalks, etc., to go with it.

The VICE-PRESIDENT. The amendment of the Senator from Iowa to the amendment of the committee will be stated.

The CHIEF CLERK. In line 5, of the amendment, after the word "street," it is proposed to insert the words "or steam," so as to read:

*Provided*, That no street or steam railway shall be constructed over said bridge.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in section 1, on page 24, after line 6, to insert:

For rebuilding the bridge across Rock Creek at M street northwest, to be rebuilt in such manner that the bridge shall be substantially a part of the street as to width, paving, and sidewalks, \$40,000, one-half of which sum shall be paid by the Washington and Georgetown Railroad Company.

Mr. McPHERSON. Here comes that question again. I wish to submit just this one proposition, and I think it is an exceedingly fair and proper one. The Washington and Georgetown Railroad Company have the free use of the streets of the city of Washington, I understand, from the navy-yard clear across to Georgetown, for which they pay nothing whatever, which is a most valuable franchise. They have had the free use of this bridge in the past. Now, adopting the same principle which was adopted with reference to another line of railroad in a former amendment, I think this company should be compelled to rebuild the M street bridge at their own expense. I think the same rule should apply to this amendment and the one which follows in relation to the Metropolitan Railroad Company.

The District has furnished them truckways through the streets of the city and a bridge across Rock Creek up to the present time. Now the railroad company should furnish to the District, reserving, of course, its right to cross this bridge, as it has its right under the charter, a free bridge across Rock Creek as a partial equity for the advantages they have in this city and for the great revenues they are deriving from the contributions of the people who patronize their cars. I move that the word "one-half" be stricken out.

Mr. HALE. "One-half of."

Mr. McPHERSON. The amendment reads:

One-half of which sum shall be paid by the Washington and Georgetown Railroad Company.

I propose to strike out the words "one-half of."

Mr. McMILLAN. I introduced a bill on behalf of the District Committee proposing that the amount to be paid by the Washington and Georgetown Railroad Company and by the Metropolitan Railroad Company should be divided in that way.

In reply to the Senator from New Jersey, I would say that the Washington and Georgetown Railroad Company pays a large tax for its privileges, upwards of \$30,000 a year to the revenues of this District. They were originally given by Congress the right to use the M street bridge. The bridge is a weak and narrow one, not fit for the purposes for which it was originally built, but the policy at that time seemed to be a cheap policy, to build anything that would take across a team.

To-day on all these bridges there are notices that you must walk your horses across the bridges, because they are not safe. A bridge could be built on M street for a very small amount of

money that would answer the purposes of the railroad company, but it was thought desirable by the committee that a proper bridge should be constructed, as wide as the street itself, properly paved, and with paved sidewalks, as if it was part of the street. Under those circumstances the committee thought it was only right and fair that the District government should pay one-half the cost, and I believe that is a fair division of the amount expended there, considering that the people of the District are going to use this bridge with their carriages and teams and as foot passengers, and it is intended for the public. If the railroad was not there, the public would have to have the bridge just the same. I therefore think the provision in the bill as reported by the Committee on Appropriations is a fair division of the amount that should be paid.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 24, in line 10, in the amendment of the Committee on Appropriations, after the word "dollars," it is proposed to strike out "one-half of," so as to read:

Which sum shall be paid by the Washington and Georgetown Railroad Company.

Mr. McPHERSON. If it be the decision both of the District Committee and the Committee on Appropriations that this is equitable, and only equitable to the railroad company, I do not wish to press my amendment, although I think the railroad company at this time should be compelled to build the entire bridge and to give the easement over the bridge to the citizens of Washington, the same as the railroad company has been enjoying from the District government.

The VICE-PRESIDENT. Does the Senator withdraw his amendment to the amendment?

Mr. McPHERSON. I withdraw it.

The VICE-PRESIDENT. The question is on the amendment proposed by the committee.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in section 1, on page 24, after line 12, to insert:

For rebuilding the bridge across Rock Creek at P street northwest, to be rebuilt in such manner that the bridge shall be substantially a part of the street as to width, paving, and sidewalks, \$50,000, one-half of which sum shall be paid by the Metropolitan Railroad Company.

The amendment was agreed to.

Mr. ALLISON. I offer the following amendment to be inserted on page 24, at the end of line 17:

*Provided*, That the control of bridges in the District of Columbia is hereby conferred on the Commissioners of the District of Columbia, and they are hereby required to make such proper regulations as they may deem necessary for the safety of the public using said bridges, and for the lighting and police control of the same.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in the appropriation for "Washington Aqueduct," in section 1, on page 24, line 20, before the word "thousand," to strike out "twenty" and insert "twenty-one," and in the same line, after the word "dollars," to insert:

*Provided*, That all appropriations for the Washington Aqueduct shall be available until expended.

So as to make the clause read:

WASHINGTON AQUEDUCT.

For engineering, maintenance, and general repairs, \$11,000. *Provided*, That all appropriations for the Washington Aqueduct shall be available until expended.

The amendment was agreed to.

The next amendment was, in the appropriations for "officers of public schools," in section 1, on page 25, line 4, after the word "dollars," to insert:

One clerk to superintendent of the first six divisions who shall also have charge of the accounts of all personal property pertaining to the school, \$500.

The amendment was agreed to.

The next amendment was, in section 1, on page 25, line 11, to increase the total amount of the appropriations for salaries of officers of public schools from "\$8,050" to "\$8,950."

The amendment was agreed to.

The next amendment was, in the appropriations for teachers of public schools, in section 1, on page 25, line 18, after the word "for," to strike out "one" and insert "three," and in the same line, after the word "dollars," to insert "each," so as to read:

For three, at \$1,400 each.

The amendment was agreed to.

The next amendment was, in section 1, on page 25, line 20, after the word "for," to strike out "fourteen" and insert "twelve," so as to read:

For twelve, at \$1,200 each.

The amendment was agreed to.

The next amendment was, in section 1, on page 26, line 24, to increase the total amount of the appropriations for salaries of teachers of the public schools from "\$612,400" to "\$612,800."

The amendment was agreed to.

The next amendment was, in section 1, on page 28, line 22, before the word "thousand," to strike out "ten" and insert "eight;" so as to make the clause read:

For the purchase of tools, machinery, material, and apparatus, to be used in connection with instruction in manual training, \$8,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 29, line 5, before the word "grades," to strike out "four" and insert "six;" and in line 10, after the word "supplies," to strike out "twelve" and insert "thirty-five;" so as to make the clause read:

For text-books and school supplies for use of pupils of the first six grades, who at the time are not supplied with the same, to be distributed by the Superintendent of Public Schools under regulations to be made by the Commissioners of the District of Columbia, and for the necessary expenses of the purchase, distribution, and preservation of said text-books and supplies, \$35,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 30, after line 3, to insert:

The Commissioner of Education is hereby authorized and directed to examine and report to Congress, on the first day of its next session, on the schools of the District of Columbia, as respects their organization, efficiency, methods, and cost, and, with said report, make such recommendations as to him may seem advisable; and for this service he shall receive \$500, which sum is hereby appropriated, as compensation in addition to the compensation now received by him.

The amendment was agreed to.

The next amendment was, in the appropriations "for Metropolitan police," in section 1, on page 31, line 2, before the word "privates," to strike out "five" and insert "twenty;" so as to read:

Two hundred and twenty privates, class 1, at \$900 each.

The amendment was agreed to.

The next amendment was, in the same clause, in section 1, on page 31, before the word "drivers," in line 16, to strike out "ten" and insert "thirteen;" so as to read:

Thirteen drivers of patrol wagons, at \$560 each.

The amendment was agreed to.

The next amendment was, in the same clause, in section 1, on page 31, line 18, to increase the total amount of the appropriation for salaries of the Metropolitan police from "\$458,080" to "\$482,660."

The amendment was agreed to.

The next amendment was, in section 1, on page 32, line 6, to increase the appropriation "for miscellaneous and contingent expenses, including stationery, books, telegraphing," etc., from "\$16,000" to "17,500."

The amendment was agreed to.

The next amendment was in section 1, on page 32, line 8, to increase the total amount of the miscellaneous appropriations for the Metropolitan police from "\$21,700" to "\$23,200."

The amendment was agreed to.

The next amendment was, in the appropriations "for the fire department," in section 1, on page 33, after line 10, to insert:

For one new engine and house and lot for same, \$31,520.

The amendment was agreed to.

Mr. ALLISON. Mr. President, the Senate having agreed upon the amendment just reported by the committee, I move the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 32, line 25, it is proposed to insert:

For one new engine, and house and lot for same, \$31,520.

The amendment was agreed to.

Mr. ALLISON. On page 32, after line 25, I move the amendment which I send to the desk.

The VICE-PRESIDENT. The proposed amendment will be stated.

The CHIEF CLERK. On page 32, after line 25, it is proposed to insert:

For the following additional force from the 1st day of January, 1893, namely: One foreman at the rate of \$1,000 per annum; one engineer, at the rate of \$1,000 per annum; one hostler, at the rate of \$840 per annum; six privates at the rate of \$500 each per annum; in all, \$7,640.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in section 1, on page 33, line 16, to increase the total amount of the miscellaneous appropriations for the fire department from "\$32,600" to "\$64,120."

The amendment was agreed to.

The next amendment was, in the appropriations for "telegraph and telephone service," in section 1, on page 34, line 9, before

the word "thousand," to strike out "eight" and insert "fifteen;" so as to make the clause read:

For general supplies, repairs, new batteries and battery supplies, telephone rental, wire, extension of the telegraph and telephone service, repairs of lines, purchase of poles, insulators, brackets, pins, hardware, cross-arms, gas, fuel, ice, record books, stationery, printing, office rent, purchase of harness, washing, blacksmithing, forage, extra labor, new boxes, and other necessary items, \$15,000.

The amendment was agreed to.

The next amendment was, in the appropriation for the "health department," in section 1, on page 34, line 12, after the word "dollars," to insert "five inspectors of garbage, at \$900 each."

The amendment was agreed to.

The next amendment was, in section 1, on page 35, line 5, to increase the total amount of the appropriations for salaries of officers and employes of the health department from "\$25,740" to "\$30,240."

The amendment was agreed to.

The next amendment was, in the miscellaneous appropriations for the health department, in section 1, on page 35, after line 9, to insert:

For chemical laboratory for food inspection, \$800.

The amendment was agreed to.

The next amendment was, in section 1, on page 35, line 13, at the end of the clause appropriating \$21,400 "for collection and removal of garbage and dead animals," to add the following proviso:

Provided, That the Commissioners of the District of Columbia may, in their discretion, allow, in addition to the above sum, \$2,500 in case said garbage is removed in inclosed steel tanks and immediately destroyed, which is hereby appropriated for the purpose.

The amendment was agreed to.

The next amendment was, in section 1, on page 35, line 22, after the date "1890," to strike out "one thousand five hundred" and insert "five thousand;" so as to make the clause read:

For the enforcement of the provisions of an act entitled "An act to prevent the spread of scarlet fever and diphtheria in the District of Columbia," approved December 20, 1890, \$5,000.

The amendment was agreed to.

The next amendment was, in the appropriation for "courts," in section 1, on page 36, line 12, to increase the appropriations "for witness fees" from "\$4,500" to "\$8,000."

The amendment was agreed to.

The next amendment was, in section 1, on page 38, line 21, to increase the total amount of the miscellaneous appropriations for courts from "\$29,300" to "\$32,800."

The amendment was agreed to.

The next amendment was, in section 1, on page 37, after line 5, to insert:

Compilation of the Laws of the District of Columbia: For clerical assistance and incidental expenses for the commission on the compilation of the laws of the District of Columbia, authorized by the act approved March 2, 1889, for completion of the work \$900, to be immediately available.

The amendment was agreed to.

The next amendment was, in the appropriations "for Washington Asylum," in section 1, on page 38, line 15, before the word "overseers," to strike out "five" and insert "six;" so as to read:

Six overseers, at \$600 each.

The amendment was agreed to.

The next amendment was, in the same clause, in section 1, on page 38, line 18, before the word "watchmen," to strike out "five" and insert "six;" so as to read:

Six watchmen, at \$365 each.

The amendment was agreed to.

The next amendment was, in the same clause, in section 1, on page 38, before the word "cooks," to strike out "three," and insert "four;" so as to read:

Four cooks, at \$120 each.

The amendment was agreed to.

The next amendment was, in the same clause, in section 1, on page 38, line 25, before the word "dollars," to strike out "sixty" and insert "seventy-five;" so as to read:

Five nurses, at \$75 each.

The amendment was agreed to.

The next amendment was, in section 1, on page 39, line 2, to increase the total amount of the appropriations for the salaries of officers and employes of the Washington Asylum, from "\$13,875" to "\$15,937."

The amendment was agreed to.

The next amendment was, in section 1, on page 39, after line 13, to insert:

For renewing and repairing the plumbing in the Asylum, \$1,500.

The amendment was agreed to.

The next amendment was, in the appropriations "For Reform



School," in section 1, on page 39, line 22, after the word "dollars," to insert "each;" so as to read:

Three foremen of workshops, at \$600 each.

The amendment was agreed to.

The next amendment was, in section 1, on page 41, beginning with line 1, to insert:

For instruction of the deaf and dumb: For expenses attending the instruction of deaf and dumb persons admitted to the Columbia Institution for the Deaf and Dumb from the District of Columbia, under section 4861 of the Revised Statutes, \$10,500, or so much thereof as may be necessary; and all disbursements for this object shall be accounted for through the Department of the Interior.

The amendment was agreed to.

The next amendment was, in the appropriations "For charities," in section 1, on page 41, line 10, to reduce the appropriation "for relief of the poor" from "\$16,000" to "\$14,000."

The amendment was agreed to.

The next amendment was, in section 1, on page 41, after line 10, to insert:

For a municipal lodging house and wood and stone yard, \$5,000, or so much thereof as may be necessary; and the Commissioners of the District are authorized to employ a superintendent of the same and to rent or otherwise secure suitable premises for carrying on the work.

The amendment was agreed to.

The next amendment was, in section 1, on page 41, line 18, after the words "five thousand," to strike out "four" and insert "nine;" and in line 20, after the word "exceeding," to strike out "two thousand five hundred" and insert "three thousand;" so as to make the clause read:

For temporary support of indigent persons, male and female, to be expended in such manner as the Commissioners of the District may deem best, \$5,000, and from this sum the Commissioners may allot not exceeding \$3,000 to the board of management of the Temporary Home for Soldiers and Sailors, Grand Army of the Republic, District of Columbia, and not exceeding \$1,000 to the Young Woman's Christian Home, and not exceeding \$1,000 to the Hope and Help Mission, and not exceeding \$400 to the Washington Night Lodging House Association.

The amendment was agreed to.

The next amendment was, in section 1, on page 42, line 4, after the word "dollars," to insert "for reimbursement of cost of construction a retaining-wall to alley, \$250; in all, \$4,250;" so as to make the clause read:

For the Woman's Christian Temperance Association, maintenance, \$4,000, for reimbursement of cost of constructing a retaining-wall to alley, \$250, in all, \$4,250.

The amendment was agreed to.

The next amendment was, in section 1, on page 42, line 8, after the word "dollars" to strike out—

*Provided*, That as vacancies occur among the trustees, other than members of Congress, they shall be filled by the District Commissioners.

So as to read:

For the Columbia Hospital for Women and Lying-in Asylum, maintenance, \$20,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 42, after line 13, to insert:

For Central Dispensary and Emergency Hospital, maintenance, \$6,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 42, line 21, before the word "thousand," to strike out "two" and insert "three;" so as to read:

For the German Orphan Asylum, maintenance, \$3,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 43, line 8, after the word "dollars," to insert "for indispensable repairs, \$500; in all \$2,500;" so as to make the clause read:

For Association for Works of Mercy, maintenance, \$2,000; for indispensable repairs, \$500; in all, \$2,500.

The amendment was agreed to.

The reading of the bill was continued to the end of the following clause beginning in line 14, on page 43:

For St. Joseph's Asylum, maintenance, \$500.

Mr. VEST. Mr. President, I desire to move an amendment in line 14, on page 43, in the clause which has just been read.

Mr. ALLISON. I will state to the Senator from Missouri that by the understanding when the bill was taken up the committee amendments were to be first considered. I ask the Senator to postpone his amendment until they are all disposed of.

Mr. VEST. Very well.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in section 1, on page 43, line 22, after the word "Senator," to insert "as such trustee or director;" so as to make the clause read:

That in all cases where Members of Congress or Senators are appointed to represent Congress on any board of trustees or board of directors of any corporation or institution to which Congress makes any appropriation, the term of said Members or Senator as such trustee or director shall continue

until the expiration of two months after the first meeting of the Congress chosen next after their appointment.

The amendment was agreed to.

The next amendment was, in the appropriations for the "Industrial Home School," in section 1, on page 44, after line 2, to insert:

For reconstructing the garret of the old central building so as to make it into a story of the regular height, \$4,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 44, line 6, to insert the subhead "Reform School for Girls;" in the same line, after the words "For the," to insert "purchase of ground, not to exceed 20 acres, at a cost not to exceed \$5,000, and the;" in line 8, after the word "completion," to insert "on the land so purchased;" in line 12, after the word "buildings," to strike out "on the United States Reform School farm in said District;" in line 13, after the word "girls," to strike out "the sum of thirty-five" and insert "forty;" so as to read:

Reform School for Girls: For the purchase of ground, not to exceed 20 acres, at a cost not to exceed \$5,000 and the erection and completion on the land so purchased, according to plans and specifications to be prepared by the inspector of buildings and approved by the Commissioners of the District of Columbia, of a suitable building or buildings, to be used as a reform school for girls, \$10,000, to be expended under the direction of said Commissioners.

The amendment was agreed to.

The next amendment was, in the same clause, in section 1, on page 44, line 15, after the word "Commissioners," to strike out:

Said building shall be erected on a site to be selected by said Commissioners and the trustees of the Reform School of the District of Columbia: *Provided*, That not more than 50 acres of said Reform School farm shall be appropriated for the Reform School for Girls herein provided for.

The amendment was agreed to.

The reading of the bill was continued to the end of the following clause, beginning in line 21, on page 44:

For the St. Rose Industrial School, maintenance, \$2,500.

Mr. BLACKBURN. Mr. President, I do not desire to interrupt the consideration of the bill, but simply ask the chairman of the committee to note that after it shall have been finished I shall offer an amendment to this paragraph.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in section 1, to strike out the clause from line 23, on page 44, to line 4, on page 45, inclusive, as follows:

For expenses attending the instruction of deaf and dumb persons admitted to the Columbia Institution for the Deaf and Dumb from the District of Columbia, under section 4861 of the Revised Statutes, \$10,500, or so much thereof as may be necessary; and all disbursements for this object shall be accounted for through the Department of the Interior.

The amendment was agreed to.

The next amendment was, in section 1, on page 45, after the date "1880," to strike out "four thousand three," and insert "three thousand four;" so as to make the clause read:

To enable the Secretary of the Interior to provide for the education of feeble-minded children belonging to the District of Columbia, as provided for in the act approved June 16, 1880, \$3,400, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, in the appropriations for "the militia of the District of Columbia," in section 1, on page 46, after line 2, to insert:

For expenses of camp of instruction, \$5,000.

The amendment was agreed to.

The next amendment was, in the appropriations for "revenue and inspection branch of water department," in section 1, on page 46, line 15, after the word "each" so strike out "one clerk, \$1,000," and insert "two clerks, at \$1,000 each."

The amendment was agreed to.

The next amendment was, in the same clause, in section 1, on page 46, line 20, after the word "dollars," to insert—

One assistant engineer, \$1,500.

The amendment was agreed to.

The next amendment was, in the same clause, in section 1, on page 47, line 18, after the word "thousand," to strike out "two" and insert "five;" so as to read:

And for not to exceed at any time two inspectors on manufacture of cast-iron pipe, at a maximum rate of \$1.50 per day for such periods as their services may be actually necessary, \$1,500.

The amendment was agreed to.

The next amendment was, in section 1, on page 47, line 19, to increase the total amount of the appropriations for salaries of officers and employes of "War Department" from "\$40,656" to "\$43,156."

The amendment was agreed to.

The next amendment was, in section 1, on page 48, line 4, after the word "hydrants" to strike out "eighty-five" and insert "one hundred;" so as to make the clause read:

For fuel, repairs to boilers, machinery, and pumping stations, pipe distribution to high and low service, material for high and low service, mending public hydrants and fire plugs, and labor in repairing, replacing, raising, and



lowering mains, laying new mains and connections, and erecting and repairing fire plugs and public hydrants, \$100,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 48, after line 21, to insert:

For extending the high-service system of water distribution, to include all necessary land, machinery, buildings, reservoirs, standpipes, mains, and appurtenances, \$100,000, or so much thereof as may be available in the water fund after providing for the expenditures hereinbefore authorized; and the Commissioners of the District of Columbia are hereby authorized and empowered to acquire by purchase, condemnation, or otherwise, the land, including necessary portions of public roads, required for the said extension, and the right of way, where necessary, for the construction, maintenance, and repair of the requisite water mains and their appurtenances for the said extension.

Mr. ALLISON. In line 23, I move to strike out from the amendment the word "reservoirs" before "standpipes."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was to strike out section 3, as follows:

SEC. 3. That the Treasurer of the United States is hereby directed and authorized to apply such portion as may be deemed expedient of any surplus which may remain at the close of the fiscal 1893, and of each fiscal year thereafter, of the general revenues of the District of Columbia in excess of one-half of those appropriations payable equally out of the revenues of the District and the United States, together with any surplus revenues of the water department, to the payment of the balances yet remaining unpaid of the debts of the District of Columbia created by the act approved July 15, 1882, entitled "An act to increase the water supply of the city of Washington, and for other purposes," and of section 2 of the District of Columbia appropriation act, approved March 3, 1891: *Provided*, That the amount of said surplus shall be first reported to the Commissioners of the District of Columbia and the Treasurer of the United States by the First Comptroller of the Treasury when called upon to do so.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. McMILLAN. I offer the amendment which I send to the desk, recommended by a majority of the Committee on the District of Columbia. Then I have a substitute to offer on my own account.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 46, after line 8, it is proposed to insert:

That the sum of \$75,000, or so much thereof as may be necessary, is hereby appropriated to pay the proper and legitimate expenses attending the reception and entertainment of such honorably discharged Union soldiers, sailors, and marines who served in the war of the rebellion as may attend, as delegates or otherwise, the twenty-sixth national encampment of the Grand Army of the Republic, in the city of Washington, in the District of Columbia, and attending the preparation for such reception and entertainment.

SEC. 2. That one-half of the sum hereby appropriated shall be paid out of any money in the Treasury not otherwise appropriated, and the remainder out of the revenues of the District of Columbia.

SEC. 3. That the sum hereby appropriated shall be paid to, and be disbursed by, the citizens' executive committee of Washington having in charge such reception and entertainment, under such regulations as may be prescribed by the Secretary of the Treasury: *Provided*, That no part of the above appropriation shall be available until the sum of \$50,000 shall have been raised by popular subscription for a like purpose, and said money so subscribed shall first be expended.

Mr. McMILLAN. I now offer a substitute for the amendment just read.

The VICE-PRESIDENT. The substitute will be stated.

The CHIEF CLERK. On page 46, after line 8, it is proposed to insert:

National encampment of the Grand Army of the Republic: To pay the proper and legitimate expenses attending the reception and entertainment of such honorably discharged Union soldiers, sailors, and marines who served in the war of the rebellion, as may attend as delegates or otherwise the Twenty-sixth National Encampment of the Grand Army of the Republic in the city of Washington, D. C., and attending the preparation for such reception and entertainment, \$100,000, or so much thereof as may be necessary.

The VICE-PRESIDENT. The question is on the substitute.

Mr. HARRIS. Mr. President, I desire to say that the amendment reported from the Committee on the District of Columbia was not authorized by the unanimous committee. It is a report of a majority.

I have stood here for fifteen years objecting to and voting against all appropriations which proposed to take money out of the Treasury and appropriate it to any mere charitable purpose, for any mere donation. I am one of the few who believe that Congress has no constitutional power or authority to levy taxes and collect money from the earnings of the people for any other than a public and legitimate governmental purpose. This can not be considered as a public or a governmental purpose. It would be a graceful charity if Congress should take \$100,000 or \$75,000 of the moneys of the people out of the Treasury and give a magnificent entertainment to our distinguished visitors, but I deny the right of the Senate to appropriate moneys out of the Treasury, obtained by taxation, to any such purpose or to any purpose other than that of defraying the necessary expenses of the Government itself.

Upon that narrow, but as I think constitutional, ground I have stood for the fifteen years that I have had the honor of occupy-

ing a seat upon this floor, and upon that ground I shall continue to stand.

It would not have mattered with me, sir, whether this were proposed as a fund to honor the visitation of a Confederate reunion any more than for the persons to whom it is proposed to be appropriated. My point is that it does not fall within the line of any duty of the Government; that we have no right to levy and collect taxes for any such purpose; and when you take the revenues out of the Treasury already collected, you superinduce the necessity of levying and collecting a similar amount to replace them.

I shall be for that reason compelled to vote against the amendment, and against any appropriation for the object suggested.

Mr. VEST. Mr. President, in addition to what has been said by the Senator from Tennessee [Mr. HARRIS], I desire to add that this seems to me the most extraordinary movement in the way of particular appropriation which I have encountered during my public service. In defiance of all sorts of misconstruction arising from the fact that I was not a Federal soldier, I simply want to appeal to the justice of the Senate in regard to appropriating this amount of money, not out of the treasury of the District of Columbia, not out of the municipal funds of the city of Washington, but from the tax-money of the whole people of the United States.

If, Mr. President, Congress had invited this association here, then, under the rights of hospitality and the generous liberality that characterizes the American people in regard to all such occasions I should be the last Senator to oppose an appropriation twice or three times as large; but Congress has not been consulted in regard to this matter at all. The invitation was extended by the citizens of the city of Washington alone, and a brief résumé of the facts will show how palpably unjust would be the appropriation of this amount of money from the general treasury of the people.

It is very well known that it has been the custom for years of rival cities extending invitations to the Grand Army of the Republic to hold their national encampments from year to year in those cities, and it is very well known that the merchants, hotel-keepers, saloon-keepers, and others reap a rich harvest from the assembling of this large number of old soldiers upon these occasions. When this annual encampment was about to occur, during the last year the city of Washington, as a municipality, sent its citizens, with large promises of hospitality and entertainment, to attract this encampment to their midst. Was it the action of Congress? Was it the action of the representatives of the people, or was it the action of the citizens, shop-keepers, hotel-keepers, and others in the city of Washington alone? Now, under this promise of obtaining this encampment the people of the whole country are called upon to defray one-half of the expense of it.

Mr. President, these exorbitant demands, for they are nothing else, by the people of Washington upon the General Government are becoming disgusting to the people of the whole of the United States. We have built up with the money of all the people of the country the most beautiful city almost in the world. There is not a city in the United States that would not to-day give \$20,000,000 in order to obtain the location of the capital of this great country of 65,000,000 people and it would pay all the taxes besides. But we are now building magnificent edifices here; we are paying one-half the taxes; we are making this city the favorite amongst all the municipalities of the country. They are not satisfied with this, but come here now and propose to make us pay one-half of the expenses of entertaining their guests, when they know at the same time that Congress has not been consulted in regard to the matter at all. It surpasses all that I have ever known in the exorbitant demands that are made upon the Congress of the United States because it is located here in this city of Washington.

As to what has been said by the Senator from Tennessee in regard to the constitutional objections, if the right were so clear under the Constitution that it could be seen of all men at a distance, I should not vote for this appropriation. When Washington City and its people are reaping all the results and all the benefits, when they are their guests and not ours, when the Treasury to-day is not in a condition to sustain this sort of expenditure for any such purpose, it would, with my convictions, be a criminal act upon my part to sit here silent at the risk of any such misconstruction and permit any such appropriation to go through.

Mr. COCKRELL. I offer an amendment to the amendment.

The VICE-PRESIDENT. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. It is proposed to add to the proposed amendment:

And the whole of said amount shall be paid exclusively out of the revenues of the District of Columbia.

Mr. McMILLAN. Mr. President, the objection to that in my mind is, that all the expenses of the District of Columbia are governed by Congress. The amount expended here for every purpose is divided between the Government of the United States and the District. The United States Government owns practically one-half of the property in this District, and, therefore it pays one-half of the taxes. It seems to me in a matter of this kind that it is only right and proper that this amount of money should be divided between the two, just as everything else is, just as it is suggested to me as the Zoological Park is, which is a national matter, though we make the District pay one-half, and for the Rock Creek Park, which is practically for the use of the whole country, Congress has made the citizens here pay one-half of the expense not only of the land, but of supporting it.

I hope the amendment will not prevail.

Mr. HIGGINS. Mr. President, the annual encampments of the Grand Army of the Republic have been held at one and another city of the country always upon the invitations of such cities, and upon them has fallen, as a part of their municipal functions, the duty of hospitality. In every case the fund for such entertainment, as has been stated by the Senator from Missouri [Mr. VEST], has been made up in part by the subscriptions of citizens, and invariably in part by contributions from the municipality and from the State in which the encampment is held.

This year the invitation has been extended by citizens of Washington, it has been accepted by the Grand Army of the Republic, and their encampment is to be held in this city. So we are met by this question under the particular exigencies of the government of this city. We have taken from the people of Washington the right of self-government. We have, I will not say usurped, but we have absorbed that authority and that duty. This call comes upon us with precisely the same force and is of just the same character as the call which has been made to the municipal governments of the cities and to the Legislatures of the States where this encampment has been held in other cities. The constitutional authority that we have is precisely the authority which the Legislatures of the States have, and our duty is no larger nor other than their duty.

Shall it be said that it does not belong to the municipality to exercise the function of hospitality? Have the Legislatures of the States no power to make such appropriations? If they have, certainly we have. So, Mr. President, it comes to the other question as to what the amount shall be. The committee, in the first instance, placed the amount at \$75,000, the representation having been made to the committee that the citizens would raise \$50,000, and \$100,000 having been asked for from the Government.

The committee first recommended an amendment to the bill placing the amount of the appropriation by Congress at \$75,000, of course one-half of that sum to be paid, like all others raised by taxation, from the revenues of the District and one-half from the revenues of the General Government. But that has elicited and called forth from the committee of citizens having charge of this matter, and from the public press and other representatives of public opinion and those having charge of the subject the claim that \$100,000 is needed for the proper exercise of the function of hospitality in this instance.

I wish to ask if this Government is going to put a narrow limit upon the amount that will properly be appropriated for this patriotic subject? It is perfectly clear that the occasion of the meeting of the Grand Army of the Republic in this capital and historic city is going to call forth a larger number of visitors, a larger encampment than has ever before been held in the history of that organization or in the history of the Government. I shall not expect that Congress, representing the people of the United States, will stint their allowance to less than the exigencies of the occasion may require.

Neither can I see that this appropriation differs from any other as to the fund from which it should be drawn. It falls upon the municipality properly, and how are all of these obligations met? Upon the principle by and large that the Government, owning one-half of the property, shall assume one-half of the taxes, obligations, and duties that fall upon the District.

It seems to me, therefore, that the amendment suggested by the committee is just and ought to pass, and that the amendment to the amendment offered by the Senator from Missouri just before I rose to submit these remarks should not be adopted.

Mr. VEST. Mr. President, if the proposition of the Senator from Delaware be correct, then both as a matter of law and equity our wards in the city of Washington should assume the position of wards, and not undertake to bind us by extending even hospitable invitations to anybody. The fallacy of the argument is that when the people of Washington propose to exercise the functions of a municipal government they do so and then come to Congress to make good the liability they assume themselves.

The Senator says that an enormous encampment will be held here. Every soldier or ex-soldier who comes here will pay so

much money to the people of Washington. Every one of them who spends a dollar here will pour it into the coffers of the people of this city. Why do the cities of the United States scramble for this encampment year by year exactly as they do for the conventions of the great political parties? It is to put money in their pockets, and for no other purpose.

When the Senator says that we occupy the position of a State Legislature relatively to this matter I would be glad for him to show me the custom that has sprung up in this country of the State Legislatures paying the expenses of these encampments invited by cities.

Mr. DAWES. The encampment was held last year in Boston. The State Legislature appropriated \$50,000, the city of Boston \$25,000, and the citizens raised thirty-odd thousand dollars.

Mr. VEST. Exactly, and that was the State of Massachusetts. When this encampment was held in the State of Missouri, the city of St. Louis paid the expenses, as it ought to have done, and the General Assembly of Missouri paid nothing.

Mr. DAWES. The Legislature of Massachusetts paid \$50,000.

Mr. VEST. I understand, and they had the right to do it; and I do not question that; and if this was the Legislature in that sense of the people of the city of Washington, if we had authorized them to extend this invitation, if we were at all responsible for it, as a matter of course it would be in the nature of a contract. The Legislature of Massachusetts represented the people of the State. The Congress of the United States represents the people of the whole Union, not of the District of Columbia alone.

I say no such custom has prevailed. It may have been done in the State of Massachusetts. It was not done in the State of Missouri, and if there are other States in which the Legislature has been called upon to do it, it furnishes no precedent for us. The whole thing rests at last upon the single question whether if the people of the city of Washington acted without consulting Congress, Congress is bound in any way to pay the expenses of the guests whom they have invited.

Mr. PEPPER. Mr. President, the argument in favor of this appropriation is based upon an assumption that Congress is under an obligation in some way to pay at least a certain amount or money to entertain the soldiers when they come here this fall. I do not agree with that assumption. I do not believe that the people of the United States are under any obligation to pay for entertaining the old soldiers when they come to Washington. If that were true, the same obligation would rest upon Congress no matter where the Grand Army should hold its national encampment.

At the outset permit me to say that I was a Federal soldier. I served in the army three of the best years of my life. I have some recollections of that great war that I shall carry with me to the bivouac at the other side. I do not believe that the old boys who wore the blue are beggars. I do not believe that they are going about the country asking for the hospitalities of the people either of a particular locality or of the country in general. But I do believe that when a city or a State, or, if it might be, the nation, invite the Grand Army to come and partake of their hospitalities the city or the State should pay the expenses. I think that the old boys will feel just that way about Washington City.

I understand that the people of the capital city have invited the soldiers to come and hold their national encampment here. I understand that they bid for their coming, and that they promised them entertainment; but they were not authorized by this body to say that the people of the whole nation would pay the expenses.

Now, another thing, Mr. President. This custom is one that is growing in the country; and it seems to me that if we are not able to stop it now, those of us who are thinking about the growing custom ought to put upon at least one mild objection to it. First the citizens of a particular town, and only a small portion of those citizens, the real-estate dealers, the bankers, the hotel-keepers, and other classes who expect to profit by the coming of the people extend an invitation. They pledge their own people.

Perhaps they are authorized to do that, and it may be well enough; but when they come to pledge the money and the resources of a larger body, of a whole State or a whole nation, they go far beyond their authority. First, these pledges will be made to the Grand Army, and then as soon as the invitation is accepted and arrangements are made for the encampment, immediately a system of begging—if I am not using too harsh an expression—is indulged, asking somebody else to come in and to pay the burdens that may be imposed upon a particular people, when as a matter of fact all that is gained, in a pecuniary view, from the coming of these men goes into the coffers of the people of the particular city.

The people of the country will not be benefited by the coming of the old soldiers here. If any personal or pecuniary bene-

fit is derived from their coming it will be to the citizens of Washington and to no other class of people.

In making these remarks I know that I am treading upon tender ground; I know that I am arousing tender feelings in the hearts of many members of this body and of others who are listening, and I want to give my reasons for my position before I conclude. It seems to me, sir, it is time that we, the old soldiers, should cry out against this practice of first inviting the boys to come and then asking other people to pay for their dinners. I do not believe in it, and I think it is time that some one at least who was connected with the Grand Army should have the courage to say so before the people.

There is another point to be considered. We have no authority even to pledge ourselves to grant this money. Whatever money we agree to pay is the people's money; it is not ours. We are here as the custodians of the people's money, to use it in their interest and not to appropriate it for private uses.

I was surprised when I heard of the amendment being proposed to this bill, that the people of the country should be asked to pay an obligation that the citizens of Washington have voluntarily assumed.

Having said this much, I will now take one night to consider. I think that we will hardly dispose of this measure finally until to-morrow. I will take one night to consider what my old soldier friends in Kansas would ask me to do in voting upon this question. There are many of them here in this city. I say I will take time to think about that; and if my vote should in the end be in favor of the appropriation, it will be under my own personal protest and in obedience to the wishes of those who stand behind me.

Mr. HIGGINS. Mr. President, it seems to me quite indifferent whether we regard the Congress of the United States as standing here as the city council or municipal government of Washington and the District of Columbia or as the State Legislature. It seems that in Massachusetts the State Legislature appropriated a part of the fund for the entertainment of the Grand Army at Boston. We are told by the Senator from Missouri that the State of Missouri did not contribute to the entertainment of the Grand Army in St. Louis, but it was done by the municipality of St. Louis alone.

However, the Congress of the United States is virtually the municipal government of the District of Columbia, and that District is not a State. Originally it was but 10 miles square. After that Alexandria was taken off of it, and virtually the city of Washington is coterminous with the District of Columbia. It therefore comes before Congress, virtually acting for this municipality, and the reason why we have to act upon it is that we have taken away from this people the power and right of municipal government. So our obligation is precisely equivalent to what it would be if we were the city council of the city of Washington.

The Senator from Missouri has said that we are called upon to pay the bill of an entertainment which we have not asked for, but which was asked for by the citizens of Washington on their own motion before they came to Congress in the first instance. I would ask if that has not been the course in every instance of the kind? I would ask whether in any city of this country where the Grand Army has held its encampment an invitation was not extended in the first place by the citizens before they had support from their city council or from their State Legislature? They go forward upon the expectation that they are speaking for all the people of the city, and that the citizens will be perfectly willing to expend their money on that behalf.

Neither can it be said in this case that we are voting the money of the people of the United States in any different sense from what we do in the payment of all our appropriations for the District of Columbia. The duty to pay one-half of this tax, like that of every other, rests upon the fact that the United States is the half owner of the property here, and therefore has to meet one-half of its obligations.

Mr. COCKRELL. I do not know that we can dispose of this question this evening, and therefore I should like to suggest one or two amendments. I propose to strike out "\$100,000" and insert "\$50,000." In connection with that I propose to make it payable by the District. I want that to come in with my amendment, and I hope that it will be agreed to.

Mr. CULLOM. Pending that I move that the Senate proceed to the consideration of executive business.

Mr. ALLISON. I ask the Senator from Illinois to yield to me.

Mr. HAWLEY. I wish to offer an amendment.

Mr. CULLOM. I yield to the chairman of the committee and to the Senator from Connecticut.

Mr. HAWLEY. I wish to submit an amendment to the amendment, which I shall propose to-morrow to the paragraph under consideration. There is already an amendment to the amendment pending, so I can not offer it now, but I submit it so that it can go into the RECORD. I propose to add, after the words sub-

mitted by the chairman of the Committee on the District of Columbia:

And the sum hereby appropriated shall be paid to and disbursed by the citizens' executive committee of Washington having in charge such reception and entertainment, under such regulations as may be prescribed by the Secretary of War.

I shall offer that amendment to the amendment when it will be in order.

Mr. ALLISON. I omitted to propose one amendment in behalf of the committee, which I ask may be disposed of now, and then I will yield to the motion of the Senator from Illinois for an adjournment or an executive session. On page 21, after line 12, I move to insert:

For Harewood road, widening, grading, and extending to Bates' road, \$5,000; *Provided*, That there is dedicated to the District of Columbia enough of the abutting land on each side of said Harewood road to make said road 20 feet wide (the cost of removing and rebuilding the Soldiers' Home east gate lodge and the fencing, to be paid for out of said appropriation); and the board of commissioners of the Soldiers' Home is hereby authorized to dedicate its share of the abutting land and to allow the said road to be so widened, graded, and improved where it abuts on the Soldiers' Home grounds; *Provided further*, That the extension of the Bates' road shall be dedicated along such line as may be approved by the Commissioners of the District of Columbia. *And provided further*, That nothing herein contained shall apply to that portion of the Harewood Road between the Soldiers' Home and the National Cemetery.

I desire to have the amendment acted upon now. It relates to the narrow road between the Soldiers' Home grounds and the University grounds, in the eastern part of the District.

The VICE-PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Iowa [Mr. ALLISON]. The amendment was agreed to.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed a bill (H. R. 6007) to place wool on the free list and to reduce the duties on woolen goods; in which it requested the concurrence of the Senate.

#### LIST OF TREASURY EMPLOYÉS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of March 24, 1892, a list of the employés of that office not specifically authorized or appropriated for by law, but appointed or employed according to the discretion of the Secretary of the Treasury, and paid from some general or special fund subject to his control; which, with the accompanying papers, was referred to the Committee on Civil Service and Retrenchment, and ordered to be printed.

#### HOUSE BILL REFERRED.

The bill (H. R. 6007) to place wool on the free list and to reduce the duties on woolen goods was read twice by its title, and referred to the Committee on Finance.

#### EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Friday, April 8, 1892, at 12 o'clock m.

#### NOMINATIONS.

*Executive nominations received by the Senate April 7, 1892.*

#### JUSTICE OF THE PEACE.

John H. O'Donnell, of the District of Columbia, to be justice of the peace in the District of Columbia, to be assigned to the city of Washington, vice John Evans, whose term will expire April 9, 1892.

#### POSTMASTERS.

Lee McLaughlin, to be postmaster at Sanger, in the county of Fresno and State of California, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1892.

Sylvester S. Bookhammer, to be postmaster at Lewes, in the county of Sussex and State of Delaware, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1892.

John W. Hallenbeck, to be postmaster at Auburn Park, in the county of Cook and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1892.

Henry Schrage, to be postmaster at Whiting, in the county of Lake and State of Indiana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1892.

William F. Judiesch, to be postmaster at Holstein, in the county of Ida and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1892.

Mary F. Trump, to be postmaster at Maquoketa, in the county of Jackson and State of Iowa, in the place of Dorsey W. Trump, deceased.

David Vail, to be postmaster at New Sharon, in the county of Mahaska and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1892.

Henry Vaupel, to be postmaster at Morganfield, in the county of Union and State of Kentucky, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1892.

James I. Weaver, to be postmaster at London, in the county of Laurel and State of Kentucky, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1892.

Charles E. Gorham, to be postmaster at Great Barrington, in the county of Berkshire and State of Massachusetts, in the place of Julia E. Seeley, removed.

Simon J. McKenzie, to be postmaster at Adrian, in the county of Nobles and State of Minnesota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1892.

William H. Hyler, to be postmaster at Port Chester, in the county of Westchester and State of New York, in the place of James S. Logan, removed.

George B. Tripp, to be postmaster at Mechanicsville, in the county of Saratoga and State of New York, in the place of Thomas Murphy, whose commission expires April 12, 1892.

George W. Stetson, to be postmaster at Cambridgeboro, in the county of Crawford and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1891.

John B. S. Zeller, to be postmaster at Mount Joy, in the county of Lancaster and State of Pennsylvania, in the place of Jacob W. Shrite, whose commission expires April 6, 1892.

William F. Albright, to be postmaster at Eaton, in the county of Preble and State of Ohio, in the place of William F. Jones, whose commission expires April 12, 1892.

Richard L. Templin, to be postmaster at Calla, in the county of Mahoning and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1892.

Charles S. Doubleday, to be postmaster at Hico, in the county of Hamilton and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1892.

Fulgence De Bordenave, to be postmaster at Franklin, in the county of Southampton and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1892.

James Carter, to be postmaster at Chatham, in the county of Pittsylvania and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1892.

William L. Bachelder, to be postmaster at Durand, in the county of Pepin and State of Wisconsin, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1892.

#### PROMOTIONS IN THE ARMY.

##### *Quartermaster's Department.*

Capt. Samuel R. Jones, Fourth Artillery, to be assistant quartermaster, with the rank of captain, with rank from April 13, 1891, vice Chase.

Capt. Constantine Chase, assistant quartermaster, to be captain of artillery, with rank from April 13, 1891, vice Jones, Fourth Artillery.

##### *Infantry arm.*

First Lieut. Arthur L. Wagner, Sixth Infantry, to be captain, April 2, 1892, vice Groesbeck, Sixth Infantry, who resigns his line commission on accepting appointment as major and judge-advocate.

Second Lieut. Robert L. Ballard, Tenth Infantry, to be first lieutenant, April 2, 1892, vice Wagner, Sixth Infantry, promoted.

#### CONFIRMATION.

*Eccentric nomination confirmed by the Senate, April 7, 1892.*

##### REGISTER OF LAND OFFICE.

Franklin P. Phillips, of Watertown, S. Dak., to be register of the land office at Watertown, S. Dak.

#### HOUSE OF REPRESENTATIVES.

THURSDAY, April 7, 1892.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

##### SECTION 445. REVISED STATUTES.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting draft of bill to amend section 445 of the Revised Statutes; which was referred to the Committee on Interstate and Foreign Commerce.

##### HEATING APPARATUS IN PUBLIC BUILDINGS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, requesting an additional appropriation to enable the Department to furnish heating apparatus in public buildings at Greenville, S. C., Los Angeles, Cal., Statesville, N. C., and Vicksburg, Miss.; which was referred to the Committee on Appropriations.

##### THOMAS THATCHER.

The SPEAKER also laid before the House a communication from the Court of Claims, transmitting copy of the findings in the case of Thomas Thatcher; which was referred to the Committee on Claims.

##### EDWARD S. ARMSTRONG.

The SPEAKER also laid before the House the bill (S. 18) for the relief of Edward S. Armstrong.

Mr. NORTON. Mr. Speaker, I ask unanimous consent that this bill be now considered, a bill relating to the same subject having been reported by the House committee.

The SPEAKER. The bill will be read subject to objection. The bill was read, as follows:

*Be it enacted, etc.,* That the sum of \$1,673.14 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to pay Edward S. Armstrong, of Falls County, Mo., it being the one-eighth part of a judgment rendered by the Court of Claims on the 23d of November, 1890, against the United States, in favor of the estate of James B. Armstrong, deceased.

Mr. BURROWS. Has this bill been considered by the House committee?

Mr. NORTON. Yes, and unanimously reported.

Mr. BURROWS. How much does it carry?

Mr. NORTON. The sum of \$1,663.

There being no objection to the consideration of the bill, it was ordered to a third reading, and was accordingly read the third time, the question being on its passage.

The question was taken; and on a division there were—ayes 96, noes 6.

Mr. BAILEY. No quorum.

The SPEAKER. The point of order being made that no quorum has voted, the Chair will appoint tellers.

Mr. BAILEY and Mr. NORTON were appointed tellers.

The House again divided; and the tellers reported—ayes 167. Mr. BAILEY. Mr. Speaker, a quorum having voted, I withdraw the point.

So the bill was passed.

On motion of Mr. NORTON, the motion to reconsider the last vote was laid upon the table.

The House bill of the same purport was ordered to lie upon the table.

##### PRIVILEGE OF THE FLOOR.

Mr. BUCHANAN of New Jersey. Mr. Speaker, I rise to submit a question, and am not certain whether it be a question of privilege or a parliamentary question.

The SPEAKER. The gentleman will state it.

Mr. BUCHANAN of New Jersey. In the first session of the Fiftyth Congress a resolution of thanks, directing that a medal be prepared was voted to Joseph Francis, the inventor so prominently known in connection with the founding of the Life-Saving Service. Our rules, I believe, admit such gentlemen to the privileges of the floor; but I am not advised whether it is necessary to make a motion to that effect or not.

The SPEAKER. If the rule provides for the admission a card is issued on application to the Speaker.

Mr. BUCHANAN of New Jersey. I desire that Mr. Francis be admitted.

The SPEAKER. If the gentleman will call the attention of the Chair to the matter the Chair will cause a card to be prepared.

##### LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows: To Mr. VINCENT A. TAYLOR, for one week, on account of important business.

He also presented the petition of E. F. Burr and other citizens of Lyme, Conn., praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday, and that the sale of intoxicating liquors be prohibited thereat: which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the following petitions of Newington, Colebrook, East Hampton, Farmington, Quinnetisset, Manchester, Woodbridge, Somers, East Windsor, Watertown, and Suffield Granges, Patrons of Husbandry, of Connecticut:

Petitions praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petitions praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. TELLER presented a petition of citizens of Douglas County, and a petition of citizens of Logan County, in the State of Colorado, praying for the passage of legislation regulating speculation in fictitious farm products: which were referred to the Committee on the Judiciary.

He also presented a memorial of the Methodist and Presbyterian Churches of Fort Collins, Colo., remonstrating against the opening of the World's Columbian Exposition on Sunday: which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Salida (Colo.) Free Coinage Club, praying for the free coinage of silver: which was ordered to lie on the table.

He also presented the following petitions of Dry Creek Valley Grange, Patrons of Husbandry, of Colorado:

Petition praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Mr. VEST presented a petition of the Central Labor Union of Springfield, Mo., praying for the passage of House bill 257, making eight hours a day's work: which was referred to the Committee on Education and Labor.

Mr. SHERMAN presented a petition of the Woman's Christian Temperance Union of Ohio, containing 265 individual signatures: a petition of the Methodist Episcopal Church of Ripley, Ohio: a petition of the Congregational Church of Rugles, Ohio: a petition of the Christian Church of Enon, Ohio: a petition of 72 citizens of Ohio, and a petition of the Hugh Avenue Congregational Church of Cleveland, Ohio, praying that the World's Columbian Exposition be closed on Sunday, and that the sale of intoxicating liquors be prohibited thereat: which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of L. B. Ritter and 27 other citizens of South Bethlehem, Pa., the petition of C. B. Maxwell and 38 other citizens of Hazlet, Pa., a petition of 13 citizens of Leipsic, Ohio, and a petition of 48 citizens of Cleveland, Ohio, praying for the adoption of a constitutional amendment prohibiting the States from passing laws respecting the establishment of religion, etc.; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union, of Howard Lake, Minn., praying for the passage of what is known as the Dolph Alaska liquor license bill: which was referred to the Committee on Territories.

He also presented a petition numerously signed by citizens of Ohio, praying for the enactment of certain amendments to the naturalization and immigration laws: which was referred to the Committee on the Judiciary.

Mr. WARREN presented a petition of 32 citizens of Manville, Wyo., praying that the World's Columbian Exposition be closed on Sunday, and that no intoxicating liquors be sold thereat: which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PASCO presented the memorial of L. M. Merritt, vice-president of the American Shipping League, and 25 other busi-

ness men of Pensacola, Fla., representing the shipping interests of that port, remonstrating against the passage of the bill abolishing compulsory pilotage: which was ordered to lie on the table.

Mr. MITCHELL presented a memorial of citizens of Oregon, remonstrating against the opening of the World's Columbian Exposition on Sunday: which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of Charity Grange, No. 103, of Harrisburg, Oregon, praying for the passage of legislation placing binding-twine on the free list: which was referred to the Committee on Finance.

He also presented a petition of the Republican county convention of Wasco County, Oregon, held March 26, 1892, praying the extension of time to two years for payment for forfeited railroad lands: which was referred to the Committee on Public Lands.

He also presented the following petitions of Hillsboro, Charity, Mayville, Salt Creek, Mount Hood, Highland, and Multnomah Granges, Patrons of Husbandry, of Oregon:

Petitions praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Mr. CAMERON presented a petition of a mass meeting of churches of Cannonsburg, Pa., and a petition collected by the National Woman's Christian Temperance Union of Pennsylvania, praying that the sale of intoxicating liquor be prohibited at the World's Columbian Exposition and that the Exposition be closed on Sunday: which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of C. B. Maxwell and 38 other citizens of Houtzdale, Pa., and the petition of L. D. Ritter and 27 other citizens of South Bethlehem, Pa., praying for the passage of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose: which were referred to the Committee on the Judiciary.

Mr. QUAY presented resolutions adopted at a meeting of Farmers' Institute held at Mooresburg, Pa., praying for the free delivery of mails in rural districts: which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Pittsburg (Pa.) Chamber of Commerce, praying for the passage of legislation to establish a public telegraph system in the post-offices of the United States: which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the First Lutheran Church of Chicora, Pa.: a petition of the Presbyterian Church of Manor Station, Pa.: a petition of the Union United Presbyterian Church of Butler County, Pa.: a petition of the Presbyterian Church of Bruin, Pa.: a petition of the Presbyterian Church of Petrolia, Pa.: and a petition of the Presbyterian Church of Summit, Pa.: a petition of the Pigeon Creek Presbyterian Church, of Pigeon Creek, Pa.: a petition of the Presbyterian Church of Claysville, Pa.: and a petition of the Presbyterian Church of Oakdale, Pa., praying that the World's Columbian Exposition be closed on Sunday, that the sale of intoxicating liquors be prohibited thereat, and that the art department be managed according to the American standard of purity in art: which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the petitions of Security Council, Mahanoy City Council, Central Council, No. 61; Gen. Taylor Council, No. 298; Pennfield Council, Hemmings Mill Council, Shanksville Council, No. 729; Hunter Council, No. 596; L. Scallette Council, No. 442; Bessie Council, No. 302; Springfield Council, No. 657; Jorkintown Council, North Star Council, No. 67; Dawson Council, Iron Council, Kensington Council, Integrity Council, High Spire Council, No. 155; Washington Camp, No. 102; Washington Camp, No. 106; Washington Camp, No. 517; Littlestown Council, No. 386; United Council, No. 182; Washington Camp, No. 450; Washington Camp, No. 478; Coalton Council, No. 438, and Industrial Council, No. 437; Patriotic Order United American Mechanics of the American Defense Association, of Pennsylvania, praying for the passage of the bill to amend the naturalization laws as agreed upon and reported by the Judiciary Committee of the House of Representatives: which were referred to the Committee on the Judiciary.



Mr. BERRY presented the petition of J. T. Hannaford and 65 other citizens of Morrilton, Ark., and a petition of citizens of Arkansas, praying for the passage of what is known as the Butterworth option bill; which were referred to the Committee on the Judiciary.

Mr. HUSCOCK presented the petition of Irving Schmitz and 6 other citizens of New York City, the petition of Walter Gillis and 4 other citizens of New York City, praying for the passage of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or appropriating any money for sectarian purposes; which were referred to the Committee on the Judiciary.

He also presented a petition of Sinclairville Grange, No. 101, Patrons of Husbandry, of New York, praying for the passage of the bill to prevent the adulteration of food and drugs, and the bill (H. R. 395) defining lard and imposing a tax thereon; which were ordered to lie on the table.

He also presented the petition of Miles N. Smith and 18 other citizens of Chautauque County, N. Y., praying for the passage of the Washburn-Hatch anti-option bills; which was referred to the Committee on the Judiciary.

Mr. SAWYER presented a petition of members of Sawyer Post, No. 7, Grand Army of the Republic, of Wisconsin, praying for the passage of Senate bill 897, providing for the preservation and to properly mark the battle lines at Gettysburg; which was referred to the Committee on Military Affairs.

Mr. DUBOIS presented a petition of the Democratic Club of Pocatello, Idaho, praying for the passage of legislation providing for the election of United States Senators by direct vote of the people; which was referred to the Committee on Privileges and Elections.

Mr. GORMAN presented the petition of William Anthony and other citizens of Solomons, Md., praying for the passage of a sixteenth amendment to the Constitution of the United States, providing that no State shall pass any law respecting an establishment of religion or prohibiting the free exercise thereof or making an appropriation of money for sectarian purposes; which was referred to the Committee on the Judiciary.

He also presented the petition of William A. Cowen, late of Company D, Fifth Maryland Infantry Volunteers, praying for the removal of the charge of desertion now standing against him; which was referred to the Committee on Military Affairs.

He also presented the following petitions of Glencoe Grange, Patrons of Husbandry, of Maryland:

Petition praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petition praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—referred to the Committee on Finance.

Mr. McPHERSON presented a petition of the faculty and students of the Chicago Theological Seminary, of Chicago, Ill.; a petition of students of the Drew Theological Seminary of the Methodist Episcopal Church, of Madison, N. J.; a petition of the faculty and students of the Gammon Theological Seminary, of Atlanta, Ga.; a petition of the faculty and students of the Allegheny United Presbyterian Theological Seminary, of Allegheny, Pa.; and a petition of the students of the Newton Theological Institution, of Newton Center, Mass., praying that the World's Columbian Exposition may be closed on Sunday; which were referred to the Committee on the Quadro-Centennial (Select.)

He also presented the petition of Margaret Solly, of Camden, N. J., formerly the widow of John Barr, who was a member of Company C, First Regiment Pennsylvania Volunteers, during the Mexican war, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. PEPPER presented a petition of the Wage-workers' Political Alliance of the District of Columbia, praying that an appropriation of \$75,000 be made for supplying the children in the District of Columbia with free schoolbooks; which was referred to the Committee on the District of Columbia.

Mr. PALMER presented the following petitions of Rutland Grange, Patrons of Husbandry, of Illinois:

Petition praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Mr. TURPIE presented the following petitions of Owen Grange, Patrons of Husbandry, of Indiana:

Petition praying for the enactment of legislation to prevent

gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. MILLS presented a petition of 23 citizens of Goliad County, Tex., praying for the passage of the Washburn-Hatch anti-option bills; which was referred to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES.

Mr. FAULKNER, from the Committee on the District of Columbia, to whom was referred the joint resolution (S. Res. 47) authorizing the resubdivision of square 673 in the city of Washington, reported it without amendment, and submitted a report thereon.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 1077) relieving the personal representatives of John Sherman, jr., late United States Marshal for the Territory of New Mexico, from the requirements of section 833 of the Revised Statutes, reported it with an amendment, and submitted a report thereon.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 484) to amend an act entitled, "An act relating to tax sales and taxes in the District of Columbia," reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1887) to amend an act entitled, "An act relating to tax sales and taxes in the District of Columbia," reported adversely thereon, and the bill was indefinitely postponed.

Mr. VOLCOTT, I am directed by the Committee on the District of Columbia, to whom was referred the bill (S. 1308) to prevent the building of houses along certain alleys in the city of Washington, and for other purposes, to report it adversely and move its indefinite postponement, a similar bill from the other House being on the Calendar.

The report was agreed to.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom the subject was referred, reported a bill (S. 2808) to regulate the practice of medicine in the District of Columbia; which was read twice by its title.

He also, from the same committee, to whom was referred the bill (S. 1235) to regulate the practice of medicine in the District of Columbia, reported adversely thereon, and the bill was postponed indefinitely.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 1962) granting an honorable discharge to William Pierce, reported it without amendment, and submitted a report thereon.

Mr. VOORHEES, from the Committee on the Library, to whom was referred the bill (S. 2159) in regard to a memorial column to commemorate the battle of Princeton, and appropriating \$30,000, reported it without amendment.

#### MARTELLO TOWER, ON TYBEE ISLAND.

Mr. HAWLEY. I report back favorably, without amendment, from the Committee on Military Affairs, the joint resolution (H. Res. 69) authorizing the use of the martello tower, on Tybee Island, Georgia, for a signal station. It is a simple matter of consent to a disposition of that property which will be valuable to the commercial interests of Savannah, and I hope the Senate will immediately concur with the other House in the passage of the joint resolution. I ask for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It proposes to permit the use of the martello tower, on Tybee Island, Georgia, by telegraph or telephone companies for a signal station, to report passing vessels, under such conditions as the Secretary of War may deem proper to protect the interest of the United States.

The joint resolution was reported to the Senate without amendment, ordered to a third reading; read the third time, and passed.

#### BILLS INTRODUCED.

Mr. DOLPH. I should like to have the attention of the chairman of the Committee on Indian Affairs. I introduce a bill to provide for the reservation of certain timber lands upon the Siletz Indian Reservation for the benefit of the Indians. I wish to say that this is a bill attempting to put into practical operation upon the Siletz Indian Reservation in Oregon the suggestion made by me in discussing the Indian appropriation bill, to have the Government provide upon the reservations employment



NAYS—32.

Allen,	Gallinger,	Jones, Ark.	Sanders,
Allison,	Gray,	McPherson,	Sawyer,
Blackburn,	Hale,	Manderson,	Sherman,
Carey,	Hansbrough,	Mitchell,	Shoup,
Cullom,	Hawley,	Palmer,	Stewart,
Dawes,	Higgins,	Perkins,	Teller,
Dubois,	Hiscock,	Power,	Vest,
Frye,	Hoar,	Quay,	Washburn.

NOT VOTING—33.

Aldrich,	Daniel,	Hill,	Squire,
Barbour,	Davis,	Jones, Nev.	Stanford,
Blodgett,	Dixon,	Kenna,	Stockbridge,
Brice,	Dolph,	McMillan,	Turpie,
Butler,	Felton,	Morrill,	Vance,
Call,	George,	Pasco,	Walthall,
Cameron,	Gibson, La.	Pettigrew,	Warren,
Carlisle,	Gibson, Md.	Platt,	White,
Casey,	Gordon,	Proctor,	Wheeler,
Chandler,	Harris,	Ransom,	

So the amendment to the amendment was rejected.  
The VICE-PRESIDENT. The question recurs on the amendment of the Senator from Michigan [Mr. McMILLAN].

Mr. HAWLEY. I offer now the amendment of which I gave notice yesterday.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to add at the end of the amendment:

And the sum hereby appropriated shall be paid to and disbursed by the citizens' executive committee of Washington having in charge such reception and entertainment, under such regulations as may be prescribed by the Secretary of War.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Connecticut to the amendment of the Senator from Michigan.

The amendment to the amendment was agreed to.

Mr. QUAY. I desire to offer a further amendment to the amendment, to which I think there will be no objection. I move to strike out in the amendment of the Senator from Michigan in the third line the words, "the proper and legitimate expenses attending the reception and entertainment" and insert in lieu thereof "for the subsistence and quarters." in the fifth line, before the word "union," to insert the word "nonresident," and to strike out in the ninth line the words "and attending the preparation for such reception and entertainment," the effect of the amendment being to restrict the appropriation to the actual necessary expenses of board and lodging of the visiting delegation, leaving the ceremonial and social expenditures to be paid from the subscriptions of the citizens of the District.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to strike out, in line 3, after the word "pay," the words "the proper and legitimate expenses attending the reception and entertainment" and insert "for subsistence and quarters;" at the beginning of line 5, to insert the word "nonresident," and in line 9, after the word "Columbia," to strike out the words "and attending the preparation for such reception and entertainment;" so that the amendment would read:

NATIONAL ENCAMPMENT OF THE GRAND ARMY OF THE REPUBLIC.  
To pay for subsistence and quarters of such honorably discharged nonresident Union soldiers, sailors, and marines who served in the war of the rebellion as may attend, as delegates or otherwise, the Twenty-sixth National Encampment of the Grand Army of the Republic, in the city of Washington, in the District of Columbia, \$100,000, or so much thereof as may be necessary. And the sum hereby appropriated shall be paid to and disbursed by the citizens' executive committee of Washington having in charge such reception and entertainment, under such regulations as may be prescribed by the Secretary of War.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Pennsylvania to the amendment of the Senator from Michigan.

Mr. QUAY. On that I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Several Senators having responded to their names—

Mr. MORGAN said: What is the question before the Senate?

The VICE-PRESIDENT. The question is on the amendment of the Senator from Pennsylvania [Mr. QUAY] to the amendment of the Senator from Michigan [Mr. McMILLAN]. As there seems to be a misunderstanding as to the pending question, the Chair suggests that it should be again stated. Is there objection? If there be no objection, the amendment as proposed to be amended will be again read.

The Secretary read the amendment as it would read if amended.

The VICE-PRESIDENT. The question is on adopting the amendment of the Senator from Pennsylvania to the amendment of the Senator from Michigan. The roll call will be continued, unless there is a misunderstanding as to the question. If so, it will be begun anew.

Mr. PALMER. I should like to inquire whether the amend-

ment to the amendment affects that provision which gives to the Secretary of War the control of the fund.

Mr. FRYE. That has already been adopted as a part of the amendment.

Mr. PALMER. If it does not affect that provision, it strikes me that the amendment proposed by the Senator from Pennsylvania is an exceedingly proper one.

Mr. PERKINS. It does not interfere with that at all.

Mr. QUAY. It does not interfere with it.

The VICE-PRESIDENT. The roll call will be continued.

The Secretary resumed the call of the roll.

Mr. DOLPH (when his name was called). I am paired with the Senator from Mississippi [Mr. GEORGE].

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. PAULKNER (when Mr. KENNA's name was called). My colleague [Mr. KENNA] is detained from the Senate by indisposition. He is paired with the Senator from Colorado [Mr. WOLCOTT].

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE].

Mr. MORGAN (when his name was called). I am paired with the Senator from Massachusetts [Mr. DAWES].

Mr. PASCO (when his name was called). I again announce my pair with the Senator from North Dakota [Mr. CASEY].

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. BARBOUR].

Mr. WALTHALL (when his name was called). I am paired with the Senator from Rhode Island [Mr. DIXON].

The roll call was concluded.

Mr. CALL. I am paired with the Senator from Vermont [Mr. PROCTOR].

The result was announced—yeas 43, nays 5; as follows:

YEAS—43.

Allison,	Dubois,	Kyle,	Sawyer,
Bate,	Faulkner,	McPherson,	Stewart,
Berry,	Frye,	Manderson,	Teller,
Blackburn,	Gallinger,	Mitchell,	Turpie,
Brice,	Gray,	Paddock,	Vest,
Carey,	Hale,	Palmer,	Vilas,
Chandler,	Hansbrough,	Peller,	Voorhees,
Coke,	Hawley,	Perkins,	Warren,
Colquitt,	Hiscock,	Power,	Washburn,
Cullom,	Irby,	Pagan,	Wilson,
Davis,	Jones, Ark.	Quay,	

NAYS—5.

Allen,	Sanders,	Sherman,	Shoup.
Mills,			

NOT VOTING—40.

Aldrich,	Dawes,	Higgins,	Platt,
Barbour,	Dixon,	Hill,	Proctor,
Blodgett,	Dolph,	Hoar,	Ransom,
Butler,	Felton,	Jones, Nev.	Squire,
Call,	George,	Kenna,	Stanford,
Cameron,	Gibson, La.	McMillan,	Stockbridge,
Carlisle,	Gibson, Md.	Morgan,	Vance,
Casey,	Gordon,	Morrill,	Walthall,
Cockrell,	Gorman,	Pasco,	White,
Daniel,	Harris,	Pettigrew,	Wheeler.

So the amendment to the amendment was agreed to.

Mr. KYLE. At the request of the Department of the Potomac of the Woman's Relief Corps of this city, I move to add at the close of the amendment as amended:

Provided, That \$5,000 of this sum shall be placed at the disposal of the Department of the Potomac of the Woman's Relief Corps.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from South Dakota to the amendment as amended.

The amendment to the amendment was rejected.

The VICE-PRESIDENT. The question recurs on the amendment of the Senator from Michigan as amended.

The amendment as amended was agreed to.

Mr. VOORHEES. The amendment has not been made part of the bill yet. There is another amendment, is there not?

Mr. HARRIS. The amendment of the Senator from Michigan was an amendment to an amendment that he reported from the Committee on the District of Columbia. So the question now is, I take it, on the amendment reported from the committee as amended.

Mr. BERRY. Upon that I ask for the yeas and nays.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Michigan [Mr. McMILLAN] as amended to the amendment reported by the Committee on the District of Columbia. Upon that question the yeas and nays have been demanded.

The yeas and nays were ordered.

Mr. ALLISON. As I understand the situation, the amendment of the Senator from Pennsylvania [Mr. QUAY] has been inserted as a substitute for all these amendments.

Mr. CULLOM, Mr. HARRIS, and Mr. HAWLEY. Oh, no.

Mr. ALLISON. Senators say "no." Let us consider for a

moment. That amendment having been adopted, the question is upon placing that amendment in the bill.

Mr. HARRIS. Yes, upon agreeing to the amendment as amended.

Mr. PERKINS. As perfected.

Mr. ALLISON. Certainly, upon agreeing to the amendment as amended. So when Senators said "no" they were mistaken. I submit.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Michigan as amended.

Mr. HAWLEY. Which is an amendment to an amendment.

Mr. ALLISON. As I understand the matter, the Senator from Michigan reported an amendment from the Committee on the District of Columbia, and then himself offered an amendment to that amendment.

Mr. HARRIS. A substitute for it.

Mr. ALLISON. Very well, an amendment to that amendment in the nature of a substitute, and thereupon the Senator from Pennsylvania [Mr. QUAY] moved to strike out all that had been inserted by way of amendment.

Mr. BERRY and Mr. FRYE. No, no.

Mr. HARRIS. Only a part of it.

Mr. SHERMAN. Only a few words.

Mr. ALLISON. Very well; when I am mistaken of course I yield gracefully. Now I ask that the amendment be read as it stands, and that the Chair state upon what we are to vote.

Mr. HAWLEY. If the Senator will allow me, I will try to make the history of it a little clear.

Mr. ALLISON. I understand it. I only ask to have it read.

The VICE-PRESIDENT. The amendment will be read.

The CHIEF CLERK. On page 46, after line 8, it is proposed to insert:

#### NATIONAL ENCAMPMENT OF THE GRAND ARMY OF THE REPUBLIC.

To pay for subsistence and quarters of such honorably discharged non-resident Union soldiers, sailors, and marines who served in the war of the rebellion as may attend, as delegates or otherwise, the Twenty-sixth National Encampment of the Grand Army of the Republic, in the city of Washington, in the District of Columbia, \$100,000, or so much thereof as may be necessary. And the sum hereby appropriated shall be paid to and disbursed by the citizens' executive committee of Washington having in charge such reception and entertainment, under such regulations as may be prescribed by the Secretary of War.

The VICE-PRESIDENT. The question is on the amendment, which has just been read, to the amendment reported by the committee.

Mr. HARRIS. The amendment of the Senator from Michigan, as reported from the Committee on the District of Columbia, was the pending question, but the Senator, in his character of Senator, offered a substitute for it, and the Senate, by vote, has adopted the substitute. Now the question is upon the amendment as amended.

The VICE-PRESIDENT. That is just the position of the question that the Chair intended to state.

Mr. ALLISON. And that was just the position I endeavored to state, but it seems when I stated it it was entirely wrong.

Mr. SANDERS. Is an amendment in order?

The VICE-PRESIDENT. The Senator is in order to offer an amendment to the original text.

Mr. SANDERS. I move to strike out the last eight words, "or so much thereof as may be necessary."

Mr. ALLISON. That is the usual phrase.

Mr. HAWLEY. It is the common phrase.

Mr. SANDERS. I propose that we shall appropriate \$100,000 and quit.

Mr. HAWLEY. But, if it is worth while to argue that question at all, that being the usual and proper phrase, I make this suggestion to the Senator, that when the Secretary of War comes to make his regulations for the disbursement of this fund he will make them in such a manner that nothing shall be wasted, and the money will be given only to those who actually come and sleep and eat here. I think there will be something saved. If there should be \$10,000 saved it will go back into the Treasury. There is nobody to give it to if it is not used for subsistence and quarters.

Mr. SANDERS. I thank the Senator from Connecticut for his suggestion.

The VICE-PRESIDENT. The amendment proposed by the Senator from Montana is not in order, as the Senate has already passed upon the first amendment as amended. The roll will be called upon agreeing to the amendment as amended.

The Secretary proceeded to call the roll.

Mr. CHANDLER (when his name was called). I am paired with the junior Senator from New Jersey [Mr. BLODGETT].

Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR]. I do not know how he would vote and I withhold my vote.

Mr. HARRIS (when his name was called). I am paired upon

all questions with the Senator from Vermont [Mr. MORRILL]. If he were present I should vote "nay."

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE]. If he were here I should vote "yea."

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY]. If he were present I should vote "nay."

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. BARBOUR]. If he were present I should vote "yea."

Mr. POWER (when his name was called). I am paired with the Senator from Louisiana [Mr. WHITE]. If he were present I should vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Rhode Island [Mr. DIXON]. If he were present I should vote "nay."

Mr. WARREN (when his name was called). I am paired with the junior Senator from Georgia [Mr. GORDON] upon political questions, but by the votes on the other side I observe that this is not taken to be such, and I therefore vote "yea."

The roll call was concluded.

Mr. MORGAN. I am paired with the Senator from Massachusetts [Mr. DAWES]. If he were here I should vote "nay."

Mr. QUAY. I desire again to announce the pair of my colleague [Mr. CAMERON] with the Senator from South Carolina [Mr. BUTLER]. If my colleague were present he would vote "yea."

Mr. WALTHALL. I wish to announce that my colleague [Mr. GEORGE] is paired with the Senator from Oregon [Mr. DOLPH]. My colleague would vote "nay" if present and at liberty to vote.

The result was announced—yeas 41, nays 10; as follows:

#### YEAS—41.

Allen,	Gorman,	Paddock,	Teller,
Allison,	Gray,	Peffer,	Turpie,
Brice,	Hale,	Peffer,	Vilas,
Carey,	Hansbrough,	Perkins,	Voorhees,
Callom,	Hawley,	Proctor,	Warren,
Davis,	Higgins,	Quay,	Washburn,
Dubois,	Hiscock,	Sanders,	Wilson,
Faulkner,	Kyle,	Sawyer,	Wolcott,
Frye,	McPherson,	Sherman,	
Gallinger,	Manderson,	Shoup,	
Gibson, Md.,	Mitchell,	Stewart,	

#### NAYS—10.

Bate,	Coke,	Jones, Ark.,	Vest,
Berry,	Colquitt,	Mills,	
Blackburn,	Irby,	Pugh,	

#### NOT VOTING—37.

Aldrich,	Daniel,	Hour,	Ransom,
Barbour,	Dawes,	Jones, Nev.,	Squire,
Blaught,	Dixon,	Kenia,	Stanford,
Butler,	Dolph,	McMillan,	Stockbridge,
Call,	Felton,	Morgan,	Vance,
Cameron,	George,	Morrill,	Walthall,
Carlisle,	Gibson, La.,	Pasco,	White,
Cass,	Gordon,	Pettigrew,	
Chandler,	Harris,	Platt,	
Cockrell,	Hill,	Power,	

So the amendment as amended was agreed to.

Mr. McMILLAN. On page 22 of the bill, line 23, after the word "hour," I move to insert:

And the Commissioners of the District of Columbia are hereby authorized, in their discretion, to provide for lighting, by means of incandescent lamps instead of gas and oil lamps, any of the streets, roadways, and avenues outside of the cities of Washington and Georgetown; *Provided*, That the said incandescent lamps shall be of at least 25-candle power, that the price paid per lamp per year shall not exceed the existing contract price for lighting the oil lamps, and that the lamps shall each be burned not more than three thousand hours per annum; and the sum of \$1,500 is hereby appropriated, or so much thereof as may be necessary, for that purpose.

Mr. ALLISON. I understand that to be a unanimous report of the Committee on the District of Columbia. If so, I do not interpose the point of order, which otherwise I think I should make.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Michigan [Mr. McMILLAN].

The amendment was agreed to.

Mr. HANSBROUGH. On page 37, after line 11, I am authorized by the Committee on the District of Columbia to move the insertion of the following words:

For bathing beach; For remodeling the bathing beach in the tidal reservoir into the form of pools, also the adjacent grounds, dressing-houses, etc., in accordance with designs and specifications, to be approved by the Commissioners of the District of Columbia, \$10,000.

The proposed amendment meets with the unanimous approval of the Committee on the District of Columbia, and I present it as coming from the Committee.

The amendment was agreed to.

Mr. VEST. On page 43, line 14, before the word "dollars," I move to strike out "five hundred" and insert "two thousand;" so as to read:

For St. Joseph's Asylum, maintenance, \$2,000.

Mr. ALLISON. I hope the Senator from Florida will not insist upon that amendment. I will say to him that the first paragraph, namely, that appropriating \$16,000 for the relief of the poor, has been amended so that there is an opportunity of getting what he desires in conference, and if there is any power to do that, I think that can be done.

Mr. CALL. I withdraw the amendment.

The VICE-PRESIDENT. The amendment is withdrawn.

Mr. COCKRELL. Mr. President, I have been requested to offer the amendment which I send to the desk, to come in at the end of line 8, on page 42.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 42, line 8, after the word "dollars," it is proposed to add the following:

*Provided, That from and after the passage of this act the term of office of all of the members of the board of directors, except the Commissioner of the District of Columbia, the United States Senator, and the two members of the House of Representatives, shall expire on the 1st day of January in each year, and their successors shall be chosen on the second Monday in December of each year, one-third of which number shall be nominated and appointed by the Commissioners of the District of Columbia and the other two-thirds elected by a majority of the directors then in office; Provided further, That one-third of the number of said directors oldest in service as such directors shall not be reelected nor be appointed by the Commissioners, as aforesaid, nor shall they be eligible for such reelection or appointment for the period of two years next after the expiration of their term of office; Provided further, That the term of office of the Senator and Representatives in said board of directors shall continue as provided in the act of Congress of June 19, 1852, and the term of office of the Commissioner of the District of Columbia shall continue so long as he shall remain such Commissioner.*

Mr. COCKRELL. Mr. President, I have no personal knowledge in regard to this matter, and I ask that the memorandum may be read which was sent to me to accompany the amendment.

Mr. ALLISON. Why not let it be printed in the Record?

Mr. COCKRELL. It will only take a moment to read it.

Mr. ALLISON. I may want to make the point of order on the amendment.

The VICE-PRESIDENT. The memorandum presented by the Senator from Missouri will be read.

The Secretary read as follows:

Memorandum relating to the proposed amendment of the appropriation bill relating to the Columbia Hospital.

1. Under the charter and by-laws all the members of the board of directors except the Senator and two Representatives and the Commissioner of the District of Columbia hold their office for life; while the representatives of the Government, the Senator and Representatives and the Commissioner, hold only for a limited time.

2. The board of directors is not elected by the corporation. By the charter, the first twelve of the incorporators were male directors, and they elect those to fill vacancies caused by death, resignation, or by the increase in the number.

3. By reason of this situation, and the fact that the Government's representatives are in a hopeless minority (4 to 14), and that these life members elect their own successors, the Government is a mere feeder, furnishing money to a strictly private corporation in the management of whose affairs and in the election of whose officers it has practically no voice.

4. During the recess of Congress the Government has no representation at all, because of absence of members of Congress, and from March 4 to December of every two years, by reason of the expiration of Congress, according to the rule adopted by the board, Congress has no membership, because its representatives are appointed only for the life of Congress, and a member, though reelected, is not regarded as a director, because the Congress from which he is appointed has expired.

5. The corporation is really a Government institution because it is supported not by contribution of these directors, but by appropriations by Congress and the profits derived from pay patients.

6. The only way to remedy this condition and give the Government a real control is by limiting the term of office of directors to one year and having a substantial number, one-third, appointed by the Government, by its representatives, the Commissioners, leaving the entire board to elect the balance of the members and thus secure a real representation by all concerned.

Mr. ALLISON. I make the point of order on the amendment.

Mr. COCKRELL. What is the point?

Mr. ALLISON. That it is legislation.

The VICE-PRESIDENT. The Chair is of the opinion that the point of order is well taken.

Mr. MORGAN. Mr. President, I intended to offer an amendment to this bill relating to the High Street Railway, or the railway from Georgetown to Tennallytown, but after conference with several members of the committee and other Senators I have concluded that it is better to leave that matter to the conference committee, who, I think, are now prepared to consider it, and to do justice to all concerned.

The VICE-PRESIDENT. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

ADJOURNMENT TO MONDAY.

On motion of Mr. HALE it was

*and read, That when the Senate adjourn to-day it be to meet on Monday next.*

CIRCUIT COURT OF APPEALS.

Several SENATORS addressed the Chair.

Mr. HOAR. I rise to a question of order. What is the business now before the Senate?

The VICE-PRESIDENT. The Chair lays before the Senate

the unfinished business, being the bill (S. 2729) to amend an act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes."

Mr. HOAR. Now, Mr. President, I desire to take the floor on that bill, but I yield to any Senator who wishes to make any motion.

REMOVAL OF GARBAGE IN THE DISTRICT OF COLUMBIA.

Mr. BLACKBURN submitted the following resolution: which was referred to the Committee on the District of Columbia:

Whereas there was appropriated by the last Congress the sum of \$24,000 for the removal of garbage in the District of Columbia for the year ending June 30, 1892; and

Whereas it is stated by the Commissioners for the District of Columbia in their last annual report now before Congress that said appropriation is already "practically exhausted," and an additional appropriation is asked for; Therefore,

*Be it resolved, That the Senate of the United States in Congress assembled do hereby instruct the Committee of the Senate on the District of Columbia to investigate the manner and methods by which said appropriation has been expended, and to report to the Senate at an early day the result of their investigations.*

Also, that said committee be directed to report what changes have been made in the official management of the health department of the District of Columbia, and for what reasons; and if any unusual or unfair means have been used to accomplish such changes.

Also, if the present contractor for the transportation of garbage and the collection and transportation of dead animals in the District of Columbia, carrying out his contract according to the specifications thereof.

Also, if said contractor is an employee of the War Department, drawing a salary from the United States; and if so, why he is allowed to occupy such a double position.

Also, if said contractor has been awarded a five years' contract for the collection of garbage and dead animals in the District of Columbia; and if so, the amount of said contract; and if said contractor has been allowed to sublet said contract; and if so, to whom, and what consideration here given for the same.

BUILDING OF WAR SHIPS ON THE GREAT LAKES.

Mr. McMILLAN submitted the following resolution:

Whereas it is alleged that the iron and steel shipbuilding plants along the Great Lakes of the Northwest exceed in combined facilities, in magnitude, and in capital the interests of all other shipbuilding plants of the country combined; and

Whereas it is further alleged that these great inland shipbuilding interests have been denied an opportunity to bid for the construction of torpedoes and the smaller class of war ships which can be taken by the water route through the St. Lawrence to the sea; Therefore,

*Resolved, That the Secretary of the Navy be, and he is hereby, directed to inform the Senate whether any bids for the construction of certain types of war ships have been received from any of said shipbuilding companies, and whether such bid or bids have been refused or rejected by his Department for any reason or reasons other than such as follow from the usual rule in accepting or rejecting bids for such class of work, and if so, the reasons therefor.*

Mr. HALE. I do not know that there is any objection to that resolution; but I want to examine it. Let it lie over.

The VICE-PRESIDENT. The resolution will lie over and be printed.

NAVAL FORCE ON THE GREAT LAKES.

Mr. McMILLAN submitted the following resolution:

*Resolved, That the Secretary of State be, and he is hereby, directed to inform the Senate whether the agreement entered into between the United States and Great Britain in the year 1845, covering the question of the naval force to be maintained by the two Governments on the great lakes of the United States is now held to be in force by the Department of State, and what, if any, action has been taken by our Government to revive or put in force the terms of said agreement, and if so, under what authority or action on the part of our Government such agreement has been held to be in force since the giving of the required formal notice by the President to Great Britain in December, 1861, of a desire on the part of the United States to annul said agreement at the expiration of the six months from the date of said formal notice, and of the ratification of said notice by the act of Congress of February 9, 1865.*

Mr. HALE. Let that lie over, Mr. President.

The VICE-PRESIDENT. The resolution will lie over, and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TWOLE, its Chief Clerk, announced that the House had passed the bill (S. 418) to change the times for holding the circuit and district courts of the United States for the western district of Missouri.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 6788) to establish subports of entry and delivery at Superior, Wis., and at Ashland, Wis., in the Superior collection district of Michigan and Wisconsin; and

A bill (H. R. 5649) to increase the pension of Cassie A. Davis.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 474) to extend to Marquette, Mich., the privilege of immediate transportation of unappraised merchandise.

ORDER OF BUSINESS.

Mr. CAREY. I ask to call up for present consideration Order of Business 448, being the bill (S. 577) for the relief of W. H. Ward. It is a short bill.

Mr. DOLPH. Mr. President, I rise to a question of order. I want to know if the general agreement to go to the Calendar for two days after we disposed of the Indian appropriation bill is not now the order of the Senate and if the Calendar is not in order under that agreement?

The VICE-PRESIDENT. The Chair understands that was the understanding reached some days ago.

Mr. CULLOM. I think, besides the unfinished business, there are several special orders pending.

Mr. HOAR. I was not aware that the consent was now in force. I hope the Senate will be willing to take up the bill to amend the court act, the discussion of which I think will be very short indeed.

Mr. DOLPH. Mr. President, the agreement was that after the disposition of the Indian appropriation bill we should go to the Calendar for two days under Rule VIII, and the agreement was made subject to the understanding that if the Committee on Appropriations desired to take up the District appropriation bill that bill should take the place of the consideration of the Calendar. I suppose a fair construction of the agreement would be that we should now go to the Calendar for two days. However, that is a matter for the Senate to decide.

Mr. HOAR. I shall not interpose.

Mr. DOLPH. I think if we do that we shall reach in two days' time all these bills.

Mr. COCKRELL. I hope that either now or on Monday next we shall carry out that agreement. It ought to be done.

The VICE-PRESIDENT. The title of the bill called for by the Senator from Wyoming [Mr. CAREY] will be read.

The CHIEF CLERK. A bill (S. 577) for the relief of William H. Ward.

Mr. COCKRELL. I do not think Senators should call up special bills from the Calendar at this time. If we are to proceed with business, let us go to the Calendar regularly.

Mr. CULLOM. We want two whole days for the Calendar.

Mr. COCKRELL. I understand we want two whole days, and this is not the time now to go to passing bills out of their order.

#### NEW YORK AND NEW JERSEY BRIDGE COMPANY.

Mr. FRYE. I move that the bill (S. 455) to authorize the New York and New Jersey Bridge Company to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey be recommitted to the Committee on Commerce.

The motion was agreed to.

#### EXECUTIVE SESSION.

Mr. SAWYER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After forty minutes spent in executive session the doors were reopened, and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until Monday, April 11, 1892, at 12 o'clock m.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate April 8, 1892.*

#### PROMOTIONS IN THE ARMY.

##### *Infantry arm.*

First Lieut. Richard T. Yeatman, Fourteenth Infantry, to be captain.

Second Lieut. John Little, Twenty-fourth Infantry, to be first lieutenant.

Capt. Thomas E. Rose, Sixteenth Infantry, to be major.

First Lieut. William C. McFarland, Sixteenth Infantry, to be captain.

Second Lieut. George S. Cartwright, Twentieth Infantry, to be first lieutenant.

#### POSTMASTERS.

Henry Vaupel, to be postmaster at Morganfield, in the county of Union and State of Kentucky.

James I. Weaver, to be postmaster at London, in the county of Laurel and State of Kentucky.

William F. Albright, to be postmaster at Eaton, in the county of Preble and State of Ohio.

Richard L. Templin, to be postmaster at Calla, in the county of Mahoning and State of Ohio.

James Carter, to be postmaster at Chatham, in the county of Pittsylvania and State of Virginia.

William L. Bachelder, to be postmaster at Darand, in the county of Pepin and State of Wisconsin.

Henry Schrage, to be postmaster at Whiting, in the county of Lake and State of Indiana.

David Nail, to be postmaster at New Sharon, in the county of Mahaska and State of Iowa.

Charles S. Doubleday, to be postmaster at Hico, in the county of Hamilton and State of Texas.

Fulgence De Bordenave, to be postmaster at Franklin, in the county of Southampton and State of Virginia.

John B. S. Zeller, to be postmaster at Mount Joy, in the county of Lancaster and State of Pennsylvania.

William F. Judiesch, to be postmaster at Holstein, in the county of Ida and State of Iowa.

Mary F. Trump, to be postmaster at Maquoketa, in the county of Jackson and State of Iowa.

Sylvester S. Bookhammer, to be postmaster at Lewes, in the county of Sussex and State of Delaware.

John W. Hallenbeck, to be postmaster at Auburn Park, in the county of Cook and State of Illinois.

George W. Stetson, to be postmaster at Cambridgeboro, in the county of Crawford and State of Pennsylvania.

George B. Tripp, to be postmaster at Mechanicsville, in the county of Saratoga and State of New York.

Charles E. Gorham, to be postmaster at Great Barrington, in the county of Berkshire and State of Massachusetts.

Lee McLaughlin, to be postmaster at Sanger, in the county of Fresno and State of California.

Mrs. Dora Clow, to be postmaster at Arkadelphia, in the county of Clark and State of Arkansas.

Simon J. McKenzie, to be postmaster at Adrian, in the county of Noddes and State of Minnesota.

William H. Hyler, to be postmaster at Port Chester, in the county of Westchester and State of New York.

#### HOUSE OF REPRESENTATIVES.

FRIDAY, April 8, 1892.

The House met at 12 o'clock m., and was called to order by the Speaker. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D. The Journal of the proceedings of yesterday was read and approved.

#### INVESTIGATION OF LEASES, YELLOWSTONE NATIONAL PARK.

Mr. McMILLIN. Mr. Speaker, I desire to call up from the Speaker's table a privileged resolution heretofore reported from the Committee on Rules, authorizing an investigation of certain leases in the Yellowstone National Park.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Mr. McRAE submitted the following, which was referred to the Committee on Rules:

*Resolved*, That the Committee on the Public Lands be instructed and directed to examine and report, by bill or otherwise, as to the circumstances under which certain leases for parcels of grounds in the Yellowstone National Park were made on or about March 20, 1890, by the Secretary of the Interior to the Yellowstone Park Association, and also why the privilege given to said association in said leases to transport passengers into and through said park was afterwards rescinded and forfeited, and the same granted to one S. S. Huntley, together with all the facts concerning such transaction; that the committee make full inquiry into the manner of administering the affairs of said park, touching leases and privileges therein, and the management of said park generally by the Interior Department; that the committee, or any subcommittee it may designate to prosecute the inquiry and examination have power to send for persons and papers, and to employ a stenographer; and that the expenses shall be paid out of the contingent fund of the House, and the chairman of said committee, or of such subcommittee, if one be designated, is authorized to draw for the same on the Clerk of the House in sums not to exceed \$200 at any one time.

Mr. McMILLIN. I demand the previous question, Mr. Speaker. That will give fifteen minutes' debate on either side, if desired.

The previous question was ordered.

Mr. McMILLIN. There is an amendment authorized, striking out the words "and to employ a stenographer." This is in order that the official stenographers to committees of the House may be employed.

The SPEAKER. Without objection that amendment will be considered as agreed to.

There was no objection.

Mr. BURROWS. Mr. Speaker, I have forgotten whether a special committee was ordered by the House to make this investigation.

Mr. McMILLIN. Not a special committee. It simply authorizes one of the standing committees of the House.

Mr. BURROWS. What committee?

Mr. McMILLIN. The Committee on Public Lands.

The resolution as amended was agreed to.

#### WILLIAM M. BLACKFORD.

The SPEAKER laid before the House a communication from the Court of Claims, transmitting a copy of the findings of the court in the case of William M. Blackford against the United States; which was ordered to be printed, and referred to the Committee on War Claims.

#### PUBLIC BUILDING, ALLENTOWN, PA.

The SPEAKER laid before the House the bill (S. 109) to provide for the purchase of a site and the erection of a public building thereon at Allentown, in the State of Pennsylvania; which was referred to the Committee on Public Buildings and Grounds.

Mr. TURNER. Mr. Speaker, I ask unanimous consent that the special order set for this afternoon at 2 o'clock may be so modified that it will await the action of the House on this bill; that it may be postponed, if necessary, to enable us to take a vote upon this bill. I understand the gentleman in charge of the special order assents to the arrangement.

The SPEAKER *pro tempore*. The gentleman from Georgia asks that the special order for 2 o'clock this afternoon be postponed until the conclusion of this bill. Is there objection?

There was no objection.

[Mr. TURNER withholds his remarks for revision. See Appendix.]

Mr. ATKINSON. Mr. Speaker, I proposed an amendment, which was to strike out the words "cotton-gin" from the bill.

The SPEAKER. That amendment will not be in order unless the demand for the previous question be voted down.

Mr. ATKINSON. I ask the gentleman from Georgia to withdraw the demand for the previous question and let this amendment be considered.

Mr. TURNER. I would be very glad to oblige the gentleman from Pennsylvania, but we are proceeding under the courtesy of the gentlemen who have given way as to the special order for our benefit, and I hope the gentleman will not urge his request.

Mr. ATKINSON. Well, it will occupy but a few minutes.

Mr. HATCH and others. Regular order.

The SPEAKER. The gentleman demands the previous question on the pending amendment and to the engrossment and third reading of the bill.

The previous question was ordered.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend by adding, in the tenth line of the printed bill, after the word "gins," the words "and parts thereof."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and it was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. BURROWS. Mr. Speaker, on that I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 167, nays 46, not voting 115; as follows:

YEAS—167.		
Abbott,	Cochran,	Holman,
Alexander,	Cox, Tenn.	Hooker, Miss.
Allen,	Craig, Pa.	Houk, Ohio
Andrew,	Crum, Tex.	Johnstone, S. C.
Arnold,	Crawford,	Jones,
Bailey,	Crosby,	Kear,
Baker,	Culbertson,	Kilgore,
Baldhead,	Cummings,	Kyle,
Barnes,	Daniel,	Lane,
Bennett,	Davis,	Lankam,
Bentley,	De Arment,	Lapham,
Blanchard,	De Forest,	Lawson, Va.
Bland,	Dickerson,	Lawson, Ga.
Blount,	Dixon,	Lester, Ga.
Bowman,	Donovan,	Lewis,
Branch,	Dungan,	Lockwood,
Breckinridge, Ky.	Durbin,	Long,
Bretz,	Edmunds,	Lynch,
Brickner,	Elliot,	Mallory,
Brookshire,	Ellis,	Martin,
Brown,	Enloe,	McAleer,
Brunner,	Epes,	McCallan,
Bryan,	Everett,	McCreary,
Buchanan, Va.	Fithian,	McLean,
Bullock,	Forney,	McKaig,
Bunting,	Fowler,	McKeighan,
Busey,	Fyan,	McKinney,
Bushnell,	Geary,	McMillin,
Butler,	Goodnight,	McRae,
Byrns,	Gorman,	Meredith,
Cable,	Grady,	Meyer,
Carruth,	Greenleaf,	Miller,
Castle,	Halvorson,	Montgomery,
Catchings,	Hare,	Moore,
Cate,	Harries,	Mitchler,
Chipman,	Hatch,	Oates,
Clancy,	Hayes, Iowa	O'Neill, Mass.
Clarke, Ala.	Haynes, Ohio	Otis,
Clover,	Heard,	Outwaite,
Cobb, Ala.	Hemphill,	Page, Md.
Cobb, Mo.	Henderson, N. C.	Parrett,
Coolidge,	Herbert,	Patterson, Tenn.

NAYS—16.		
Bartine,	Haugen,	O'Donnell,
Belden,	Hermann,	O'Neill, Mo.
Belknap,	Hitt,	Perkins,
Bontelle,	Hopkins, Pa.	Post,
Coburn,	Hopkins, Ill.	Powers,
Cutting,	Huff,	Quackenbush,
Dalzell,	Hull,	Raines,
English,	Johnson, Ind.	Ray,
Flick,	Johnson, N. Dak.	Reyburn,
Fumston,	Lodge,	Rife,
Groat,	Long,	Scully,
Harner,	Miliken,	Shonk,

NOT VOTING—115.		
Alderson,	Compton,	Jolley,
Amerman,	Coombs,	Ketcham,
Atkinson,	Covert,	Kribbs,
Babbitt,	Cowles,	Lagan,
Bacon,	Cox, N. Y.	Layton,
Beltzhoover,	Curtis,	Lester, Va.
Bergen,	Dingley,	Luile,
Bingham,	Doan,	Livingston,
Boatner,	Dockery,	Magner,
Bowers,	Dolliver,	Mansur,
Brawley,	Dumphy,	McDonald,
Breckinridge, Ark.	Enochs,	Mitchell,
Broderick,	Fellows,	Morse,
Brosius,	Fitch,	Moses,
Buchanan, N. J.	Forman,	Newberry,
Bunn,	Gantz,	Norton,
Burrows,	Geissenhainer,	O'Ferrall,
Bynum,	Gillespie,	O'Neill, Pa.
Cadmus,	Griswold,	Owens,
Caldwell,	Hall,	Page, R. I.
Caminetti,	Hallowell,	Payne,
Campbell,	Hamilton,	Pickler,
Capehart,	Harter,	Pierce,
Cauley,	Henderson, Iowa	Randall,
Cheatham,	Henderson, Ill.	Reed,
Chapin,	Hoar,	Reilly,
Clark, Wyo.	Hooker, N. Y.	Robinson, Pa.
Cockran,	Houk, Tenn.	
Cogswell,	Johnson, Ohio	

The following-named members were announced as paired until further notice:

Mr. LAGAN with Mr. CALDWELL.  
Mr. LAYTON with Mr. TAYLOR of Illinois.  
Mr. HARTER with Mr. BOWERS.  
Mr. CAMPBELL with Mr. WILSON of Kentucky.  
Mr. WINN with Mr. MORSE.  
Mr. LIVINGSTON with Mr. DINGLEY.  
Mr. BRAWLEY with Mr. BINGHAM.  
Mr. MAGNER with Mr. PAYNE.  
Mr. WOLVERTON with Mr. BRODERICK.  
Mr. STEVENS with Mr. RANDALL.  
Mr. COX of New York with Mr. GRISWOLD.  
Mr. HENDERSON of Iowa with Mr. DOCKERY.  
Mr. COVERT with Mr. CHEATHAM.  
Mr. BRECKINRIDGE of Arkansas with Mr. COGSWELL.  
Mr. COMPTON with Mr. BUCHANAN of New Jersey.  
Mr. WHITING with Mr. BURROWS.  
Mr. ALDERSON with Mr. DOLLIVER.  
Mr. BACON with Mr. HENDERSON of Illinois.  
Mr. MOSES with Mr. CLARK of Wyoming.  
Mr. SPERRY with Mr. SANFORD.  
Mr. WILLIAMS of North Carolina with Mr. SHONK.  
Mr. MITCHELL with Mr. VINCENT A. TAYLOR.  
Mr. CAPEHART with Mr. RUSSELL.  
Mr. SPRINGER with Mr. REED.

Mr. O'FERRALL with Mr. DOAN, until further notice. If present, Mr. O'FERRALL would vote for the wool bill; Mr. DOAN would vote against it.

Mr. MANSUR with Mr. TAYLOR of Tennessee, from April 2 until further notice; not to be changed in the absence of either.

Mr. PIERCE with Mr. LIND, until further notice; also the Bk. bill and all questions connected therewith. This pair not transferable.

Mr. TURPIN with Mr. HOOKER of New York, including election case, until further notice, except on silver question.

The following for this day:

Mr. JOHNSON of Ohio with Mr. WILLIAM A. STONE.

Mr. STUMP with Mr. JOSEPH D. TAYLOR.

Mr. BYNUM with Mr. BERGEN.

The following on this vote:

Mr. WILLIAMS of Massachusetts with Mr. CURTIS.

Mr. RAYNER with Mr. WAUGH.

Mr. WILSON of West Virginia with Mr. ROBINSON of Pennsylvania.

Mr. CAMINETTI with Mr. PICKLER.

Mr. FELLOWS with Mr. KETCHAM.

Mr. CADMUS with Mr. WEVER, until Monday next.

Mr. GEISSENHAINER with Mr. WRIGHT, until Tuesday next.

Mr. HOAR with Mr. BROSIUS, for one week.

Mr. OWENS with Mr. ENOCHS, from April 2 until April 12, inclusive.

Mr. SNODGRASS with Mr. HOUK of Tennessee, from April 6 until April 21, inclusive.

Mr. CAUSEY with Mr. O'NEILL of Pennsylvania, until April 13. If not paired Mr. O'NEILL would vote "no."

Mr. BABBITT with Mr. JOLLEY on the cotton-till bill; if present, Mr. BABBITT would vote for the bill and Mr. JOLLEY would vote against it.

Mr. BUNN with Mr. ATKINSON, from March 30, 1892, until canceled by consent of both.

Mr. MCRAE. Mr. Speaker, I desire to announce that my colleague, Mr. BRECKINRIDGE of Arkansas, is absent by leave of the

House, taking part in an investigation by order of the House; if present, he would vote in favor of this bill.

Mr. DINGLEY. Mr. Speaker, I voted; but I desire to withdraw my vote, being paired with the gentleman from Georgia, Mr. LIVINGSTON. If he were present I should vote "no," and he would vote "aye."

Mr. ATKINSON. Mr. Speaker, I am requested by my colleague, Mr. O'NEILL of Pennsylvania, to say that he is paired, and that if he were present he would vote "no." I also am paired; if I were not I would vote "no."

Mr. BURROWS. Mr. Speaker, I voted, but being paired, I withdraw my vote. If I were not paired I should vote "no."

The SPEAKER. On this question the yeas are 167 and the nays are 45. The ayes have it, and the bill is passed.

Mr. TURNER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### APPROPRIATION BILL, DISTRICT OF COLUMBIA.

The SPEAKER. If there be no objection, the Chair will lay before the House the District of Columbia appropriation bill, with Senate amendments, which will be referred to the Committee on Appropriations.

There was no objection, and it was so ordered.

#### ORDER OF BUSINESS.

Mr. HEARD. Mr. Speaker, I ask unanimous consent to make a report at this time from the Committee on the District of Columbia. Monday will be District day, and this is the only opportunity we can have before then to present the report.

There was no objection.

#### WASHINGTON AND GEORGETOWN RAILROAD COMPANY.

Mr. HEARD, from the Committee on the District of Columbia, reported back with a favorable recommendation the bill (S. 2045) to amend the act incorporating the Washington and Georgetown Railroad Company; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### LIGHT-HOUSES, ETC.

Mr. BRICKNER, from the Committee on Interstate and Foreign Commerce, by unanimous consent, reported back with a favorable recommendation the bill (H. R. 8007) providing for sundry light-houses and other aids to navigation; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### FREE TIN PLATE, ETC.

Mr. SHIVELY, from the Committee on Ways and Means, reported a bill (H. R. 8033) to reduce the duty on tin plate, terne plate, tappers tin, and to repeal paragraph 209 of section 1 of an act entitled "An act to reduce the revenue, and for other purposes," which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

On motion of Mr. BURROWS, unanimous consent was given for the minority of the committee to file their views upon the bill, to be printed with the report.

#### RETURN OF RESOLUTIONS FROM THE SENATE.

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent to have the order adopted which I send to the desk.

The order was read, as follows:

*Resolved*, That the Clerk of the House be directed to request the Senate to return to the House of Representatives the concurrent resolution of the Senate "to print 50,000 copies of the eighth and ninth annual reports of the Bureau of Animal Industry for the years 1891 and 1892." Also the concurrent resolution of the Senate "to print 8,000 copies of the eleventh and twelfth annual reports of the Director of the Bureau of Ethnology."

The resolution was adopted.

#### BRIDGE BETWEEN OREGON AND WASHINGTON.

Mr. GEARY, from the Committee on Interstate and Foreign Commerce, by unanimous consent, reported back with a favorable recommendation the bill (S. 2388) to amend an act entitled "An act to authorize the Oregon and Washington Bridge Company to construct and maintain a bridge across the Columbia River between the State of Oregon and the State of Washington, and to establish it as a post-road," which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### BRIDGE ACROSS THE TENNESSEE.

Mr. GEARY also, by unanimous consent, from the Committee on Interstate and Foreign Commerce, reported back with a favorable recommendation the bill (H. R. 6091) to amend an act to authorize the construction of a bridge across the Tennessee River at or near Knoxville, Tenn., approved August 9, 1888; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HALL, indefinitely, on account of sickness.

To Mr. PEARSON, for one week, on account of important business.

To Mr. BRYAN, until April 21, on account of important business.

#### THE LATE REPRESENTATIVE MELBOURNE H. FORD.

Mr. BELKNAP. Mr. Speaker, I ask for the regular order.

The SPEAKER. The Clerk will read the special order for this day.

The Clerk read as follows:

*Resolved*, That Saturday, April 9, beginning at 2 o'clock p. m., be set apart for paying tribute to the memory of Hon. Melbourne H. Ford, late a member of the House of Representatives from the Fifth district of Michigan.

Mr. BELKNAP. Mr. Speaker, I offer the resolutions which I send to the desk.

The resolutions were read, as follows:

*Resolved*, That the business of the House be now suspended, that opportunity may be given for tribute to the memory of the Hon. Melbourne H. Ford, late a Representative from the State of Michigan.

*Resolved*, That, as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a public servant, the House at the conclusion of these memorial proceedings shall stand adjourned.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased.

Mr. O'DONNELL. Mr. Speaker, the frequent assignment of days in which the course of business is suspended in the House of Representatives to pay tribute to the worth of departed members of the Fifty-second Congress who have gone to the silent continents of eternity furnish impressive lessons of the mutability of human affairs, the uncertainty of life, and the certainty of death. Since my service in this House many have been summoned from the activities of being to the stillness of the grave. What a roll of names that can make answer only from the silent depths of memory! In the present Congress what a membership have gone to the solemn shades!

Since Michigan became a State five of its members in this House and two Senators have died in office. The latter were Kinsley S. Bingham, one of our early statesmen, who died in 1861, and Zachariah Chandler, the great war Senator, unexpectedly taken from earth in 1879. Of the members of the House whose terms were closed by death were Edward Bradley, died in 1847, before taking his seat; Wilder D. Foster, who passed away in 1872; Alpheus S. Williams, summoned hence in 1878; Seth C. Moffatt, suddenly called in 1887; and the fifth and last of the list of Michigan's representatives released from duty by death was Melbourne H. Ford, whose memory we honor to-day, and who was numbered with the dead less than a year ago, April 20, 1891.

Mr. Ford was born in Saline, Mich., June 30, 1840. My first acquaintance with him began in my own city, where he was employed as a clerk. I remember that the duties of the clerkship were performed faithfully and acceptably by the youth. When he had given up the humble position he departed, and I did not meet him again until the winter of 1887 in this Hall, when he came to enter upon the duties of a Representative in the Fifty-third Congress.

Mr. Ford commenced his education at the Agricultural College at Lansing, and while there received the appointment of naval cadet at Annapolis. He pursued the studies at that historic school for a few months. The young man desired to serve his country. He had not attained the years on entering the Academy to be enrolled among the country's defenders, but after a time he joined the naval forces and saw a little service before the ordeal of war was fully ended. He was permitted to be a participant in the great struggle that made ambition vain, and repaid the nation in following the profession for which it had partially educated him.

When peace was restored he quitted the Navy and turned his talents to the conquests of peace, studied law, and was admitted. He never practiced that profession, but served many courts in another capacity than that of advocate or counsel. He ranked among the most proficient of stenographers and enjoyed the work. He held but two elective positions, both legislative. In 1884 he was chosen a member of the lower house of the Michigan Legislature, being accredited to that branch by the great manufacturing city of the State. He soon gave evidence of decided ability, his service being so acceptable that he was rewarded in 1886 by an election to this House.

During the term here he exhibited application and industry, accomplishing much for his constituency and district. He sought by law to stay the tide of immigration of the unworthy to our shores; to elevate American citizenship, and debar dangerous



to Indians, to report it adversely, with the recommendation that it be indefinitely postponed. I will state that the reason for the adverse report is that the Senate has already passed a bill upon this subject.

The VICE-PRESIDENT. The bill will be postponed indefinitely.

Mr. PALMER, from the Committee on Military Affairs, to whom was referred the bill (S. 866) authorizing the Secretary of War to detail certain officers of the Army for special duty in connection with the World's Columbian Exposition, reported it with an amendment, and submitted a report thereon.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 1185) to establish a court of appeals for the District of Columbia, and for other purposes, to report it with amendments.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. HOAR. I desire to give notice that after the bill to amend the act establishing circuit courts of appeals shall have been disposed of, I shall desire to call up this bill and a kindred measure in reference to the Court of Claims, so that the three bills which relate to the jurisdiction of the different courts of the United States may be considered in succession.

#### TRANSFER OF REVENUE-CUTTER SERVICE.

Mr. BLACKBURN. In the absence of the Senator from South Carolina [Mr. BUTLER], I ask leave to submit a report from the Committee on Naval Affairs, to accompany the bill (S. 67) to transfer the Revenue-Cutter Service from the Treasury Department to the Navy Department. That bill is already on the Calendar, and I ask leave, in the absence of the Senator from South Carolina, to submit his report to go with the bill.

The VICE-PRESIDENT. The report will accompany the bill on the Calendar.

Mr. CHANDLER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Ordered*, That there be printed for the use of the Senate 1,000 additional copies of the report on the bill (S. 67) to transfer the Revenue-Cutter Service from the Treasury Department to the Navy Department.

#### BILLS INTRODUCED.

Mr. CAMERON introduced a bill (S. 2883) for the relief of Katherine B. Montgomery, administratrix; which was read twice by its title, and referred to the Committee on Claims.

Mr. HISCOCK introduced a bill (S. 2884) for the relief of Charlotte A. Von Cort; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. WALTHALL introduced a bill (S. 2885) to authorize the Legislature of the State of Mississippi to sell or lease the lands heretofore appropriated to the use of schools within the Chickasaw cession, and to ratify and approve the sales already made; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. ALLEN introduced a bill (S. 2886) for the relief of Louis B. Kopp; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McPHERSON introduced a bill (S. 2887) for the relief of the legal representatives of James V. Bomford; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DOLPH introduced a bill (S. 2888) to provide for the survey and construction of a wagon road from Gold Hill Station, Jackson County, Oregon, to Crater Lake; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. MORGAN (by request) introduced a bill (S. 2889) for the relief of Thornton A. Washington; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 2890) to provide for the allotment of lands among several Indian tribes in the Quapaw Agency, in the Indian Territory, and for the sale of certain surplus lands of such tribes, and for the creation of the county of Cayuga in the Territory of Oklahoma, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MANDERSON introduced a bill (S. 2891) to increase the pension of Warren Hullett; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PALMER (by request) introduced a bill (S. 2892) to remove the limitation in the payments of arrears of pensions; which was read twice by its title, and referred to the Committee on Pensions.

Mr. JONES of Arkansas introduced a bill (S. 2893) authorizing the construction of a free bridge across the Arkansas River connecting Little Rock and Argenta, Ark.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HANSBROUGH (by request) introduced a bill (S. 2894) to quiet title to certain lands in the State of North Dakota; which was read twice by its title, and referred to the Committee on Public Lands.

#### AMENDMENT TO A BILL.

Mr. PADDOCK submitted an amendment intended to be proposed by him to the agricultural appropriation bill; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

#### CHANGE OF REFERENCE.

Mr. VOORHEES. Some days ago I introduced the bill (S. 2893) for the relief of John H. Crane, of the District of Columbia, and had it referred to the Committee on Claims. I am satisfied that the bill ought to go to the Committee on the District of Columbia. I ask that that change of reference be made.

The VICE-PRESIDENT. If there be no objection, the Committee on Claims will be discharged from the further consideration of the bill, and it will be referred to the Committee on the District of Columbia. The Chair hears no objection.

#### INSTITUTIONS OF LEARNING.

Mr. WOLCOTT. I move that Order of Business 381, ~~the~~ joint resolution (S. R. 55) to encourage the establishment and endowment of institutions of learning at the national capital, be indefinitely postponed. A similar measure has passed the other House and is now on the Calendar.

The motion was agreed to.

#### HEARINGS BEFORE COMMITTEE ON INDIAN AFFAIRS.

Mr. MORGAN submitted the following resolution; which was read:

*Resolved*, That the Committee on Indian Affairs have authority for the employment of a stenographer to report the hearings of March 5 and March 19, 1892, relative to allotments of lands in severally to certain Indian tribes before a subcommittee of said committee, the compensation of said stenographer to be paid from the contingent fund of the Senate.

Mr. MORGAN. I inquire whether the resolution must go to the Committee on Contingent Expenses?

The VICE-PRESIDENT. Under the rule the resolution must go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. MORGAN. Very well.

The VICE-PRESIDENT. It will be so referred.

#### TRADE RELATIONS WITH HAITI AND GERMANY.

Mr. MORGAN. I submit the resolutions which I send to the desk, and ask for their present consideration.

The resolutions were read, as follows:

*Resolved*, That the President is requested, if it is not in his opinion incompatible with the public interests, to communicate to the Senate the items of taxation upon imports from the United States imposed by the laws of the republic of Haiti, upon which he has based his finding and proclamation that the tariff laws of Haiti are, reciprocally, unjust to the United States, and that he send to the Senate the correspondence with the Government of Haiti relating to reductions of taxation under the tariff laws of Haiti, that have been proposed by either Government to secure reciprocal justice in tariff taxation between the two Governments.

*Resolved*, That in like manner, the President is requested to send to the Senate any agreement made by him, on behalf of the United States, with the Imperial Government of Germany, and the correspondence relating to the subject of such agreement, in which it is provided that sugar, or any other German production or export, shall be admitted free of duty into the United States. And that he inform the Senate what articles of American production he has proposed or demanded that Germany shall receive free of duty or upon a schedule of reduced duties, as the fair reciprocal equivalent of permitting the import into the United States of German sugar, hides, tea, or coffee; and, whether such proposals, or demands, made by the President, have been accepted by the Imperial Government of Germany.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolutions?

Mr. HALE. Let them lie over for a day.

The VICE-PRESIDENT. The resolutions will go over and be printed.

#### BUILDING OF WAR SHIPS ON THE GREAT LAKES.

Mr. HALE. Has any action been taken on the two resolutions which on my request were laid over on Friday?

The VICE-PRESIDENT. The Chair will lay the resolutions before the Senate.

Mr. HALE. I have examined them, and I have no objection to their being passed.

The resolution submitted by Mr. McMILLAN on the 8th instant was read, as follows:

Whereas it is alleged that the iron and steel shipbuilding plants along the Great Lakes of the Northwest exceed in combined facilities, in magnitude, and in capital the interests of all other shipbuilding plants of the country combined; and,

Whereas it is further alleged that these great inland shipbuilding interests have been denied an opportunity to bid for the construction of torpedo boats and the smaller class of warships which can be taken by the water route through the St. Lawrence to the sea. Therefore,

*Resolved*, That the Secretary of the Navy be, and he is hereby, directed to inform the Senate whether any bids for the construction of certain types of war ships have been received from any of said shipbuilding companies, and whether such bid or bids have been refused or rejected by his Department for

any reason or reasons other than such as follow from the usual rule in accepting or rejecting bids for such class of work, and if so, the reasons therefor.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

#### NAVAL FORCE ON THE GREAT LAKES.

The VICE-PRESIDENT. The Chair lays before the Senate another resolution coming over from a previous day, which will be read.

The resolution submitted by Mr. McMILLAN on the 8th instant was read, as follows:

*Resolved*, That the Secretary of State be, and he is hereby, directed to inform the Senate whether the agreement entered into between the United States and Great Britain in the year 1817, covering the question of the naval force to be maintained by the two Governments on the Great Lakes of the United States is now held to be in force by the Department of State, and what, if any, action has been taken by our Government to revive or put in force the terms of said agreement, and if so, under what authority or action on the part of our Government such agreement has been held to be in force since the giving of the required formal notice by the President to Great Britain in December, 1864, of a desire on the part of the United States to annul said agreement at the expiration of the six months from the date of said formal notice, and of the ratification of said notice by the act of Congress of February 9, 1865.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

#### PURCHASE OF SILVER BULLION.

Mr. STEWART submitted the following resolution; which was read:

*Resolved*, That the Secretary of the Treasury be, and he is hereby, directed to inform the Senate what is the aggregate cost of the silver bullion and standard dollars coined therefrom purchased under the act of July 14, 1890, and now held in the Treasury, and what amount of Treasury notes issued for such purchase is now outstanding; and whether any of such notes have been received by the Treasury in exchange for gold coin or redeemed in gold coin; and what amount of silver coin there is now in the Treasury applicable to the redemption of such notes; and also whether, when such notes are received into the Treasury for customs, taxes, and other public dues, they are reissued or retained in the Treasury; and if any such notes have been retained in the Treasury, what amount has been so retained. Are persons selling bullion to the United States under the act of April 14, 1890, required to make immediate delivery and take the bullion so sold out of the market, or are they given time to make such deliveries after having made a contract to supply the United States and deprived others of that opportunity? Does the public have notice of the times, places, and amounts of silver bullion which will be purchased by the United States, or are such purchases made of brokers and bankers without such public notice? Is the business of purchasing silver bullion under the act of July 14, 1890, conducted with a view of depressing the price of bullion and obtaining it as cheap as possible, or with a view of carrying out the established policy of the United States to maintain the two metals (gold and silver) on a parity with each other upon the present legal ratio. And what amount of gold coin and gold bars is there in the Treasury, exclusive of outstanding gold certificates?

Mr. STEWART. I ask for the present consideration of the resolution.

The VICE-PRESIDENT. Is there objection?

Mr. PLATT. I presume the resolution had better be printed.

Mr. FRYE. Let it be printed.

Mr. STEWART. I should like to make a few remarks in regard to it.

Mr. PLATT. I have no objection to that; but I should like to have the resolution printed before it is passed.

The VICE-PRESIDENT. The resolution will be printed.

Mr. STEWART. I do not know that I understand the Treasury statement and the mode of making up the accounts. It seems to me that there is some doubt about the possibility of maintaining the gold standard under the theory of the Secretary of the Treasury. The last report—

Mr. CHANDLER. Will the Senator allow me to interrupt him for a moment? My colleague [Mr. GALLINGER] gave notice that to-day he wished to submit some remarks, and I also gave notice that I desired to make some remarks to-day upon a joint resolution introduced by the Senator from Illinois [Mr. PALMER]. Do I understand that the Senator from Nevada proposes to occupy the time with a speech?

Mr. STEWART. I propose to occupy about fifteen minutes. If that is not convenient, I will let the matter go over until to-morrow.

Mr. CAMERON. I also gave notice that I should ask for an executive session this morning, and I do not want all the time consumed with other matters.

The VICE-PRESIDENT. Morning business is still in order.

#### ORDER OF BUSINESS.

Mr. HOAR. I should like to know the purpose of the Senate in regard to the two days to be spent upon the Calendar. The bill for the amendment of the act to establish circuit courts of appeals is the unfinished business; but when it was made the unfinished business some ten days ago I said that I did not wish to interfere with the desire of the Senate to have two days spent upon the Calendar. I should like to have that settled now, if the Chair please. I desire to know what we can depend on.

Mr. CHANDLER. I do not suppose the Senator from Massa-

chusetts intends to interfere with the remarks which Senators gave notice they would like to make in the morning hour to-day.

Mr. HOAR. No.

Mr. CHANDLER. It seems to me that the Senator from Nevada was about to occupy the time on his resolution, and I thought I would ask him if he would not postpone his remarks until to-morrow.

Mr. STEWART. I ask the Senator to allow me to make a suggestion and I will then yield the floor. I will allow the resolution I offered to lie on the table for the present, and I shall occupy about fifteen minutes to-morrow morning, as Senators desire to have it in print before it is acted upon. Let it lie on the table, and I shall to-morrow occupy about fifteen minutes, not to make a speech, but to explain how I understand the statements of the Treasury Department.

The VICE-PRESIDENT. The resolution will be printed and lie over.

Mr. STEWART. I want it distinctly understood that to-morrow morning I shall occupy about fifteen minutes, not to make any speech, but to call attention to the statements of the Secretary of the Treasury on this subject.

Mr. HOAR. Does the Chair understand that the order to spend two days on the Calendar is in force for to-day and to-morrow?

The VICE-PRESIDENT. It was the understanding of the Chair at the time, that when the District of Columbia appropriation bill was completed the next two days should be devoted to the Calendar.

Mr. HOAR. Then I give notice that I shall insist upon the observance of that order for to-day and to-morrow, excepting, of course, the opportunity for the Senator from Nevada to make his remarks.

Mr. CAMERON. I hope the Senator from Massachusetts does not propose to cut off my motion for an executive session to-day.

#### HOUSE BILLS REFERRED.

The bill (H. R. 2503) for the relief of R. A. Spaulding, administrator of estate of Solomon Blue, deceased, was read twice by its title, and referred to the Committee on Claims.

The bill (H. R. 6006) to admit free of duty bagging for cotton, machinery for manufacturing bagging, cotton-ties, and cotton-gins, was read twice by its title, and referred to the Committee on Finance; and

The joint resolution (H. Res. 107) authorizing the State of Wisconsin to place in Statuary Hall at the Capitol the statue of Père Marquette was read twice by its title, and referred to the Committee on the Library.

#### RETURN OF CONCURRENT RESOLUTIONS.

The VICE-PRESIDENT laid before the Senate the request of the House of Representatives to return to that body the concurrent resolution of the Senate to print 50,000 copies of the eighth and ninth annual reports of the Bureau of Animal Industry for the years 1891 and 1892; and, by unanimous consent, the request was ordered to be complied with and the concurrent resolution returned to the House of Representatives.

He also laid before the Senate the request of the House of Representatives to return to that body the concurrent resolution of the Senate to print 8,000 copies of the eleventh and twelfth annual reports of the Director of the Bureau of Ethnology, and, by unanimous consent, the request was ordered to be complied with, and the concurrent resolution returned to the House of Representatives.

#### NATIONAL SANITARIUM.

Mr. GALLINGER. In pursuance of the notice heretofore given by me, I call up Senate joint resolution No. 67.

The VICE-PRESIDENT. The Chair lays before the Senate the joint resolution (S. R. 67) providing for the appointment of a commission to select a site for the establishment of a national sanitarium for the treatment of pulmonary diseases.

Mr. GALLINGER. Mr. President, it may not be unprofitable for the Senate to pause for a brief time from the consideration of political and financial questions and give thought to a subject that deeply concerns the physical and moral well-being of a large class in every State of the American Union—a class of citizens environed by misfortune and rendered hopeless and helpless by disease. The statistics of mortality show that consumption destroys more lives than war, pestilence, and famine combined, and the individual sufferer is powerless to cope with this relentless enemy of mankind. In their utter helplessness these unfortunates appeal to the Congress of the United States for sympathy and help. Shall their appeal be in vain?

The joint resolution for the establishment of a national sanitarium for the treatment of pulmonary diseases, which I had the honor to introduce on the 22d day of March last, reads as follows:

SECTION 1. That the President of the United States shall appoint a commission consisting of three persons, two of whom shall be physicians, whose

## NOT VOTING—153.

Abbott,	Culberson,	Lester, Va.	Rusk,
Alderson,	Dalzell,	Lewis,	Russell,
Amerman,	Dingley,	Lind,	Sanford,
Andrew,	Dolliver,	Little,	Scull,
Atkinson,	Dungan,	Livingston,	Seerley,
Babbitt,	Dunphy,	Lockwood,	Shonk,
Bacon,	Elliot,	Lodge,	Smith,
Beltzhoover,	Ellis,	Loud,	Snodgrass,
Blanchard,	English,	Magner,	Sperry,
Boatner,	Enloe,	Mansur,	Springer,
Boutelle,	Enochs,	McCallan,	Stackhouse,
Breckinridge, Ark.	Fitch,	McDonald,	Stahlnecker,
Brookshire,	Flick,	McMillin,	Stevens,
Brosius,	Forman,	Meyer,	Storer,
Brown,	Forney,	Miller,	Stump,
Brunner,	Geissenhainer,	Milliken,	Tarsney,
Bryan,	Goodnight,	Mitchell,	Taylor, Ill.
Bunn,	Gorman,	Morse,	Taylor, Tenn.
Burrows,	Griswold,	Moses,	Taylor, E. B.
Bushnell,	Hall,	Norton,	Taylor, J. D.
Bynum,	Hallowell,	O'Donnell,	Turner,
Cable,	Harries,	O'Neill, Pa.	Turpin,
Cadmus,	Harter,	Otis,	Wadsworth,
Caldwell,	Hayes, Iowa,	Outhwaite,	Warner,
Caminetti,	Haynes, Ohio,	Owens,	Waugh,
Campbell,	Henderson, N. C.	Page, Md.	Wever,
Capehart,	Henderson, Ill.	Patton,	Wheeler, Ala.
Causey,	Herbert,	Payne,	Wheeler, Mich.
Cheatham,	Hermann,	Pearson,	Whiting,
Chapin,	Hoar,	Pickler,	Wilke,
Chipman,	Hooker, N. Y.	Pierce,	Williams, N. C.
Clancy,	Houk, Tenn.	Price,	Wilson, Ky.
Clark, Wyo.	Johnstone, S. C.	Randall,	Wilson, Wash.
Clover,	Jolley,	Ray,	Winn,
Cogswell,	Jones,	Rayner,	Wolverton,
Coolidge,	Ketcham,	Reed,	Wright,
Cooper,	Kribbs,	Rife,	
Covert,	Lagan,	Robertson, La.	
Cowles,		Robinson, Pa.	

So the bill was passed.

The following pairs were announced:

Until further notice:

Mr. SPRINGER with Mr. REED.  
 Mr. MITCHELL with Mr. ROBINSON of Pennsylvania.  
 Mr. PAGE of Maryland with Mr. RAY.  
 Mr. BRECKINRIDGE of Arkansas with Mr. COGSWELL.  
 Mr. TURNER with Mr. BARTINE.  
 Mr. LAGAN with Mr. CALDWELL.  
 Mr. HARTER with Mr. BOWERS.  
 Mr. CAMPBELL with Mr. WILSON of Kentucky.  
 Mr. WINN with Mr. MORSE.  
 Mr. LIVINGSTON with Mr. DINGLEY.  
 Mr. MAGNER with Mr. PAYNE.  
 Mr. WOLVERTON with Mr. BRODERICK.  
 Mr. STEVENS with Mr. RANDALL.  
 Mr. STUMP with Mr. TAYLOR of Illinois.  
 Mr. COX of New York with Mr. GRISWOLD.  
 Mr. COVERT with Mr. CHEATHAM.  
 Mr. WHITING with Mr. BURROWS.  
 Mr. ALDERSON with Mr. DOLLIVER.  
 Mr. BACON with Mr. HENDERSON of Illinois.  
 Mr. MOSES with Mr. CLARK of Wyoming.  
 Mr. SPERRY with Mr. SANFORD.  
 Mr. WILLIAMS of North Carolina with Mr. SHONK.  
 Mr. CAPEHART with Mr. RUSSELL.  
 Mr. WARNER with Mr. EZRA B. TAYLOR.  
 Mr. PIERCE with Mr. LIND.  
 Mr. MANSUR with Mr. TAYLOR of Tennessee.  
 Mr. NORTON with Mr. KETCHAM.  
 Mr. HAYNES of Ohio with Mr. SCULL.  
 Mr. BRYAN with Mr. O'DONNELL.  
 Mr. TURPIN with Mr. HOOKER of New York.  
 Mr. PEARSON with Mr. JOSEPH D. TAYLOR.  
 Mr. STAHLNECKER with Mr. WADSWORTH.  
 Mr. BUNN with Mr. ATKINSON.  
 Mr. OWENS with Mr. ENOCHS, until April 12, inclusive.  
 Mr. CAUSEY with Mr. O'NEILL of Pennsylvania, until April 13.  
 Mr. SNODGRASS with Mr. HOUK of Tennessee, until April 21.  
 Mr. HOAR with Mr. BROSIUS, for one week.  
 Mr. GEISSENHAINER with Mr. WRIGHT, until Tuesday next.  
 Mr. KRIKBS with Mr. HUFF, until Thursday next.  
 Mr. JONES with Mr. HERMANN, for one week.  
 For this day:  
 Mr. BRUNNER with Mr. LOUD.  
 Mr. CAMINETTI with Mr. PICKLER.  
 Mr. FORNEY with Mr. LODGE.  
 Mr. CADMUS with Mr. WEVER.  
 Mr. ENLOE with Mr. SMITH of Illinois.  
 Mr. SEERLEY with Mr. FLICK.  
 Mr. BYNUM with Mr. JOLLEY.  
 Mr. DOCKERY with Mr. HENDERSON of Iowa.  
 On this vote:  
 Mr. CULBERSON and Mr. DALZELL.  
 Mr. ABBOTT with Mr. GROUT.

Mr. WHEELER of Alabama with Mr. MILLIKEN.  
 Mr. DUNPHY with Mr. ELLIOTT.  
 Mr. BROWN with Mr. WAUGH.  
 Mr. HENDERSON of North Carolina with Mr. RIFE.  
 Mr. ANDREW with Mr. BOUTELLE.

Mr. DOCKERY. Mr. Speaker, may I ask if the gentleman from Iowa [Mr. HENDERSON] has voted?

The SPEAKER *pro tempore*. The Chair is informed that the gentleman's name is recorded.

Mr. DOCKERY. I have a pair with the gentleman from Iowa, and have just come into the Hall. I do not know what the proposition is, but vote in the affirmative.

The result of the vote was then announced as above recorded.

On motion of Mr. HEARD, the motion to reconsider the last vote was laid on the table.

## BUILDINGS IN ALLEYS IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL. Mr. Speaker, I send to the desk a joint resolution which I ask unanimous consent to have considered at this time. I will state that it is not reported from the committee, but I will be glad to inform the House as to the necessity for its passage as soon as it has been read.

The SPEAKER *pro tempore*. The clerk will read the joint resolution.

The Clerk read as follows:

Joint resolution (H. Res. 118) to suspend the issue of permits to erect dwellings in the District of Columbia.

*Resolved by the Senate and House of Representatives, etc., That the Commissioners of the District of Columbia are hereby instructed not to issue any more permits for buildings intended for human occupation in alleys in the District of Columbia, until further provided for by Congress.*

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution?

There was no objection.

Mr. HEMPHILL. I will state, Mr. Speaker, that we passed a law providing that no more dwellings should be constructed in alleys of less than 40 feet width. The Senate committee, I am told, have proposed to amend this by making it 30 feet. While the bill is pending in the two Houses everybody in the District of Columbia who happens to own property of this character is running down to the Commissioner's office to get permits so that they can have the right to commence the construction of these buildings before the law goes into effect.

The joint resolution directs the Commissioners not to issue any more such permits until Congress shall pass finally upon the matter.

Mr. BLOUNT. I would like to ask the gentleman from South Carolina a question. I wish to know where the permits are obtained; what compensation is given for the streets or portions of streets that are occupied by these alleys?

Mr. HEMPHILL. I do not think they occupy any part of the alleys.

Mr. HEARD. This is for the construction of buildings on alley lines—on the sides of the alley.

Mr. BLOUNT. Well, if they are on either side of the alley to whom do they belong?

Mr. HEMPHILL. This is private property. It belongs to the individuals.

Mr. HEARD. This is to prevent their building houses in there until the street is opened through and they have light and gas, and to prevent their building where the alley is not 40 feet wide. It makes a den of vice now that is too difficult to police, and it is impossible to cause the observance of proper sanitary regulations.

Mr. BUCHANAN of New Jersey. I would like to ask the gentleman whether it is not a fact that immediately upon the passage of that bill through the House the Commissioners, without waiting for any law, refused to give any more permits?

Mr. HEMPHILL. I do not know how that is.

Mr. BUCHANAN of New Jersey. I am reliably informed that that is the case.

Mr. HEMPHILL. This will protect the Commissioners. They are being besieged by persons who wish to get in before Congress can act on the matter. This is simply to stop action until Congress shall decide what width of alleys they will allow.

The joint resolution was ordered to be engrossed and read a third time; and, being engrossed, was accordingly read the third time, and passed.

On motion of Mr. HEMPHILL, a motion to reconsider the last vote was laid on the table.

## SQUARE 26, WASHINGTON, D. C.

Mr. HEMPHILL. I ask to call up the bill (H. R. 7081) confirming title to lands in the subdivision of square 26, in the city of Washington, D. C.

The bill was read, as follows:

*Be it enacted, etc., That the subdivision of square 26, in the city of Washington, D. C., made by C. P. Patterson and recorded in book R. W., page 102,*

in the office of the surveyor of the said District, be, and the same is hereby, confirmed so far as the said subdivision embraced any part of the original alleys in said square, and the title of the persons claiming any part or parts of said original alleys under the owner of the original lots in said square at the time said subdivision was made is hereby confirmed: *Provided*, That the area dedicated to the public in the subdivision made by said Patterson is at least as great as that of the alleys in the said original division of said square into lots.

Mr. HEMPHILL. I would say that this simply provides for the confirmation of this subdivision, which was made in 1856, and upon which houses have already been constructed. There is no objection to it on the part of anyone, so far as I know.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. HEMPHILL, a motion to reconsider the last vote was laid on the table.

#### INSPECTOR OF PLUMBING, DISTRICT OF COLUMBIA.

Mr. HEMPHILL. Mr. Speaker, I ask to call up the bill (S. 1492) to authorize the appointment of an inspector of plumbing in the District of Columbia, and for other purposes.

The bill was read as follows:

*Be it enacted, etc.*, That the Commissioners of the District of Columbia and their successors be, and they hereby are, authorized and empowered to make, modify, and enforce regulations governing plumbing, house drainage, and the ventilation, preservation, and maintenance in good order of house sewers and public sewers in the District of Columbia, and also regulations governing the examination, registration, and licensing of plumbers and the practice of the business of plumbing in said District; and any person who shall neglect or refuse to comply with the requirements of the provisions of said regulations after ten days' notice of the specific thing required to be done thereunder, within the time limited by the Commissioners for doing such work, or as the said time may be extended by said Commissioners, shall upon conviction thereof be punishable by a fine of not more than \$200 for each and every such offense, or in default of payment of fine, to imprisonment not to exceed thirty days.

SEC. 2. That the said Commissioners and their successors be, and they hereby are, authorized and empowered to require every person licensed to practice the business of plumbing in the District of Columbia, before engaging in the said business, to file a bond in such amount and with such number of sureties as the said Commissioners shall determine, conditioned upon the faithful performance of all work in compliance with the plumbing regulations, and that the District of Columbia shall be kept harmless from the consequence of any and all acts of the said licensee during the period covered by the said bond.

SEC. 3. That the said Commissioners and their successors be, and they hereby are, authorized to establish and charge a fee for each permit granted to connect any building, premises, or establishment with any sewer, water, or gas main, or other underground structure located in any public street, avenue, alley, road, highway, or space; and also to establish and charge a fee for each permit granted to make an excavation in any public street, avenue, alley, highway, road, or space for the purpose of repairing, altering, or extending any house sewer, water main, or gas main, or other underground construction. The fees authorized by this section shall be paid to the collector of taxes of the District of Columbia and by him deposited in the Treasury of the United States, to the credit of the District of Columbia.

SEC. 4. That the said Commissioners of the District of Columbia and their successors be, and they hereby are, authorized and empowered to appoint an inspector of plumbing and such number of assistants as they deem necessary, which may be authorized by appropriations made by Congress, not exceeding four, in and for the District, whose duty it shall be, under the direction of said Commissioners, and they are hereby empowered accordingly, to inspect or cause to be inspected all houses when in course of erection in said District, to see that the plumbing, drainage, and ventilation of sewers thereof conform to the regulations hereinbefore provided for, and also at any time, during reasonable hours, under like direction, to inspect or cause to be inspected any house in said District, to examine the plumbing, drainage, and ventilation of sewers thereof, and generally to see that the regulations hereinbefore provided for are duly observed and enforced.

SEC. 5. That all laws or parts of laws inconsistent herewith be, and they hereby are, repealed.

Mr. HEMPHILL. I move to amend section 4, line 12, after the word "direction," by inserting "on the application of the owner or occupant, or the complaint of any reputable citizen."

The SPEAKER *pro tempore*. The gentleman must reduce his amendment to writing.

Mr. HEMPHILL. I will do so. In the mean time I offer the following amendment:

The Clerk read as follows:

Strike out all of section 4 down to and including "duty," in line 6, and insert:

"That the inspector of plumbing and his assistant shall be."

The SPEAKER *pro tempore*. The question is upon this amendment.

Mr. BUCHANAN of New Jersey. We do not know what is stricken out, and we would like to have some explanation of it.

I will state, Mr. Speaker, that the bill provided that the Commissioners of the District of Columbia and their successors are hereby authorized and empowered to appoint an inspector of plumbing and such number of assistants as Congress may from time to time appoint. I understand from the Commissioners that they already have an inspector of plumbing and two assistant inspectors. This bill simply provided for the appointment of one more. They can get along without this additional inspector, and this will simply comply with the point made by the gentleman from Indiana [Mr. HOLMAN] the other day, who objected to the appointment of any more officers. This will strike out that power, and simply provides that the inspector of plumbing and his assistants shall do what these new officers would have done.

Mr. HOLMAN. I ask that the amendment be reported again. The amendment was again reported.

Mr. HEMPHILL. The first part of section 4 provided that the Commissioners of the District were authorized and empowered to appoint an inspector of plumbing.

Mr. HOLMAN. I suggest this amendment, to strike out the section down to line 6, including the words "in and for," and inserting simply this:

That the said inspector of plumbing shall be under the direction of said Commissioners.

Mr. HEMPHILL. That is exactly what my amendment is. It says that the inspectors and assistants shall be under the direction of said Commissioners. I will ask the Clerk to again report the amendment.

The amendment was again reported.

Mr. HOLMAN. I have no objection to that.

The amendment was agreed to.

The SPEAKER *pro tempore*. The Clerk will now report the second amendment offered by the gentleman from South Carolina.

The Clerk read as follows:

In line 12, after the word "direction," insert the words, "on the application of the owner or occupant, or on the complaint of any reputable citizen."

The amendment was agreed to.

Mr. HOLMAN. Now, Mr. Speaker, these salaries, of course, are permanent, and paid out of the general funds in the Treasury. The provision of section 3 is as follows:

The fees authorized by this section shall be paid to the collector of taxes of the District of Columbia and by him deposited in the Treasury of the United States to the credit of the District of Columbia.

Now, in this really private business of plumbing, the matter concerns the citizens of the District more than it does the general public and the United States; and it seems to me that under no circumstances should the compensation of these plumbers be paid out of the public Treasury. That work ought to be paid entirely out of the funds paid into the Treasury to the credit of the District of Columbia. As it stands now the Government pays one-half of the amount and the District one-half, and the District of Columbia gets the benefit of all the fees.

Mr. HEMPHILL. Oh, no, the Government only pays its half.

Mr. HOLMAN. That provision is not in this bill.

Mr. HEMPHILL. It is not in any bill of this kind. This bill does not fix any salary; does not provide compensation for anybody; and it does not provide for the appointment of anybody. There are already in the District of Columbia one plumber and two assistants, who are provided for in the District appropriation bill, of which the committee of the gentleman from Indiana is chairman has charge, and whatever regulation that committee makes will govern.

Mr. HOLMAN. Conceding that, we will let the present arrangement stand, under which one-half of the expenses of the District of Columbia are charged to the Government, and the other half to the revenue of the District, still the effect of this bill, as my friend must see, is this: Assuming now that the appropriation bill provides for these three officers, an inspector and two assistants, and the appropriation is made for it, one-half of it has to come out of the District fund and the other half to come out of the Government Treasury. Now, it is a fact, if this system be introduced, and that the expense shall be refunded by fees, these fees certainly should not go entirely into the funds of the District of Columbia, but ought to go equally to the credit of the funds of the District of Columbia and to the Treasury of the United States.

Mr. HEMPHILL. Why, Mr. Speaker, the bill does not provide for any such system as the gentleman suggests. It simply says that there are now certain fees charged in the District, and they are appropriated exactly as this bill provides. This bill fixes where these fees are to go with the matters covered by this bill; they are to go as the fees now go.

Mr. HOLMAN. Why should the District of Columbia get the whole benefit of the fees?

Mr. HEMPHILL. That is a matter that can be regulated by the Committee on Appropriations when they come to fix the salaries.

Mr. HOLMAN. Oh, no; because this money is placed to the credit of the District of Columbia.

Mr. HEMPHILL. It goes to the credit of the District of Columbia. There is no money appropriated from the District of Columbia that goes to any place except the District of Columbia.

Mr. HOLMAN. But all the fees go to the credit of the District of Columbia in this case.

Mr. HEMPHILL. Of course they do.

Mr. HOLMAN. Why not have a provision inserted that the District of Columbia shall have one-half of the fees placed to its

credit, and that the other half shall go to the credit of the United States?

Mr. HEMPHILL. Why, the whole of the fees only amount to five, six, or seven thousand dollars.

Mr. HOLMAN. It does not matter how much the fees are, the principle is the same. I prefer to look after the interests of all the people rather than those of a favored community of people. Now, the gentleman must see that the effect of this provision is that the Government pays one-half of the fees for these inspections—

Mr. HEMPHILL. I trust that the gentleman will kill the bill and be done with it.

Mr. HOLMAN. Mr. Speaker, I feel very indignant every time that this kind of bill comes up, under which my constituents have to bear a large portion of the expenses of this District; and I am not willing that they shall have deducted from the results of their labor such amounts as are provided for in the matters of these salaries.

Mr. HEMPHILL. What provision does the gentleman propose?

Mr. HOLMAN. Why, that one-half of the amount of the fee shall go to the credit of the District of Columbia and the other half to the Treasury.

Mr. HEMPHILL. Very well offer your amendment, and I will agree to that. Let every bit of it go to the Treasury, if you prefer.

Mr. HOLMAN. Very well; I will take that.

Mr. HEMPHILL. It does not tax the Treasury a single cent.

Mr. HOLMAN. I move to amend by inserting "that one-half of the fees shall go to the credit of the Treasury of the United States and the other half to the credit of the District of Columbia."

The SPEAKER *pro tempore*. Where does the gentleman desire his amendment to come in?

Mr. HOLMAN. I want to insert that amendment in lieu of the words "and by him deposited in the Treasury of the United States to the credit of the District of Columbia."

The SPEAKER *pro tempore*. The Chair will state that the bill at the Clerk's desk is in manuscript; therefore the gentleman must write his amendment and send it up to the desk to be reported.

The amendment was read, as follows:

In line 13, after "United States," insert "one-half to the credit of the United States and one-half to the credit of the District of Columbia."

Mr. HOLMAN. Now, Mr. Speaker, before that is voted upon—

Mr. HEMPHILL. I am perfectly willing to agree to that: so it is not worth while to argue it.

Mr. HOLMAN. I am not going to argue it, but I wish to say to my friend having charge of the business of the Committee of the District of Columbia that the list of health officers, inspectors, and persons employed in connection with matters relating to the public health occupies a whole page.

I have before me a letter written by a very intelligent gentleman, a leading citizen of this city, protesting against this proposition as unnecessary, claiming that something ought to be left to the good sense and discretion of the citizens themselves, saying that this Government ought not to be made unnecessarily paternal, and that all these matters pertaining to our homes and firesides should not be subjected to Government supervision. I will not ask to have the letter read, but that is the substance of it. I have here also the list to which I have referred, of the officers and employes now engaged in connection with health matters in this city.

Mr. WASHINGTON. I will ask the gentleman from South Carolina whether the fees will not more than pay the salaries provided for in this bill?

Mr. HEMPHILL. Yes, sir.

Mr. BLOUNT. But the money will not go that way.

Mr. WASHINGTON. It goes into the Treasury.

Mr. BUCHANAN of New Jersey. Who pays the fees?

Mr. WASHINGTON. The people who own the property, and they ought to pay them. It is an outrage that the children of people who come here to serve the Government should be subjected to the danger of being poisoned by sewer gas because of defective plumbing in many of the old buildings that exist here. There should be an officer of the kind proposed here to inspect the plumbing in these old buildings, and also in new buildings, so as to prevent the destruction of innocent life which comes from such causes.

Mr. BUCHANAN of New Jersey. There is an officer to do that now, is there not?

Mr. WASHINGTON. I am informed that there is not, and that this bill is necessary in order to make the existing system thoroughly effective.

Mr. BUCHANAN of New Jersey. I will ask the gentleman

from Indiana [Mr. HOLMAN] to state the number of persons that are now engaged in this line of business.

Mr. HOLMAN. In this particular branch of making inspections, etc., in connection with health, the number of officers and employes covers this entire page of paper which I hold in my hand.

Mr. BLOUNT. Mr. Speaker, I wish to say a word or two in support of the position of the gentleman from Indiana [Mr. HOLMAN]. It is well for us to bear in mind that the financial system of this District is based on the idea that one-half the revenues of the District are to be raised by taxation on the people and that the rest of the country, or the general Treasury, is to pay the other half.

Now, we have already created here a corps of officers and employes, just referred to by the gentleman from Indiana, who are paid for out of the general Treasury, and yet the moment we are confronted with the question of the disposition of these fees, gentlemen insist that the rule shall not obtain. There is nothing narrow in the suggestion of the gentleman from Indiana. The idea that we shall be compelled to pay one-half of the expenditure of this District, enormous as it is, upon the theory that we own one-half the property, although that one-half, when you come to investigate, consists largely in the streets of the city, is so absurd as to be repugnant to the common sense of any gentleman to whose attention it is brought.

But that is the existing rule; yet, when the gentleman from Indiana [Mr. HOLMAN] simply asks that that rule shall be adhered to in a matter of this kind it seems to excite in some minds impatience. For one I am prepared to vote to change the basis whenever I can get an opportunity to do so, but while it exists, bad as it is, I intend, so far as my voice and my vote will go, to insist that it shall be enforced and that the abuse shall not be enlarged.

Mr. HOLMAN. Mr. Speaker, before the vote is taken on the amendment I ask permission to put into the RECORD this list of persons already employed in this District in connection with health matters, with the salaries paid to them. They number 38 and over.

There was no objection.

The list is as follows:

#### HEALTH DEPARTMENT.

C. M. Hammett, health officer.....	per annum.....	\$3,000
S. J. Bayly, jr., chief clerk.....	do.....	1,800
B. P. Peters, clerk.....	do.....	1,400
B. J. Accinelly, clerk.....	do.....	1,200
W. B. Moore, clerk.....	do.....	1,200
M. F. Mills, clerk.....	do.....	1,200
T. W. Parsons, sanitary inspector.....	do.....	1,200
T. M. Shepard, sanitary inspector.....	do.....	1,200
A. J. Heird, sanitary inspector.....	do.....	1,200
W. D. Hughes, sanitary inspector.....	do.....	1,200
C. H. Welch, sanitary inspector.....	do.....	1,200
J. R. Mothershead, food inspector.....	do.....	1,200
W. C. Chase, food inspector.....	do.....	1,200
Edw. Fitzgerald, food inspector.....	do.....	1,200
G. Harris, inspector of marine products.....	do.....	1,200
Sam Einstein, pound master.....	do.....	1,200
Orlando King, messenger.....	do.....	540
Isaac Pinckney, ambulance driver.....	do.....	480
Shirley Williams, laborer.....	per month.....	40
John Wells, laborer.....	do.....	40
Joseph Burrell, laborer.....	do.....	40
Cornelius Parker, laborer.....	do.....	40

#### HEALTH DEPARTMENT SCARLET FEVER AND DIPHTHERIA SERVICE.

C. J. Osmon, medical sanitary inspector.....	per annum.....	\$1,500
G. T. Richardson, driver and assistant.....	do.....	500
Fifteen other doctors appointed by health officer for the aid of the poor, each.....	per month.....	40

#### INSPECTOR OF BUILDINGS.

T. B. Entwisle.....	per annum.....	2,400
B. C. King, assistant.....	do.....	1,200
R. M. Evans, assistant.....	do.....	1,000
E. F. Vermillion, assistant.....	do.....	1,000
J. B. Brady, clerk.....	do.....	1,000
J. T. S. Holtzman, clerk.....	do.....	900
Sam Green, messenger.....	do.....	480
C. H. Marshall, janitor.....	do.....	700
N. W. Wilkerson, engineer.....	do.....	900

#### INSPECTOR PLUMBING.

Sam. A. Robinson.....	per annum.....	2,000
J. F. Murphy, assistant.....	do.....	1,000
M. J. Fennell, assistant.....	do.....	1,000

The SPEAKER *pro tempore*. The question is on the amendment of the gentleman from Indiana.

The amendment was agreed to.

The SPEAKER *pro tempore*. The question is on the third reading of the Senate bill.

Mr. BUCHANAN of New Jersey. Mr. Speaker, I have sent for a copy of the Senate bill, but can not procure it. The bill was read here from the Senate manuscript. I would like to ask the gentleman in charge of it whether the bill does not provide that before any man can establish himself here as a plumber he must give bonds to the District.

Mr. HEMPHILL. Yes; he must file a bond in a certain amount.



Mr. BUCHANAN of New Jersey. What amount.  
Mr. HEMPHILL (reading):

In such amount and with such number of sureties as the said Commissioners shall determine.

Mr. BUCHANAN of New Jersey. Now, I ask the gentleman whether he thinks that is legislation in the right line? I would legislate to place these plumbers under severe inspection, to subject them to as severe rules and restrictions as may be justifiable; but I do not believe in compelling a young man, when he commences business, to take out a bond that he will ~~transact his business~~ in a particular way. I think it would operate as a discrimination against young men desiring to start business, who might not be able to procure the required bond, and who might thus be excluded from business as plumbers. Make your restrictions as severe as you please, but do not compel young men beginning business to give bond.

Mr. HEMPHILL. Coming as I do from a country town, I am not very well informed from personal experience as to these matters; but I have had occasion to look into this question with some interest, and I find that there is a rule of this kind in a great many other cities.

Mr. BUCHANAN of New Jersey. So, too, a great many murders have been committed this year: still, murder is a poor business.

Mr. HEMPHILL. Murder is a violation of law; but here we are trying to make people conform to the law. There is this to be said: if in the future we should find that the Commissioners have exercised this power with any degree of harshness it would be very easy for Congress to correct the evil. It appears that at present the plumbing and sanitary regulations here amount practically to nothing. This bill, as I understand, is not opposed by any person who is interested as a taxpayer or who follows the business of plumbing. None of the reputable plumbers of this city, so far as I know, object to this measure; in fact, nobody, as I understand, makes any objection.

Mr. BUCHANAN of New Jersey. Of course the plumbers now in business would not object.

Mr. HEMPHILL. There may be a great many people ~~desiring~~ desiring to follow this business who could not give bonds; and the reason is that they are not suitable persons to carry on the business—they are not experts. We are not proposing to adopt a harsher rule than that which already prevails in many other cities of the Union.

Mr. HOLMAN. I wish to suggest to the gentleman from South Carolina an amendment to an amendment already adopted on motion of the committee. Between lines 11 and 12 there have been inserted the words "or on complaint of any reputable citizen." I move to amend by inserting after the word "complaint" the words "under oath." I think a citizen's home should not be invaded upon complaint of an outsider, unless that complaint be made under oath.

Mr. HEMPHILL. I cheerfully assent to the amendment.

The SPEAKER. If there be no objection, the words suggested by the gentleman from Indiana [Mr. HOLMAN] will be inserted. The Chair hears no objection.

Mr. BUCHANAN of New Jersey. I move to amend by striking out the second section of the bill. This section provides—

That the said Commissioners and their successors be, and they hereby are, authorized and empowered to require every person licensed to practice the business of plumbing in the District of Columbia, before engaging in said business, to file a bond in such amount and with such number of sureties as the said Commissioners shall determine, conditioned upon the faithful performance of all work in compliance with the plumbing regulations; and that the District of Columbia shall be kept harmless from the consequences of any and all acts of the said licensee during the period covered by the said bond.

This covers all acts, whether of omission or commission. The section requires a bond resting upon such contingencies that very few men would be willing to sign it. I reiterate the point I have already made that we ought not to compel a young man beginning business for himself to give a bond like this. Make the restrictions as severe as you choose; and if a plumber does not properly perform his duties, deprive him of his license; but to provide that a young man beginning business of this sort, without capital and trying to work his way up, shall be required at the start to give a stringent bond of this sort, must operate as a discouragement upon industry and enterprise—a discouragement to which young men ought not to be subjected.

Mr. HEMPHILL. In Chicago the law requires in these cases a bond of \$3,000.

Mr. BUCHANAN of New Jersey. Well, I do not think any the better of Chicago for that.

Mr. HEMPHILL. I suggest that we limit the amount of the bond in this case to a sum not exceeding \$2,000. Any young man of good character could easily give such a bond.

Mr. BUCHANAN of New Jersey. Does the gentleman move that as an amendment?

Mr. HEMPHILL. I move to amend the section by inserting

after the word "amount," in line 5, the words "not exceeding \$2,000," so as to read, "a bond in such amount not exceeding \$2,000, and with such number of sureties," etc.

The SPEAKER. If there be no objection, the amendment suggested by the gentleman from South Carolina will be agreed to. There was no objection.

Mr. BUCHANAN of New Jersey. Now, I move to strike out the section as amended:

The motion of Mr. BUCHANAN of New Jersey was rejected.

The bill as amended was ordered to a third reading, read the third time, and passed.

On motion of Mr. HEMPHILL a motion to reconsider the last vote was laid on the table.

#### DEPOSITS IN BUILDING AND OTHER ASSOCIATIONS, DISTRICT OF COLUMBIA.

Mr. HEMPHILL. I now call up for consideration the bill (H. R. 6794) regulating deposits in building and other associations in the District of Columbia.

The bill was read, as follows:

*Be it enacted, etc.*, That whenever any deposit shall be made in any building and loan association, savings bank, or other institution authorized by law to receive deposits, by or in the name of any person being a minor, or a female being or hereafter becoming a married woman, the same shall be held for the exclusive right and benefit of such depositor, and free from the control of him or of all persons whatsoever except creditors, and shall be paid, together with the dividends or interest thereon, to the person in whose name the deposit shall have been made, and the receipt or acquittance of such minor or female shall be a valid and sufficient release and discharge for such deposit, or any part thereof, to the corporation.

Mr. HEMPHILL. This is a bill that simply provides where a person accumulates money and puts it in a savings bank, a building or loan association, or other like institution authorized to receive money on deposit, that their receipt shall be sufficient for it, even though the party be under age.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. HEMPHILL, the motion to reconsider the last vote was laid on the table.

#### WASHINGTON AND GEORGETOWN RAILROAD COMPANY,

Mr. HEMPHILL. I now call up for consideration the bill (S. 2015) to amend the act incorporating the Washington and Georgetown Railroad Company.

The bill was read, as follows:

*Be it enacted, etc.*, That the Washington and Georgetown Railroad Company is hereby authorized and required to change its track as follows: Commencing at M and High streets, in the city of Georgetown, thence west along M street to the Aqueduct bridge. *Provided*, That the terminal points hereby authorized shall be located under the direction of the Commissioners of the District of Columbia, so as not to interfere with access to the said Aqueduct bridge.

Sec. 2. That the changes hereby authorized and required shall be made, and cars shall be operated on the extension of the line, by December 1, 1892, and during the laying of said tracks, the amount of street to be opened at any one time, and the closing of any cross streets, shall be subject to the orders of the Commissioners of the District of Columbia. Any damages to or changes in any underground conduits, made necessary by reason of the construction of the road, shall be made at the expense of the Washington and Georgetown Railroad Company.

Mr. HEMPHILL. This bill was introduced into the Senate, and passed that body. It is a bill authorizing and requiring the Washington and Georgetown Railroad Company to extend its road from M and High streets to what is known as the District end of the Aqueduct bridge. M street, at Thirty-second, is the present terminus in Georgetown of the road, and if the road is to be extended at all to the bridge the bill ought to be passed now while the cable is being put down on the present line of road, in order that the whole system may be completed at the same time. The Senate, as I have said, have passed the bill, and it has met with very favorable consideration in this House, because at an early date the Grand Army of the Republic will meet here and there will be, of course, a large number of people present, many of whom will desire to visit the cemetery at Arlington. There is now a road constructed from the other end of the Aqueduct bridge, on the Virginia shore, to Arlington Cemetery, but there is no road, either from the city of Washington or Georgetown, to the bridge. The nearest approach to it is the terminus of this Washington and Georgetown line at M street.

If the House chooses to pass this bill it will enable the persons who are here at the meeting of the Grand Army, or, in fact, at any other time, to reach that bridge and for one fare, and after crossing the bridge, to take the street-car line on the other side and visit Arlington Cemetery at a cost not exceeding 10 cents; whereas now it requires the hiring of a hack to reach the bridge at all. The bill fixes the time within which this work shall be completed as December 1, 1892. The railroad authorities have not asked for the bill, and they are willing that it shall be passed or not be passed; but they desire if it is to be passed at all that action be taken promptly, so as to enable them to go on with the work.

The House can pass the bill or not just as they see fit, and they



can limit the time to any reasonable period for the completion of the work. The railroad authorities inform me that if it be passed they can have the road in running order by the time the Grand Army meets here. But it will be hardly fair to limit them to that time, because some unforeseen accident might happen which would necessitate some further delay and make it beyond their power to comply with the law. They cannot do all these things themselves; they are compelled to have all the ribs and ties and cables and matters of that kind manufactured, and are consequently dependent upon the manufacturing establishments for them.

Mr. BUCHANAN of New Jersey. I would like, if the gentleman would permit me, to read a short item from the Washington Post of this morning.

Mr. HEMPHILL. Certainly.

Mr. BUCHANAN of New Jersey. It is as follows:

RAPID TRANSIT TO ARLINGTON.

Since the passage of the bill authorizing the Washington and Georgetown Railroad Company to extend its tracks on M street from their present terminus at the stables to the District end of the Aqueduct bridge there is a prospect of easier access to Arlington during the coming encampment. The Washington and Arlington Electric Road promises to have the Virginia section of its line completed by the same time, so that there will be no break in the line of track, except the length of the Aqueduct Bridge, and for the convenience of those who wish it, even this interval will probably be satisfactorily spanned.

I think that tells the whole story.

Mr. HEMPHILL. Well, Mr. Speaker, I ought to state that of course there is no authority here for the railroad company to go over the Aqueduct bridge. A railroad was chartered on the other side which proposed to go across on that bridge, and the House of Representatives refused to grant the authority. So far as I am concerned I should oppose any railroad coming across the bridge; and so far as this bill is concerned it is entirely immaterial to me whether it is rejected or passed. I do not care a snap of the finger one way or the other.

Mr. BUSHNELL. Let me ask the gentleman why he opposes the granting of a charter to allow a railroad company to cross that bridge?

Mr. HEMPHILL. Well, because it is a bridge that you can not well cross with vehicles as well as with cars. It is a public bridge and was built for the benefit of the public, and not with the expectation of being used for the benefit of any corporation, but for the general public. The bridge itself is too narrow for vehicles and cars to cross it.

Mr. BUSHNELL. I would like to ask the gentleman this further question: I believe this road is to be completed by the railroad company up to the Aqueduct bridge by December 31?

Mr. HEMPHILL. Yes, sir.

Mr. BUSHNELL. Are there not some other railroads that would build that road before that time and be sure to have it done in time?

Mr. HEMPHILL. Well, I do not know about that. There was a road chartered to go from Arlington down to M street, but they used an overhead electric wire, they were authorized to pass over a part of the tracks of the Washington and Georgetown road, but they said they could not use it at present and asked permission to change their route, cross the river at a different point and come down into the city on their own track.

Mr. BUSHNELL. Well, are there not several other street railway companies besides the one mentioned in this bill?

Mr. HEMPHILL. There are none of them that go in that direction, that I know of.

Mr. BUSHNELL. And that might finish the line sooner?

Mr. HEMPHILL. Oh, no; there are none of them can complete the road any sooner; and there is this about it, that if any other railroad goes there of course everybody must get out at this M street station and change cars, while if this one line goes straight through there will be no change of cars except at the bridge.

Mr. HEARD. I only want to say that this proposition is simply to authorize and require the Washington and Georgetown road to extend its line up to the neighborhood of the Aqueduct bridge, instead of leaving a gap of about four or five blocks. Last year there was a proposition of another railroad company to begin at the terminus of this road and build up to the bridge and across. As the chairman of the committee [Mr. HEMPHILL] says, Congress refused that for two reasons. The committee, as well as the two Houses of Congress, were opposed to granting to any railroad company the privilege of crossing the surface of the Aqueduct bridge.

It is not a wide enough or strong enough bridge to justify its use for such purposes, and besides it was built for the benefit of the public, outside of the railroad companies, and we have been trying to make them build their own bridge. That was one reason. Another reason is, that this is a stretch of only about four blocks, and when the railroad is thus extended it will be one road and one fare clear to the Aqueduct bridge, which is and always will be a focal point in railroad street travel in this city. We

believe there is every reason why the road should be extended there, and, as the chairman of our committee has well said, it is of vital importance to every patron of this road that the terminal plant shall be put in at the beginning, because otherwise, if it is put in at the present terminus and has to be changed, the road will necessarily be idle while that change is being made.

I understand the company to say that while this bill gives them until December that they do not expect to require one hour beyond the 6th day of August. They ask this out of an abundance of caution, but at the same time they say they expect to put their men at work immediately if we pass this now, and have it in operation together with the rest of the line before the Grand Army encampment in September. I think it is in the interest of the public that this bill should pass.

Mr. BLOUNT. Mr. Speaker, during the last Congress a railroad chartered in the State of Virginia sought authority of Congress to provide for an extension of its line across the Aqueduct bridge and on to the terminus of the present line of the railroad now under discussion.

Mr. HEARD. The terminus of the Washington and Georgetown road?

Mr. BLOUNT. The Washington and Georgetown Railroad. Objection was made to that bill on several grounds. The first was on the part of the Secretary of War, to the placing of any line of railway on that bridge, on the ground of its strength. The second objection was that that bridge was one mode of access to the people of the United States and to the people of this locality in resorting to Arlington; and the third objection was a proposition to pass a bill introduced by Mr. Lee of Virginia, to incorporate the Washington and Arlington Railway Company of the District of Columbia—

Beginning at Seventh street and B street northwest; along B street and Virginia avenue northwest to Twenty-sixth street; along Twenty-sixth street to M street, along M street and Canal road to a point on the Potomac River at or near the point known as "The Three Sisters," where the said company is hereby authorized to construct and maintain a bridge across the Potomac River on such plans as the Secretary of War may approve; and from thence by, on, and over such lines as may be selected by the said company, with the approval of the Secretary of War, to the northwest entrance of the Arlington Cemetery, and thence through the Arlington estate to the south or west line thereof, in the State of Virginia. *Proviso.* That should any part of the track herein authorized coincide with portions of any other duly incorporated street railway in the District of Columbia but one set of tracks shall be used when, on account of the width of the street, or for other sufficient reason, it shall be deemed necessary by the Commissioners of the District of Columbia; and the relative conditions of use and of chartered rights may be adjusted upon terms to be mutually agreed upon between the companies, or, in the case of disagreement, by the supreme court of the District of Columbia, on petition filed therein by either party, and by such notice to the other party as the court may order.

This was an extensive bill, and I shall not take the time to read it to the House. There was a bill defeated, to which I have already referred, contemplating a commencement at the terminus at the present road across the Aqueduct bridge, going down to Alexandria and to some watering place, and it was very much urged by some friends of that section. But the House refused to grant any charter for any such purpose. The House believed that it was possible, and they were assured by the members of the District Committee that there was a company eagerly desiring a charter on the very line that I have indicated, which would not touch the Aqueduct bridge, which would go for one fare from Seventh street along the line indicated, down to and through Arlington, and, if need be, on to Mount Vernon, furnishing a most desirable line for the people of the United States visiting the capital to make over this company's line a way to this point of public interest. I say this bill, proposing the crossing of the Aqueduct bridge, as then proposed, was defeated, as I have stated, and this one which I have read in part was substituted for it.

Now, sir, what is the present situation? We have been told that there is a line chartered by the State of Virginia for the building of a road up to the Aqueduct bridge. There is in the Senate at this time a bill introduced by Mr. PETERREW—

That pending the building of the bridge—

That is, by the company referred to in this bill which I have read—

over the Potomac River at or near a point known as Three Sisters, the construction and maintenance of which is authorized in the act approved February 28, 1891, entitled "An act to incorporate the Washington and Arlington Railway Company of the District of Columbia," and during the annual encampment of the Grand Army of the Republic to be held in the city of Washington in the year 1892, the Washington and Arlington Railway Company be, and is hereby, authorized and permitted to lay and maintain track across the Aqueduct bridge over the Potomac River and its approaches in such manner and upon such conditions as shall be approved by the Commissioners of the District of Columbia, etc.

Then it goes on to provide for its consolidation with the Pennsylvania line or any other line that sees fit.

It is true, sir, that this bill has not become a law.

Mr. HEARD. Will the gentleman allow me to interrupt him there?

Mr. BLOUNT. Certainly.

Mr. HEARD. I want to state for the benefit of the gentleman

from Georgia, and also of the House, that the Secretary of War and the Commissioners of the District of Columbia have reported adversely on that proposition. I understand from publications in the newspapers that the Senate committee have also reported adversely on it, and so has the Committee on the District of Columbia of the House. So that all are unanimous in their condemnation of that proposition.

Mr. BLOUNT. But that does not meet the suggestion I have made to this House. Here is a bill at this time in the Senate of the United States providing for a road running across that bridge. Here, by way of inducement, is a suggestion that there is to be an encampment of the Grand Army of the Republic held in this city during the year 1892; and this bill provides that it shall be completed in 1892, perhaps after the encampment is over. So that this little suggestion of an encampment is one of those things which is likely to mislead.

Mr. BUCHANAN of New Jersey. And the Grand Army has not asked for it.

Mr. BLOUNT. And, as the gentleman says, the Grand Army has not asked for it; and if they had, it does not meet any such situation. Then what do you find? A significant thing just at this time, a charter has been granted by the State of Virginia to build a road up to the Aqueduct bridge on the other side, and this proposition to allow this company to build its line up to the Aqueduct bridge with nothing in the way of union of the two lines except the bridge. When each shall have been completed, Mr. Speaker, how suggestive the situation to allow them just to cross over the bridge, if not for the benefit of the Grand Army, for some other matter with which Washington is eternally crowded. If this measure is passed, Mr. Speaker, I predict—and I do not claim to have great capacity of foresight in that way—the time will soon come when the necessity for the crossing of this bridge will be urged.

The gentleman from Missouri [Mr. HEARD] says that the District Commissioners do not approve the crossing of the bridge. It would be an unfortunate time to approve it, Mr. Speaker, just now. Again, the District Commissioners are not life occupants of office. They shift, and they are generally in accord with the influences at the Federal capital. The Secretary of War is opposed to it, it is said; and yet, Mr. Speaker, he may be changed, and the reasons will change when you have this road running up to the Aqueduct bridge from the Virginia direction. Are you not bringing to bear an influence to stop the building of a railroad which is now built under a charter, and designed to go to Arlington and Mount Vernon, the very places the American people want to go.

Are you not putting this in the way of it? And, Mr. Speaker, is it not likely that a further suggestion of the incorporation of this company under the Washington and Georgetown Company may be here for consideration hereafter. You have the fact, Mr. Speaker, and I believe it has not been gainsaid, that a railroad company is building a line near to the Aqueduct bridge, at the Three Sisters, from the city of Washington, along down to Arlington and Mount Vernon, and that they have a charter for that purpose. You have that fact proposed to you now. Then why amend this charter to allow this railroad to run its line up to this bridge when it only lacks three blocks of being there now. What is the purpose? Why, the people are accommodated by the other line, and are better accommodated, and likely, under the terms of its charter, at one fare. There is some regulation as to the fare. Then why, sir, shall we go on and provide that this company shall be allowed to extend its line up to that bridge?

Mr. HEARD. Will the gentleman allow me to interrupt him again?

Mr. BLOUNT. Certainly.

Mr. HEARD. Would it accomplish the object that the gentleman desires if we were to insert a provision in this bill to prevent the use of the bridge at any time in the future by this company?

Mr. BLOUNT. Mr. Speaker, if I knew that provision of law would not be repealed on the suggestion of the Committee on the District of Columbia when they wanted it, I would say "yes."

Mr. HEARD. I would give any assurance that way, so far as I am concerned—of course I can not speak for the Committee on the District of Columbia—but so far as I am informed, I am satisfied that the committee is adverse to the use of that bridge. They have so voted and so reported whenever a proposition has been before them to permit the crossing of a railroad over that bridge.

Mr. BLOUNT. What I have been saying has not been any reflection on the view of my friend from Missouri, nor on any member of the Committee on the District of Columbia. I am discussing only the probable situation, and I am asking this House to act as this body did in the last Congress. Turn away from this scheme which points to the final passage over that

Aqueduct bridge belonging to the Government by this corporation. Turn away from it, and do as the last House did: turn to this road which proposes to build its own line and its own bridge across the river at the Three Sisters, which is the very point of the river at which the bridge ought to be built. Build this line, make this situation, and how probable it is that you will stifle the other project. I am unwilling, sir, in view of the assurances that we had in the last House, assurances given by my friend from Missouri himself, that that company were able and willing to construct that line. I am unwilling to put this obstacle in the way of its completion.

Mr. HEARD. Does not my friend know that the company to which he refers have a charter now authorizing them to run over this track, and that if the Washington and Georgetown Company is permitted to extend its line as contemplated, still the other company can run over its track, as it is already authorized to run, over six blocks of the road already built by the Washington and Georgetown Company.

This bill will not hinder the other company from its right to go over these tracks which this company may put down. It is true, as my friend from South Carolina [Mr. HEMPHILL] suggests, with the power they contemplated using, they could not run over those six blocks, or over the rest of the track, for the reason that there would be a conflict in the application of motive power. But I repeat to my friend from Georgia that this other company to which he refers can use the six blocks already constructed as well as these four blocks if constructed.

Mr. BLOUNT. Mr. Speaker, I do not want any tracks put along there. This Washington and Georgetown road runs now within three blocks of that bridge. It has not been contemplated that there shall be any railroad approaches to that bridge, and for one I think we should maintain that situation.

Mr. HEARD. The other line that the gentleman refers to runs by the end of the bridge.

Mr. BLOUNT. Mr. Speaker, I reiterate that this whole matter came up before the last House and was thoroughly discussed, and that the proposition to extend this line in the way here proposed was voted down by a vote of more than 4 to 1; and I regret very much that the sudden and unexpected bringing up of this bill at this time has left me no opportunity to gather together and exhibit to the House the bills that were then pending, the debate that was then had, and the action of the House. I reserve the balance of my time.

Mr. O'NEIL of Massachusetts. Mr. Speaker, I desire to offer an amendment which I send to the desk.

The amendment was read, as follows:

Add after the end of section 2: And said Washington and Georgetown Railroad Company shall, and is hereby required, to run its cars at not less than half hour intervals on its various lines between the hours of 12 o'clock midnight and 6 o'clock a. m.

Mr. O'NEIL of Massachusetts. I hope the committee will offer no objection to that amendment.

Mr. HEMPHILL. The only trouble about that is that, as I understand the matter, the cable can not be run the whole twenty-four hours, it being essential that there shall be some time between midnight and daylight for inspection and repair. Otherwise the cable is liable to get out of order or to break and stop the entire machinery of the road. I would not object to an amendment requiring the company to run cars up to certain hours, say 1 or 2 o'clock in the morning; but, I repeat, it is necessary to the successful operation of the cable system that there shall be some time when it is not running, and when they can put their men at work to go over the whole of it and see that it is in order, or repair it if it is out of order.

Mr. O'NEIL of Massachusetts. I am aware of that, but there is nothing to prevent them from running horse cars at those hours.

Mr. HEMPHILL. The trouble about that is that they will have no horses when they abandon that form of power.

Mr. O'NEIL of Massachusetts. Oh, no railroad company will ever do away with horses entirely. They must keep horses for some purpose, and can use them for this purpose if necessary. This is a thing that is asked for by all the newspaper men and by a great number of the regular residents. I am credibly informed that this company last year ran its cars all night while Congress was in session and made a promise to the committee that it would keep on running them throughout the year, but that when Congress adjourned it immediately stopped them.

Now, I submit that this accommodation is required by the people, and that it is no more than is afforded by the street railroads in every large city. Notwithstanding the claim that it will not pay, I believe it will pay; but even if these particular cars do not pay, yet the road as a whole, taken for the twenty-four hours, pays well, and this accommodation is due to the public who require and demand it.

Mr. HEMPHILL. I will state that there is a bill pending be-

fore the committee providing for that very thing. I think it is a matter of some consequence both to the public (I have been a sufferer myself) and also to the railroad company, but, while the company are in process of adopting this new power, it would be hardly fair to them without investigation to put this additional obligation upon them.

Mr. O'NEIL of Massachusetts. What investigation do you want?

Mr. HEMPHILL. I understand that the railroad did run cars for twelve months in this way, and that they averaged only eight passengers, some of these being fellows who had got drunk and wanted to ride until they got sober [laughter], a class of persons who ought not to be encouraged either by day or by night. Now, if the gentleman will allow this to come up in a separate bill, as it will when reported from the Committee on the District of Columbia, it can then receive the action of the House.

Mr. O'NEIL of Massachusetts. I prefer to have it taken as an amendment to his bill, and I want a vote upon it.

Mr. HEMPHILL. Well, of course I can not object to a vote upon it.

Mr. HEARD. Mr. Speaker, I am in favor of having these all-night cars, or at least cars which will answer substantially the end in view. I do not say that they must be run every hour between midnight and morning, but the company ought to come near enough to that to afford transportation to that portion of the public who may reasonably demand it. As stated by the gentleman from South Carolina [Mr. HEMPHILL], there is pending before our committee a bill in relation to this very matter; and it being a subject which comes within my particular province of investigation, I will state that I have been waiting simply because a bill introduced in the Senate by Senator HANSBROUGH has been considered by the District committee in the Senate, and I understand that he and Senator FAULKNER have been trying to arrange a compromise on the basis of the company running until 2 or 3 o'clock in the morning. Having received that information, I delayed considering the House bill in our subcommittee.

I am in favor of requiring the company to give such service as is necessary and as the people may reasonably expect at night. It may be that we should fix the limit of this night service at 2 o'clock or 3 o'clock (the company begin regular trips at 5 o'clock). At all events, I do say that the company ought to be required to furnish reasonable transportation to people who require it between midnight and daylight.

Mr. HEMPHILL. Mr. Speaker, I appreciate what the gentleman from Georgia [Mr. BLOUNT] says about this road going to the Aqueduct bridge; but it is only a question whether or not persons desiring to go to Arlington shall be compelled to hire a hack at an expense of \$3 or \$4, or shall have to walk four or five blocks from the present terminus of the railroad to the bridge, all because it is possible that at some future day some other Congress may authorize this road to run its track over the Aqueduct bridge.

That is all there is in it. He does not claim that we are going to do it under this bill, or that there is any provision here for it. But we have already chartered a road, or rather, under the authority of the Secretary of War, a road chartered by the State of Virginia comes down to the other end of the Aqueduct bridge. If this road should be extended to this end of the bridge, persons desiring to go or come to one side or the other will simply have to walk across the bridge.

Mr. HEARD. The gentleman will allow me to say that as I am advised only 1,000 feet of track remain to be provided between Arlington and the Aqueduct bridge.

Mr. HEMPHILL. So I understand; and it is expected that this road will be in operation some time in May.

I will state further that not one person connected with this railroad has been before our committee asking for the passage of this bill. It has been introduced in the interest of the public, so as to require the road to be extended in this way. If the House is satisfied that the public will be inconvenienced by the bill, let it be passed; if satisfied that it would not be wise to adopt the measure, I am perfectly willing it shall be voted down.

Mr. BLOUNT. The gentleman from South Carolina says this is simply a question whether we shall do without the convenience now offered us because of the possibility of some future Congress authorizing the building of a line that will better accommodate the public.

Mr. HEMPHILL. Oh, I beg the gentleman's pardon; I said, "because some future Congress may authorize one of these lines to be extended across the Aqueduct bridge."

Mr. BLOUNT. Very well; because some future Congress may authorize the running of this or some other road across the Aqueduct bridge. Now, Mr. Speaker, that is not all of the story. There was a struggle in the last Congress on the part of one company to get the use of this bridge to cross the river upon it,

and we defeated the proposition; we passed a bill chartering another company to build a line which will not touch this bridge, but is required to build a bridge of its own across the Three Sisters. The difficulty is that when you begin with this sort of legislation you interrupt and discourage the progress of the other work. There has been a standing pressure here on the part of different corporations to get the right to cross that bridge. As the bridge has been built by the Government, if they can get the right of way across it they avoid the expense of building a bridge of their own, and if permitted they would use that bridge even though the public should thereby be greatly inconvenienced.

I trust the House will not hesitate to dispose of this bill adversely. The proposition is made here that the company shall be allowed till December, 1892, to build the road; that is all you require of them; yet gentlemen come into this House and say, "We want this road for the Grand Army when it comes." But the Grand Army will come and go before the period mentioned will arrive.

Mr. HEMPHILL. I did not say we wanted the road for that occasion; I said that had been suggested.

Mr. BLOUNT. I do not care what gentleman may have said it; that has been presented here as one of the reasons why this bill should pass.

Mr. Speaker, I move to lay the bill on the table.

Mr. HEMPHILL. I trust that question will not be voted on until there has been some further discussion of this measure.

Mr. BUCHANAN of New Jersey. If the people of the District do not want the bill, why not lay it on the table?

Mr. HEMPHILL. The people of the District do want it, as I understand. The Virginia company referred to has built its road down to the other side of the bridge; and I know no reason why this company should not extend its road to this side. The other company, if it comes across, will have the entire monopoly of the business—

The SPEAKER. The Chair will state that unless by unanimous consent the pending motion to lay the bill on the table is not debatable.

Mr. HEARD. I hope my friend from Georgia will not insist on his motion for a few moments. If he will withdraw it, I will yield the floor to him to renew it. I wish to say a few words by way of correcting some of the mistakes of the gentleman from Georgia, which I am sure he does not desire the House to accept, if I can show that he has been in error.

Mr. BLOUNT. I am perfectly willing the gentleman shall be heard. I withdraw the motion temporarily.

Mr. HEARD. The gentleman from Georgia has, with perfect honesty of purpose I am sure, but under a misapprehension of the facts, stated that this measure would operate to discourage the completion of the road which has been chartered to go across the river on a bridge of its own construction. That is an error. This will have no effect whatever on that proposition. The company already chartered proposes to go over six blocks of road now built by this company, and if it goes on the route which its charter now authorizes at all, it will go over these four blocks of new road to be built—will go right to the end of this bridge and beyond. My friend, therefore, is mistaken in saying that the road already chartered does not tend in this direction. By the terms of its charter it goes exactly over the route on which this company is expected and required by this bill to build its road.

The fact is, Mr. Chairman, that people riding on the Washington and Georgetown road can now go to its terminus for one fare. If the company should extend its line four blocks farther they could still go to the end of the route for one fare; the company would get no more for carrying passengers to this extended point than they now get, but the public would get a fuller and better service. But, you can see that if the road to which my friend from Georgia refers is to be completed along this line by the Aqueduct bridge and on to the region of the Three Sisters, it is an additional reason why this line should be extended from its present terminus to the Aqueduct bridge, because it gives facilities for passengers to ride on one continuous line for one fare, and connect with the road carrying them to Arlington. It will be a decided advantage to the traveling public.

Therefore, my friend, if he will consider for a moment, will see that this will give to all the patrons of this road a great advantage. You can now go to M and Thirty-second streets by the Washington and Georgetown line; but that is four blocks from the Aqueduct bridge. This extension will give those who wish to go to the bridge or desire to connect with the other road the advantage of riding this additional four blocks and enable them to connect with Arlington. That is all there is in this bill. It does not propose to give any right to cross the bridge. And it seems to me that these people should be permitted that they should be in fact compelled—to extend this road, and that the

gentleman from Georgia should be as earnest in that direction as he is in opposition to the bill.

But the position of my friend from Georgia that we should refuse to compel these people or permit them, rather, to put in these four blocks for fear that at some time, at some point in the future, by some authority or other they would get the right to cross the bridge, is, I submit, not up to the ordinary measure of that gentleman's foresight in legislation; because he knows just as well as I do that this Congress can impose no restraints or limitations on any other Congress. So far as this Congress is concerned I know that it is so in this House and in the District Committee and that it was so in the Committee on the District of Columbia in the Senate the members have expressed themselves as being in line with the District Commissioners and the Secretary of War against permitting anybody to build a railroad across that bridge.

But because we do not want to go across is no argument why we should not build the line up to the bridge or permit them to go as near to the bridge as possible without interfering with the traffic across it. If they can get a charter hereafter from Congress to cross the bridge they can easily get a charter to extend the line up to the bridge. But there is a decided advantage in building the line up to the bridge now, if it is to be built at all.

As the gentleman from Georgia has stated, this road which is chartered in Virginia is, as I am advised, completed, except about 1,000 feet of it, down to the bridge on that side of the river. Now, if this road is completed or permitted to be built on this side, and that other road is completed down to the bridge, it will give passengers who desire to go to Arlington an almost continuous line. They will only have to cross the bridge and get on the cars on the other side. I respectfully submit, if the gentleman apprehends that this road entertains any covert design hidden in the provisions of this bill by which they can have access to the bridge hereafter, that he had better insert a modification so that this company can not be authorized to cross the bridge. Let a provision be inserted that they shall never go over the bridge. True it will never bind any future Congress, but it will express as plainly as we can that we want to give no such right by this legislation.

I submit, Mr. Speaker, most earnestly, that there has never, to my mind, been a proposition more plainly in the interests of the public than this one. True, this railroad company does not ask the privilege, but no doubt they will be glad to get it if it is given them. The chairman of the District Committee in the Senate introduced the bill and his committee recommended it.

But even if this railroad company were not willing to extend their road for one should be in favor of compelling them to do it before putting in their terminal plant. I would require that they should complete the road up to the Aqueduct bridge before they could run a foot of the cables now being put in on their lines to save to the public the inconvenience which must necessarily flow to them by the stoppage of the cars on the road long enough to change the terminal plant hereafter.

Mr. BLOUNT. Mr. Speaker, I wish to call the attention of the House to the fact that during the last Congress, when the bill was pending providing for the completion of a line to which my friend has just referred on the Virginia side of the river, and which provided for the crossing of the Aqueduct bridge, when it was objected that they should not be allowed to cross it, the argument was made, and was not denied, that unless they were allowed to do so the road would not be self-sustaining. The men in charge of that matter, who have constructed that nonpaying road, perhaps can see further than our friend from Missouri, who complains of my own shortsightedness, and expect to find their way over that bridge and into connection with the Pennsylvania avenue line, and the incorporation of the one with the other at some time hereafter.

Mr. HEARD. They can not, without the authority of Congress.

Mr. BLOUNT. Why, certainly not. But of course this Congress does not legislate for all time.

Mr. HEARD. Well, we are only responsible for what we do legislate for.

Mr. BLOUNT. My friend says that is all we are responsible for. Perhaps he is content with that. We are making conditions every day in the shape of new legislation; and when you shall have passed this bill and have this road running up to that bridge, these men in Virginia, with business shrewdness, who are just across the line, will say we have a provision here in the shape of new legislation that will make some other new legislation altogether desirable in the minds of some persons. It would not be long before an effort was made to secure a consolidation of the two lines.

No, sir, there is no danger about communication between this city and Arlington and Mount Vernon, over a bridge not furnished to a corporation by the Government, but furnished by the

parties themselves. You have chartered another road purposely to avoid this very thing. Let us stand by what we have done.

I move that the bill be indefinitely postponed.

Mr. HEMPHILL. I trust that will not be done.

The question was taken; and on a division there were—ayes 42, noes 14.

Mr. HEMPHILL. I will have to ask for tellers.

Mr. BLOUNT. The gentleman has other bills. He had better let this go.

Mr. HEMPHILL. I will let it go and take a vote on it next District day.

Mr. HOLMAN. Oh, no.

Mr. HEMPHILL. I ask that the bill go over until the next District day.

Mr. BLOUNT. Regular order.

Mr. HEMPHILL. Mr. Speaker, there has no quorum voted. I ask for tellers.

The SPEAKER. The Chair will appoint tellers.

Mr. HEMPHILL and Mr. BLOUNT were appointed tellers.

The House again divided; and the tellers reported—ayes 15, noes 22.

Mr. RICHARDSON. I move that the House do now adjourn.

Mr. HEMPHILL. If the motion to adjourn is going to be put—

Mr. RICHARDSON. No quorum has voted, and we had better adjourn.

The SPEAKER. If the point of no quorum is made, the Chair will submit the motion to adjourn. Does the Chair understand the gentleman to make the point?

Mr. HEMPHILL. I make the point.

The motion of Mr. RICHARDSON was agreed to; and accordingly (at 4 o'clock and 48 minutes p. m.) the House adjourned.

#### REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. SCOTT, from the Committee on War Claims:

A bill (H. R. 869) for the benefit of William Burton. (Report No. 1045.)

A resolution referring the bill (H. R. 3709) for the relief of Charles Banks to the Committee on Claims. (Report No. 1046.)

A resolution referring the bill (H. R. 5632) for the relief of Daniel Lake, deceased, to the Court of Claims. (Report No. 1047.)

By Mr. CLANCY, from the same committee:

A bill (H. R. 7464) for the relief of the assignees or legal representatives of John Beach, deceased. (Report No. 1048.)

A bill (H. R. 7282) for the relief of George W. Quintard. (Report No. 1049.)

By Mr. STONE of Kentucky, from the same committee: A bill (H. R. 4174) for the relief of the Madison Female Institute, located at Richmond, Ky. (Report No. 1050.)

By Mr. WILSON of Missouri, from the Committee on Pensions: A bill (H. R. 7303) to increase the pension of Wills Goodwin. (Report No. 1051.)

By Mr. CADMUS, from the Committee on War Claims: A resolution referring the bill (H. R. 6518) for the relief of William T. Miles, to the Court of Claims. (Report No. 1052.)

#### BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills of the following titles were introduced, severally read twice, and referred as follows:

By Mr. BLANCHARD: A bill (H. R. 8045) to declare certain lands in Louisiana part of the public domain and subject to entry only by actual settlers under the provisions of the homestead laws—to the Committee on the Public Lands.

By Mr. LANHAM: A bill (H. R. 8046) to create the tenth judicial circuit—to the Committee on the Judiciary.

By Mr. WISE (by request): A bill (H. R. 8047) to incorporate the Pan-American Naval Marine Institute and to promote the United States naval reserve—to the Committee on Naval Affairs.

By Mr. COOMBS: A bill (H. R. 8048) to place German looking-glass plate on the free list—to the Committee on Ways and Means.

By Mr. JOHNSON of North Dakota: A bill (H. R. 8049) granting to the State of North Dakota certain portions of the abandoned Fort Abraham Lincoln military reservation, together with the buildings thereon—to the Committee on the Public Lands.

By Mr. PATTISON of Ohio: A bill (H. R. 8050) for the relief of telegraph operators during the war—to the Committee on War Claims.

By Mr. BEEMAN: A memorial of the Legislature of the State of Mississippi, asking an additional appropriation by Congress

Mr. HAWLEY. I hope the Senator from Alabama will go on.

Mr. MORGAN. I shall take but a few moments.

Mr. STEWART. I ask that the unfinished business be informally laid aside.

The PRESIDING OFFICER. It will be informally laid aside if there be no objection. The Senator from Alabama will proceed.

Mr. MORGAN. I could stop here, perhaps, with decided advantage to myself and to the Senate, but I wish to add one or two very brief reflections.

We shall have, I repeat, when we have made it optional with the citizen of the United States to have his silver bullion coined, the best financial system we can secure in times of peace and in times of trial, famine, distress, or war that any people in this world have ever had. I will again recur to an idea which I have not been able to dismiss from my mind recently, for we have had some bodings of trouble with great powers, with dangerous powers. I have not been able to dismiss from my contemplation what the present situation of this country would be in the event of a war with a great power, when the very first step we should have to take would be to go to a country that buys silver and gold from us to borrow the money to carry on a war with that or a neighboring country. Of course we could not borrow it from the country we were at war with.

Our resources of credit would be very much cramped in the event of a struggle with Great Britain, and we should then be forced to look to our own internal resources for the strength to raise, equip, maintain, and transport armies, and to furnish them with munitions of war, with hospitals, and the like. Then we would turn our attention to this matter, which to my mind is just as palpable as if we were in the midst of a war, of providing out of our own resources for conducting it, and we should then consider this very important point. Our mines furnish to us \$100,000,000 of metal a year, one-third gold. The redeeming factor adopted by the banks throughout Christendom for all time since banks were first ordained, is one-third of coin, or 3 to 1.

We have \$100,000,000 a year, one-third gold, upon which you can issue with perfect safety \$3 for \$1. So you have \$300,000,000 a year, if you choose to use it in that way—\$300,000,000 that can be represented among our own people with coin certificates which they will take gladly and use in all of their business and prosper upon it, and have perfect security. In ten years it is \$3,000,000,000, and it is such a fund as enables us not merely to bring every resource and power of this great domain that we occupy here immediately into action for military defense or other purposes, but it will draw to it a commercial and financial power the like of which has not been enjoyed by any other government in this world.

Great Britain during five hundred or eight hundred years of her noble and magnificent history, through her statesmanship, by adopting always the best expedient for the relief and advantage of her people, has been able to accumulate a resource of money and credit that has hitherto been entirely unparalleled. She has done it by scouring the seas, taking the islands, going wherever nature invited the hand of agriculture or of any other industrial pursuit, there gathering the rich harvests of the world, carrying them to Liverpool and London, and distributing them again out among the nations of the earth. In this way Great Britain has grown enormously rich through many years, and will still remain enormously rich.

Providence, however, without any exertion on our part except to employ our labor in our own mines and within our own territory, places within our reach \$100,000,000 a year, of specie, one-third gold, which is in the right proportion, and which we may with absolute safety, as has been demonstrated by the experience of mankind through five hundred years, use as a basis of redemption for our paper issues, thereby making it, as I have observed, \$300,000,000 a year, thrown into our hands as an assisting fund for the wonderful, marvelous work we are engaged in here, of conducting the best, noblest, truest, the most gentle, the most perfect, and yet the strongest Government that mankind has yet conceived of.

Are we to pass by such an opportunity as this and still hold ourselves in an attitude of humiliating dependence upon Great Britain, or any foreign country, merely because through her thrift and industry and skill she has been able to pile up credit and money; or shall we grasp the outstretched hand of Providence and thankfully proceed with that great encouragement which the Divine Maker of man has extended to us to try to achieve for this country that which it is entitled to in every sense and under every consideration—the supremacy of the civilized world?

#### CIRCUIT COURTS OF APPEALS.

Mr. COCKRELL. Let the first case on the Calendar be stated.

Mr. HAWLEY. The regular order must first be laid before the Senate.

Mr. MANDERSON. The unfinished business, which is the court bill.

Mr. COCKRELL. The unfinished business can be temporarily laid aside. That is always understood.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The SECRETARY. A bill (S. 2729) to amend an act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States and for other purposes."

The PRESIDING OFFICER. The unfinished business will be temporarily laid aside and the Calendar will be proceeded with under the order of the Senate.

Mr. HAWLEY. Before we proceed with that, there are many Senators absent who are much interested in the Calendar, and I suggest a call of the Senate. Of course they ought to have been here listening to the Senator from Alabama, as I was. Let us call them in now for what they are interested in.

The PRESIDING OFFICER. If there be no objection the roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Allen.	Dolph.	Manderson.	Sherman.
Bate.	Dubois.	Mitchell.	Shoup.
Berry.	Faulkner.	Morgan.	Stewart.
Blackburn.	Frye.	Paddock.	Teller.
Blodgett.	George.	Palmer.	Turpie.
Call.	Gibson, M.	Parso.	Vest.
Cameron.	Gray.	Peffer.	Voorhees.
Chandler.	Hawley.	Platt.	Walthall.
Cockrell.	Hoar.	Power.	Warren.
Coke.	Jones, Nev.	Pugh.	Wilson.
Colquitt.	Kyle.	Quay.	
Davis.	McMillan.	Sanders.	

The PRESIDING OFFICER. Forty-six Senators have answered to their names. A quorum is present, and the Senate will proceed with the Calendar.

L. A. DAVIS.

Mr. COCKRELL. The first case on the Calendar is Senate bill 735, that was passed over. The Senator from Massachusetts [Mr. HOAR] I understand does not insist upon his amendment.

The Senate resumed the consideration of the bill (S. 735) for the relief of L. A. Davis.

Mr. COCKRELL. I understand that the Senator from Massachusetts does not insist upon any amendment this morning. I suggest a further amendment. I supposed it was done yesterday. I move, in line 16, after the word "limitations," to strike out the words "or other legal defense;" so as to read:

And no statute of limitations shall be available in such case.

There will be no objection to that.

Mr. MITCHELL. That is right. The Senator from Massachusetts I understand does not insist on his amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Missouri.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### DISTRICT INSPECTOR OF PLUMBING.

The PRESIDING OFFICER (Mr. PLATT in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 1492) to authorize the appointment of an inspector of plumbing in the District of Columbia, and for other purposes.

The amendments of the House of Representatives were in section 2, line 5, after the word "amount," to insert "not exceeding the sum of \$2,000;" and after "United States" to insert "one-half to the credit of the United States and on half" to strike out all of section 4 down to and including the word "duty," in line 6, and insert "that the inspector of plumbing and his assistant shall be," and in the same section, line 5, after the word "direction," to insert "on the application of the owner or occupant, or on the complaint of any reputable citizen."

Mr. McMILLAN. I move that the Senate concur in the amendments of the House of Representatives.

The amendments were concurred in.

#### PUBLIC BUILDING AT SEATTLE, WASH.

The PRESIDING OFFICER. The next bill on the Calendar will be stated.

The CHIEF CLERK. A bill (S. 1907) to amend section 3 of the act approved June 27, 1890, granting pensions to soldiers and sailors.

Mr. COCKRELL. I will state in regard to Senate bill 618, providing for the erection of a public building at the city of Seattle, in the State of Washington, that it stands at the head of the Calendar. On the reading of that bill yesterday evening the Senator from Indiana [Mr. TURPIE] suggested that's one of the two Senators from Washington and moved an adjourn-



ment. I did not understand the Senator from Indiana to object to the consideration of the bill.

Mr. TURPIE. No, sir.

Mr. COCKRELL. It comes up in its order.

The PRESIDING OFFICER. The bill will be taken up.

The bill (S. 618) providing for the erection of a public building at the city of Seattle, in the State of Washington, was announced as regularly in order on the Calendar.

The PRESIDING OFFICER. The bill was partially read yesterday. The bill should be read in full. If there is no objection the Chief Clerk will proceed with the reading of the bill.

Mr. ALLEN. I wish to state, in the absence of my colleague [Mr. SQUIRE], who has that bill specially in charge, that I desire it to be passed over for the present without prejudice.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

#### PENSIONS TO WIDOWS AND MINOR CHILDREN.

The bill (S. 1907) to amend section 3 of the act approved June 27, 1890, granting pensions to soldiers and sailors, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 14, after the word "absent," to insert "by due authority;" in line 15, after the words "from the," to strike out "technical;" and in the same line, after the word "duty," to strike out "(excepting cases of death occurring during desertion from the service);" so as to make the bill read:

*Be it enacted, etc.,* That section 3 of the act of June 27, 1890, is hereby amended so as to read as follows:

"Sec. 3. That if any officer or enlisted man who served ninety days or more in the Army or Navy of the United States during the late war of the rebellion, and who was honorably discharged, has died, or shall hereafter die, leaving a widow without other means of support than her daily labor, or minor children under the age of 16 years, or if any officer or enlisted man, who served ninety days or more in the Army or Navy of the United States, died in the service, whether in the line of active duty, or in hospital, or on individual furlough, or whilst otherwise absent by due authority from the line of duty, and shall have left such widow, or such minor children under 16 years of age, in either case after said such widow shall, upon due proof of her husband's death, without proving his death to be the result of his army service, be placed on the pension roll from the date of the application therefor, under this act, at the rate of \$8 per month during her widowhood, and shall also be paid \$2 per month for each child of such officer or enlisted man under 16 years of age; and in case of the death or remarriage of the widow, leaving a child or children of such officer or enlisted man under the age of 16 years, such pension shall be paid such child or children until the age of 16; *Provided*, That in case such officer or enlisted man shall leave a child who is insane, idiotic, or otherwise permanently helpless, such child shall be pensionable under this act without regard to his or her age and whether pensioned heretofore as a minor under any former act; and the pension thus granted to such child shall continue during life, or during the period of such disability, from and after the date of application therefor, after the passage of this act; *And provided further*, That said widow shall have married said soldier prior to the passage of this act."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### GEORGE A. ORR.

The bill (S. 2097) for the relief of George A. Orr was considered as in Committee of the Whole. It proposes to direct the Secretary of the Treasury, through the accounting officers, to audit and pay the claim of George A. Orr, as acting assistant provost-marshal at Mount Vernon, Mo., from May 28, 1863, to January 30, 1864, at the rate of \$100 per month for his services, and such sum for legitimate expenses during that period as may be shown and found to have been actually expended by him in the lawful discharge of his duties and necessary for the public service.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### ILWACO RAILWAY AND NAVIGATION COMPANY.

The bill (S. 213) granting a right of way across the Scarborough Hill military reservation to the Ilwaco Railway and Navigation Company was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments.

The amendments were, in line 4, after the word "Company," to insert "a corporation existing under the laws of the State of Washington;" in line 9, after the word "exceeding," to strike out "forty" and insert "thirty;" and in line 10, after the word "thereof," to strike out "with the necessary ground for sidetracks and the necessary buildings;" so as to read:

That it may, and shall be, lawful for the Ilwaco Railway and Navigation Company, a corporation existing under the laws of the State of Washington, to construct its road across a certain military reservation in the State of Washington, commonly known as Scarborough Hill, under the direction of the Secretary of War; and for this purpose a right of way therefor, not exceeding 30 feet in width on each side of the center of the track thereof, subject to the approval of the Secretary of War, is hereby granted to said company.

The amendments were agreed to.

The next amendment was, to add to the bill the following proviso:

*Provided*, That the actual construction of a roadbed over the right of way herein granted shall not be commenced until after the Secretary of War shall have approved its location; and for this purpose said Ilwaco Railway and Navigation Company shall furnish him with a map showing the boundaries of this reservation, the center line of the proposed right of way, together with the topographical features of the ground for a distance of 200 feet on either side thereof; *Provided further*, That said corporation, its assigns, or successors, shall build and maintain at its own expense for the free use of the Government such railroad-depot buildings and side tracks on said reservation as the exigencies of the Government service may require; and the Secretary of War may direct; *Provided further*, That if, in the judgment of the Secretary of War, the exigencies of the Government service at any time so require, the right of way herein granted may be changed or relocated at the expense of said corporation, its assigns, or successors; *And provided further*, That if a railroad be not built and regularly operated over the right of way herein granted within two years from the date of the passage of this act the act shall become null and void.

The amendment was agreed to.

Mr. COCKRELL. I see that I omitted to put in as an amendment another section. I move to add:

SEC. —. Congress reserves the right at any time to alter, amend, or repeal this act.

Mr. ALLEN. I will inquire of the Senator from Missouri if that is the usual provision?

Mr. COCKRELL. It is always put in these bills.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### ESTATE OF M. C. MORDECAI.

The bill (S. 1423) for the relief of Jacob I. Cohen and J. Randolph Mordecai, administrators of M. C. Mordecai, was considered as in Committee of the Whole. It proposes to pay to Jacob I. Cohen and J. Randolph Mordecai, administrators of M. C. Mordecai \$6,400, in full compensation for the postages on mails transported by him in the steamer Isabel, or any other steamer, from Charleston, S. C., to Havana, Cuba, by way of Savannah, Ga., and Key West, Fla., from the 1st of October, 1859, to the 20th of July, 1860.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### ARMY PROMOTIONS.

The bill (S. 882) to repeal the proviso in section 1, of the act of October 1, 1890, providing for the examination of certain officers of the Army and to regulate promotions therein, and to extend lineal promotion to first lieutenants, was announced as next in order.

Mr. PROCTOR. I ask that Order of Business 380, House bill 328, to establish lineal promotion throughout the several lines of artillery, cavalry, and infantry of the Army, be taken up instead of this bill, as it is identical, and will save action on the Senate bill.

Mr. DOLPH. Let the Senate bill go over.

The PRESIDING OFFICER. Being objected to, the bill will go over. Does the Senator from Oregon object to the House bill being substituted for the Senate bill?

Mr. DOLPH. I do not object to that; I object to the consideration of the bill.

The PRESIDING OFFICER. It will be understood then that the House bill is substituted for the Senate bill, and the Senate bill will be indefinitely postponed. The bill, being objected to, goes over without prejudice.

Mr. DOLPH. Let the bill go over, retaining its place. I do not care to remove the bill from the Calendar under Rule VIII. Let it go over without prejudice.

The PRESIDING OFFICER. If there be no objection, the House bill which has been substituted for the Senate bill will take the place on the Calendar of the Senate bill; the Senate bill will be indefinitely postponed, and the House bill will be passed over without prejudice.

#### WILLIAM SMITH AND OTHERS.

The bill (S. 1678) for the relief of William Smith and others was considered as in Committee of the Whole. It is a direction to the proper accounting officers of the Treasury to credit Lieut. Col. William Smith, deputy paymaster-general, United States Army, in the settlement of his public accounts, with the sum of \$3,015.15; and to credit Maj. William F. Tucker, paymaster, United States Army, in the settlement of his public accounts, with the sum of \$5,461.61; and to credit Assistant Surg. John O. Skinner, United States Army, in the settlement of his public accounts, with the sum of \$199.14; and to remove the charge of \$2,185.92 standing against Maj. John S. Billings, surgeon, United



States Army; and to remove the charge of \$1,029.60 standing against George M. Wheeler, captain on the retired list of the Army; and to remove the charge of \$634.42 standing against Lieut. P. Henry Ray, Eighth Regiment of Infantry, United States Army; these amounts having been paid out and received in accordance with the orders of the Secretary of War or the provisions of the regulations for the government of the Army of the United States prescribed by the President.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NAPOLEON J. T. DANA.

The bill (S. 4496) for the relief of Gen. Napoleon J. T. Dana was considered as in Committee of the Whole. It proposes to authorize the President to nominate and, by and with the advice and consent of the Senate, appoint Gen. Napoleon J. T. Dana, late assistant quartermaster of the United States Army, to the position of assistant quartermaster with the rank of captain of cavalry, and to place him on the retired list of the Army with that rank and pay, the retired list being thereby increased in number to that extent.

The bill was reported to the Senate without amendment.

Mr. HOAR. I should like to hear the report read; enough of it at least to show the character of the case.

The PRESIDING OFFICER. The report will be read.

The Secretary read the report submitted by Mr. DAVIS February 11, 1892, as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 4496) for the relief of Gen. Napoleon J. T. Dana, respectfully report:

Napoleon J. T. Dana graduated from the Military Academy in 1842; was thereupon appointed second lieutenant in the Seventh Infantry, and continued in the service until 1855, when he resigned. During this period he was brevetted as captain for gallant and meritorious conduct in the battle of Cerro Gordo, in which battle he was severely wounded.

Immediately after his resignation he entered into business in St. Paul as a banker, and prosecuted that business with great success. Upon the breaking out of the rebellion he felt it his duty to rejoin the service, and was appointed colonel of the First Minnesota Infantry October 2, 1861. He was appointed brigadier-general February 3, 1862, and major-general November 19, 1862. As commander of regiment, brigade, and division, at various times, he served in the Army of the Potomac, and was severely wounded in the battle of Antietam. He afterwards returned to duty. As a division commander he commanded the troops on the coast of Texas up to March, 1864. He afterwards commanded the district of Vicksburg in 1864. He was afterwards put in command of the Sixteenth Army Corps, and commanded the Department of the Mississippi to May 12, 1865. On May 27, 1865, he tendered his resignation, "in view of the immediate close of the war, and with the opinion that my services will not be now longer required."

After his resignation Gen. Dana engaged in business, but the results were not fortunate. He is now 70 years old, incapable of work, and has no estate. He had two sons, one of whom died of consumption about ten years ago. The other son graduated in medicine, but just as he was getting into successful practice in New York City was attacked with consumption and was compelled to go to Florida, and although his health has been somewhat improved, he can not be of any assistance in supporting his father.

The military career of Gen. Dana is more particularly detailed in the annexed letter from the Adjutant-General.

In view of the long and meritorious services of this officer, the committee recommend the passage of the bill.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE.

Washington, January 21, 1892.

*Statement of the military service of Napoleon J. T. Dana, of the United States Army, compiled from the records of this office.*

He was a cadet at the United States Military Academy July 1, 1838, to July 1, 1842, when he was graduated and promoted in the Army to second lieutenant, Seventh Infantry, July 1, 1842; first lieutenant, February 16, 1847; captain, assistant quartermaster, March 3, 1848. Brevet captain, April 18, 1847, "for gallant and meritorious conduct in the battle of Cerro Gordo, Mexico."

He joined his regiment October 15, 1842, and served with it at Fort Pike, La., and Pass Christian, Miss., to August 18, 1845; in the military occupation of Texas, and in the war with Mexico until wounded at the battle of Cerro Gordo, Mexico, April 18, 1847; absent sick on account of wounds and on recruiting service to March, 1848; on duty as quartermaster at Boston, Mass., to August 26, 1848; at Fort Snelling, Minn., to August, 1849; at Fort Ripley, Minn., to May, 1850; at St. Louis, Mo., to November, 1850; at Fort Ripley, Minn., to December, 1851; at Washington, D. C., settling his accounts and on temporary duty in Quartermaster-General's Office, to September, 1852; on duty, at Fort Snelling, Minn., to May, 1853, and at Fort Ridgely, Minn., until he resigned March 1, 1855.

He reentered the service as colonel First Minnesota Infantry, October 2, 1861. Appointed brigadier-general volunteers, February 3, 1862, major-general volunteers, November 29, 1862.

He commanded his regiment in the Army of the Potomac, to February 26, 1862; commanded brigade in Second Corps, to July 10, 1862; on sick leave to September, 1862; commanding Third Brigade, Second Division, Second Corps, to September 17, 1862, when severely wounded at the battle of Antietam, Md.; absent on account of wounds to November 27, 1862. Member of Military Commission, etc., to May, 1863; commanding post of Philadelphia, Pa., June 16 to August 27, 1863; Second Division, Thirteenth Corps, September 24 to October 28, 1863; Thirteenth Corps to January 9, 1864; commanding troops on coast of Texas, to March 11, 1864; First Division, Thirteenth Corps, to April 1, 1864; awaiting orders to April 23, 1864; on inspection duty, under orders of the Secretary of War, to August 7, 1864; commanding district of Vicksburg to October 15, 1864; Sixteenth Army Corps, to December 8, 1864; and Department of Mississippi, to May 12, 1865. Awaiting orders until he resigned, May 27, 1865.

He tendered his resignation "in view of the immediate close of the war, and with the opinion that my [his] services will not now be longer required."

J. C. KELTON, Adjutant-General.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM E. WOODBRIDGE.

The bill (S. 131) referring to the Court of Claims the claim of William E. Woodbridge for compensation for the use by the United States of his invention relating to projectiles, for which letters patent were ordered to issue him March 25, 1872, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment.

Mr. COCKRELL. I move in line 4, before the word "invention," to insert the word "alleged," as that is the very question that is to be inquired into. It does not change the materiality of the bill at all.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. SARAH ELIZABETH HOLROYD.

The bill (S. 133) for the relief of Mrs. Sarah Elizabeth Holroyd, widow and administratrix of the estate of John Holroyd, deceased, was considered as in Committee of the Whole. It proposes to pay to Mrs. Sarah Elizabeth Holroyd, widow and administratrix of the estate of John Holroyd, deceased, \$1,000, in full consideration for the entire past and future use by the Government of the patented hook and eye for tackle blocks of John Holroyd.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MICHAEL P. SMALL.

The bill (S. 258) for the relief of Lieut. Col. Michael P. Small, United States Army, was announced as next in order.

Mr. MANDERSON. I think within a very short time we shall probably have a House bill identical with that, and I ask that the bill be passed over without prejudice, retaining its place on the Calendar.

The PRESIDING OFFICER. The bill will be passed over without prejudice, if there be no objection.

WILLIAM H. ATKINS.

The bill (S. 1501) for the relief of William H. Atkins, formerly commissary sergeant United States Army, was considered as in Committee of the Whole. It proposes to pay to William H. Atkins, of St. Augustine, Fla., \$145, the amount due him for travel pay and allowances from the place of his discharge to the place of his enlistment, as an honorably discharged soldier from the United States Army, under section 1200, Revised Statutes.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ARMY REORGANIZATION.

The bill (S. 2170) to reorganize the artillery and infantry of the Army, and to increase its efficiency, was considered as in Committee of the Whole.

The bill provides that the artillery force of the Army now authorized by law shall be reorganized into seven regiments of not more than twelve batteries each. Each regiment of artillery shall consist of one colonel, one lieutenant-colonel, three majors, twelve captains, eleven first lieutenants, ten second lieutenants, and the enlisted men authorized by law, which may be organized into batteries and battalions composed of such number of officers and men as the President may direct. But the regiments shall be officered by the promotion and transfer of the officers now in the artillery according to their seniority, and any vacancies thereafter remaining in the grade of second lieutenant shall be filled in the manner now authorized by law. No appointments to the grade of first lieutenant shall be made until the first lieutenants now in service who become supernumerary by the organization herein provided shall have been absorbed. All promotions shall be subject to the examination prescribed by law. The President, in his discretion, may authorize the enlistment of colored men for service in any one or more of these regiments.

It further provides: That each regiment of infantry shall consist of one colonel, one lieutenant-colonel, two majors, twelve captains, ten first lieutenants, eight second lieutenants, and the enlisted men authorized by law, and may be organized into companies and battalions, composed of such number of officers and men as the President may direct. Original vacancies hereby created shall be filled by promotion according to seniority in the infantry arm, subject to the examination required by law.

The duties of regimental adjutants and quartermasters are to be performed by lieutenants detailed to such duty, without extra pay.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ROCK CREEK RAILROAD COMPANY.

The bill (H. R. 6286) to amend the charter of the Rock Creek Railroad Company was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## BUILDING STONE ON PUBLIC LANDS.

The bill (S. 1273) to authorize the entry of lands chiefly valuable for building stone under the placer-mining laws was announced as next in order on the Calendar.

Mr. DOLPH. I see that the Senator from Nevada [Mr. STEWART] is present, who reported that bill. I should like to ask him if he considered in that connection the act, I think, of 1878, known as the timber and stone act, by which a quarter section of any lands chiefly valuable for stone may be purchased by any one person at \$2.50 an acre, and if that is not ample provision for the purchase of lands containing building stone, and if this proposed act would not be in conflict with it.

Mr. STEWART. The Senator from South Dakota [Mr. PETERGREW] introduced the bill.

THE PRESIDING OFFICER. The Senator from Nevada will suspend for a moment. The bill had better be read.

The Chief Clerk read the bill, as follows:

*Be it enacted, etc.*, That any person authorized to enter lands under the mining laws of the United States may enter lands that are chiefly valuable for building stone under the provisions of the law in relation to placer-mining claims: *Provided*, That lands reserved for the benefit of the public schools or donated to any State shall not be subject to entry under this act.

Mr. STEWART. I do not see the Senator from South Dakota in his seat. He introduced the bill. I see no objection to allowing a small quantity to be purchased at \$2.50 an acre. He thought it would be more convenient for parties desiring stone to enter it in small quantities than under the former law. It does not interfere with the other act. It is rather an amplification of the former law, as he has stated.

Mr. DOLPH. I wish the Senator would let the bill be passed over temporarily and examine the other act.

Mr. STEWART. I will do so.

Mr. DOLPH. The timber and stone act is confined to the Pacific coast States, and I think all that is necessary or that is desired in other States would be to extend the provisions of the act to other States. I do not think a person is required to take 160 acres of stone land under that act; I think he may purchase at least a subdivision; but I will look it up and see the Senator.

Mr. STEWART. Let the bill be passed over until the Senator from South Dakota is here. He will explain more particularly what he desires to have accomplished by it.

## PARDONS BY DISTRICT COMMISSIONERS.

The bill (S. 1886) to authorize the Commissioners of the District of Columbia to grant pardons and respites in certain cases was considered as in Committee of the Whole. It provides that the Commissioners of the District of Columbia may grant pardons and respites for offenses against the late corporation of Washington, the ordinances of Georgetown, and the levy court, the laws enacted by the Legislative Assembly, and the police and building regulations of the District.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## PUBLIC BUILDING AT LEXINGTON, VA.

The bill (S. 1541) for the erection of a public building at the town of Lexington, Va., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds, with amendments, in line 12, before the word "thousand," to strike out "fifty" and insert "twenty-five;" in line 21, before the word "thousand," to strike out "fifty" and insert "twenty-five;" and in the same line, after the word "building," to insert "which sum is hereby appropriated;" so as to read:

The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of \$25,000; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of \$25,000 for site and building, which sum is hereby appropriated.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## SARAH K. McLEAN.

The bill (S. 1026) for the relief of Sarah K. McLean, widow of the late Lieut. Col. Nathaniel H. McLean, was considered as in Committee of the Whole. It directs the proper accounting officers to settle and adjust to Sarah K. McLean, widow of the late Lieut. Col. Nathaniel H. McLean, all back pay and emoluments

that would have been due and payable to Nathaniel H. McLean as a major from July 23, 1864, to the date of his reinstatement, March 3, 1875.

Mr. COCKRELL. The bill is on the Calendar upon a majority report from the Committee on Military Affairs. At the last Congress there was both a majority and a minority report made. In the present Congress the report of the majority simply refers to the former report. The objection the minority of the committee had, of which minority I was one, was that this officer voluntarily resigned in 1861, and by special act of Congress in 1875 was authorized to be appointed back to the Army. He was out of the service during the interval, performed no service for the Government directly or indirectly, and devoted his whole time and attention to his own private affairs. The bill now proposes to pay his widow his salary between 1864 and 1875, and we do not think there is any equity, justice, or right in it. I simply want to place the minority of the committee upon the record as opposing the bill.

Mr. DAVIS. The bill was reported favorably in the Fiftieth and Fifty-first Congresses. It passed the Senate in the last Congress. The legal elements of the bill and the questions of fact are quite complicated, although so far as the legal aspects are concerned they are to my mind free from doubt.

Maj. McLean at an early period of the war was relieved of duty in the East and sent to Fort Vancouver, in Oregon, by a proceeding which in all of its elements was of the most tyrannical character. He resigned. So much feeling existed on the subject that in the Forty-third Congress, after full deliberation and an exhaustive report, an act was passed authorizing the President either to appoint Maj. McLean to the first vacancy in the office of the Adjutant-General, or in his discretion to reinstate him. It will be perceived that the act thus recommended and passed gave the President an alternative course of action, either to appoint this officer and put him anew into the office or, with a view of rectifying the injustice which had been done him, to reinstate him and appoint him to the grade to which he would have attained had not the unjust proceeding toward him been perpetrated. President Grant, instead of appointing this officer and putting him thus as it were anew into the Army, proceeded to reinstate him.

Without going at length into the legal considerations which have brought the majority of the committee to the conclusion at which they have arrived, it will suffice for present purposes to say that it is the opinion of a majority of the committee that the act of reinstatement operated in legal contemplation as a complete cancellation of what had been done to him and restored matters to the exact status that they would have occupied had he not received the treatment he did. We did not proceed without judicial authority upon this subject. I shall not go into it at length here. It is in the report referred to. The same state of facts was exhaustively considered in the case of Maj. Collins, where the precise phraseology was employed as to reinstatement, and he recovered his pay under a judgment of the Court of Claims and it was allowed by Congress. The time when he was out of the service was about the same as that of Maj. McLean.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ECLECTIC MEDICAL SOCIETY OF THE DISTRICT OF COLUMBIA.

The bill (S. 741) to incorporate the Eclectic Medical Society of the District of Columbia was considered as in Committee of the Whole.

The bill was reported by the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and insert:

That T. A. Bland, August P. Lightbill, W. S. Bever, Magnus L. Juhn, M. Cora Bland, J. A. Rowland, and Marie Taylor, and their associates and successors, physicians, be, and they hereby are, made a corporation by the name of the Eclectic Medical Society of the District of Columbia, with all the powers and privileges, and subject to all the duties, liabilities, and restrictions set forth in this act.

SEC. 2. That the said corporation may hold real and personal estate to the amount of \$20,000.

SEC. 3. That the said Eclectic Medical Society is hereby empowered, from time to time, to make such by-laws, rules, and regulations as they may find necessary, and do and perform such other things as may be requisite for carrying this act into effect and which may not be repugnant to the Constitution and laws of the United States.

SEC. 4. That the said Eclectic Medical Society of the District of Columbia is hereby endowed with all the rights, privileges, and immunities that appertain to other medical societies of the District of Columbia.

SEC. 5. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to the Southern Railroad Association, lessees of the Mississippi Central Railroad Company, \$4,636.01 in payment of certain Post-Office Department drafts in favor of W. Goodman, president of the Mississippi Central Railroad Company, dated August 17, 1861, in payment for mail transportation from April 1 to May 31, 1861, returned and canceled in April and May, 1866.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PARDONS AND RESPITES IN THE DISTRICT OF COLUMBIA.

Mr. PERKINS. The Senate has passed Order of Business 297, being the bill S. 1886. Subsequently to the reporting of that bill House bill 4429, Order of Business 420, was reported. I ask unanimous consent to reconsider the vote by which the Senate bill was passed and to take up the House bill, which is on the Calendar, and which is the same as the Senate bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4429) to empower the Commissioners of the District of Columbia to grant respites and pardons in certain cases. It authorizes the Commissioners of the District of Columbia to grant pardons and respites for offenses against the late corporation of Washington, the ordinances of Georgetown, and the levy court, the laws enacted by the legislative assembly, and the police and building regulations of the District.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. PERKINS. I ask that the Senate bill on the same subject be indefinitely postponed.

The VICE-PRESIDENT. The vote by which the Senate bill on the same subject was passed will be reconsidered, and the bill will be indefinitely postponed, if there be no objection. The Chair hears none.

#### ROBERT CARRICK.

The bill (S. 1458) for the relief of Robert Carrick, late first lieutenant of the Eighth United States Cavalry, was announced as next in order.

Mr. PROCTOR. At the request of the Senator who reported that bill I ask that it be recommitted to the Committee on Military Affairs.

The VICE-PRESIDENT. The bill will be recommitted to the Committee on Military Affairs, if there be no objection. The Chair hears none.

#### NOAH SEANOR.

The bill (S. 1636) for the relief of Noah Seanor was considered as in Committee of the Whole. It directs the Commissioner of Pensions, in lieu of pension certificate numbered 199010, issued February 24, 1883, to Sarah A. Seanor, dependent mother of Harrison Seanor, to issue a certificate to Noah Seanor for \$1,900.13, the amount of arrears of pension granted and about to be paid to Sarah A. Seanor when she died, and transmit the same to Noah Seanor, with proper vouchers; and, upon the return of the vouchers to the Pension Office properly executed, there shall be made and transmitted to Noah Seanor a check for \$1,900.13, which when paid shall be a final and full satisfaction of the pension granted Sarah A. Seanor of the 24th day of February, 1883, aforesaid.

Mr. COCKRELL. The word "of," in line 18, should be stricken out and "on" inserted. It should be "on the 24th day of February, 1883."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 18, after the name "Seanor," it is proposed to strike out "of" and insert "on;" so as to read:

A final and full satisfaction of the pension granted the said Sarah A. Seanor on the 24th day of February, 1883, aforesaid.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

#### FIREPROOF BUILDING FOR NATIONAL MUSEUM.

The bill (S. 1758) to provide for the erection of an additional fire-proof building for the National Museum was announced as next in order.

Mr. COCKRELL. The Senator reporting and introducing that bill is not here. Let it be passed over without prejudice, retaining its place on the present Calendar.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

#### BUILDING FOR UNITED STATES SUPREME COURT.

The bill (S. 828) authorizing the purchase of a site for a building for the accommodation of the Supreme Court of the United States was announced as next in order.

Mr. COCKRELL. Let that be passed over without prejudice. The VICE-PRESIDENT. The bill will be passed over without prejudice.

#### STATUE OF CHRISTOPHER COLUMBUS.

The joint resolution (S. R. 15) for the erection and location of a bronze statue of Christopher Columbus and the removal of the Naval Monument to a new site was announced as next in order.

Mr. COCKRELL. Let that bill be passed over without prejudice.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

#### INCREASED PAY OF ARMY NONCOMMISSIONED OFFICERS.

The bill (S. 1721) to increase the pay of certain noncommissioned officers of the Army was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 7, after the word "sergeant," where it occurs the second time, to strike out "thirty" and insert "thirty-four;" so as to make the bill read:

*Be it enacted, etc.*, That on and after the 1st day of July, 1892, the pay per month of the following noncommissioned officers of the line of the Army shall be as follows:

Sergeant-major, \$30; regimental quartermaster-sergeant, \$30; first sergeant, \$34; sergeant, \$20; corporal, \$16; and all shall receive the increase of pay for length of service as provided by law.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT BROCKTON, MASS.

The bill (S. 699) for the erection of a public building at Brockton, Mass., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT GRAND ISLAND, NEBR.

The bill (S. 1574) to provide for the purchase of a site and the erection of a public building thereon at Grand Island, in the State of Nebraska, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### CLASSIFICATION OF CEREALS.

Mr. SHERMAN. Mr. President, I ask the consent of the Senate for the consideration of Order of Business 456, which I think, on being read by its title, will convey the reasons for it. I think it ought to be passed. It is in regard to fixing a uniform classification of wheat, corn, oats, barley, etc.

The VICE-PRESIDENT. The title of the bill will be stated.

The SECRETARY. A bill S. 795 to provide for fixing a uniform classification and grading of wheat, corn, oats, rye, barley, and for other purposes.

Mr. COCKRELL. If it will take no time and lead to no discussion I shall not object; otherwise I shall.

Mr. SHERMAN. I think it will take no time.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 795) to provide for fixing a uniform classification and grading of wheat, corn, oats, rye, barley, and for other purposes.

The bill was reported from the Committee on Agriculture and Forestry, with an amendment at the end of section 5 to insert:

*Provided, however,* That in interstate trade or commerce in grain, if the consignor thereof, or his authorized agent, shall so direct, public inspection, classification, or grading shall not be required nor made when said grain is consigned to the owner thereof or to his authorized agent or to a mill or private storehouse, or for deposit in a special bin, or a public warehouse, or, the purchaser consenting, to a purchaser thereof, or, if consigned to a market where the usages of trade recognize sales of grain by sample, when the consignor shall direct its sale by sample.

Mr. GRAY. I should like to ask the Senator from Ohio to state briefly what is the scope of this bill. I tried to listen to the reading of it, but whether it comes under the constitutional power to regulate weights and measures I did not understand, so far as I could gather from the reading.

Mr. SHERMAN. I do not think the question of the power of Congress to deal with these matters is included, because I think it comes fairly within the provision authorizing the establishment of weights and measures.

The passage of this bill is, I believe, requested by nearly all of the Farmers' Alliances in the United States, especially in the Northern States, where wheat and these cereals are grown.

Hitherto the rules of classification have been determined by boards of trade; for instance, at Chicago we might have one rate, in Wisconsin another, up at the headwaters of Lake Superior another, at Buffalo another, and at Cleveland another. There is some discrepancy in their rules, and this bill is to enable the Secretary of Agriculture to determine the correct classification, etc., and it is made a matter of record. It does not interfere with the right to make contracts for any other mode of classification, but merely establishes certain grades.

Mr. GRAY. I ask the Senator, for information, this question: It appears from what the Senator has just said that the bill refers to the classification of quality and grading of the different cereals spoken of in the bill, and not at all to fixing the standard of weights and measures?

Mr. SHERMAN. I do not think there is any doubt about that. It does not interfere with contracts, but it does make uniform certain classifications which are established by this bill. I do not think there is any question about the power of Congress to do what is proposed.

Mr. PADDOCK. It does not bear any relation whatever to the standard of weights and measures. It does not in any respect affect the standard of weights and measures.

Mr. GRAY. Does it refer, or can it be referred to at all, to the power granted in the Constitution to fix the standard of weights and measures? If it can not, to what legislative power can it be referred?

Mr. PADDOCK. It relates simply to interstate-commerce transactions and nothing else, transactions between States—the shipments of grain from one State to another. It is a carefully drawn and conservative bill.

Mr. SHERMAN. It is a regulation of commerce.

Mr. GRAY. Does the bill so state?

Mr. PADDOCK. The bill clearly states that it refers to interstate commerce, and the rule as to the standards of weights and measures under existing law is recognized and is in no respect to be interfered with.

Mr. GRAY. I should like to have that part of the bill read again. I think it is a matter of some importance.

The VICE-PRESIDENT. The part of the bill referred to will be read.

Mr. SHERMAN. Read the third section again.

The Chief Clerk read section 3 of the bill as proposed to be amended, as follows:

Sec. 3. That from and after thirty days after such classifications and grades have been determined upon and fixed, and duly placed on record as herein provided, such classification and grading shall be taken and held to be the standard in all interstate trade and commerce in grain in all cases when no other standard is agreed upon: *Provided, however*, That in interstate trade or commerce in grain, if the consignor thereof, or his authorized agent, shall so direct, public inspection, classification, or grading shall not be required nor made when said grain is consigned to the owner thereof, or to his authorized agent, or to a mill or private storehouse; or, for deposit in a special bin, to a public warehouse; or, the purchaser consenting, to a purchaser thereof; or, if consigned to a market where the usages of trade recognize sales of grain by sample, when the consignor shall direct its sale by sample.

Mr. SHERMAN. I was about to say that not only have some of the Legislatures asked for this uniform rule, but the Farmers' Alliances have requested it. I have had many letters about it. This bill was prepared to carry out their views, so that there may be no dispute or litigation in regard to the grade of wheat that is sold.

Mr. GRAY. Who is to make the classification?

Mr. SHERMAN. The Secretary of Agriculture is to have charge of the matter. The bill provides for that.

Mr. HOAR. The gist of the bill is in the first six lines of the third section. Let those be read again. The other is merely a definition or classification established by this public officer.

The VICE-PRESIDENT. The lines referred to will be read.

The Chief Clerk read the lines referred to.

Mr. COCKRELL. Let us vote on the bill or let it go over, one or the other.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. JONES of Arkansas. Were the lines read by the Secretary stricken out?

Mr. COCKRELL. Oh, no.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### ESTATE OF ISAAC W. TALKINGTON.

The bill (S. 118) for the relief of the estate of Isaac W. Talkington, deceased, was considered as in Committee of the Whole. It proposes to pay to the estate of Isaac W. Talkington, deceased, late of Pope County, in the State of Arkansas, \$200, erroneously paid to the United States for the north half of southeast quarter

of section 21, township 7 north, range 18 west, of the fifth principal meridian.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### FORFEITURE OF RAILROAD LAND GRANTS.

The bill (S. 1380) to amend an act entitled "An act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads," and for other purposes, was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with amendments, in line 7, after the word "persons," to strike out "in possession of" and insert "actually residing upon;" and in line 9, after the word "quantities," to insert "and upon the terms;" so as to make the bill read:

*Be it enacted, etc.* That section 3 of an act entitled "An act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes," be, and the same is, amended so as to extend the time within which persons actually residing upon lands forfeited by said act shall be permitted to purchase the same in the quantities and upon the terms provided in said section at any time within three years from the passage of said act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PURCHASERS OF TIMBER AND STONE LANDS.

The bill (S. 2275) for the relief of purchasers of timber and stone lands under the act of June 3, 1878, was considered as in Committee of the Whole. It provides that hereafter all necessary affidavits and proofs required by law of any purchaser of lands under the provisions of an act entitled "An act for the sale of timber lands in the States of California, Oregon, Nevada, and Washington Territory," in order to perfect his title to those lands, may be made before any officer qualified to take proof in homestead cases.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### R. B. WOODSON.

The bill (S. 1940) for the relief of R. B. Woodson was considered as in Committee of the Whole.

Mr. COCKRELL. In line 1, I move to insert the letters "on," after the word "Woods," so as to read "Woodson;" and then insert "postmaster at Gaines;" so as to make the bill correspond with the report and read: "R. B. Woodson, postmaster at Gainesville."

The amendment was agreed to.

The bill was reported from the Committee on Post-Offices and Post-Roads with an amendment, in line 6, before the word "funds," to strike out "postal order" and insert "money order;" so as to make the bill read:

*Be it enacted, etc.* That the Postmaster-General be, and is hereby, authorized and directed to allow R. B. Woodson, postmaster at Gainesville, Ala., a credit for the sum of \$142 money-order funds collected by him and lost in transit from Gainesville, Ala., to Mobile Ala., on or about September 23, 1889, and which the Postmaster-General was unable to allow to said postmaster as a credit under existing laws, and which amount was paid and lost by said postmaster. The Postmaster-General is authorized and directed to refund said sum of \$142 to said Woodson, and take his receipt in full satisfaction of said claim. An amount sufficient to refund said sum of \$142 is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### FOND DU LAC INDIAN RESERVATION.

The bill (S. 2081) to grant to the Duluth, Missabe and Northern Railway Company a right of way through the Fond du Lac Indian Reservation, in the State of Minnesota, and for other purposes, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment.

Mr. COCKRELL. I move at the end of the bill to strike out the period and insert a semicolon, and to insert the following proviso:

*Provided*, That Congress reserves the right to alter, amend, or repeal this act.

That is omitted I see in the bill.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### GUN FACTORY ON PACIFIC COAST.

The bill (S. 557) to provide for the establishment of a gun factory for the finishing and assembling of heavy ordnance on the Pacific coast was announced as next in order.

ate, to appoint him in the Army to be chief of the office, who shall have the rank, pay, and allowances of a colonel, and shall, under the Secretary of War, have charge of the military and hospital records of the volunteer armies and the pension and other business of the War Department connected therewith.

Mr. HAWLEY. I made some objection to this bill that was passed at a previous Congress. If I recollect aright, it was vetoed; it failed to become a law, at any rate. I do not care to renew that objection if anybody will assure me that the General of the Army, an accomplished soldier, and the President of the United States, an admirable lawyer as well as statesman, are satisfied with this form of bill. Does anybody know?

Mr. COCKRELL. There is a letter from the Commanding General expressly approving it, and I say, not officially, that the Attorney-General has approved of it.

Mr. HAWLEY. It is not a question of legality. I do not care so much about the opinion of the Attorney-General upon this as I would upon some other questions. It is a question of the wisdom of giving a promotion of two grades and a permanent office to a gentleman holding a position in the Army. The bill makes him a colonel in the Army practically for life, performing civil duty, and not a removable officer, as I understand it, like other officers, who are removable or whose details may be changed. I am not questioning in any degree the remarkable ability and merit of this gentleman, Maj. Ainsworth, and I say I do not renew any real objection to the bill. I do not think it is a wise way of rewarding merit. I would gladly vote him a salary of \$5,000 a year, and if necessary a vote of thanks from Congress. I do not object to the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### WILLAMETTE RIVER LIGHTS AND BUOYS.

The bill (S. 720) making an appropriation for the establishment and maintenance of range lights and buoys at twenty-five different points on the Willamette River, between the cities of Salem and Portland, in the State of Oregon, was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with amendments, in line 3, before the word "dollars," to insert "five thousand;" in line 6, after the word "maintaining," to strike out "range lights and buoys at thirty-five" and insert "beacon lights and buoys at twenty-five" so as to make the bill read:

*Be it enacted, etc.*, That the sum of \$5,000 be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, for the purpose of establishing and maintaining beacon lights and buoys at twenty-five different points on the Willamette River between the cities of Salem and Portland, Oregon, the same to be expended under the direction of the Secretary of the Treasury.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

The title of the bill was amended so as to read: "A bill making an appropriation for the establishment and maintenance of beacon lights and buoys at twenty-five different points on the Willamette River, between the cities of Salem and Portland, in the State of Oregon."

#### ESTATE OF JAMES L. DAY.

Mr. McMILLAN. I move that the Senate proceed to the consideration of executive business.

Mr. PLATT. I wish the Senator would withhold the motion until the next bill is considered. It will not take any time.

Mr. McMILLAN. Very well.

The bill (S. 271) for the relief of Nancy E. Day, administratrix of the estate of James L. Day, deceased, was considered as in Committee of the Whole. It proposes to pay Nancy E. Day, administratrix of the estate of James L. Day, deceased, late of Norwich, Conn., \$3,041.66, in payment and satisfaction of the amount found due from the United States to her by the Court of Claims upon a reference of her claim to that court by the Postmaster-General, under the provisions of an act of Congress approved March 3, 1883, entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### EXECUTIVE SESSION.

Mr. McMILLAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the

consideration of executive business. After five minutes spent in executive session the doors were reopened, and at 5 o'clock p. m. the Senate adjourned until to-morrow, Thursday, April 14, 1892, at 12 o'clock m.

#### NOMINATIONS.

*Executive nominations received by the Senate April 13, 1892.*

##### COLLECTOR OF CUSTOMS.

Henry Z. Osborne, of California, now collector of customs for the district of Wilmington, in the State of California, to be collector of customs for the district of Los Angeles, in the State of California, under the provisions of the act of Congress approved March 31, 1892.

##### SURGEON IN MARINE HOSPITAL SERVICE.

Passed Assistant Surg. William A. Wheeler, of Indiana, to be a surgeon in the Marine Hospital Service of the United States.

##### CHIEF ENGINEER IN NAVY.

Passed Assistant Engineer John A. B. Smith, to be a chief engineer in the Navy, from the 16th of February, 1892, vice Chief Engineer Montgomery Fletcher, retired.

##### PROMOTIONS IN THE ARMY.

###### *Cavalry arm.*

Capt. Myles Moylan, Seventh Cavalry, to be major, April 8, 1892, vice Montgomery, Tenth Cavalry, retired from active service.

First Lieut. John C. Gresham, Seventh Cavalry, to be captain, April 8, 1892, vice Moylan, Seventh Cavalry, promoted.

Second Lieut. Selah R. H. Tompkins, Seventh Cavalry, to be first lieutenant, April 8, 1892, vice Gresham, Seventh Cavalry, promoted.

Second Lieut. Charles W. Farber, Eighth Cavalry, to be first lieutenant, April 5, 1892, vice Dravo, Sixth Cavalry, who resigns his line commission on accepting his appointment as captain and commissary of subsistence.

##### APPRAISER OF MERCHANDISE.

William C. Ralston, of California, to be appraiser of merchandise in the district of San Francisco, in the State of California, to succeed Charles M. Leavy, removed.

##### POSTMASTER.

Charles L. Perry, to be postmaster at New Rochelle, in the county of Westchester and State of New York, in the place of John F. Cashen, whose commission expired March 20, 1892.

#### HOUSE OF REPRESENTATIVES.

WEDNESDAY, April 13, 1892.

The House met at 12 o'clock noon, and was called to order by the Speaker.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

##### CORRECTION.

Mr. SCOTT. I desire to state that on page 2195 of the daily RECORD there is an error in my statement as it was printed. My statement was that "during the year ending June 30, 1891, there were imported over 1,000,000,000 pounds of tin plate." The RECORD shows that I said "over 1,000,000 pounds of tin plate" were imported.

The SPEAKER. The correction will be made.

##### EXPENSES OF UNITED STATES COURTS.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting a copy of a communication from the Attorney-General, submitting estimates of deficiencies in the appropriations for expenses of United States courts for the current fiscal year; which was referred to the Committee on Appropriations.

##### CHIEF CLERK, OFFICE OF INDIAN AFFAIRS.

The SPEAKER laid before the House a letter from the Secretary of the Interior, transmitting a copy of a communication from the Commissioner of Indian Affairs, explaining the importance of a chief clerk being provided for the office of Indian Affairs; which was referred to the Committee on Appropriations.

##### WILLIAM WIRTZ, DECEASED.

The SPEAKER laid before the House a communication from the Court of Claims, transmitting a copy of the findings of the court in the case of William Wirtz, deceased, against the United States; which was referred to the Committee on War Claims.



## LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. RUSK, for five days, on account of important business.

To Mr. CUTTING, for one week, on account of important business.

## THIRD DIVISION OF THE JUDICIAL DISTRICT OF KANSAS.

Mr. BRODERICK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk, which went over yesterday.

The bill was read, as follows:

*Be it enacted, etc.*, That the counties of Miami, Linn, Bourbon, Crawford, Cherokee, Labette, Neosho, Allen, Anderson, Coffey, Woodson, Wilson, Montgomery, Chautauqua, Elk, and Greenwood, in the State of Kansas, shall constitute the third division of the judicial district of Kansas, and that a term of the circuit and district courts for said district shall be held therein at the city of Fort Scott, on the first Monday of May and the first Monday of November of each year. The remaining counties heretofore embraced in the first division of the judicial district of Kansas shall constitute the first division thereof.

SEC. 2. That all civil suits which shall hereafter be brought against a defendant or defendants who reside in said third division of said district shall be brought in said third division; but if there are two or more defendants residing in different divisions of said district, such suit may be brought in either division of said district in which any defendant or defendants reside, and all mesne and final process, subject to the provisions of this act, issued in either of the divisions of the judicial district of Kansas, may be served and executed in either or all of the divisions.

SEC. 3. That all crimes and offenses against the laws of the United States hereafter committed within the counties comprising the third division of said district, and all crimes and offenses against said laws known and defined as infamous hereafter committed within the limits of the Quapaw Indian Reservation, in the Indian Territory, and of which the courts in Kansas have heretofore had jurisdiction, shall be prosecuted, tried, and determined at the terms at the district court heretofore provided for: *Provided*, That all such crimes and offenses heretofore committed within said district shall be prosecuted, tried, and determined in the same manner and with the same effect as if this act had not been passed.

SEC. 4. That the clerks of the circuit and district courts for said district and the marshal of said district shall each appoint a deputy, who shall reside and maintain an office at the city of Fort Scott, each of whom shall, in the absence of the clerks or marshal, exercise all the powers and perform all the duties of his principal within the division for which he shall be appointed: *Provided*, That the appointment of such deputies shall be approved by the court for which they shall be respectively appointed, and they may be removed by such court at pleasure, and the clerk and marshal shall be responsible for the official acts and neglects of all their deputies.

SEC. 5. That all civil suits and proceedings now pending in the circuit or district court of said district of Kansas which would, if instituted after the passage of this act, be required to be brought in the third division of said district, may be transferred by consent of all the parties to said third division of said district, and there disposed of in the same manner and with like effect as if the same had been there instituted; and all process, writs, and recognizances relating to such suits and proceedings so transferred shall be considered as taken at and returnable to the term of court in the third division of said district in the same manner and with like effect as if they had been issued or taken in reference thereto originally.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. McMILLIN. I am informed that this was passed over yesterday morning in order to give the gentleman from Indiana [Mr. HOLMAN] an opportunity to look into it. I do not see him in his seat, and I hope the gentleman will withhold it until he is present.

Mr. CULBERSON. I will state to the gentleman from Tennessee [Mr. McMILLIN] that this bill does not create any new office. It simply provides for the holding of a term of the circuit and district court at Fort Scott. The same clerk or the same deputy clerk will perform the duties.

Mr. McMILLIN. Have they a public building at Fort Scott?

Mr. CULBERSON. I do not know.

Mr. FUNSTON. Yes, sir.

Mr. McMILLIN. You have a court-house there?

Mr. FUNSTON. Yes, sir.

Mr. McMILLIN. How many districts are there in the State?

Mr. BRODERICK. There are two divisions of the district.

Mr. McMILLIN. How many places are there at which court is held?

Mr. BRODERICK. The Federal court is held at three places now. This will make a third division, but a fourth place at which terms of the Federal court are held.

Mr. McMILLIN. I understand it does not increase the expense?

Mr. CULBERSON. No, sir.

Mr. BRODERICK. I would not call up this bill in the absence of the gentleman from Indiana [Mr. HOLMAN], if it were not for the fact that I have a note from a reputable gentleman, saying that the gentleman from Indiana [Mr. HOLMAN] told him last evening that he would withdraw any opposition to the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. BRODERICK. I move to amend the bill by striking out the word "reservation," in line 6, section 3, and substituting therefor the word "agency."

The SPEAKER. If there be no objection, this verbal amendment will be considered as agreed to?

There was no objection.

The SPEAKER. Is there any other amendment?

Mr. BRODERICK. No other amendment.

The SPEAKER. Is there no amendment reported by the Committee?

Mr. BRODERICK. No; there are no further amendments.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. BRODERICK, a motion to reconsider the last vote was laid on the table.

## EXPLANATION.

Mr. BRAWLEY. Mr. Speaker, I had the honor to submit some remarks on the 23d of March last on the bill for the free coinage of silver. Immediately after the conclusion thereof I was asked by the Official Reporters whether they should print the speech as delivered or whether I would withhold it for revision, as the custom was. The remarks were withheld for revision, and appeared in the RECORD on the 25th of March. The RECORD of the 24th of March, however, made no reference to the fact that those remarks were delivered on the 23d. I called attention to it at the time, my own attention having been directed to the matter, and it was said to be a mere omission through the inadvertence of some person. I did not think it worth while at the time to have it publicly corrected, as it seemed a matter of no significance. But the omission has been made the subject of injurious comment; and, in the interest of accuracy, I desire that the RECORD be corrected and that it shall appear as the fact was.

The SPEAKER. The statement of the gentleman will go into the RECORD, which will answer the gentleman's purpose.

## ASSESSMENT OF PROPERTY IN THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Ohio. Mr. Speaker, I ask unanimous consent for the present consideration of the preamble and resolution which I send to the Clerk's desk.

The Clerk read as follows:

Whereas the board of assessors are about completing an assessment upon property in the District of Columbia, and from an estimate furnished by the District Commissioners to the Committee on Appropriations it appears that this new assessment is to exceed the old by only 25 per cent; and

Whereas said old assessment on the land values alone in the District is \$75,000,000, when it should be more than \$300,000,000, this shows an extraordinary undervaluation, and what is still worse, the greatest injustice between the valuation of the land used for business purposes, which in many cases is assessed at less than 14 per cent of its true value, and land used for residence purposes, especially where the small homes are situated, is assessed at from 70 to 80 per cent of its true value, while in many cases land held for speculation is assessed at less than 10 per cent of its true value. The foregoing facts were brought out by an expert valuation on enough land in the District to furnish an average. A public hearing was held by the Commissioners in which this subject was thoroughly discussed, and after a careful examination they say "the figures embraced in these showings seem to have been carefully and conservatively prepared," and

Whereas the new assessment should not only show the true value of the property in lawful money, as required by law, but should also preserve an equality in assessment of the land in different localities, and not bear more heavily in some sections than in others. Therefore,

*Be it resolved*, That a select committee, consisting of three members, be appointed by the Speaker, which shall have power and authority to investigate and report upon the method of ascertaining land values by the board of assistant assessors in the District of Columbia; to inquire whether there is in the assessment now being prepared discrimination in favor of any section over others, and generally to inquire into all alleged inequalities pertaining to the assessment of land values.

Such committee shall have power to send for persons and papers, to examine witnesses under oath, may employ a stenographer and one clerk, and shall report the result of its investigation to the House, with such recommendation as it may deem proper to make. The expense of such investigation shall be paid out of the contingent fund of the House.

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. HOLMAN. I think that matter ought to go to one of the standing committees of the House for investigation.

Mr. STOUT. I hope the House will take action upon the resolution at this time, as it is a very important matter.

Mr. HOLMAN. Mr. Speaker, I desire to say that we are multiplying committees to a greater extent than usual, and they are attended with expense; but I understand that this is a very important inquiry and I shall not object.

Mr. DINGLEY. I think that resolution had better go to some committee.

The SPEAKER. Objection is made.

Mr. JOHNSON of Ohio. If there be present objection to the consideration of the resolution, I hope it will go to the Committee on Rules.

Mr. DINGLEY. I withdraw my objection.

The SPEAKER. Is there objection to the present consideration of this resolution. [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.



who, before entering upon the duties of their appraisements, shall take and subscribe an oath that they will faithfully and impartially discharge the duties of appraisement, which oath, duly certified, shall be returned with their award to be filed with the Secretary of the Interior within twenty days from the completion thereof, and a majority of said referees shall be competent to act in case of the absence of a member, after due notice; and upon the failure of either party to make such appointment within thirty days after the appointment made by the President, the vacancy shall be filled by the judge of the district court for the eastern district of Wisconsin, upon application of either party. The person appointed by the President shall be chairman of said board, and shall appoint the time and place of all hearings within the nation to which said occupant belongs. Each of said referees shall receive for his services the sum of \$1 per day for each day they are engaged in the trial of the cause submitted to them under this act, with mileage at 5 cents per mile. A majority of the board, where all can not agree, may make the award. Either party being dissatisfied with the finding of the referees shall have the right, within ninety days after the making of the award and notice of the same, to appeal by original petition to the district court for the eastern district of Wisconsin, having jurisdiction over the place where the land lies, which court shall have jurisdiction to hear and determine the subject-matter of the petition according to the laws of the State of Wisconsin for determining damages when property is taken for railroad purposes. If, upon the hearing of said appeal, the judgment of the court shall be for a larger sum than the award of the referees or a sum equal to said award the costs of said appeal shall be adjudged against the railroad company. If the judgment of the court shall be for a sum less than the award made by the referees, then the costs shall be adjudged against the party claiming damages. All proceedings of said district court upon appeal from the award of the referees shall be conducted in the same manner as an original action brought therein, except that the court may direct formal pleadings to be made and served.

SEC. 4. That said railroad company shall pay to the Secretary of the Interior, for the benefit of the particular nation or tribes through whose land said line may be located, the sum of \$50 per mile for each mile of road constructed and maintained in said Indian reservation, in addition to the compensation provided for in this act for property taken or damage done individual occupants by the construction of said road, to be paid as each 5 miles of the railroad is graded. If, however, the general council of the Menominee tribe of Indians through whose land said railroad may be located, shall, within four months after the filing of maps of definite location as set forth in section 5 of this act, dissent from the allowance hereinbefore provided for, and shall certify the same to the Secretary of the Interior, then all compensation to be paid to such dissenting nation or tribe under the provisions of this act shall be determined as provided in section 3 for the determination of the compensation to be paid to the individual occupants of lands, with the right of appeal to the court upon the same terms, conditions, and requirements as therein provided: *Provided*, That the amount awarded or adjudged to be paid by said railroad company for such dissenting nation or tribe shall be in lieu of the compensation the said nation or tribe would be entitled to receive under the foregoing provision.

SEC. 5. That said company shall cause maps, showing the route of its located line through said Territory, to be filed in the office of the Secretary of the Interior, and also to be filed in the office of the chief or chiefs of said Menominee tribe of Indians through whose land said railroad may be located, and after the filing of said maps no claim for subsequent settlement, or improvement upon the right of way shown by said maps shall be valid against said company: *Provided*, That when a map showing any portion of said railroad's located line is filed as herein provided for, said company shall commence grading said located line within one year thereafter or such location shall be void.

SEC. 6. That the officers, servants, and employes of said company necessary to the construction and management of said road shall be allowed to reside while so engaged upon such right of way, but subject to the provisions of the Indian intercourse laws and such rules and regulations as may be established by the Secretary of the Interior in conformity with said intercourse laws.

SEC. 7. That said railway company shall construct and maintain continually all road and highway crossings and necessary bridges over said railroad, wherever such roads and highways do now or may hereafter cross said railway's right of way or may be by the proper authorities laid across the same.

SEC. 8. That said Marinette and Western Railway Company shall accept this right of way upon the express condition, binding upon itself, its successors, and assigns, that they will neither aid, advise, nor assist in any effort looking towards extinguishing or changing the present tenure of the Indians to their lands in said reservation, and will not attempt to secure from the said Indians any further grant of land, or its occupancy, than is hereinbefore provided: *Provided*, That any violation of the conditions mentioned in this section shall operate as a forfeiture of all rights and privileges of said railroad under this act.

SEC. 9. That all mortgages executed by said railroad company conveying any portion of its railroad, with its franchises, that may be constructed in said Indian reservation, shall be recorded in the Department of the Interior, and the record thereof shall be *prima facie* evidence and notice of their execution, and shall convey all rights and property of said company as therein expressed.

SEC. 10. That Congress may at any time amend, add to, alter, or repeal this act, and the right of way herein and hereby granted shall not be assigned or transferred in any form whatever prior to the construction and completion of said road, except as to mortgage or other lien that may be given or secured thereon to aid in the construction thereof.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

Are there any amendments to the bill reported by the committee?

Mr. LYNCH. There are amendments reported from the committee and suggested by the Commissioner of Indian Affairs and the Secretary of the Interior.

The SPEAKER. If there be no objection, the question will be taken on the amendments in gross.

There was no objection.

The amendments are as follows:

Insert after the word "graded," in the eighth line, on page 5, the following: "And also \$15 per mile per annum so long as such reservation shall be used and occupied as a reservation by said tribe of Indians."

Also amend by adding a new section, to be designated as section 11, as follows:

SEC. 11. That said railway shall not charge more for the transportation of freight or passengers through said reservation than for like services outside of the same.

Add after the word "county," in the seventeenth line of section 1, the following: "and Township 30 in range 16, Oconto County."

Add after the word "stations," in the eighth line of section 2, the following: "for purposes not to exceed one station."

Strike out the words "the chief of the nation" after the word "by," in the twelfth line, on page 3, and insert the word "the Menominee Indians in general court."

Add at the end of section 4 the following: "Provided, That all cost of appraisement and of referees shall be paid by the railway company."

Add at the end of section 4 the following:

*Provided*, That the title to all the right of way herein granted shall remain in the Menominee tribe of Indians, and shall be held in trust for the benefit of said Indians under the direction of the Secretary of the Interior; all such title to be removed within a reasonable time after the filing of maps of definite location of the railroad, and the time after the filing of maps of definite location of the railroad, and the approval thereof by the Secretary of the Interior, to the extent that the company shall not be hindered or delayed in the construction of its road.

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. LYNCH, a motion to reconsider the last vote was laid on the table.

THOMAS CHAMBERS.

Mr. STEPHENSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1995), for the relief of Thomas Chambers.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas Chambers, of Marquette, Mich., the sum of \$3,651.56, by full compensation for the additional expenses incurred by him in carrying the Canada mails, as contractor on route numbered 2443, from Sault de Ste. Marie, Mich., to Marquette, Mich., from July 1, 1875, to June 30, 1879, inclusive, he having contracted to carry United States mails only.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. HOLMAN. I think the report ought to be read, Mr. Speaker.

The report was read at length for information.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BUTLER. Reserving the right to object, I desire to inquire if the Post-Office Department has made any recommendation for the passage of this bill?

Mr. STEPHENSON. The bill has passed the Senate twice.

Mr. BUTLER. But my question is as to whether the Post-Office Department has made any recommendation in regard to this bill.

Mr. STEPHENSON. The bill has passed the Senate twice.

Mr. BUTLER. That is not an answer to my question. If the Department has not made a recommendation approving it, I object.

Mr. STEPHENSON. It is approved by the Department.

The SPEAKER. Does the gentleman from Iowa object? The Chair understood the gentleman's objection to be conditional.

Mr. BUTLER. I got no answer to my question, and I object.

Mr. HERBERT. Regular order.

ORDER OF BUSINESS.

A MEMBER. Regular order.

The SPEAKER. The regular order is demanded. The regular order is the call of committees for reports.

Mr. McRAE. Mr. Speaker, is it not proper that bills which have come over with the previous question ordered upon them should be first disposed of?

The SPEAKER. The Chair finds from the Journal that on last evening two bills were ordered to be engrossed and read a third time and the previous question was ordered upon their passage. Those bills will now be submitted to the House.

Mr. HULL. Mr. Speaker, I wish to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HULL. The Committee of the Whole at previous sessions reported several bills to the House which stand, I think, in exactly the same position as those reported last evening. Do not those bills come under the head of unfinished business?

The SPEAKER. As to the other bills to which the gentleman refers, the Chair understands that the previous question was ordered upon their engrossment and third reading, but not upon their passage. There is a distinction made in the rules and in the practice of the House, and where the previous question has been ordered on the passage of the bills they come up before the House in this way.

Mr. HULL. I understood that a bill or bills were on precisely the same footing.

The SPEAKER. The Committee of the Whole reported. It appears from the Journal that the previous question was ordered last evening on the passage of two bills. The Chair will report the first bill.

JAMES A. DAVIS.

The first bill reported from the Committee of the Whole House on the state of the Union with the previous question ordered upon its passage was a bill (H. R. 4488) granting a pension to James A. Davis.

The bill was read in full, and passed.

Mr. MARTIN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

NANCY E. RENFRO.

The second bill was a bill (H. R. 3202) to pension Nancy E. Renfro.

The bill was read in full, and passed.

Mr. McKAE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. The Clerk will call the committees for reports.

SECTIONS 2807 AND 2881, REVISED STATUTES.

Mr. COOMBS, from the Committee on Interstate and Foreign Commerce, reported back with a favorable recommendation the bill (H. R. 7026) to amend section 2807 and section 2881 of the Revised Statutes; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

EDUCATION AND CITIZENSHIP OF INDIANS.

Mr. PEEL, from the Committee on Indian Affairs, reported back with a favorable recommendation a bill (H. R. 6878) to regulate the education and citizenship of Indians; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

Mr. HERBERT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering general appropriation bills.

MEMORIAL IN RELATION TO THE MISSISSIPPI.

Mr. HOLMAN. I ask the gentleman to withhold that motion for a moment in order that I may ask unanimous consent to have printed in document form a memorial in regard to the Mississippi River, which I think will be useful in connection with the river and harbor appropriation bill. It is a memorial by Capt. John Cowdon.

There was no objection, and it was so ordered.

The motion of Mr. HERBERT was then agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. SHIVELY in the chair.

NAVAL APPROPRIATION BILL.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

Mr. HERBERT. Mr. Chairman, I yield now to the gentleman from West Virginia [Mr. PENDLETON].

Mr. PENDLETON. Mr. Chairman, I very much dislike to differ with the veteran economist of the House, because I have always honored the venerable statesman from Indiana [Mr. HOLMAN]. Nevertheless, I think that a time comes when we can go too far in the direction of economy. Under that belief I shall vote against the amendment of the gentleman from Indiana, and also, for another reason, against the amendment of the gentleman from Maine [Mr. BOUTELLE]. I do not believe that it is in harmony with Democratic policy not to try to continue to increase our Navy. I think the legislation upon that subject should be with a view to a steady increase in its strength and efficiency, but at the same time in harmony with the condition of our revenues. If there is one thing in this country that is popular with the American people, if there is one thing for which they will cheerfully vote appropriations, it is our Navy.

The Navy has been popular with our people ever since the war of 1812, and I recollect that in the campaign of 1840 one of the principal charges that the Democratic party made against the Republican administration of our Navy was, that while we had expended nearly \$30,000,000 in its support and maintenance, nevertheless at that time we did not have either in commission, in our harbors, or on the high sea, a single ship of war that was capable of facing one of the great ships of modern navies. I know that we criticised our Republican friends very severely upon that point, and that a general pledge was made that if Cleveland were elected in that campaign along with a Democratic Congress we would endeavor to do something to restore

the strength and efficiency of a navy of which we had ever been proud.

There are a great many good people in this country who flatter themselves with the idea that there will never be another war in which we may be engaged. It is true that we are most happily situated. It is true that we are far, as a general thing, from the quarrels that prevail among the great nations of Europe. But there never is a time when any nation, however happily situated, can claim for itself that it will always enjoy the blessings of peace. It is not necessary that we should have a great army, for the simple reason that we are protected from foreign invasion by our happy situation. To the south of us there is a Republic that has no desire at any time to engage in warfare with our country.

To the north of us lies Canada, which of itself would never willingly go to war with this country. Consequently, we do not need a great standing army, and probably never shall need it. But a navy is the one defense that this country needs. As Themistocles once said, a navy would be the "wooden walls of Athens," so a navy for this country would be our wooden wall. We have upon our Eastern seacoast more than ten thousand million dollars worth of American property in the great cities of Boston, New York, and Philadelphia in the North; Norfolk, Charleston, Mobile, New Orleans, and other cities in the South, and on the West we have San Francisco.

Now, I say it is wise for us to spend money in order to keep those harbors of ours in a state of defense, in order that whenever a war or a difficulty of any kind with a foreign nation may break out or be threatened, we shall not be restrained in our negotiations by the fear that we are unprepared to protect our commerce upon the high seas; that we may not be prevented from endeavoring to assert our rights by the argument that the agricultural products of our Western fields may be blockaded here in this country from the fact that we have no Navy adequate to their defense.

[Here the hammer fell.]

[Mr. HOLMAN withholds his remarks for revision. See Appendix.]

Mr. BOUTELLE was recognized, and yielded twenty minutes to Mr. FELLOWS.

[Mr. FELLOWS withholds his remarks for revision. See Appendix.]

Mr. HOLMAN. I yield fifteen minutes to the gentleman from Georgia [Mr. WATSON].

Mr. WATSON. Mr. Chairman, I respectfully submit to the committee that if we decline to strike out from this appropriation bill the battle ship for which it provides we will lay ourselves open to the charge of having departed from the pledges which we deliberately made to the people at the opening of this session. By adopting the Holman resolution the country was led to understand that this Congress was pledged to retrenchment and reform, and that none of the public moneys would be expended except those that are necessary to carry on the different departments of the Government. I submit to this committee, with the greatest respect, that if we meant anything by that resolution, now is the time for us to demonstrate it.

The gentleman from New York [Mr. FELLOWS] spoke about the interior States. He alluded to the State of Georgia, which is a seacoast State. Coming from that State, I desire to say to him that we see no necessity whatever for increasing our Navy, and in the name of those people, oppressed by taxation, by favoritism in the law, by an industrial condition which does not give to the laborers the proper reward of toil, we are opposed to the committing of this Congress to any \$55,000,000 scheme to build up an American Navy on a competitive basis with European navies.

The gentleman says that war will surely come; that we will need this Navy. Let us stop and ask ourselves what wars have come upon us since we achieved our independence? I submit to this committee and to this country that it is not so much the guns you have, it is not so much the forts you have, it is not so much the ironclads you have, as it is the people that you have, which makes you a dangerous antagonist in war. Sixty millions of people, Anglo-Saxons, who never met an enemy except to crush him; Anglo-Saxons, who have been the vanguard of civilization and of successful war in modern times, have nothing to fear from any other nation on the face of the earth. By his line of argument the gentleman from New York [Mr. FELLOWS] would prove that if China had more cruisers, larger cruisers, more guns, and greater guns than Great Britain, then China would be a more dangerous antagonist than Great Britain! A more untenable position can not be taken.

Mr. Chairman, I submit to the committee that we have nothing to fear from any European nation whatsoever.

the resolution that there is now a good deal of interest being taken by farmers in different portions of the country, and more especially in the prairie region, as to the use of electrical power in farm machinery. I am receiving a large number of letters from persons engaged in like investigations. I have recently been presented with an illustration of the application of electrical power in compressing hay that is now in practical operation in Italy. I have information likewise in regard to the gardeners in and about the city of Paris that they are using electrical influences in the propagation of plant life. We are also undertaking the same thing here, and I have reliable information that already a plow has been driven through the soil of Kansas by electrical power.

My object in introducing the resolution is to obtain what information we can from foreign sources concerning this same matter. I believe it will not be long until largely horse power and steam power will be superseded in farm work. There is some necessity of that kind now apparent among the Western farmers particularly, where there is so much competition with large ranches and large landed estates. I therefore hope that the Senate will grant the request that I have asked in the resolution.

Mr. SHERMAN. I should like to have the resolution read again.

The Chief Clerk read the resolution.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

#### CHINESE IMMIGRATION.

Mr. SHERMAN. I give notice that to-morrow, or as soon thereafter as possible, I shall endeavor to call the attention of the Senate to what is called the Chinese restriction bill, so that the Senate bill and the House bill may be considered. The reasons for early action are apparent to all Senators. The bill must be passed within twenty days in the form of law if it is to be passed at all, as the treaties expire, it is believed, some time in the month of May.

#### ANACOSTIA AND POTOMAC RIVER RAILROAD.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed and the Calendar under Rule VIII is in order. The first bill on the Calendar will be stated.

The bill (S. 1742) to amend the act giving the approval and sanction of Congress to the route and termini of the Anacostia and Potomac River Railroad in the District of Columbia was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on the District of Columbia with amendments.

The first amendment was, in section 1, line 7, after the word "to," to strike out the following words:

Lay tracks and run cars thereon from the intersection of its tracks on Sixth street with B street north; along Sixth street to F street north; along F street to Eleventh street west; along and with the line of Eleventh street to B street north; along B street north to its tracks on said B street near Center Market;

and to insert in lieu thereof:

Make the necessary connection and switches and run cars as follows: From the intersection of its tracks at Ninth street with B street NW., north on Ninth street to G street NW., over the tracks of the Metropolitan Railway Company; thence west on G street NW. to Eleventh street NW., over the tracks of the Eckington and Soldiers' Home Railway Company; thence south on Eleventh street to E street NW. and east on E street to Ninth street, on the tracks of the Capitol, North O Street and South Washington Railway Company; thence south on Ninth street to B street on the tracks of the Metropolitan Railway Company.

The amendment was agreed to.

The next amendment was, in section 2, line 1, after the first word "that," to strike out "should" and insert "where;" in line 2, after the word "authorized," to strike out "coincide" and insert "coincides;" and in line 4, after the word "used," to strike out "when, on account of the width of the street or for other sufficient reason, it shall be deemed necessary by the Commissioners of the District;" so as to read:

That where any part of the track extension herein authorized coincides with portions of any other duly incorporated street railway in the District of Columbia, but one set of tracks shall be used.

The amendment was agreed to.

The next amendment was, in section 2, line 7, after the word "rights," to strike out "may" and insert "shall;" so as to read:

And the relative conditions of use and of chartered rights shall be adjusted upon terms to be mutually agreed upon between the companies, or, in case of disagreement, by the supreme court of the District of Columbia, on petition filed therein by either party and on such notice to the other party as the court may order.

The amendment was agreed to.

Mr. McMILLAN. This bill is for the purpose of extending the tracks of the Anacostia Railroad, the railroad which begins over at Anacostia and crosses the Navy-Yard bridge and extends down as far as the market. The people in Anacostia are very desirous of having this road extended farther down into the business portion of the city, and an arrangement has been made by which this company is allowed to use the tracks of the Metropolitan and the Eckington roads, so as to bring them into the center of the city and come back again to the market and connect the road without building any further tracks. That arrangement has been made, and it has been agreed to by all the companies concerned. It simply brings the people who use the road down farther into the center of the city, and does not require any more tracks to be built.

Mr. VEST. I ask the chairman of the committee what is the motive power to be used?

Mr. McMILLAN. Horse cars. It is an old horse-car road. It is a road that does not do a great amount of business.

Mr. VEST. When was the bill reported?

The VICE-PRESIDENT. On the 7th of March.

Mr. McMILLAN. The bill simply extends the line into the heart of the city, using the tracks of other companies.

Mr. VEST. It provides, then, for branches?

Mr. McMILLAN. No, nothing of the kind, but simply that they may use the tracks of the old company and come back to the market and go on their own tracks. It does not extend their own road at all.

Mr. PADDOCK. The object is to form a loop?

Mr. McMILLAN. It is simply to accommodate the people who use the road, so as to bring them down to the heart of the city.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### AGREEMENT WITH THE KICKAPOO INDIANS.

Mr. DAWES. Mr. President, the first bill on the Calendar has been taken up two or three times and then laid aside. I ask that it may be now taken up and disposed of.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1797) to ratify and confirm an agreement with the Kickapoo Indians in Oklahoma Territory.

The VICE-PRESIDENT. This bill has heretofore been read at length and all the amendments of the committee agreed to. The question is: Shall the bill be reported to the Senate and the amendments made as in Committee of the Whole concurred in?

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

#### DAVID DEALY AND MARY YOUNKIN.

The bill (S. 1501) for the relief of David Dealy and Moses Younkin was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with amendments, in section 1, line 5, after the word "laws," to insert "if he is duly qualified;" in line 8, after the word "allow," to insert "Mary Younkin, widow of;" in line 9, after the word "laws," to insert "if the said Moses Younkin, when living, was duly qualified;" and in line 15, before the word "Younkin," to strike out "Moses" and insert "Mary;" so as to make the section read:

That the Commissioner of the General Land Office be, and is hereby, authorized and directed to allow David Dealy to enter under the homestead laws, if he is duly qualified, the north half of the northwest quarter and lots 3 and 4 of section 16, in township 38 north, of range 2 east, of the Willamette meridian, and to allow Mary Younkin, widow of Moses Younkin, to enter under the homestead laws, if the said Moses Younkin when living was duly qualified, the north half of the northeast quarter and lots 5 and 6 of section 16, in township 38 north, of range 2 east, of Willamette meridian, both of said tracts lying in Whatcom County, in the State of Washington, and to issue patents to the said David Dealy and Mary Younkin for the respective tracts hereby authorized to be entered by them upon their making such proof as is required by existing laws and executive regulations of compliance with the requirements of the homestead laws; *Provided*, That the State of Washington by the proper State officer or officers thereto duly authorized by the laws of said State, or if no such officer or officers be so authorized then by a legislative act, shall signify assent to the entries hereby authorized in such manner as shall bar the said State from asserting in future any right to the described land under the grant of lands to said State for school purposes.

The amendment was agreed to.

The next amendment was, in section 2, line 6, after the word "surveyed," to insert "nonmineral;" so as to make the section read:

Sec. 2. That when the said State of Washington shall have signified her assent to the entries authorized by this act the proper officers of said State shall be entitled to select, on behalf of said State, other land of area equal to that to be covered by said entries, such land to be selected from any surveyed non-mineral and unoccupied public lands of the United States lying within the State of Washington, and to be held by said State as school land, as other lands granted or selected for school purposes are held under existing laws.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read "A bill for the relief of David Dealy and Mary Younkin."

#### AMENDMENTS TO ARTICLES OF WAR.

The bill (S. 2470) to amend the Articles of War, and for other purposes, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 5978) to extend the time for making assessments for real estate, etc.

The message also announced that the House had passed the bill (S. 112) to establish a military post near Little Rock, Ark., with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution providing for the printing of the catalogues delivered in Congress upon the Hon. John R. Gamble, late a Representative from the State of South Dakota.

The message also announced that the House had passed the following bills: in which it requested the concurrence of the Senate:

A bill (H. R. 3202) to pension Nancy E. Renfro;

A bill (H. R. 4488) granting a pension to James A. Davis;

A bill (H. R. 5123) to authorize the Marinette and Western Railroad Company to construct a railroad through the Menominee Reservation, in the State of Wisconsin; and

A bill (H. R. 7519) to authorize the appointment of clerks of the United States circuit and district courts of Mississippi City, in the State of Mississippi.

#### YELLOWSTONE NATIONAL PARK.

The bill (S. 1843) to provide for the punishment of offenses committed in the Yellowstone National Park was announced as next in order.

Mr. VEST. Mr. President, let that bill go over. I wish to examine it.

The VICE-PRESIDENT. The bill will be passed over.

#### PUBLIC LAND SALES IN CALIFORNIA.

The bill (S. 1486) granting to the State of California 5 per cent of the net proceeds of the cash sales of public lands in said State was considered as in Committee of the Whole.

Mr. SHERMAN. Mr. President, I should like to know what is the estimate of the amount involved by the bill?

Mr. PADDOCK. I think it is something more than a half million dollars; indeed it is probably over \$700,000.

Mr. ALLISON. Let the report be read.

The VICE-PRESIDENT. The report will be read.

Mr. PADDOCK. There is no written report accompanying this bill at this session. The bill passed the Senate in the last Congress and was reported favorably by the committee of the House and placed on the Calendar, but not reached for want of time.

The object of the bill is simply to place California on the same footing as all the other States in respect to the payment of 5 per cent of the net proceeds of the sales of public lands. I have here now the report of the House committee which was incorporated in the report of the Senator from Oregon [Mr. DOLPH], the chairman of the Committee on Public Lands of the Senate, presented at the last Congress. If the Senator so desires, that report can be read. The only thing in the present situation is that this provision which has been made for all the other States has not been made for California, and as a matter of decency it should be made at once.

The VICE-PRESIDENT. The report will be read.

The Secretary read the following report, submitted by Mr. DOLPH January 8, 1890:

The Committee on Public Lands, to whom was referred the bill (S. 220) granting the State of California 5 per cent of the net proceeds of the cash sales of the public lands in said State, having duly considered the same, respectfully report:

A bill similar in its provisions was reported favorably by this committee and passed the Senate at the last Congress, and was favorably recommended for passage by the House Committee on Public Lands, but failed to be reached on the Calendar in the House.

House Reports Nos. 170 and 70, Fifty-third Congress, first session, were made on said similar bill and are now submitted herewith as a part of this report.

The committee recommend that the bill do pass.

[House Report No. 159, Fifty-third Congress, first session.]

The Committee on the Public Lands, to whom was referred the bill (S. 418) granting to the State of California 5 per cent of the net proceeds of the cash sales of public lands in said State, report as follows:

The bill is identical with House bill No. 1255. The committee has reported the latter bill and has recommended its passage.

For the reasons stated in the report thereon (Report No. 70), also recommended the passage of the present said Senate bill.

[House Report No. 70, Fifty-third Congress, first session.]

The Committee on the Public Lands, to whom was referred the bill (H. R. 1370) granting to the State of California 5 per cent of the net proceeds of the cash sales of public lands in said State, make the following report:

A similar bill was reported from this committee in the Forty-eighth and Forty-ninth Congresses, and reported in the Senate in the Forty-seventh, Forty-eighth, and Forty-ninth Congresses, and passed the Senate in the latter Congress, but was not reached on the Calendar in the House.

This bill is in accord with settled legislative precedents followed and adhered to by Congress in the case of every other public land State heretofore admitted into the Union. It makes no grant other than or different from that made by Congress to every other public land State in the Union, but simply places California upon an equal footing and the same plane with all other public land States in regard to existing laws relating to the 5 per cent of the net proceeds of the cash sales of the public lands in said States respectively.

California, unlike the other new or public land States, entered the Union without any enabling act; but the third section of the act under which she was admitted into the Union shows that the United States attached all the conditions to her admission so far as these conditions could be performed by California, as were attached to the admission of all the other public land States. But the United States have up to this late date failed, and in the opinion of very many of her people, mainly delayed to give to California, in consideration of those conditions, that equivalent which has been heretofore given to all the other public land States named at the preamble of this bill.

While all the other public land States have already received this 5 per cent grant as an equivalent or as an indemnity for considerations by them surrendered to the United States, California is the only public land State which, having surrendered like considerations to the United States, has not as yet received this 5 per cent grant as a similar equivalent or indemnity for the surrender of similar considerations.

Section 3 of the act of her admission, approved September 9, 1850, is as follows:

SEC. 3. *As the State thereunto admitted.* That the said State of California is admitted into the Union upon the express condition that the people of said State, through their Legislature or otherwise, shall never interfere with the primary disposal of the public lands within its limits, and shall pass no law and do no act whereby the title of the United States to and right to dispose of the same shall be questioned or questioned, and that they shall never lay any tax or assessment of any description whatsoever upon the public domain of the United States; and in no case shall nonresident proprietors who are citizens of the United States be taxed higher than residents; and that all the navigable waters within the said State shall be common highways, and forever free, as well to the inhabitants of said State as to the citizens of the United States, without any tax, impost, or duty therefor.

A condition common to all the public land States upon their admission to the Union, and in consideration of which the United States granted to them 5 per cent of the net proceeds of the cash sales of the public lands within their limits, was that they should never impose any tax upon the public lands of the United States within their respective limits, and that condition together with other conditions and similar to those imposed upon the other public land States, is thus found incorporated in the very act admitting California into the Union; and California, by accepting such conditions is likewise irrevocably bound to observe them all just the same as the other public land States are bound to do.

Therefore the United States have already received from California, and that too in advance, the Federal considerations for this grant as a full equivalent or as the indemnity now proposed to be made to her under the terms of this bill, and which is the consideration the United States received from every one of the other public land States for making similar grants to them, and that too without a single exception as to any public land State except that of California, which in this regard stands solitary and alone.

California, in the adoption of the objects of the Constitution of the United States, that all the States of this Union shall in all respects be as nearly equal as possible, and that all the new public land States shall in all respects be as nearly equal to each other as possible—was therefore admitted into and is now in the Union not on a footing of difference, but on one of perfect equality with each and all of the other public land States so far as this 5 per cent grant or claim is concerned.

Your committee therefore recommends the passage of the bill.

Mr. SHERMAN. Mr. President, if California is the only State to be affected, I am somewhat surprised that some provision has not been made before. The title of California are somewhat peculiar. California came into the Union as an organized community, and most of the titles, I suppose, had been granted under Mexican or Spanish authority.

Mr. PADDOCK. This does not touch the Mexican grants, but the public lands within surveys.

Mr. SHERMAN. I will ask the Senator whether, under this bill as it is now framed, the 5 per cent on lands granted to railroad companies will be included?

Mr. PADDOCK. Not at all. These acts are all alike in respect of these accounts. They are all treated in the same way in administration. The Government has never accounted at all for the 5 per cent of the proceeds of land grants. They are disposed of by the railroad companies themselves. On these grants themselves, as such, there is no allowance.

Mr. SHERMAN. Does the Senator understand that this places California simply upon the same basis as the other States?

Mr. PADDOCK. Exactly on the same basis as all the other States. An exception was made in the case of California from the fact that she had no preceding Territorial government and had no enabling act, but the same requirements that are found in all the enabling acts for the admission of States into the Union are found in the law admitting California when she was admitted, and California has complied with all those acts in all respects just like all the other States.

Mr. COCKRELL. If that be so, permit me to ask why it is that California has not been paid as the other States have been?

Mr. FELTON. For the reason, I will say to the Senator from Missouri, that California has suffered in a great many ways, not that alone. It has been so with her Indian wars; it has been so with other appropriations. It is simply because the matter has not been considered.

Mr. PADDOCK. Mr. President, in the earlier acts, prior to 1857, the money coming from the net proceeds of the sales of these lands under the 5 per cent plan was required to be used by the States for internal improvements, the building of roads and canals, but it was not practicable to make use of money in California on such account.

Mr. COCKRELL. On account of what?

Mr. PADDOCK. On account of making canals, etc., for the shipment of produce, etc. In 1857 the rule changed with the admission of the State of Kansas into the Union, and the proceeds resulting from the 5 per cent to that State went to the school fund. Since then that rule has obtained; but by reason of the peculiar situation in California in respect of the kind of improvements which had been appropriated for before, and because California had had no Territorial government, and no enabling act before it came into the Union in which to provide for it, the matter had not received attention.

But after the passage of the act of 1857 for Kansas it came to be understood that there ought to be the same provision made for California for the benefit of its school fund. The requirements, of course, on the part of the State have all been responded to by the State of California. That State has, through her Legislature, never interfered with the primary disposal of the public lands within her limits; has passed no law and done no act whereby the title of the United States to and the right to dispose of the same has been impaired or questioned. They have laid no tax or assessment of any description whatever upon the public domain of the United States, and in no case have nonresident proprietors who are citizens of the United States been taxed higher than residents. I paraphrase this section of the act under which California was admitted in order to present, by a change to the past tense, the idea that I have suggested. That was the requirement of the act, and all those requirements which are common to all the States, and on account of which they have received the 5 per cent, have been complied with fully and absolutely in the case of California. Therefore, there is no reason under heaven why that State should not receive the same compensation for the surrender of these rights that the other States have received when they have made similar surrenders under their acts for the protection of citizens of the United States in common with all others. There is no reason under the sun why it should not be placed on the same footing with them.

A similar bill passed the Senate during the last Congress. It has been two or three times reported favorably in both Houses, and because the act has not finally been passed is no reason why it should not be done now. An act of long-deferred justice is the very act which should be preferred above all others. If it is right that it should be done, it does not make it any the less our duty to do it now that it has been long delayed. All this ought to be a reason for doing this act of justice at once.

Mr. COCKRELL. Mr. President, there has been no delay and no injustice on the part of Congress towards California—not one particle—in this matter, and I beg to say to the Senator that I think he is very greatly mistaken on that point. The United States has done everything it agreed to do with California when she came into the Union. There was no promise in the act admitting California that she should have 5 per cent of the net proceeds of the sales of public lands. If there had been, they would not need the passage of this bill.

Mr. PADDOCK. If the Senator will allow me, I wish to say to him right here, that there was no enabling act in the case of California, as there had been in the case of other States, in which that provision had always been uniformly placed.

Mr. COCKRELL. But there was an enabling act authorizing California to be admitted into the Union.

Mr. PADDOCK. Yes; there was an act passed admitting it.

Mr. COCKRELL. There was no provision put in there, and consequently the State had no right on earth to any such thing, except a mere equity. If she had it in the act of admission, as the other States had, the Government officers would have paid it. That is what strikes me in the case.

Mr. PADDOCK. I should like to say in answer to that—

Mr. COCKRELL. It is not worth while to consume further time this morning with this bill. I ask that the bill may be laid over until to-morrow, so that we can look into the act of admission and see whether California did not receive some other equivalent for that equal to the 5 per cent at the time she was admitted.

Mr. PADDOCK. I first want to state my theory why it was not put into the act of admission, and that is that there was no preceding territorial form of government. California was admitted straight. In all other cases of public-land States there had been precedent territorial governments. Now, that very fact is in favor of California, because always where there have been preceding territorial governments there have been great expenses to which the Government of the United States has been subjected

for such territorial governments. In this case California saved to the United States Treasury every dollar of such expense and was ready, without such inordinate form of Statehood, to make its application for admission. It was the most economically admitted of any of all the public-land States. That is the difference, and there is no reason why there should be any question about this at all.

If the bill is to be passed over, I hope it may be passed over without prejudice.

Mr. COCKRELL. I ask that it retain its place on the Calendar so that it may be called up to-morrow.

Mr. PADDOCK. My recollection is that the Senator from Missouri was on the Committee on Public Lands when the bill was reported.

Mr. COCKRELL. I want to examine the subject, but I want to repel the idea that it was the neglect of the United States that this thing has not been done. I do not consider that it is that at all. My impression is that the bill is correct, but I want to look at the enabling act to see about it.

Mr. PADDOCK. Another thing. At the time California was admitted it was richer than any of the other States in respect of coin money, and it was not thought to be necessary to have such a provision. They made no such importunate and determined demand as the others at the time of their admission.

Mr. FELTON. Just one word. I desire to say that, whatever may have been the reason, the fact remains that all of the other States, under similar conditions which were prescribed and have been complied with, received the 5 per cent, while California remains without her 5 per cent.

The Senator from Missouri speaks of the simple question of equity. If I understand the meaning of the word "equity," it is even and exact justice that should be meted out to all. California has not received her proportion of the appropriation of the 5 per cent which has been given to other States similarly situated.

Mr. PADDOCK. I wish the Senator from Missouri would examine the state of the law, if he can, to-day, and let us consider this bill during the day.

Mr. COCKRELL. I will read for the information of the Senator the act for the admission of the State of California into the Union.

Whereas the people of California have presented a constitution and asked admission into the Union, which constitution was submitted to Congress by the President of the United States, by message dated February 13, 1850, and which, on due examination, is found to be republican in its form of government:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the State of California shall be one, and is hereby declared to be one, of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever.

SEC. 2. *And be it further enacted,* That until the Representatives in Congress shall be apportioned according to an actual enumeration of the inhabitants of the United States the State of California shall be entitled to two Representatives in Congress.

SEC. 3. *And be it further enacted,* That the said State of California is admitted into the Union upon the express condition that the people of said State, through their Legislature or otherwise, shall never interfere with the primary disposal of the public lands within its limits, and shall pass no law and do no act whereby the title of the United States to and right to dispose of the same shall be impaired or questioned; and that they shall never lay any tax or assessment of any description whatsoever upon the public domain of the United States, and in no case shall nonresident proprietors who are citizens of the United States be taxed higher than residents; and that all the navigable waters within the said State shall be common highways, and forever free, as well to the inhabitants of said State as to the citizens of the United States, without any tax, impost, or duty therefor: *Provided,* That nothing herein contained shall be construed as recognizing or rejecting the propositions tendered by the people of California as articles of compact in the ordinance adopted by the convention which formed the constitution of that State.

Approved September 9, 1850.

Mr. PADDOCK. That is the usual provision in all such cases.

Mr. COCKRELL. This simply admitted the State and did not refer to these compacts. I should think upon principles of equity and fair dealing, having been admitted upon an equal footing with the original States in all respects whatever, that as a public-land State it ought to be placed upon an equality with the other public-land States, and there being no provision here, and I do not know of any legislation which could prevent it, I withdraw my objection to the bill, Mr. President.

The VICE-PRESIDENT. The objection to the consideration of the bill being withdrawn, the question is, Shall the bill be reported to the Senate?

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The VICE-PRESIDENT. The question is on agreeing to the preamble.

Mr. PADDOCK. I am disposed to move to strike out the preamble. If that meets the concurrence of the Senator from Missouri, I think it had better be stricken out.

Mr. COCKRELL. The preamble amounts to nothing. It only encumbers the record.



Mr. PADDOCK. I move to strike out the preamble. The motion was agreed to.

#### ANACOSTIA AND POTOMAC RIVER RAILROAD.

Mr. McMILLAN. I move to reconsider the vote by which the Senate this morning passed the bill (S. 1742) to amend the act giving the approval and sanction of Congress to the route and termini of the Anacostia and Potomac River Railroad in the District of Columbia, with the view of substituting for the Senate bill a House bill on the same subject, which is on the Calendar.

The VICE-PRESIDENT. If there be no objection the vote by which the bill referred to by the Senator from Michigan was passed will be reconsidered, and the bill will be indefinitely postponed. The Chair hears no objection, and it will be so ordered.

Mr. McMILLAN. I now move to take up Order of Business 463, being House bill 2786.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 2786) to amend the act giving the approval and sanction of Congress to the route and termini of the Anacostia and Potomac River Railroad in the District of Columbia.

Mr. COCKRELL. I should like to ask the Senator in charge of that bill if the object is the same and the language is the same as the one we have already passed?

Mr. McMILLAN. The language is almost the same, but there is one section about the exchange of tickets, to which there is no objection. All the roads exchange tickets.

Mr. COCKRELL. It provides for running the cars on the same line?

Mr. McMILLAN. On the same line exactly.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ENTRY OF BUILDING-STONE LANDS.

Mr. PETTIGREW. I wish to call up from the Calendar Order of Business 296, being Senate bill 1273, which was passed over the other day without prejudice.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1273) to authorize the entry of lands chiefly valuable for building stone, under the placer-mining laws.

Mr. PETTIGREW. I wish to offer an amendment to the bill. There is a law relating to four of the States for the entry of stone and timber lands, and it is feared on the part of Senators from those States that perhaps this bill, if it becomes a law as it is, may effect the repeal of that in some way. Under that law only surveyed lands can be entered, while the stone lands that are worth anything in my State are unsurveyed, and they have been taken under the placer-mining laws, and some of them have been patented; but during the last three years the Department has decided that the placer-mining law does not apply to land which is suitable only for building stone. So I offer this amendment in order not to effect the repeal of the law.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. At the end of line 8 it is proposed to add:

*Provided further*, That this act shall not be construed to repeal or in any way modify or affect the act of June 3, 1878, in relation to the sale of timber and stone land in the States of California, Nevada, Oregon, and Washington.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. COCKRELL. I should like to ask one question. Under this bill, if it becomes a law, how much land can any one person take up?

Mr. PETTIGREW. About 20 acres.

Mr. COCKRELL. Only one claim?

Mr. PETTIGREW. A person can take more than one claim, but under existing law no person can take, as I understand, to exceed 320 acres. He can take just as much as he could take under the gold-mining law. For instance, under the mineral law a person has to do \$100 worth of work a year on a tract of about 20 acres and do it for five years, and then pay \$5 an acre, the same as is done with the precious metals.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### EXECUTIVE SESSION.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and thirty minutes spent in executive session the doors were reopened.

#### CIRCUIT COURTS OF APPEAL.

The VICE-PRESIDENT. The Chair lays before the Senate the unfinished business, which is the bill (S. 1615) to facilitate

the disposition of causes in the Court of Claims, the pending question being on the amendment submitted by the Senator from Virginia [Mr. DANIEL].

Mr. HOAR. According to the understanding last week, I desire to call up, as a privileged question, the motion to reconsider the vote by which the Senate passed the bill (S. 2729) to amend an act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes." I desire to move to lay the motion to reconsider on the table, but I do not propose to make that motion if anybody wishes to be heard upon it.

Mr. PALMER. Has the motion to reconsider been entered?

Mr. HOAR. It is merely pending. I will move to lay that motion on the table, but I do not wish to do that if the Senator from Florida [Mr. CALL] desires to address the Senate upon it.

Mr. PALMER. I should like to state to the Senator from Massachusetts that the Senator from Florida, before he left, asked me to call attention to this subject and to invite the attention of the Senate again to one particular clause in the bill.

Mr. HOAR. It is not my purpose to make this motion until the debate on the motion to reconsider is over, if there be any, of course.

Mr. PALMER. I am not sufficiently acquainted with the rules to say what arguments could be addressed to the motion to reconsider. The object of the Senator from Florida who made the motion—

Mr. HOAR. The Senator from Florida who made the motion is now in his seat.

Mr. PALMER. Ah!

Mr. HOAR. If the Senator will pardon me, this is a bill to amend what is known as the judiciary act of 1891, which principally limits the taking of cases by way of exception from the district courts. When that bill passed on Thursday last the Senator from Florida [Mr. CALL] moved to reconsider, which is a privileged motion. I have given notice that I should call that up at 2 o'clock to-day. I propose to call it up, and it is now before the Senate. When such remarks have been made upon it as any Senator desires to make, I shall ask that the vote be taken upon it, by moving to lay it upon the table, which is the usual way of treating motions to reconsider. But I will not make that motion if the Senator from Illinois or any other Senator desires to speak.

Mr. CALL. Mr. President, my object in asking for a reconsideration of the vote by which this bill was passed was to enable the objections made by my colleague [Mr. PASCO] to be properly considered by the Senate. This bill, changing the word "may" into "shall," deprives a large number of persons of the absolute right of appeal, and it gives the appeal according to the sentence actually pronounced. The objection which was made by my colleague is certainly a very correct one, and that is that it gives to the presiding judge the opportunity of denying the right of appeal by fixing the sentence at some amount less than the amount actually provided as the penalty in the law, the amount of the punishment, either fine or imprisonment, the appeal may be taken.

This is done, it is true, in conformity with the recommendation of the Supreme Court of the United States where a man is sentenced to pay a fine or to suffer a certain period of imprisonment and the judge has the right to say, "I will affix the penalty so that this man shall not have the right of appeal;" it is unquestionably giving a power, and an arbitrary power, to the judge which he ought not to have; and considering the character of some of the judges which we have had—I will not say that we have now, but have had—in some portions of this country, it is a discretion which ought not to be reposed in them.

Mr. MORGAN. Will the Senator from Florida read that part of the bill the motion applies to?

Mr. CALL. The bill provides as follows:

That so much of the fifth section of the act of March 3, 1891, entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," as provides that appeals or writs of error may be taken from the district or circuit courts direct to the Supreme Court in cases of conviction of a capital or other infamous crime, is hereby repealed, so far as affects cases other than capital and excepting cases where the defendant may be—

And the change made by the amendment to which my colleague objected was the substitution of word "shall" for "may."

Shall be sentenced to a fine of \$5,000 or upwards, or to imprisonment for more than one year.

It thus changes the right of appeal from a class of cases in which the liability to the punishment is created by law to those cases in which the judge shall actually impose this sentence.

Mr. MORGAN. If the Senator will allow me, I will state that the Senate the other day before the passage of the bill amended it so as to give the right of appeal in any class of cases



Grounds, to whom was referred the bill (S. 2800) for the erection of a public building at the city of Dunkirk, N. Y., reported it without amendment, and submitted a report thereon.

Mr. STOCKBRIDGE, from the Committee on Indian Affairs, to whom was referred the bill (S. 688) to amend sections 1 and 2 of an act entitled "An act to authorize the sale of timber on certain lands reserved for the use of the Menomonee tribe of Indians, in the State of Wisconsin," and for other purposes, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1090) to amend section 1 and section 2 of an act entitled "An act to authorize the sale of timber on certain lands reserved for the use of the Menomonee tribe of Indians, in the State of Wisconsin," reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, submitted a report accompanied by the bill (S. 2929) to regulate the cutting and sale of timber reserved to the use of the Menomonee tribe of Indians in Wisconsin; which was read twice by its title.

Mr. ALLEN, from the Committee on Claims, to whom was referred the bill (S. 1370) for the relief of the legal representatives of Mrs. Adeline Shirley, reported it with an amendment, and submitted a report thereon.

Mr. ALLEN, from the Committee on Claims, I report adversely the bill (S. 723) for the relief of the legal representatives of Mrs. Adeline Shirley. The reason for reporting this bill adversely is that its provisions are embraced in the other bill just reported.

The VICE-PRESIDENT. The bill will be postponed indefinitely.

Mr. HAWLEY, from the Committee on Military Affairs, reported two amendments intended to be proposed to the army appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

#### CLIMATIC FEATURES OF THE DAKOTAS.

Mr. MANDERSON, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. PETTIGREW February 25, 1892, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring therein). That 5,000 copies, comprising the necessary text, tables, and charts, be printed of the paper entitled "Certain Climatic Features of the Two Dakotas," being a presentation of special information collected by the Weather Bureau for a long series of years as to temperature, rainfall, winds, barometric pressures, evaporation, and atmospheric disturbances, which are believed to have marked influence upon agricultural interests in the said States.*

*SEC. 2. That 1,000 copies be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 2,000 copies to be distributed by the Weather Bureau.*

#### REMOVAL OF GARBAGE IN THE DISTRICT.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the resolution submitted by Mr. BLACKBURN on the 8th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Whereas there was appropriated by the last Congress the sum of \$24,000 for the removal of garbage in the District of Columbia for the year ending June 30, 1892; and

Whereas it is stated by the Commissioners for the District of Columbia in their last annual report now before Congress that said appropriation is already "practically exhausted," and an additional appropriation is asked for: Therefore,

*Be it resolved by the Senate of the United States in Congress assembled, That the Committee of the Senate on the District of Columbia is hereby instructed to investigate the manner and methods by which said appropriation has been expended, and to report to the Senate at an early day the result of their investigations.*

Also, that said committee is directed to report what changes have been made in the old-fashioned management of the health department of the District of Columbia, and for what reasons; and if any unusual or unfair means have been used to accomplish such changes.

Also, if the present contractor for the transportation of garbage and the collection and transportation of dead animals in the District of Columbia is carrying out his contract according to the specifications thereof.

Also, if said contractor is an employee of the War Department, drawing a salary from the United States; and if so, why is he allowed to occupy such a double position.

Also, if said contractor has been awarded a five years' contract for the collection of garbage and dead animals in the District of Columbia; and if so, the amount of said contract; and if said contractor has been allowed to sublet said contract; and if so, to whom, and what consideration he received for the same.

#### BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 2930) for the relief of George Webb; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PADDOCK introduced a bill (S. 2931) to provide for the survey and transfer of that part of Fort Randall military reservation in the State of Nebraska to said State for school purpose; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. FAULKNER introduced a bill (S. 2932) for the relief of William A. Griffin of Berkeley County, W. Va.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. STOCKBRIDGE introduced a bill (S. 2933) to limit the number of civil engineers of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. DIXON (by request) introduced a bill (S. 2934) for the purpose of limiting the conditions in patents granted to citizens of other countries, to those demanded of American citizens by these countries respectively, and for other purposes; which was read twice by its title, and referred to the Committee on Patents.

Mr. CULLOM (by request) introduced a bill (S. 2935) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; which was read twice by its title, and referred to the Select Committee on Indian Depredations.

Mr. PLATT introduced a bill (S. 2936) for the relief of the United States Regulation Firearms Company; which was read twice by its title, and referred to the Committee on Patents.

Mr. MANDERSON introduced a bill (S. 2937) for the erection of a monument in the city of Washington to the memory of the late Commodore John Paul Jones; which was read twice by its title.

Mr. MANDERSON. I ask that the bill be referred to the Committee on the Library, and I desire to call the attention of that committee to some very valuable documents which accompany the bill. They were prepared by a gentleman who has given very great research to the history of this eminent naval officer, and I hope that they will receive consideration at the hands of the committee.

The VICE-PRESIDENT. The bill, with the accompanying papers, will be referred to the Committee on the Library.

Mr. CHANDLER introduced a bill (S. 2938) for the purchase of a marble bust of Ulysses S. Grant; which was read twice by its title, and referred to the Committee on the Library.

Mr. VEST introduced a bill (S. 2939) for the relief of Austin Aukrom; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. HARRIS introduced a bill (S. 2940) for the relief of James A. Richardson, administrator of Ezekiel T. Keel, deceased, of Shelby County, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

Mr. PERKINS introduced a bill (S. 2941) for the relief of John Schuh; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 2942) granting a pension to Lawrence Heffron, late private in United States Marine Corps; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2943) granting an increase of pension to Thomas H. Gohagan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 2944) making the surveyor of the District of Columbia a salaried officer and to provide for more efficient service in the surveyor's office; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2945) granting an honorable discharge to Almond Munson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2946) to amend an act entitled "An act to incorporate The Masonic Mutual Relief Association of the District of Columbia," approved March 3, 1869; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FELTON (by request) introduced a bill (S. 2947) to provide a national currency circulating medium and to provide for the circulation thereof; which was read twice by its title.

Mr. PADDOCK introduced a bill (S. 2948) to pension William H. Pierre; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CALL introduced a bill (S. 2949) granting a pension to Josephine Glover; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DAWES introduced a bill (S. 2950) for the relief of the legal representatives of Samuel Woods; which was read twice by its title, and referred to the Committee on Claims.

Mr. FELTON (by request) introduced a joint resolution (S. R. 74) proposing an amendment to the Constitution in reference to a national money system; which was read twice by its title.

Mr. FELTON. I have been requested to say in connection with the measures introduced by me that it is the desire to bring the subject before the Finance Committee for their consideration. I am told that the sentiment is backed by a large number

of respectable and leading citizens. I move that the bill and joint resolution be referred to the Committee on Finance.

The motion was agreed to.

#### AMENDMENTS TO BILLS.

Mr. ALLEN and Mr. PELTON submitted amendments intended to be proposed by them, respectively, to the river and harbor bill; which were referred to the Committee on Commerce, and ordered to be printed.

Mr. PETTIGREW submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. GRAY submitted five amendments intended to be proposed by him to the river and harbor appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

#### PUBLICATION OF COPYRIGHTED BOOKS IN THE RECORD.

Mr. SANDERS. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

*Resolved*, That the Committee on the Judiciary be instructed to inquire whether the publication in the CONGRESSIONAL RECORD, without the consent of the proprietor, of a copyrighted book is an infringement of the right granted to such proprietor of the sole liberty of printing, reprinting, publishing, completing, copying, executing, and selling, or vending the same, and whether the publication therein subjects any person who shall sell or expose to sale the CONGRESSIONAL RECORD containing such reprint to the penalties prescribed in section 4954 of the Revised Statutes of the United States; and whether any person is liable to the owner of such copyrighted book for damages for such publication; and if so, what person, and what action, if any, is desirable to be taken in view of the publication of copyrighted books in the CONGRESSIONAL RECORD, and that said committee have leave to report by bill or otherwise.

Mr. PLATT. I wish that the resolution may be printed and lie over. I should like to look at it.

The VICE-PRESIDENT. The resolution will be printed and lie over.

#### HEARINGS ON CHEROKEE AGREEMENT.

Mr. PLATT submitted the following resolution: which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Indian Affairs, or any subcommittee thereof, have power to employ a stenographer to report hearings in connection with Senate bill 2870, to ratify and confirm an agreement with the Cherokee Nation of Indians of the Indian Territory, to make appropriation for carrying out the same, and for other purposes; and upon the relations existing between the United States and the five civilized tribes of Indians. Said committee, or subcommittee, shall have power to send for persons and papers; and the expenses incurred by such hearings shall be paid out of the contingent fund of the Senate, upon vouchers properly approved by the chairman of said committee.

#### IRRIGATION PUBLICATIONS OF GEOLOGICAL SURVEY.

Mr. POWER. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

*Resolved*, That the Secretary of the Interior be, and is hereby, requested to furnish the Senate with information in relation to the following matters and at as early a date as practicable:

1. What documents, reports, monographs, papers, maps, and illustrations have been printed during the fiscal years of 1890-91 and 1891-92 for the United States Geological Survey in relation to irrigation, the storage of water, the measuring of streams, the construction and character of works in this and other countries, the survey of arid lands for reclamation purposes; also if any have been printed in previous years, not already published and distributed; and, if so, what relation such reports, etc., bear to the annual and special publications of the Geological Survey, as authorized by law, and at what date (if any such documents are now printed or printing) will they be ready for distribution?

2. What reports relating to arid-land reclamation and irrigation are in preparation in the offices of the United States Geological Survey and the United States Census; whether the same are now in course of printing; by whom are such reports being prepared, and under what authority of law, from what appropriations are the costs of said reports, papers, etc., being borne, and from what rolls are the persons employed thereat being paid, with a full statement or estimate of the cost of each of such publications or documents, both for preparation and printing, with the number to be printed and specific authority under which the work is being or has been done.

3. That the information asked shall include a statement as to whether any portion, and if so, what portions, of said reports, etc., have been previously published and circulated, either public or private papers and reports; also as to the authority of law under which such data have been gathered, the names and duties of those employed to obtain and prepare the same, the rolls on which they are now or were borne and paid, the amount of the payments to them while so employed, and the offices or divisions to which they were assigned.

Mr. PLATT. Mr. President—

Mr. HALE. Let that lie over.

Mr. PLATT. I wish to suggest that if the resolution is to be passed on, the word "directed" ought to be inserted in place of the word "requested." I think we ought always to direct a Department in such resolutions.

Mr. HALE. I should like to have the resolution printed and lie over.

The PRESIDING OFFICER (Mr. FRYE in the chair). Objection being made, the resolution will lie over, under the rule.

Mr. PLATT. Let the change be made from "requested" to "directed."

The PRESIDING OFFICER. The resolution has gone over.

Mr. PLATT. I rose to make my suggestion before the objection was made.

The PRESIDING OFFICER. The Senator from Connecticut moves that the word "requested" be changed to the word "directed." Is there any objection? The Chair hears none, and that amendment will be made. The resolution will go over, under the rule.

#### GEORGETOWN AND TENNALLYTOWN RAILROAD.

Mr. HALE submitted the following resolution: which was considered by unanimous consent, and agreed to:

*Resolved*, That the Commissioners of the District of Columbia are hereby directed to forthwith investigate the operations of the Georgetown and Tennallytown Railroad Company, as to whether said company has complied with the laws and regulations governing it, especially in regard to roads, streets, and highways which are crossed by its track; whether the rails are placed upon proper grade; whether gates are sufficiently maintained, and whether the roadbed of said track and of the street in which it runs has been by said company made unsuitable for travel, and whether any arrangement has been made with any other company for the use of any part of its track or poles, and to report forthwith to the Senate.

#### PRESIDENTIAL APPROVAL.

A message from the President of the United States by Mr. O. L. FRIDEN, one of his secretaries, announced that the President had yesterday approved and signed the act (S. 2388) to amend an act entitled "An act to authorize the Oregon and Washington Bridge Company to construct and maintain a bridge across the Columbia River, between the State of Oregon and the State of Washington, and to establish it as a post road."

#### FUNDING ACT OF ARIZONA.

The PRESIDING OFFICER. If there are no further resolutions, concurrent or other, the Calendar is in order.

Mr. PLATT. I desire to make a statement with reference to a bill on the Calendar, and then to ask unanimous consent that it may be taken up and disposed of at the present time.

The PRESIDING OFFICER. Without objection the Senator will be recognized to make a statement.

Mr. PLATT. The bill relates to a slight amendment in the funding act of Arizona. It is to make the interest on some bonds payable semiannually instead of annually. That is the only amendment to the law. It is necessary in order to enable the Territory of Arizona to sell its bonds under the act. An agreement has already been made for the sale of \$1,500,000 of bonds if the bill can pass Congress, and the transaction is simply waiting for the passage of the bill. The other House has passed the bill, and I ask that it may be disposed of this morning.

The PRESIDING OFFICER. The Senator from Connecticut asks unanimous consent for the present consideration of the bill H. R. 5499 to amend an act entitled "An act approving, with amendments, the funding act of Arizona," approved June 25, 1890. The bill will be read for the information of the Senate.

The Chief Clerk read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. PLATT. There is an amendment proposed by the committee.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. The Committee on Territories report to add to section 2:

An "no further Territorial legislation shall be necessary in order to make said Territory liable for the principal and interest of said bonds; and no further advertisement for the sale of \$1,500,000 of said bonds; and no less than par shall be necessary."

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. STEWART. Mr. President, I wish to call attention to the fact that this bill provides for the payment of interest in gold.

Mr. PLATT. Or in its equivalent in lawful money.

Mr. STEWART. Or in its equivalent in lawful money. It is the first measure passed by Congress, at least since the resumption act, which has made any distinction in the different kinds of United States money. I do not know but that the original act contained the same provision.

Mr. PLATT. The act passed by the Legislature of Arizona in 1887 contained the same provision. The same language is followed in this bill.

Mr. STEWART. This will probably be used by our gold friends to show that the people of Arizona are opposed to the free coinage of silver and that they have joined the gold combination. The bill in this form will undoubtedly be used as an argument for that purpose. I do not think it will be a very sound argument, because it is the gold men themselves who refuse to loan money to Arizona unless they can make these terms.

It is rather a forced loan, such as the gold men are in the habit of making. They take advantage of everything of this kind to patch up their cause, being unable to show that there is gold enough for use as money, or that the legislation of 1873 was wise legislation, or that prices are not changing all over the world in consequence of an inadequate basis for circulation. The fact that we have only about half the amount of metallic coin in the commercial world that we had eighteen years ago is not denied, and its baneful effects are felt everywhere and can not be denied by argument. The advocates of a gold standard resort to little catch things like this where a Territory is forced to accept their terms to prove that they have adherents and advocates.

A few days ago some industrious individual in the employ of the gold men ascertained that I had made some mortgages payable in gold in California, where the gold law prevails and where any man who does business must sign a note payable in gold. If he gets a discount at a bank, or if he does business in that country, he must do as they do. As I explained the other day, I gave no direction in regard to the matter: it was done by an agent, who took the mortgages on the usual blanks prepared by the gold men. That has been commented upon, and I think the editor of every leading paper in the United States has taken the trouble to write an editorial on it, as if that had anything to do with the grasp of contraction, as if that had anything to do with the oppression of mankind occasioned by the destruction of one-half of the basis of circulation!

I simply call attention to this matter. We shall hear from it again. I shall not take any further action than to call attention to it, because the Territory of Arizona is in a deplorable condition, with an enormous debt, and the people of that Territory think this measure will be some relief. They think this funding bill will put their finances in a better condition. Whether that be true or not, time will tell. At all events, I am disposed to allow them to manage their own affairs, and am willing that the gold trust shall have all the benefit of the provision in this bill; but they will call attention to the fact that Congress is recognizing a difference between the different classes of money which are in use.

Mr. PLATT. Mr. President, I am very glad that the Senator from Nevada does not feel it necessary to oppose this bill. I desire to make a simple statement about it.

The original act, which we are now asked to amend, was passed in 1887 by the Legislative Assembly of the Territory of Arizona. The only change that we make in it is to make the interest payable semiannually instead of annually. The law, so far as relates to the payment of interest in gold or its equivalent, is precisely the language employed in the original act by the Legislature in 1887. The sale of these bonds upon the contract which has already been made will save the Territory of Arizona about \$7,000 per month interest, and the people of that Territory are very anxious that the bill shall pass without further delay.

Mr. COCKRELL. Mr. President, the bill which was passed by the House of Representatives contains a provision that the interest "shall be paid in gold coin of the United States," without saying anything about "or its equivalent." The act of the Territorial Legislature of the Territory of Arizona contains the words that "the interest shall be payable in gold coin or its equivalent in lawful money of the United States."

Mr. PLATT. I think the Senator is mistaken about that.

Mr. COCKRELL. I am only going by the Senator's own report as he has it printed here.

Mr. PLATT. There is a mistake in the print. If the Senator will listen to the reading of the bill I think he will see that the language is all right.

Mr. COCKRELL. I not only listened to the reading of it, but I have it, and I am able to read, and I see the bill has not the words "or its equivalent in lawful money."

Mr. PLATT. I think the Senator is mistaken.

Mr. COCKRELL. We shall see who is mistaken.

Mr. PLATT. On looking at the bill I see the Senator is right.

Mr. COCKRELL. I rather thought the Senator from Connecticut was mistaken.

Mr. PLATT. I agree that I was.

Mr. COCKRELL. It is all right, then.

This bill provides further, in accordance with the language of the Territorial statute, that the principal of these bonds shall be payable in lawful money of the United States. The principal being payable in lawful money of the United States is the only reason why I shall make no objection to the passage of the bill, though I believe the principle is wrong in not making the interest payable in lawful money, but the principal is payable in lawful money.

Mr. KYLE. I wish to offer an amendment, to strike out, in line 11, of section 1, the words "gold coin" and insert "lawful money."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In section 1, line 11, after the words "paid in," it is proposed to strike out "gold coin" and insert "lawful money;" so as to read:

Said bonds shall bear interest at a rate not to exceed 5 per cent. per annum, which interest shall be paid in lawful money of the United States, etc.

The VICE-PRESIDENT. The amendment will be considered as agreed to, if there be no objection.

Mr. PLATT. No, Mr. President, it will not be considered as agreed to without objection, for I object to it.

The VICE-PRESIDENT. Then the Chair will put the question on the amendment.

Mr. KYLE. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. PLATT. Mr. President, I desire to make this statement about the bill. The Territorial Delegate desires that the bill shall be passed in its present form; all the officers of the Territory desire that the bill shall be passed in its present form. The contract has been made for the sale of these bonds upon the theory that the bill would be passed by the Senate as it came from the other House, and I hope that no change will be made in it. It is a matter which it seems to me the people of the Territory have a right to regulate in their own way.

Mr. PEPPER. Mr. President, I shall trouble the Senate but for a moment. The request of the Senator from Connecticut [Mr. PLATT] is based upon the action of the Delegate from the Territory of Arizona, as I understand it.

Mr. PLATT. Certainly it is.

Mr. PEPPER. I am opposed to changing the tenor and the spirit of the laws of the United States at anybody's request except at the request of the people themselves. We are now just entering upon what I believe will be the most stupendous struggle in our history upon this very question as to whether or not we are going to pay or propose to pay our debts in gold instead of in lawful money of the United States, and I hope that this amendment will carry. If it be necessary to repeal the law and enact a new one very good, but it does not matter about that so far as I am concerned and the people whom I represent.

The VICE-PRESIDENT. The question is on the amendment of the Senator from South Dakota [Mr. KYLE], upon which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY].

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIN].

Mr. DAWES (when his name was called). I am paired with the senior Senator from Alabama [Mr. MORGAN].

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY].

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL]. I should vote "yea" if the Senator from Vermont were present.

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE], and therefore withhold my vote.

Mr. PALMER (when his name was called). I am paired with the Senator from North Dakota [Mr. HANSBROUGH].

Mr. POWER (when his name was called). I am paired with the Senator from Louisiana [Mr. WHITE].

Mr. WARREN (when his name was called). I am paired with the Senator from Georgia [Mr. GORDON]. Not knowing how he would vote on this question if present, I withhold my vote.

The roll call was concluded.

Mr. BUTLER. I am paired generally with the Senator from Pennsylvania [Mr. CAMERON]. I do not know how he would vote on this proposition, and I therefore withhold my vote. If he were present I should vote "yea."

Mr. HARRIS. I suggest to the Senator from Michigan [Mr. MCNULT], he being paired with the Senator from North Carolina [Mr. VANCE] and I with the Senator from Vermont [Mr. MORRILL], that we transfer our pairs and record our votes.

Mr. McMILLAN. That is satisfactory to me, and I vote "nay."

Mr. HARRIS. I vote "yea."

Mr. CALL (after having voted in the affirmative). I am paired with the Senator from Vermont [Mr. PROCTOR], and therefore withdraw my vote.

Mr. CARLISLE. Is the senior Senator from Ohio [Mr. SHERMAN] recorded as voting?

The VICE-PRESIDENT. He is not recorded.

Mr. CARLISLE. I am paired with that Senator, and withhold my vote.

Mr. GEORGE. Has the Senator from Oregon [Mr. DOLPH] voted?

The VICE-PRESIDENT. He has not.

Mr. GEORGE. I am paired with him, and withhold my vote. If he were present I should vote "yea."

Mr. FELTON. I am paired with the Senator from Ohio [Mr. BRICE]. If he were present I should vote "nay."

Mr. HISCOCK (after having voted in the affirmative). I am paired with the Senator from Arkansas [Mr. JONES]. I did not hear him vote, and therefore I withdraw my vote.

Mr. RANSOM. I am paired with the Senator from Maine [Mr. HALE]. who is temporarily and necessarily absent from the Senate. I should vote "yea" if he were present.

Mr. HISCOCK. I suggest to the Senator that he and I transfer our pairs. I am paired with the Senator from Arkansas [Mr. JONES] and the Senator from North Carolina is paired with the Senator from Maine [Mr. HALE]. By a transfer of the pairs we shall both be at liberty to vote.

Mr. RANSOM. That is satisfactory to me.

Mr. HISCOCK. Then my vote may stand.

Mr. RANSOM. I vote "yea."

Mr. BERRY. Under the arrangement just made, my colleague [Mr. JONES of Arkansas] will be paired with the Senator from Maine [Mr. HALE]. If my colleague were present he would vote "yea."

Mr. PLATT (after having voted in the negative.) I voted inadvertently. I am paired with the Senator from Virginia [Mr. BARBOUR]. If my vote standing would make a quorum I should let it remain, but as I understand it will not, I desire to withdraw it for the present.

The result was announced—yeas 21, nays 15; as follows:

YEAS—21.			
Bate,	Dubois,	Kyle,	Vest,
Berry,	Gibson, Md.	Peller,	Walthall,
Cockrell,	Hansbrough,	Pugh,	Wolcott,
Coke,	Harris,	Ransom,	
Colquitt,	Jones, Nev.	Stewart,	
Daniel,	Kenna,	Teller,	
NAYS—15.			
Allison,	Frye,	McMillan,	Stockbridge,
Carey,	Padlock,	Paddock,	Washburn,
Chandler,	Hiscock,	Pettigrew,	Wilson,
Dixon,	Hour,	Sawyer,	

NOT VOTING—52.			
Aldrich,	Dawes,	Irby,	Proctor,
Allen,	Dolph,	Jones, Ark.	Quay,
Barbour,	Faulkner,	McPherson,	Sanders,
Blackburn,	Felton,	Manderson,	Sherman,
Blodgett,	Gallinger,	Mills,	Shoup,
Brice,	George,	Mitchell,	Squire,
Butler,	Gibson, La.	Morgan,	Stanford,
Call,	Gordon,	Norrell,	Turpie,
Cameron,	Gorman,	Palmer,	Vance,
Carlsde,	Gray,	Pasco,	Vilas,
Cassidy,	Hale,	Perkins,	Voorhees,
Callom,	Higgins,	Platt,	Warren,
Davis,	Hill,	Power,	White,

The VICE-PRESIDENT. A quorum has not voted.

Mr. PLATT and Mr. COCKRELL. Let the roll of the Senate be called.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators responded to their names:

Allen,	Daniel,	Jones, Nev.	Ransom,
Allison,	Dixon,	Kenna,	Sawyer,
Bate,	Dubois,	Kyle,	Shoup,
Berry,	Faulkner,	McMillan,	Stewart,
Blackburn,	Felton,	Manderson,	Stockbridge,
Blodgett,	Frye,	Mitchell,	Teller,
Butler,	Gibson, Md.	Padlock,	Vest,
Call,	Gray,	Palmer,	Walthall,
Carey,	Hale,	Perkins,	Warren,
Carlsde,	Hansbrough,	Pettigrew,	Washburn,
Chandler,	Harris,	Platt,	Wilson,
Cockrell,	Hawley,	Power,	Wolcott,
Coke,	Hill,	Proctor,	
Colquitt,	Hiscock,	Pugh,	
Callom,	Hour,		

The VICE-PRESIDENT. Fifty-seven Senators have responded to their names. A quorum is present. The yeas and nays will be again taken on the amendment of the Senator from South Dakota [Mr. KYLE].

The Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON]. If he were present I should vote "yea."

Mr. HARRIS (when his name was called). Being paired with the Senator from Vermont [Mr. MORRILL], the Senator from Michigan [Mr. McMILLAN] and myself have consented to transfer our pairs, and I vote "yea."

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. McPHERSON]. If he were present I should vote "nay."

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. BARBOUR], and shall not vote unless it becomes necessary to make a quorum.

Mr. POWER (when his name was called). I am paired with the Senator from Louisiana [Mr. WHITE]. If he were present I should vote "yea."

Mr. WARREN (when his name was called). I am paired with the Senator from Georgia [Mr. GORDON].

The roll call was concluded.

Mr. FAULKNER. I am paired with the junior Senator from Pennsylvania [Mr. QUAY]. If he were present I should vote "yea."

Mr. PLATT. I suggest to the Senator from West Virginia that he and I transfer our pairs, so that the Senator from Virginia [Mr. BARBOUR] and the Senator from Pennsylvania [Mr. QUAY] will stand paired, and we shall be at liberty to vote.

Mr. FAULKNER. That is satisfactory to me.

Mr. GEORGE. Has the Senator from Oregon [Mr. DOLPH] voted?

The VICE-PRESIDENT. He is not recorded.

Mr. GEORGE. I am paired with that Senator, and withhold my vote. If he were present I should vote "yea."

Mr. HIGGINS. The Senator from South Carolina [Mr. BUTLER] and I have agreed to transfer our pairs. He is paired with the Senator from Pennsylvania [Mr. CAMERON], and I with the Senator from New Jersey [Mr. McPHERSON]. We will transfer those pairs, so that we can both vote. I vote "nay."

Mr. BUTLER. Under that arrangement I vote "yea."

Mr. HISCOCK (after having voted in the negative). Has the Senator from Arkansas [Mr. JONES] voted?

The VICE-PRESIDENT. He has not.

Mr. HISCOCK. I am paired with that Senator, but I understand that the Senator from Rhode Island [Mr. ALDRICH], who is absent, is not paired. Therefore, I transfer my pair with the Senator from Arkansas to the Senator from Rhode Island [Mr. ALDRICH], and I will let my vote stand.

The result was announced—yeas 28, nays 24; as follows:

YEAS—28.			
Allen,	Cockrell,	Hansbrough,	Pugh,
Bate,	Coke,	Harris,	Ransom,
Berry,	Colquitt,	Hill,	Stewart,
Blackburn,	Daniel,	Jones, Nev.	Teller,
Blodgett,	Dubois,	Kyle,	Vest,
Butler,	Faulkner,	Mitchell,	Walthall,
Call,	Gibson, Md.	Perkins,	Wolcott,
NAYS—24.			
Allison,	Gray,	McMillan,	Platt,
Carey,	Hale,	Manderson,	Proctor,
Chandler,	Hawley,	Padlock,	Sawyer,
Callom,	Higgins,	Palmer,	Stockbridge,
Dixon,	Hiscock,	Perkins,	Washburn,
Frye,	Hour,	Pettigrew,	Wilson,

NOT VOTING—36.			
Aldrich,	Felton,	McPherson,	Shoup,
Barbour,	Gallinger,	Mills,	Squire,
Brice,	George,	Morgan,	Stanford,
Cameron,	Gibson, La.	Merrill,	Turpie,
Carlsde,	Gordon,	Pasco,	Vance,
Cassidy,	Gorman,	Power,	Vilas,
Davis,	Irby,	Quay,	Voorhees,
Dawes,	Jones, Ark.	Sanders,	Warren,
Dolph,	Kenna,	Sherman,	White,

So the amendment was agreed to.

The bill was reported to the Senate as amended.

Mr. CAREY. Mr. President, I wish to make a statement with reference to this bill, which was considered by the Committee on Territories.

Mr. SMITH, the Delegate from Arizona, who is in favor of the free coinage of silver, appealed to the Committee to amend this bill. A law was passed in the last Congress providing for the funding of the indebtedness of Arizona. That law provided that interest should be paid in gold or its equivalent in lawful money.

Mr. KYLE. May I ask the Senator a question there?

The VICE-PRESIDENT. Does the Senator from Wyoming yield?

Mr. CAREY. Yes, sir.

Mr. KYLE. Does the law provide that the interest shall be paid in gold or in lawful money?

Mr. CAREY. In gold or its equivalent in lawful money, and that is the law on the statute book to-day.

Mr. SMITH came before the committee and said that unless this bill was amended and the interest made payable semiannually instead of annually, as in the law, they could not sell their bonds. He further stated, and it has been confirmed by the speech of the Senator from Nevada [Mr. STEWART]—that the universal custom in the Territory of Arizona, in Nevada, and in California, is to pay indebtedness, principal and interest, in gold.

I am opposed to the free coinage of silver. I am convinced that it is not right that this Government should to-day coin all the silver that may be presented at the mints. I do not believe in making contracts payable in gold, yet I believe it is the right of a Territory, or of a State, or of the Government of the United

States to make a contract in gold if it wishes to do so. On Mr. SMITH's personal appeal the Committee on Territories agreed to so report this bill.

What was the nature of his appeal? He stated that the people of Arizona were burdened with an indebtedness, they were paying \$150,000 per annum in interest, and they had to strain every nerve to raise the necessary amount to pay the interest. He says the minute that the law is amended as proposed by this bill the Territory of Arizona has a contract by which it can dispose of its bonds and save \$75,000 per annum.

These are the reasons why I voted as I did to maintain the provision of the bill, that the people of Arizona if they wished to do so, may make a contract to pay their interest in gold and not in lawful money, and they can not sell their bonds unless they do so.

Mr. TELLER. Mr. President, the provision to pay in lawful money is a provision to pay in gold or silver at the option of the debtor. At this time, fortunately, the term "lawful money" includes both gold and silver. In practice these people can pay in gold if they prefer. The United States has no obligation payable in gold save the gold certificates, in which case the Government acts simply as a trustee.

Why should we now discriminate in favor of one kind of money? Is there any condition of affairs in this country which justifies anybody in saying that gold is more valuable for payment than silver? Is it any advantage to the people of Arizona Territory to pay in gold? Is it any burden for them to pay in silver or paper, which is included in the term "lawful money?"

If the Territory of Arizona can not sell its bonds, it is because the people who have the money distrust that Territory. The State of Colorado is able to sell its securities payable in lawful money. It has recently sold at more than par \$300,000 of its bonds, payable in lawful money.

Mr. HISCOCK. At what rate of interest?

Mr. TELLER. Four per cent. I do not know what rate of interest is provided for in this bill.

Mr. PLATT. Five per cent.

Mr. TELLER. You can sell in any of the markets of this country the securities of any municipal corporation or any State that is solvent, payable in lawful money.

Mr. CAREY. I will say to the Senator that, if he will make inquiry, he will find that it is very difficult to sell Western bonds now.

Mr. TELLER. I am as well advised upon that subject as the Senator from Wyoming; I spend as much time studying these questions as the Senator from Wyoming; I am as familiar with the markets of the world as the Senator from Wyoming, and I can put in the markets of the world the securities of any solvent corporation in the United States payable in lawful money.

Mr. STEWART. You can not if the United States discriminates against it.

Mr. TELLER. The United States ought not to discriminate against its money of any kind. I say here, Mr. President, that if there is any difficulty in selling these bonds, it is not because the term "lawful money" is there. If these people are burdened with a great debt and are paying large amounts of interest, with proper management and proper attention they can get out of debt without burdening themselves with a payment which must ultimately cost them 40 or 50 per cent more, especially if the sentiments expressed by the Senator from Wyoming [Mr. CAREY] and the people who think with him shall prevail in this country. These people will, when they pay their debt, not only pay the interest with appreciated money year by year, but pay the principal with appreciated money.

"Lawful money" is the term used in the statute, or "coin of the United States." I am willing that the bill shall be amended so as to read "payable in United States coin." I am not willing to vote for the bill, and I will not give my vote for it, if the amendment is not allowed to stand; nor will I vote for any security made by the United States or by its authority which disparages one of the money metals, or even that respectable class of American money called greenbacks, which are included in the term "lawful money."

Mr. DANIEL. Mr. President—

Mr. PLATT. Will the Senator yield to me for a moment?

Mr. DANIEL. With pleasure.

Mr. PLATT. I regret very much that a simple bill of this sort should start anew this financial discussion in the Senate. I do not want to enter into it. We are not passing any independent law; we are simply approving an act which the Territory of Arizona passed some time ago, and I am perfectly content that the vote shall be taken. If the amendment is adopted as it is, I shall not call for a separate vote on it in the Senate. I appeal to the Senator from Virginia to let this bill be disposed of, but still, if he wishes to enter into the discussion, that is his right.

Mr. DANIEL. I yield to the appeal of the Senator not to ex-

pose the fallacies of the gold men any more. I think they have been sufficiently exposed by what has been said here.

Mr. PLATT. The discussion has been all on that side, I believe, so far.

Mr. DANIEL. I will consent, out of respect to the Senator, not to harrow his feelings any more, and let the vote be taken.

Mr. PALMER. Mr. President, I wish to say that I do not understand the question discussed by the Senator from Colorado [Mr. TELLER] to be involved at all. I understand that the people of Arizona have a debt which they suppose they can compromise upon certain terms which suit them, and that the only question before the Senate is whether the people of Arizona shall be allowed to regulate their own affairs in their own way, or whether we shall interfere with them and require them to adjust them according to our way.

I do not understand that the question discussed by the Senator from Colorado is involved at all, because the underlying question is this: Shall Congress undertake to regulate these matters for these people, which they understand and which concern them? Whatever burdens are assumed, they assume. I believe in the doctrine that the wisest people are those intrusted with the management of their own business, and that he who is interested is always wiser than the man who is not.

Mr. DANIEL. Mr. President, my friend from Connecticut [Mr. PLATT] does not exercise his powers of persuasion upon gentlemen who wish to speak upon the other side of this question, and until he gets a little more impartial I am afraid that I shall have to inflict upon him a few remarks, at least, in support of the Constitution of this country and of the bimetallic currency which was adopted for this nation just one hundred years ago.

Mr. PLATT. I assure the Senator that I shall listen to him with great pleasure.

Mr. DANIEL. I am very much obliged to the Senator.

Mr. President, this is just one of the little entering wedges by which Congress is invited to revolutionize the solemn policy which was declared to be the fixed policy of this Government a little over a year ago, to keep its constitutional metallic currency at par, that is, the coin of one metal at par with the other.

There is no difficulty inherent in the nature of the case in sustaining our silver metal at par with our gold metal when it is coined. We have a slang phrase, which even gentlemen who occupy the position of statesmen condescend at some time to use, in which they speak of our solid, old-fashioned, hundred-years-old silver dollar as an 80-cent or a 70-cent or a 60-cent dollar. Mr. President, it would be impossible for Ananias himself to embody in so many words a more unadulterated and unalloyed falsehood than is attempted to be imposed upon the people by any such declaration as that the silver dollar is an 80-cent or a 70-cent or a 60-cent dollar.

We are told also that values must be left to regulate themselves, as if money grew upon trees like apples and peaches grow; as if money sprang up in fields as wheat and corn spring up; as if anybody in the country who chose to do it could create money as he may create some fabric of the factory, or cultivate some product of the pasture or the field.

Mr. STEWART. May I interrupt the Senator?

Mr. DANIEL. It is no interruption.

Mr. STEWART. I wish to suggest that the silver dollar is worth a dollar when it has the stamp of the Government upon it, and it is only depreciated because of the policy which has been pursued in relation to silver.

Mr. DANIEL. I understand that, and I am going to say that before I get through, but we can not say everything at the same time when we are trying to put one argument on top of another.

Mr. President, this misstatement of fact that we have a depreciated dollar and this economic fallacy that Congress has nothing to do with regulation of value are the two errors that lie at the root of all the doctrines which are preached against our constitutional currency.

What is a dollar? A dollar is defined in our laws under our Constitution to consist of so many grains of silver, or of so many grains of gold plus the stamp of the Government and plus the power and force of the Government behind the stamp to make that coin accepted by all who may have the right to demand a dollar as legal tender in the discharge of debt. A cent is a mere mathematical expression for a hundredth part of that thing which is a dollar, and to speak of the silver dollar as containing only 69 cents is to say that 100 and 69 are the equivalents of each other—that 100 times one is 69.

Mr. President, as to this matter of the regulation of value, our forefathers one hundred years ago when they fashioned the Constitution appreciated—

The VICE-PRESIDENT. The Senator's time has expired.

Mr. STEWART. I ask that the Senator be allowed to proceed with his remarks by unanimous consent.

The VICE-PRESIDENT. Is there objection?



Mr. PLATT. I hope that the bill may be disposed of this morning.

The VICE-PRESIDENT. The Chair hears no objection to the Senator from Virginia proceeding.

Mr. DANIEL. I will hurry through.

Our forefathers one hundred years ago, when they fashioned the Constitution, appreciated the fallacy of some economists who declare that you can not regulate values, and made it the duty of Congress not only to coin money, but "to regulate the value thereof."

Mr. President, whenever you put the dollar in the silver, you find the silver in the dollar, showing that when you coin money and give the metal the functional right of money, by that very act you bring all of our money to par.

I was astonished at the nature of the argument used by the Senator from Wyoming [Mr. CAREY]. He says that the people of Arizona are afflicted with debt, that they are poor and are appealing to Congress to increase their financial facilities to pay debt, and yet, in the same breath, he tells the Senate that he would deny to them the right to coin the metal which is stored in their own soil and make it money for the purpose of relieving them from that debt.

Mr. CAREY. If the Senator from Virginia will permit me to make a statement—

Mr. DANIEL. With pleasure.

Mr. CAREY. The law itself that we are legislating in reference to is an act of the Legislature of Arizona, a funding bill passed by the Legislature, which provides for the payment of the interest on the bonds in gold.

Mr. DANIEL. Why is Congress asked to give its approbation to that act?

Mr. PLATT. It is not asked to give its approbation to that act. It is simply asked to make the interest payable semi-annually instead of annually, as the act requires, and that at the request of the people of Arizona.

Mr. DANIEL. Then, Mr. President, if the people of Arizona want favor from Congress I would require them first to respect that public policy which Congress has declared to be the fixed policy of this nation, and I would grant no favor to any suitor who came seeking to undermine the money fabric of this country, to gorge those who are trying to turn us upon the single gold standard and to contract our currency. Least of all did I expect to hear a Senator who represents one of the fresh young States of this country, a land which God has stored with the precious metals, use arguments against these riches of his own country, and while appealing to Congress to relieve the wants of an indebted community, to proclaim that he is opposed to allowing that very community to use the means with which nature has provided them for their own relief.

Mr. President, this is but an indication to me that no wave of the wand can destroy a question which is as widespread as this nation, and which has its advocates in every hamlet, in every county, and in every State. The silver question is not going to down at any man's bidding or at any party's bidding. It will press itself for solution until our Constitution is obeyed and until the spirit as well as the profession of bimetalism is respected.

A distinguished statesman of New York, Mr. President, has called attention to the fact that there is now no ratio fixed between gold and silver. The Constitution provided that Congress should regulate the value of money in order that it might fix the ratio between these two metals. We have fixed the value of the gold dollar, we have fixed the value of the silver dollar, and we have fixed the value of gold bullion, but we have not fixed the value of silver bullion.

Gentlemen sometimes say that gold is of a value which supports itself. It does not support itself. The gold bullion is always equal to the gold dollar, because the law will turn it at the expense of the whole people of the United States into a gold dollar at any one's request. The idea of our Constitution was that we should have an automatic currency, that it should regulate itself as the blood is regulated in the system by the action of the heart, that demand and supply might adjust themselves to each other by laws which would operate of their own force without further legislation.

It was provided that we should have free coinage of gold and free coinage of silver in order that this result might be accomplished, and with the free coinage of both metals at that ratio that the law fixed, is it not evident that the metals would run into coin when there was want of money and run out of coin into jewelry and into ornaments when there was abundance? But as the law stands to-day, only the value of gold is fixed. How is it fixed? It is fixed by the fact that the people of this whole country at their expense established a mint and employ artificers and pay skilled workmen to turn any man's gold bullion into a dollar for him at his own will and pleasure. That, Mr. President, has appreciated the value of gold at least 25 per cent, as estimated by the economist and statistician.

Take your gold watch, your gold ring, your breastpin, your bracelet, and you can fling it into the mint any day and it will be handed back to you in dollars. Beat those dollars up by a hammer until they are shapeless, and the mint will turn them into dollars for you again at the expense of the people of this whole country, and all the wealth of the people and all the power of the Government is behind the value of gold, appreciating it and sustaining it as the equivalent of that thing into which it may be turned. But how is it with our money metal, silver? It is tossed about upon the marts of exchange at the pleasure of the bears and bulls of the market. They are permitted to make special contracts payable in gold dollars; they loan money of any kind and require payment in a particular kind, and the result is that the money of our country is being hoarded up by a few gold men and that they are attempting to prostitute the whole fabric of Government to the gormandizement and aggrandizement of themselves.

Is anyone idle enough to believe that the people who understand these things are going to quietly bow themselves out of court because a political party at one time or another, or a coterie of gentlemen in Washington City, say, "We do not want to make the issue." Political parties, Mr. President, do not make issues; Congresses do not make issues; the people make issues, and if they are not recognized by political parties the people will recognize them notwithstanding, and will hold to accountability those who refuse to obey their will.

We have seen here for a series of years the most remarkable spectacle that ever was beheld in the Republic. According to the conception of a republic, it is organized for the purpose of giving the people an opportunity to express their will, but according to the interpretation of the word "republic" as placed upon it by the practical politicians who have attempted to deal with our affairs here in Washington it is simply an establishment to give an opportunity to certain gentlemen who have opposing interests, as they conceive, to suppress the people's will. There is a majority to-day in both sides of Congress for the free coinage of silver if no alien or subtle influences were exercised upon the members here save those which they receive from their constituency when they leave their homes.

Why, Mr. President, is the people's will set aside? Why will not representatives stand up here and defend the things which their constituencies at home expected them to defend? Because it is said there is some policy of party which prevents. Can a party hide its head in a bushel? Can you quench the thoughts of the people by patting their issues in a bag, and say they are gone?

Mr. President, these issues will not down; they will rise again; they will come and come and come, as the widow came to the unjust judge, until, at last, he will accord what is asked "for the much clamor."

Not in this act nor in any act would I seek to establish one currency in this country for the rich and another for the poor. You have got your coinage laws now so arranged that the poor people never see a gold dollar. Gold has gone out of circulation, and in order that it may go only into the hands of those who are hoarding it up, we have even ceased to coin gold dollars. Let any poor person go to work to save up his hard earnings in a stocking, and he can not find a gold dollar anywhere to save. We have stopped coining it. If silver be a 70-cent dollar, as is proclaimed by some, you have so fixed it that the mass of the people can get nothing but 70-cent dollars, and so that the rich and powerful alone may get the gold, which is coined in larger denominations.

Mr. President, I have said enough for to-day, but I will call attention to one other fact, that you are creating by your coinage laws an aristocracy of money; you are making a difference between that metal which is obliged in its very nature to be the circulation of the people, and that metal which is obliged in its very nature to be the medium of large payments. Congress, and Congress alone, with the Treasury Department at Washington, is responsible for this confusion of our financial position. It does not come from anything inherent in the nature of the metals, but it is produced artificially, and the more sturdy and steady and unyielding are those who insist here upon one equal, uniform currency for the whole people, the sooner will this wrong be righted, and the sooner will the spirit of the Republic be represented in our circulating medium.

Mr. GRAY. Mr. President, I voted upon this bill precisely as I would have voted if the amendment had been to strike out a stipulation that this interest should be paid in silver. I voted that the people of Arizona should have the right which belongs to the people of every State in this Union—to make the best bargain they can when it becomes necessary for them to borrow money or to fund an existing loan.

I understand from those who represent the Territory of Arizona in the other House that the situation is just this: Already there is a loan outstanding in the Territory of Arizona, the prin-



The PRESIDING OFFICER. The bill will go over, retaining its place on the Calendar.

The bill (S. 1857) to further increase the naval establishment was announced as next in order.

Mr. PLATT. That bill had better go over, too.

The PRESIDING OFFICER. Does the Senator from Connecticut object to the consideration of the bill?

Mr. PLATT. The Senator who reported it is not here. I would not object if he were here; but it is a pretty important bill, and I suppose it will need some explanation. It may stand over until he comes in.

Mr. ALLISON. Let it stand over, retaining its place on the Calendar.

The VICE-PRESIDENT. The bill will be passed over temporarily.

The bill (S. 2424) for the appointment of consuls to the Congo Free State was announced as next in order.

Mr. ALLISON. Let that bill be passed over for the present, until the Senator from Alabama [Mr. MORGAN], who reported it, comes in.

#### CHEYENNE AND ARAPAHOE RESERVATION.

Mr. JONES of Arkansas. I ask that the resolution reported from the Committee on Indian Affairs some days ago be laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate the resolution called up by the gentleman from Arkansas, which will be read.

The resolution reported by Mr. JONES of Arkansas from the Committee on Indian Affairs on the 13th instant was read, as follows:

*Resolved*, That for reasons set forth in the report of the Committee on Indian Affairs upon the President's message of February 18, 1892, upon the appropriation of March 3, 1891, for payment to Choctaw and Chickasaw Nations for their interest in the Cheyenne and Arapahoe Reservation in the Indian Territory, submitted with this resolution, it is the opinion of the Senate that there is no sufficient reason for interference in the due execution of the law referred to.

Mr. ALLISON. That is an important matter. I hope the resolution will not be considered now.

The VICE-PRESIDENT. The resolution will be passed over without prejudice.

Mr. HOAR. Mr. President—

Mr. JONES of Arkansas. Will the Senator allow me a moment. I should like to ask if the Senator from Iowa would be willing to have some time fixed at which we can consider this resolution. It is an important matter, and I should like to have it considered at some time within a day or two. I will agree, if the Senator is willing, to take it up, say, day after to-morrow, immediately after the morning hour, at 2 o'clock.

Mr. ALLISON. I have no objection to the consideration of the question at any time when there is a full Senate and an opportunity may be given for its careful consideration. The Senator knows that this is an important matter, and it should be carefully considered.

Mr. JONES of Arkansas. If there is no objection, I should like to have a time fixed so that Senators may have notice that the resolution will come up at that time, and there can be a full consideration of it. I ask unanimous consent that the consideration of the resolution which has just been presented to the Senate be fixed for 2 o'clock on Thursday next, day after to-morrow.

Mr. ALLISON. I shall object to unanimous consent for consideration of this matter then. It is a matter of too much importance to be set down so early. At some time when we have an opportunity I shall be glad to see it taken up and considered, but it is a matter that can rest four or five days without public inconvenience, I think.

Mr. JONES of Arkansas. I am perfectly willing to allow the resolution to remain any reasonable length of time, and would like to have the Senator indicate any time when he will be willing to take it up.

Mr. HOAR. Suppose the Senator give notice now that he will call it up some day next week, say Tuesday or Wednesday.

Mr. JONES of Arkansas. I would prefer to have a time fixed that would be agreeable to the Senator from Iowa. That is all I desire.

Mr. ALLISON. Has the resolution been reached on the Calendar now?

Mr. JONES of Arkansas. No, it was reported by the committee and laid over.

Mr. PERKINS. I suggest that the Senator name Monday or Tuesday of next week.

Mr. JONES of Arkansas. I am willing for that, or for any day that will be agreeable to the Senator from Iowa.

Mr. ALLISON. I will confer with the Senator, and perhaps we can agree upon a time. I have not yet had time to look into the question. The Senator will remember that it is a matter of

considerable importance, and I am quite sure that nobody will be injured by delay.

Mr. JONES of Arkansas. My purpose in wishing to have a time fixed for the consideration of the resolution was that the Senate may be full, and that it may have due notice that the subject will come up at that time. I do not want to call it up in the absence of anybody here, and if we have a time fixed at which we can consider it, I suppose everybody who chooses to do so will be present. In pursuance of the suggestion made by the Senator from Massachusetts I give notice that I shall ask the Senate to consider the resolution at 2 o'clock on Monday next.

#### DISTRICT COURT OF APPEALS.

Mr. HOAR. I move that the Senate proceed to the consideration of the bill (S. 1185) to establish a court of appeals for the District of Columbia, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments.

Mr. HOAR. The amendments, which diminish the number of the court, I should like to have acted upon as the reading of the bill proceeds, if there be no objection.

The VICE-PRESIDENT. The Chair hears no objection, and that course will be pursued.

The Secretary proceeded to read the bill.

The first amendment of the Committee on the Judiciary was, in section 1, line 6, before the words "associate justices," to strike out "three" and insert "two;" so as to make the section read:

That there shall be, and there is hereby established in the District of Columbia a court, to be known as the court of appeals of the District of Columbia, which shall consist of one chief justice and two associate justices, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall hold office during good behavior.

The amendment was agreed to.

The next amendment was, in section 2, line 2, before the word "thousand," to strike out "seven" and insert "six," and in line 4, before the word "thousand," to strike out "seven" and insert "six;" so as to make the section read:

That the said justices shall each receive an annual salary of \$6,000, payable quarterly at the Treasury of the United States, except the chief justice, who shall receive \$6,500.

The amendment was agreed to.

The next amendment was, in section 4, line 5, before the word "dollars," to strike out "five hundred;" and in line 17, before the word "dollars," to strike out "five hundred;" so as to make the section read:

That there shall be a clerk of said court of appeals, to be appointed by the court, who shall receive as compensation for his services, in the discretion of the court, an annual salary not to exceed the sum of \$3,000, payable quarterly at the Treasury of the United States, and who shall give bond, such as the court may determine to be satisfactory, for the faithful performance of his duties; and his duties shall be such as the court may from time to time prescribe. The court shall regulate from time to time the fees to be charged by the said clerk, which shall be accounted for at least once in each quarter and paid into the Treasury of the United States; and said clerk shall receive such allowance for clerical assistance and necessary expenditures in the conduct of his office as the court may determine by special or general order in the premises, but not to exceed the sum of \$2,000 in any one year, payable, as aforesaid, at the Treasury of the United States.

The amendment was agreed to.

The next amendment was, in section 6, line 2, after the word "than," to strike out "two" and insert "three;" so as to read:

That the said court of appeals shall establish such terms of the court, not less than three in each year, as to it may seem proper and expedient; and it shall make such rules and regulations as may be necessary and proper for the transaction of the business to be brought before it, and for the time and method of the entry of appeals and for giving notice of appeals thereto from the supreme court of the District of Columbia, and such other rules and regulations as may be necessary and proper in the premises.

The amendment was agreed to.

The next amendment was, in section 6, line 15, to insert after the word "thereof," the words "or for any other reason whatever;" and in line 17, before the word "justices," to strike out "four" and insert "three;" so as to read:

If any member of the court shall be absent on account of illness or other cause during the session thereof, or shall be disqualified from hearing and determining any particular cause by having been of counsel therein, or by having as a justice of the supreme court of the District of Columbia previously passed upon the merits thereof, or for any other reason whatever, or if for any reason whatever it shall be impracticable to obtain a full court of three justices, the member or members of the court who shall be present shall designate the justice or justices of the supreme court of the District of Columbia to temporarily fill the vacancy or vacancies so created, and the justice or justices so designated shall sit in said court of appeals and perform the duties of a member thereof while such vacancy or vacancies shall exist.

Mr. HOAR. In line 18 I move to strike out "the" and insert "a;" so as to read: "shall designate a justice or justices of the supreme court of the District of Columbia."

The amendment to the amendment was agreed to.

The amendment was amended was agreed to.

The reading of the bill was continued to line 12 of section 7.

Mr. HOAR. In section 7, line 9, after the word "I am," I move to strike out the words "together with the original papers

and record entries duly certified." It is my purpose to put in a more comprehensive provision for that at the end of the section.

The amendment was agreed to.

Mr. HOAR. I move to insert in section 7, line 12, after the word "created"—a mere formal amendment—

Which said court of appeals is hereby vested with authority and jurisdiction to hear and determine the causes so transferred. The appellate power and jurisdiction of said general term is hereby abrogated and abolished, and no causes shall hereafter be heard in the said general term.

The amendment was agreed to.

The next amendment of the Committee on the Judiciary was, in section 7, line 16, after the word "granting," to insert "or dissolving;" and in line 17, after the word "attachment," to strike out the words "and the like;" so as to read:

Appeals shall also be allowed to said court of appeals from all interlocutory orders of the supreme court of the District of Columbia, or by any justice thereof, whereby the possession of property is changed or affected, such as orders for the appointment of receivers, granting or dissolving injunctions, dissolving writs of attachment; and also from any other interlocutory order, in the discretion of said court of appeals, whenever it is made to appear to said court upon petition that it will be in the interests of justice to allow such appeal.

The amendment was agreed to.

Mr. HOAR. I move to add at the end of section 7:

In all cases of appeal to the court of appeals and in the causes transferred to the court of appeals under this section, the original papers and duly certified copies of the necessary record entries shall be transferred and delivered to the court of appeals under such regulations as the court of appeals shall from time to time prescribe.

The amendment was agreed to.

The reading of the bill was continued to the end of section 10.

Mr. HOAR. In section 10, line 2, after the word "be," I move to strike out:

Rendered in writing, and shall be filed in such case as part of the record thereof.

And to insert:

Reduced to writing, duly authenticated and filed with the clerk of said court before any judgment, decree, or order shall be entered in pursuance thereof.

So as to read:

That the opinion of the said court of appeals in every case shall be reduced to writing, etc.

The amendment was agreed to.

The reading of the bill was continued. The next amendment of the Committee on the Judiciary was, in section 14, line 3, before the word "thousand," to strike out "six" and insert "five;" and in line 5, before the word "thousand," to strike out "six" and insert "five;" so as to make the section read:

That the justices of the supreme court of the District of Columbia shall hereafter receive an annual salary of \$5,000 each, payable quarterly at the Treasury of the United States, except the chief justice, who shall receive \$5,500.

The amendment was agreed to.

The reading of the bill was resumed and concluded.

Mr. GEORGE. I move to strike out section 16 of the bill, in the following words:

Sec. 16. That the justices of the court of appeals hereby created and of the supreme court of the District of Columbia shall be deemed to be justices of the courts of the United States within the meaning of the law providing for the retirement of such justices upon their attaining the age of 70 years and having been in commission ten years or upward. And whenever any justice of the supreme court of the District of Columbia shall be appointed a justice of the court of appeals hereby created the terms of service of such justice in both courts shall be deemed continuous and as under one commission for the purposes of said law.

I think this motion to amend is proper at this time, and upon it I call for the yeas and nays.

Mr. HOAR. I desire to appeal to my honorable friend from Mississippi with this suggestion: This very proposition, as applied to the Court of Claims, was very thoroughly debated in the Senate on last Thursday the yeas and nays called upon it, and it was determined by a very large and decisive vote of the Senate. I desire to ask the Senator whether under those circumstances, the principle having been so fully discussed, he should call for the yeas and nays?

Mr. GEORGE. I do not propose to discuss it.

Mr. HOAR. It was a vote that had no partisan division about it, because there were many on the Senator's side of the Chamber who advocated the system. I ask the Senator whether he will not allow it to go without a call of the yeas and nays? Of course I do not wish to interfere with his own discretion as a Senator.

Mr. GEORGE. I have no desire at all to discuss the question. I am very much opposed to civil pensions, and I desire, as far as I am concerned, to discharge my duty by making the appropriate motion to rid the bill of the provision.

Mr. HOAR. It can hardly be supposed, my honorable friend will agree, that there would have been a change of opinion on the subject in the mind of any Senator within a few days. There

has been no change of the Senate, and it is merely for the convenience of the Senate that I make this appeal.

Mr. GEORGE. If nobody wants the yeas and nays I shall not call them. I make the motion to strike out section 16.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Mississippi, to strike out section 16 of the bill. (Putting the question.) The yeas appear to have it. The yeas have it, and the amendment is not agreed to.

Mr. COCKRELL. As the yeas and nays have not been called, I desire to state upon the record that I vote "yea," to strike out the clause.

Mr. COKE. I desire to make the same statement.

Mr. MILLS. I call for the yeas and nays, so that we may have a record of it.

Mr. HARRIS. Yes, let us have the yeas and nays, so that we may all appear on the record.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH]. If he were present I should vote "yea."

Mr. HARRIS (when his name was called). Being paired with the Senator from Vermont [Mr. MORRILL], the Senator from Michigan [Mr. McMILLAN] and myself have consented, he being paired with the Senator from North Carolina [Mr. VANCE], to transfer our pairs. I vote "yea."

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. McPHERSON]. If he were present I should vote "nay."

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER]. If he were here I should vote "yea."

Mr. MORGAN (when his name was called). I am paired with the Senator from Massachusetts [Mr. DAWES]. If he were present I should vote "yea."

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. BARBOUR], but I observe that on last Thursday when a similar proposition was before the Senate upon another bill he voted adversely to a proposition of this kind. I will therefore vote. I vote "nay."

Mr. WALTHALL (when his name was called). I am paired with the Senator from Rhode Island [Mr. DIXON]. Otherwise I should vote "yea."

The roll call was concluded.

Mr. DAVIS. I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. MORGAN. I will vote to make a quorum. I vote "yea."

Mr. WALTHALL. Has a quorum yet voted?

The VICE-PRESIDENT. A quorum has not voted.

Mr. WALTHALL. I feel at liberty to vote, notwithstanding my pair, to make a quorum. I vote "yea."

Mr. GEORGE. If the vote still lacks a quorum, I can vote.

The VICE-PRESIDENT. A quorum has voted.

The result was announced—yeas 11, nays 36; as follows:

#### YEAS—11

Bate,	Blodgett,	Colquitt,	Morgan,
Berry,	Cockrell,	Harris,	Walthall
Blackburn,	Coke,	Jones Ark.	

#### NAYS—36

Allen,	Hawley,	Perkins,	Squire,
Allison,	Hiscock,	Platt,	Stewart,
Call,	Hear,	Power,	Stockbridge,
Chandler,	Jones Nev.	Proctor,	Teller,
Chilton,	McMillan,	Pugh,	Vest,
Dabors,	Manderson,	Sanders,	Vilas,
Dubois,	Mitchell,	Sawyer,	Washburn,
Frye,	Paddock,	Sherman,	Wilson,
Hale,	Peter,	Shoup,	Wolcott.
Hansborough,			

#### NOT VOTING—11

Aldrich,	Dixon,	Higgins,	Quay,
Barbour,	Dolph,	Hill,	Ransom,
Brice,	Faulkner,	Irby,	Stanford,
Butler,	Felton,	Kenna,	Turpie,
Cameron,	Gallinger,	Kyle,	Vance,
Carey,	George,	McPherson,	Voorhees,
Carlisle,	Gibson, La.	Mills,	Warren,
Casey,	Gibson, Md.	Morrill,	White
Daniel,	Gordon,	Palmer,	
Davis,	Gorman,	Pasco,	
Dawes,	Gray,	Pettigrew,	

So the amendment was rejected.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

the passage of the Brosius (or Conger) lard bill, H. R. 395—to the Committee on Agriculture.

By Mr. PEEL: Petition of J. M. L. Thomasson and 22 other citizens of Drew County, Ark., asking for the passage of the anti-option bill—to the Committee on Agriculture.

Also, resolution of the Annual Conference of the Methodist Episcopal Church South, against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. RAY: Two petitions of Lineklaen Grange, No. 703, of New York: one in favor of prohibiting the adulteration of food and drugs, and the other to prevent gambling in farm products—to the Committee on Agriculture.

Also, petition by the same grange, in favor of House bill 395, defining lard—to the Committee on Ways and Means.

Also, petition by the same grange, for a law prohibiting contracts discrediting legal-tender currency—to the Committee on Banking and Currency.

Also, petition of citizens of Oneida, Madison County, N. Y., for an international arbitration commission—to the Committee on Foreign Affairs.

Also, petition of the town of Lineklaen, Chenango County, N. Y., for the free delivery of mails in country districts—to the Committee on the Post-Office and Post-Roads.

By Mr. RIFE: Petition of 74 citizens of New Buffalo, Perry County, Pa., and of the Fourteenth Congressional district for the passage of House bill 401 amending the immigration laws—to the Select Committee on Immigration and Naturalization.

Also, petition of 37 citizens of Palmyra, Pa., and of the Fourteenth Congressional district against the passage of House bill 7699, for the local government of the Territory of Utah, and to provide for the election of certain officers in said Territory—to the Committee on the Territories.

By Mr. REYBURN: Petition of David S. Thompson relative to investigating the methods and practices of the Census Office—to the Select Committee on the Eleventh Census.

By Mr. RUSK: Petition of Mrs. Emily J. Fardy, widow of the late John T. Fardy, for relief—to the Committee on Claims.

By Mr. SAYERS: Petition of citizens of Mason County, Tex., for regulating speculation in fictitious farm products—to the Committee on Agriculture.

By Mr. SCULL: Memorial of 94 citizens of Somerset County, Pa., in favor of House bill 401 relative to immigration, etc.—to the Select Committee on Immigration and Naturalization.

By Mr. STAHLNECKER: Petition of George Heyman, asking appropriation to complete the improvement of the Savannah River, under plans of the engineer in charge as adopted by last Congress—to the Committee on Rivers and Harbors.

Also, petitions of citizens of White Plains, N. Y., asking the passage of House bill 401, entitled "An act in amendment to the various acts relative to the immigration and importation of aliens under contract to perform labor"—to the Select Committee on Immigration and Naturalization.

Also, petition of Joseph B. See and 19 others, praying the passage of the same bill—to the Select Committee on Immigration and Naturalization.

By Mr. STEPHENSON: Petition of Franklin Squire and others, members of the Seventh Day Adventists, protesting against a union of religion and the state—to the Committee on the Judiciary.

Also, petition of National Woman's Christian Temperance Union, asking that no exposition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. TRACEY: Petition of citizens of New York City, favoring the passage of the Lodge bill providing for the suspension of the purchase of silver bullion—to the Committee on Coinage, Weights, and Measures.

By Mr. WADSWORTH: Petition of members of the Presbyterian Church and congregation of Holley, Orleans County, N. Y., favoring the closing of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WARWICK: Two petitions of citizens of Ohio, as follows: Of Trinity Reformed Church of Wadsworth, and of Presbyterian Church of Holmesville, against opening the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Wayne Post, Grand Army of the Republic, of Orville, Ohio, for the passage of a bill to mark battle lines at Gettysburg—to the Committee on Military Affairs.

By Mr. WEVER: Petition of Wing Post, No. 147, Grand Army of the Republic, Department of New York, for preserving and properly marking the battle lines of Gettysburg, Pa.—to the Committee on Military Affairs.

By Mr. WILLIAMS of Massachusetts: Petition of 72 members of the Newton (Mass.) and other theological institutions, praying

that the World's Fair be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WILSON of Missouri: Petition of Thomas Blue, Samuel D. Tanger, and 31 other ex-soldiers and sailors of the civil war, and now of John Kelsay Post, No. 278, Grand Army of the Republic, Department of Missouri, favoring the marking and better preserving at Gettysburg the lines of that battle—to the Committee on Military Affairs.

By Mr. WILSON of Washington: Three petitions of citizens of the State of Washington, as follows: Of 20 citizens of Klickitat, of 9 citizens of the State of Washington, and of 19 citizens of Lincoln County, all praying for the passage of the Washburn-Hatch anti-option bill—to the Committee on Agriculture.

Also, two petitions as follows: Of 73 citizens of Ring County, and of 17 others of the same county, remonstrating against the reduction of duty on hops—to the Committee on Ways and Means.

Also, resolution of the Seattle Chamber of Commerce, praying the removal of the restrictions of the Puyallup Indian Reservation—to the Committee on Indian Affairs.

By Mr. YOUNG: Petition of H. A. Penner and others, of Michigan, asking that the World's Fair be closed on Sunday—to the Select Committee on the Columbian Exposition.

## SENATE.

WEDNESDAY, April 20, 1892.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

### EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of March 21, 1892, a list of the subordinates in that Department not specially appropriated for, etc.; which, with the accompanying papers, was referred to the Committee on Civil Service and Retrenchment, and ordered to be printed.

### PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented the memorial of Thomas Bowman, president, and James B. Kenyon, secretary, of the Northern New York Conference of the Methodist Episcopal Church, composed of over 200 churches and representing over 28,000 church members, "earnestly remonstrating against the passage of the severe Chinese exclusion act now pending before the Senate," praying that unfriendly legislation be stayed and that instead uniform laws relative to immigration be enacted that shall equally apply to persons coming from all nations to our shores; which was ordered to lie on the table.

He also presented the petition of Peter Hutton and 30 other citizens of Southington, Conn.; the petition of Rev. Joseph Danielson and 341 members of the Congregational Church of Southington, Conn.; the petition of George A. Francis and 60 other members of Gospel Mission Church of Southington, Conn.; the petition of John C. Breaker and 21 other citizens of Southington, Conn.; the petition of Mrs. H. M. Fisk, president, and 40 members of the Woman's Christian Temperance Union of Connecticut, and the petition of A. J. Cutting and 200 members of the Methodist Church of Southington, Conn., praying Congress to prohibit the opening on Sunday of any exhibition or exposition where United States funds are expended; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. DAWES presented a memorial of citizens of the United States, remonstrating against the passage of the so-called Geary bill for the exclusion of Chinese, and praying that section 11 of the act of May 6, 1882, be amended so as not to include Chinese who came into the United States prior thereto, with the intention of becoming citizens; which was ordered to lie on the table.

Mr. CASEY presented a petition of 228 citizens of Fairmount and Thompson, N. Dak., and a petition of 171 citizens of Ellendale, N. Dak., praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. FELTON presented a petition of citizens of Fresno County, Cal., praying for the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the following petitions of Grass Valley Grange, Patrons of Husbandry, of California:

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining land and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Mr. WOLCOTT presented a petition of the Farmers' Alliance and Industrial Union of Fort Collins, Colo., praying for the free delivery of mails in rural districts; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Farmers' Alliance and Industrial Union of Fort Collins, Colo., praying for the passage of legislation regulating speculation in fictitious farm products; which was referred to the Committee on the Judiciary.

Mr. PERKINS presented a memorial of the First Presbyterian Church of Ottawa, Kans.; a memorial of the First Presbyterian Sabbath School of Ottawa, Kans.; and a memorial of the Young People's Society of Christian Endeavor of Ottawa, Kans., remonstrating against the opening of the World's Columbian Exposition on Sunday and praying that the sale of intoxicants be prohibited thereat; which were referred to the Committee on the Quadro-Centennial Select.

Mr. McMILLAN presented sundry petitions collected by the National Woman's Christian Temperance Union of Michigan, containing 134 individual signatures and 1,611 representative endorsements, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial Select.

Mr. COKE presented two petitions of citizens of Bagwell, Tex., praying for the closing of the World's Columbian Exposition; which were referred to the Committee on the Quadro-Centennial Select.

Mr. McPHERSON presented a petition of the faculty and students of the Union Biblical Seminary, of Dayton, Ohio; a petition of the students of the Union Theological Seminary, of Virginia; a petition of the students of the Theological Seminary of the Reformed Church, of Lancaster, Pa.; a petition of the students of the Wittenberg Theological Seminary, of Springfield, Ohio; a petition of the faculty and students of the Theological Seminary of Princeton, N. J.; a petition of the Theological Seminary and Lincoln University, of Chester County, Pa.; a petition of the students of the Moravian Theological Seminary, of Bethlehem, Pa.; and a petition of members of the Theological Seminary of Virginia, praying that no loan be granted in aid of the World's Columbian Exposition unless it be closed on Sunday; which were referred to the Committee on the Quadro-Centennial Select.

#### REPORTS OF COMMITTEES.

Mr. HALE, from the Committee on Naval Affairs, to whom was referred the amendment submitted by Mr. DANIEL on the 18th instant, intended to be proposed to the naval appropriation bill, providing for a naval review, reported it favorably, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. BUTLER, from the Committee on Naval Affairs, to whom was referred the bill (S. 1289) to increase the efficiency of the Engineer Corps of the Navy, reported it with an amendment, and submitted a report thereon.

Mr. McMILLAN. I am instructed by the Committee on the District of Columbia to report back without amendment the bill (H. R. 9958) to vacate that part of Madison street, Georgetown, west of Back street, and extend Y street in Burleigh, in the District of Columbia, and to ask that this bill take the place of Order of Business 496, Senate bill 2619, to vacate that part of Madison street, Georgetown, west of Back street, and extend Y street, in Burleigh, in the District of Columbia now on the Calendar, and that the Senate bill be indefinitely postponed.

The VICE-PRESIDENT. The House bill will be placed on the Calendar and the Senate bill indefinitely postponed, if there be no objection.

Mr. HARRIS. The House bill just reported, it is asked, shall take the place on the Calendar of the Senate bill indefinitely postponed.

The VICE-PRESIDENT. It is so ordered.

Mr. PEPPER, from the Committee on Claims, to whom was referred the bill (S. 477) for the relief of Jane Boller, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

Mr. DAVIS, from the Committee on Foreign Relations, to whom was referred the bill (S. 2228) for the relief of the owners and crew of the Hawaiian bark Arctic, reported it with amendments, and submitted a report thereon.

Mr. CULLOM, from the Committee on Interstate Commerce, to whom the subject was referred, reported a bill (S. 2651) directing the Interstate Commerce Commission to ascertain and

report to Congress annually certain information in respect of the adoption by common carriers engaged in interstate commerce of a uniform system of automatic couplers on freight cars, and for other purposes; which was read twice by its title.

Mr. VILAS, from the Committee on Claims, submitted the following report:

The Committee on Claims, to whom was referred the bill (S. 1352) for the relief of August Deschinsky, have carefully considered the same, and, in accordance with the resolution of the Senate of February 7, 1884, report as follows:

That they have referred the same to the Court of Claims under the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883.

Mr. VILAS. I am directed by the Committee on Claims, to whom was referred the bill (S. 2164) for the relief of the heirs of Joseph Nicholson Chambers, late a resident of the parish of East Feliciana, in the State of Louisiana, to report it adversely. At the request of the junior Senator from Louisiana [Mr. WHITE] I ask that the bill be placed on the Calendar, instead of being indefinitely postponed.

The VICE-PRESIDENT. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. JONES of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (S. 2283) to authorize the Denison and Northern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes, reported it with an amendment.

Mr. ALLEN, from the Committee on Claims, to whom was referred the bill (S. 1358) for the relief of Clara A. Graves, Lewis Smith Lee, Florence P. Lee, Mary S. Sheldon, and Elizabeth Smith, heirs of Lewis Smith, deceased, reported adversely thereon, and the bill was postponed indefinitely.

Mr. SANDERS, from the Committee on Claims, to whom was referred the bill (S. 1424) for the relief of the Atlantic Works, of Boston, Mass., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 60) for the relief of the estate of James T. Sanford, deceased, submitted an adverse report thereon, which was agreed to, and the bill was postponed indefinitely.

Mr. CAREY, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 378) for the erection of a public building at Menominee, State of Michigan, reported it without amendment, and submitted a report thereon.

#### DISTRICT PRODUCE DEALERS' LICENSE TAX.

Mr. PERKINS. I am directed by the Committee on the District of Columbia, to whom was referred the bill (S. 2160) to repeal the license tax of \$25 per year now imposed upon produce dealers in the markets of the District of Columbia, to report it back favorably without amendment, and to submit a written report thereon. I make this report for the Senator from New Hampshire [Mr. GALLINGER], who has been called from the city. The bill is brief, and if there is no objection to it I should like to have it considered now. The District government is quite urgent about it.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. COCKRELL. Let it be read for information only.

The bill was read, as follows:

*Be it enacted*, That the annual corporation license tax of \$25 per year, now imposed by an ordinance of the District of Columbia upon dealers in farmers' produce, such as butter and cheese, poultry, eggs, fruits, and vegetables, or any other articles of family provisions, in the markets of the District of Columbia, is hereby repealed, to take effect at the end of the present license year, April 1, 1892.

SEC. 2. That all acts and parts of acts inconsistent herewith are hereby repealed.

Mr. PERKINS. I would say in explanation that under the existing law this tax must be paid before the 1st of May, and hence the necessity of an early consideration of the bill.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. COCKRELL. None.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### EULOGIES ON THE LATE REPRESENTATIVE GAMBLE.

Mr. MANDERSON. I am directed by the Committee on Printing to report back favorably a House concurrent resolution, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution; which was read, as follows:

*Resolved by the House of Representatives (the Senate concurring).* That there be printed the eulogies delivered in Congress upon Hon. John B. Gamble, late a Representative from the State of South Dakota, 8,000 copies, of which number 2,000 shall be delivered to the Senators and Representatives of the

State of South Dakota, which shall include 50 copies to be bound in full morocco, to be delivered to the family of the deceased; and of those remaining, 2,000 copies shall be for the use of the Senate, and 4,000 copies for the use of the House of Representatives; and the Secretary of the Treasury is directed to have engraved and printed a portrait of the said John R. Gamble to accompany said eulogies.

Mr. MANDERSON. The concurrent resolution is in accord with the later action of the two Houses, and is exactly the provision provided for in the general printing bill.

The concurrent resolution was agreed to.

#### POSTAL SAVINGS DEPOSITORIES.

Mr. MANDERSON. I am directed by the Committee on Printing to report a resolution, and I ask that it be now considered.

The resolution was read, as follows:

*Resolved*, That the argument of the Postmaster-General on the subject of postal savings depositories, addressed to the chairman of the Senate Committee on Post-Offices and Post-Roads, be printed, and that there be printed 3,000 additional copies, 1,000 of which shall be for the Senate and 2,000 for distribution by the Postmaster-General.

Mr. MANDERSON. This is a very important and valuable compilation of the custom that obtains in foreign countries with reference to postal savings banks, and also an argument with reference to that subject-matter made by the Postmaster-General and addressed by him to the chairman of the Senate Committee on Post-Offices and Post-Roads. That committee recommend the printing of the document in this number. I find that the cost of it will be trifling, under \$300, and it certainly is a matter of sufficient importance to receive this consideration.

The resolution was considered by unanimous consent and agreed to.

#### LIST OF CONGRESSIONAL DOCUMENTS.

Mr. MANDERSON. I am directed by the Committee on Printing to report a concurrent resolution to print additional copies of the list of Congressional documents, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution; which was read, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That 2,000 copies of the list of Congressional documents prepared by the superintendent of documents, Department of the Interior, be printed and delivered to that officer, of which he shall supply 2 copies to each Senator, Representative, and Delegate in Congress, and the remainder shall be distributed to public and other libraries.

Mr. MANDERSON. This document contains in very compact form a complete list of all Government publications from the Fifteenth to the Fifty-first Congress, inclusive. The cost is trifling to print it in this number, and it is, I think, of very great importance that it should be printed.

The concurrent resolution was agreed to.

#### BILLS INTRODUCED.

Mr. WILSON introduced a bill (S. 2952) for the relief of Prentice Holmes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McMILLAN introduced a bill (S. 2953) to provide for the support of the office of the register of wills of the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PEPPER (by request) introduced a bill (S. 2954) to tax land in the District of Columbia at its full market value, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. GRAY introduced a bill (S. 2955) for the relief of Sarah Burton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. DAVIS introduced a bill (S. 2956) for the relief of Jacob Walhart; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. DANIEL introduced a bill (S. 2957) to provide for the erection of a public building at Portsmouth, Va.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2958) to provide for the erection of a public building at Salem, Va.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2959) to provide for the erection of a public building at Radford, Va.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. PERKINS introduced a bill (S. 2960) granting an honorable discharge to Bury J. O'Brien; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2961) granting a pension to Lydia Ferris; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2962) granting a pension to Mary Cochran; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2963) granting a pension to Elizabeth Breshear; which was read twice by its title, and referred to the Committee on Pensions.

Mr. KYLE (by request) introduced a bill (S. 2964) to establish a composite dollar; which was read twice by its title, and referred to the Committee on Finance.

#### AMENDMENTS TO BILLS.

Mr. DUBOIS submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. GRAY submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. HIGGINS submitted six amendments intended to be proposed by him to the river and harbor appropriation bill; which were referred to the Committee on Commerce, and ordered to be printed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the concurrent resolution of the Senate to print 35,000 copies of the annual report of the Commissioner of Labor relating to cost of production, earnings, efficiency of labor, and cost of living.

The message also announced that the House had passed a bill (H. R. 7093) making appropriations for the naval service for the fiscal year ending June 30, 1893, and for other purposes; in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 4429) to empower the Commissioners of the District of Columbia to grant respites and pardons in certain cases;

A bill (H. R. 5978) to extend the time for making an assessment of real estate in the District of Columbia outside the cities of Washington and Georgetown; and

A bill (H. R. 6288) to amend the charter of the Rock Creek Railroad Company.

#### DELAWARE AND REHOBOTH BAYS.

Mr. HIGGINS submitted the following resolution; which was considered by unanimous consent and agreed to:

*Resolved*, That the Secretary of War be directed to furnish the Senate with copies of the correspondence of the Congressional delegation of Delaware and the War Department, together with copies of reports of December 18, 1891, and February 4, 1892, with inclosures from W. F. Smith, United States Army, Major of Engineers, retired, all in relation to the location of the proposed waterway between Delaware Bay and Rehoboth Bay, on line of the inland waterway between Chincoteague Bay and Delaware Bay.

#### HOUSE BILL REFERRED.

The bill (H. R. 7093) making appropriations for the naval service for the fiscal year ending June 30, 1893, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

#### PUBLICATION OF COPYRIGHTED BOOKS IN THE RECORD.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day relative to infringement of copyright by the CONGRESSIONAL RECORD. The resolution will be read.

The Chief Clerk read the resolution submitted yesterday by Mr. SANDERS, as follows:

*Resolved*, That the Committee on the Judiciary be instructed to inquire whether the publication in the CONGRESSIONAL RECORD, without the consent of the proprietor, of a copyrighted book is an infringement of the right granted to such proprietor of the sole liberty of printing, reprinting, publishing, completing, copying, executing, finishing, or vending the same, and whether the publication therein subjects any person who shall sell or expose to sale the CONGRESSIONAL RECORD containing such reprint to the penalties prescribed in section 494 of the Revised Statutes of the United States, and whether any person is liable to the owner of such copyright book for damages for such publication; and if so, what person, and what action, if any, is desirable to be taken in view of the publication of copyright books in the CONGRESSIONAL RECORD; and that said committee have leave to report by bill or otherwise.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

Mr. CHANDLER. I suggest to the Senator from Montana to make the instruction to the Committee on Patents instead of the Committee on the Judiciary.

Mr. PLATT. I should like to ask the Senator from Montana whether he desires the passage of the resolution now? I have not examined the RECORD this morning, but I think there is to be found in the RECORD action by the other branch (and I suppose it is not improper to speak of anything that is in the RECORD) by which the practice which has prevailed of inserting documents, books, and all that kind of matter in the RECORD has been stopped by action of the other branch of the Legisla-



ture. Therefore I ask whether the Senator desires to pursue the matter suggested by his resolution.

Mr. SANDERS. Mr. President—

Mr. CHANDLER. Will the Senator allow me a word?

Mr. SANDERS. Certainly.

Mr. CHANDLER. I do not understand that any action has been taken that strikes out from the Record the half dozen volumes that have been put into it within the last two weeks, nor does it prohibit the reestablishment of the practice at any moment when an attempt may be made to reestablish it. It seems to me the resolution is a wise one, in order to determine once for all whether that thing shall be done, not merely in the past but in the future, and it is just as likely to be done hereafter as has already been the case.

Mr. PLATT. I do not want to oppose the resolution if the Senator who introduced it or other Senators think that there is necessity for it since the action of the other branch of the Legislature in regard to such matters.

Mr. WILSON. I think that this is a matter of some importance and that it ought to be considered by a committee. I therefore move to refer the resolution to the Committee on Patents, so that that committee may consider the subject and report.

Mr. McPHERSON. I should like to have the resolution again read.

The VICE-PRESIDENT. It will be again read.

The Chief Clerk read the resolution.

The VICE-PRESIDENT. The question is on the motion to refer the resolution to the committee on Patents.

Mr. SANDERS. Mr. President, this resolution is a search after abstract truth, but it is a search after a truth which concerns the Senate; and as nothing in the resolution has reference to the other House, I see no reason why we should not pursue this inquiry, for we are already encumbered in the CONGRESSIONAL RECORD with the publication of several books, the property in which is in citizens of the United States. It seems to me that before the CONGRESSIONAL RECORD shall be put into a permanent form we should know whether the publication of it is in violation of rights that we have secured by law, and if such publication is, those books, however poetic they may be, can be expunged from the Record and the citizens of the United States can be informed whether by selling a copy of the CONGRESSIONAL RECORD they incur the penalties which are denounced against literary piracy.

I think the information sought for by the resolution is not useless and has not been superseded by any discontinuance of the policy that has heretofore been maintained by any class of men or body of men. I am particularly anxious for the information myself, because if it shall be affirmed that it is the right of Senators to print copyrighted books, I wish to make some selections out of the libraries and spread them before the people of the United States, they being books which, in my judgment, are useful to be comprehended and understood. I do not know of any cheaper way than the way indicated, provided it shall be determined by our Judiciary Committee that this is proper.

Besides that, there is a large number of people, very excellent of character and very disappointed in their expectations, who have been guilty of divers and sundry copyrighted noncirculative books, and how can the circulation of those books be more easily forced than by republishing them in the CONGRESSIONAL RECORD?

I think the resolution should pass, but I am somewhat indifferent as to the committee to which it should go.

The VICE-PRESIDENT. The question is on the motion of the Senator from Iowa [Mr. WILSON] that the resolution be referred to the Committee on Patents.

The motion was agreed to.

#### IRRIGATION PUBLICATIONS OF GEOLOGICAL SURVEY.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. POWELL April 19, 1892, as follows:

*Resolved*, That the Secretary of the Interior be, and is hereby, directed to furnish the Senate with information in relation to the following matters and at as early a date as practicable:

1. What documents, reports, monographs, papers, maps, and illustrations have been printed during the fiscal years of 1890-91 and 1891-92 for the United States Geological Survey in relation to irrigation, the storage of water, the measuring of streams, the construction and character of works in this and other countries, the survey of arid lands for reclamation purposes; also if any have been printed in previous years, not already published and distributed, and, if so, what relation such reports, etc., bear to the annual and special publications of the Geological Survey, as authorized by law, and at what date of any such documents are now printed or printing, will they be ready for distribution?

2. What reports relating to arid-land reclamation and irrigation are in preparation in the offices of the United States Geological Survey and the United States Census, whether the same are now in course of printing; by

whom are such reports being prepared, and under what authority of law; from what appropriations are the costs of said reports, papers, etc., being borne, and from what rolls are the persons employed thereat being paid, with a full statement or estimate of the cost of each of such publications or documents, both for preparation and printing, with the number to be printed and specific authority under which the work is being or has been done.

3. That the information given in No. 1 shall include a statement as to whether any portion and if so, what portions, of said reports, etc., have been previously published and circulated, either publicly or privately, papers and reports, also as to the authority of law under which such data have been gathered, the names and duties of those employed to obtain and prepare the same, the rolls on which they are now or were borne and paid, the amount of the payments to them while so employed, and the offices or divisions to which they were assigned.

Mr. HALE. That resolution was read in full yesterday. I objected to it and it went over. I have since examined it and am in favor of it.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

The VICE-PRESIDENT. If the morning business is concluded, the Calendar under Rule VII is in order.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed a bill (H. R. 8001) to authorize a national bank at Chicago, Ill., to establish a branch office upon the grounds of the World's Columbian Exposition; in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 113) to establish a military post near Little Rock, Ark.; and

A bill (S. 112) to authorize the appointment of an inspector of plumbing in the District of Columbia, and for other purposes.

#### EXCLUSION OF CHINESE.

Mr. TELLER. If agreeable to the Senate, I should like to call up the resolutions introduced some time since by the Senator from Alabama [Mr. MORGAN] touching the silver question, for the purpose of submitting some remarks thereon.

The VICE-PRESIDENT. The Chair lays the resolutions before the Senate.

Mr. TELLER. I do not desire to interfere with any business of the Senate, but this seems to me to be as favorable an opportunity as I shall get.

Mr. SHERMAN. I have no objection to interpose if the Senator will allow me a few moments to give the state of the law in regard to the Chinese question.

Mr. TELLER. Certainly.

Mr. SHERMAN. I gave notice that I would call up the bill reported from the Committee on Foreign Relations in respect of Chinese immigration. At that time the committee were of the opinion, or seemed to be, without any very careful examination of the law, that the present law for the exclusion of Chinese immigration would expire on the 6th of May of the present year. By a more careful investigation, and by examining the amendments which have been made to the act of May 6, 1882, I became entirely satisfied that the act of 1884 extended the time two years, so that the law prohibiting Chinese immigration does not expire until some time in July, 1894. Therefore there is no immediate pressure to urge the passage of the bill reported by the Committee on Foreign Relations. Certain Senators desire to speak upon this subject, however, and at some time when it is convenient to them I shall call the bill up, but not to-day.

#### THE FINANCIAL SYSTEM.

The VICE-PRESIDENT. The Chair has recognized the Senator from Colorado [Mr. TELLER] as entitled to the floor on the resolution heretofore submitted by the Senator from Alabama [Mr. MORGAN].

Mr. WILSON. Unless the Senator from Colorado is anxious to proceed now, I should like to suggest that we occupy this morning on the Calendar until 2 o'clock. The Calendar is increasing.

Mr. TELLER. I should prefer, if I am to speak at all, to speak now.

Mr. WILSON. The Calendar is increasing every day.

Mr. TELLER. Of course, if the Senator objects I shall not speak.

Mr. WILSON. I shall not go to that extent, but I merely make the suggestion that it would be well to have the Calendar considered until 2 o'clock.

Mr. TELLER. Mr. President, I suppose, in the condition in which the friends of bimetallism find themselves to-day in this country, perhaps I should apologize to the Senate for taking its time from the Calendar, touching unimportant and trifling bills,



## SENATE.

THURSDAY, April 21, 1892.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.  
The Vice-President being absent, the President *pro tempore* took the chair.

The Journal of yesterday's proceedings was read and approved.

## EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of March 24, 1892, a list of all persons under the War Department, and stating their names, legal residences, compensation, duties, etc.; which, with the accompanying papers, was referred to the Committee on Civil Service and Retrenchment, and ordered to be printed.

## COURT OF CLAIMS REPORT.

The PRESIDENT *pro tempore* laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims relating to the brig Betsey; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

## EULOGIES ON THE LATE SENATOR WILSON.

Mr. GORMAN. Mr. President, I desire to give notice that on Friday, the 6th of May next, immediately after the morning business, I shall ask the Senate to consider resolutions in reference to the death of my late colleague, Ephraim K. Wilson.

## PETITIONS AND MEMORIALS.

Mr. SHERMAN presented a memorial of 28 manufacturing firms of Cleveland, Ohio, remonstrating against the admission to this country of foreign-built beet-sugar machinery free of duty; which was referred to the Committee on Finance.

He also presented a petition numerous signed by citizens of Ridgeville, Ohio; a petition of the Presbyter of Wooster, Ohio, and a petition of the Reformed Presbyterian Church of Northwood, Ohio, praying that the World's Columbian Exposition be closed on Sunday, and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. DAWES presented the memorial of Mrs. L. Robinson, of Bonds Village, county of Hampden, State of Massachusetts, remonstrating against Congress committing the United States Government to a union of religion and the state in the passage of any bill or resolution to close the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. WILSON presented a memorial of three members of the Seventh-Day Advent Church and 38 other citizens of Forest City, Iowa, remonstrating against the closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. DIXON presented a petition of 26 citizens of Rhode Island, praying for the passage of legislation subjecting oleomargarine to the provisions of the laws of the several States; which was referred to the Committee on Agriculture and Forestry.

Mr. VEST presented the memorial of John Wilson and other citizens of Neosho, Mo., remonstrating against the passage of legislation committing the United States Government to a union of church and state; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. COCKRELL. I present a memorial of S. M. Baker and other leading citizens of Wellsville, Mo., remonstrating against the passage of a general bankruptcy law. I move that the memorial be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. FRYE presented the following petitions of the Bethel Grange, Patrons of Husbandry, of Maine:

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—referred to the Committee on Finance.

Mr. FELTON presented a petition of citizens of Glenn County, Cal.; a petition of citizens of Shasta County, Cal., and a petition of citizens of Cayce, Cal., praying for the passage of the Washburn-Hatch antislavery bills; which were referred to the Committee on the Judiciary.

Mr. PEFER presented a petition of the Wage-Workers'

Political Alliance of the District of Columbia, praying for the passage of Senate bill 1672, relating to the subject of botanical medicine and practitioners; which was referred to the Committee on the District of Columbia.

Mr. CALL. I present a petition of the Washington County Alliance of Vernon, Fla., indorsing the efforts of their friends in Congress, and praying for the passage of legislation to emancipate the farming and industrial classes from the unjust taxation of organized capital. I move that the petition be referred to the Committee on Finance.

The motion was agreed to.

Mr. GORMAN presented a petition of Burnside Post, No. 22, Grand Army of the Republic, of Baltimore, Md.; a petition of the Naval Veteran Association of Maryland; a petition of the Merchants and Manufacturers' Association of Baltimore, Md.; a petition of Custer Post, No. 6, of Baltimore, Md.; a petition of the Naval Veteran Association of Baltimore, Md.; a petition of the Dodge Post, No. 44, Grand Army of the Republic, of Baltimore, Md.; and a petition of the Wilson Post, No. 1, Grand Army of the Republic, of Baltimore, Md., praying for the passage of legislation transferring the Revenue Marine Service to the naval establishment; which were ordered to lie on the table.

Mr. VILAS presented the memorial of M. H. Brown and 37 other members of the Seventh Day Advent Church of Milwaukee, Wis., remonstrating against the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. McPHERSON presented the petition of Rev. Dr. Rudolph Wiczorek, pastor of the Evangelical German Lutheran Church of New York City, praying that a pension be allowed Charles H. Kosch, who served in the Indian war in Florida; which was referred to the Committee on Pensions.

He also presented a petition of the Bureau of Charities of Newark, N. J., praying for the passage of legislation to secure the adoption of safer appliances for coupling railroad cars; which was ordered to lie on the table.

He also presented a petition of Moorestown Grange, Patrons of Husbandry, of Burlington County, N. J., praying for the passage of legislation to prevent gambling in farm products; which was referred to the Committee on the Judiciary.

He also presented a petition of the students of the Drew Theological Seminary, of Madison, N. J.; a petition of the Presbytery of New Brunswick, N. J., and a petition of Rev. Judson Conklin and 89 members of the Clinton Avenue Baptist Church of Trenton, N. J., praying that the World's Columbian Exposition be closed on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

## REPORTS OF COMMITTEES.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 2882) for the relief of John M. Davis, reported it with amendments, and submitted a report thereon.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 2613) to amend sections 2807 and 2881 of the Revised Statutes, reported it with amendments.

Mr. FRYE. I report back adversely from the Committee on Commerce the bill (S. 1806) to amend sections 2774 and 2807 of the Revised Statutes, the bill just reported making provision for the purposes of this bill. I move that the bill be postponed indefinitely.

The motion was agreed to.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (S. 1600) to provide for the completion and repair of quarters, barracks, and stables at Forts Washakie and McKinney, Wyo., reported it with amendments, and submitted a report thereon.

Mr. PEFER, from the Committee on Claims, to whom was referred the bill (S. 364) for the relief of Barker Williams and others, reported it with an amendment, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on Territories, to whom was referred the joint resolution (S. R. 72) relative to the erection of a penitentiary in the State of North Dakota, and for other purposes, reported it with an amendment, and submitted a report thereon.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 2298) for the relief of James L. Townsend, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 740) providing for the relief of William C. Spencer, of Maryland, late captain Seventeenth Infantry, United States Army, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 898) to furnish the Gettysburg Battlefield Memorial Asso-

ciation, at Gettysburg, Pa., with specimen of arms, accoutrements, etc., used by the armies in the battle of Gettysburg, for exhibition and preservation at the Gettysburg Museum, reported it without amendment, and submitted a report thereon.

Mr. BATE, from the Committee on Military Affairs, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2058) to establish the rank of Arza B. Gilson, of Havana, Ohio, as major of the One hundred and sixty-sixth Ohio Volunteers;

A bill (S. 1976) for the relief of Charles Bandhart; and

A bill (S. 1654) for the relief of David M. Watson.

Mr. PALMER, from the Committee on Military Affairs, to whom was referred the bill (S. 64) for the relief of John A. Lynch, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 2750) to place John M. Cunningham on the retired list, reported adversely thereon; and the bill was postponed indefinitely.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 713) authorizing and directing the Secretary of War to contract for the purchase of the letters patent granted to the late Beverly Kennon for his invention of a counterpoise battery, reported adversely thereon; and the bill was postponed indefinitely.

Mr. HOAR. I am directed by the Committee on the Judiciary to report back adversely the bill (S. 387) to prohibit the allowing of attorney's fees in cases of foreclosures of mortgages in courts of the United States when it is forbidden by State laws in the courts of the State. The same is true of this bill; the provisions have been inserted in another bill.

The PRESIDENT *pro tempore*. The bill will be indefinitely postponed.

Mr. PADDOCK subsequently said: I ask that the vote by which Senate bill 387 was indefinitely postponed be reconsidered, and that the bill may be placed on the Calendar with the adverse report of the committee. I may wish to say something about it.

Mr. HOAR. I have no objection if the Senator desires that to be done, but I will state to him that the Judiciary Committee has recommended in the House bill which has been reported favorably and is pending in the Senate the insertion of a provision limiting attorneys' fees in all cases to those fixed in the Revised Statutes, which are in most instances only two or three dollars a case, and which do not exceed \$20, I think, in any case whatever, cutting up by the roots the system of taxing large attorney's fees in mortgage sales and all those things.

Mr. PADDOCK. I am not sure that that will satisfy me, and I prefer to have the bill placed on the Calendar for personal reasons.

Mr. HOAR. Very well; the Senator can look at the bill.

The PRESIDENT *pro tempore*. The vote indefinitely postponing the bill will be reconsidered, and it will be placed on the Calendar with the adverse report of the committee, if there be no objection. The Chair hears none.

Mr. HOAR, from the Committee on the Judiciary, to whom was referred the bill (S. 1494) to create additional associate justices of the supreme court of the District of Columbia, reported adversely thereon, and the bill was postponed indefinitely.

Mr. HOAR. I am instructed by the Committee on the Judiciary to report back adversely the bill (S. 2264) to amend an act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes." A similar bill has already passed the Senate.

The PRESIDENT *pro tempore*. The bill will be indefinitely postponed.

Mr. HOAR. I am also instructed by the Committee on the Judiciary to report back adversely the bill (S. 2833) in relation to the Court of Claims. The provisions of this bill have passed the Senate in another bill.

The PRESIDENT *pro tempore*. The bill will be indefinitely postponed.

Mr. CHANDLER, from the Committee on Naval Affairs, to whom was referred the bill (S. 326) for the relief of the sufferers by the wreck of the United States steamer Tallapoosa, reported it with an amendment.

Mr. HALE. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 7818) to provide for certain of the most urgent deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1892, and for other purposes, to report it with amendments. I give notice that I shall call up the bill to-morrow morning after the routine business.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

#### BILLS INTRODUCED.

Mr. McPHERSON introduced a bill (S. 2965) for the relief of Capt. George H. Perkins; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2967) to amend rule 7, section 1233, Revised Statutes; which was read twice by its title, and referred to the Committee on Commerce.

Mr. COCKRELL introduced a bill (S. 2967) for the relief of the heirs of Davis B. Bonfoey; which was read twice by its title, and referred to the Committee on Claims.

Mr. BUTLER introduced a bill (S. 2968) to provide for a May term of the district court of the United States for the eastern district of South Carolina; which was read twice by its title.

Mr. BUTLER. I beg leave to accompany the bill with a letter from Judge Simonton, the district judge of South Carolina, to which I beg to invite the attention of the Committee on the Judiciary, and ask if we can not have early action in regard to the bill. It seems to be a matter of some importance.

The PRESIDENT *pro tempore*. The bill and accompanying paper will be referred to the Committee on the Judiciary.

Mr. BUTLER introduced a bill (S. 2969) granting a pension to Clark Martin; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. DAVIS introduced a bill (S. 2970) for the relief of H. K. Holding; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. GORMAN introduced a bill (S. 2971) authorizing the restoration of the name of Thomas Dynes, late first lieutenant First United States Infantry, to the rolls of the Army, and providing that he be placed on the list of retired officers; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2972) to refund to the corporate authorities of Frederick City, Md., the sum of \$200,000 exacted of them by the Confederate army under General Jubal Early, in 1864, under penalty of burning said city; which was read twice by its title, and referred to the Committee on Claims.

Mr. GIBSON of Maryland (by request) introduced a bill (S. 2973) for the relief of Thomas Stack; which was read twice by its title, and referred to the Committee on Claims.

Mr. PERKINS introduced a bill (S. 2974) granting an honorable discharge to Ephraim Morris; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2975) granting an honorable discharge to William Brown; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. McMILLAN introduced a bill (S. 2976) for the construction of a public building at Flint, Mich.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. SAWYER introduced a bill (S. 2977) for the relief of the Stockbridge tribe of Indians, in the State of Wisconsin; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CULLOM introduced a bill (S. 2978) granting an increase of pension to James T. Smith; which was read twice by its title, and referred to the Committee on Pensions.

#### AMENDMENTS TO BILLS.

Mr. GIBSON of Maryland submitted six amendments intended to be proposed by him to the river and harbor appropriation bill; which were referred to the Committee on Commerce, and ordered to be printed.

#### SALE OF NONMINERAL LANDS.

Mr. POWER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Interior be, and he is hereby, directed to furnish the Senate, on or as early a date as practicable, with a detailed statement of all moneys received by the General Land Office, and the cost of survey and sale of same, for all nonmineral lands sold from the public domain during the past ten fiscal years, in to and ending June 30, 1891, within the areas now included in the States of California, Colorado, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Washington, and Wyoming, and the Territories of Arizona, New Mexico, Oklahoma, and Utah. This information to be arranged by fiscal years, and by receipt and expenditures by States and Territories and by land districts within the same.

#### SALMON FISHING IN ALASKA.

Mr. PLATT submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Fish Commissioners be, and he is hereby, directed to communicate to the Senate any information in his possession relative to salmon fishing in Alaska, its extent, and whether the methods employed in catching salmon are likely to diminish the supply and eventually exterminate the salmon, together with his opinion as to what measures should be adopted for the protection and preservation of the salmon industry in Alaskan waters.

#### DYNAMITE-GUN CRUISER VESUVIUS.

The PRESIDENT *pro tempore*. Is there further morning busi-

The next amendment was, on page 6, line 115, before the word "Superior," to insert "At;" so as to make the clause read:

At Superior Bay, lights, at a cost not exceeding \$1,200.

The amendment was agreed to.

The next amendment was, on page 6, to strike out lines 119 to 123, inclusive, as follows:

At Rock of Ages, a light and fog signal, at a cost not exceeding \$125,000.

At Rock Harbor, reestablish light and establish fog signal, at a cost not exceeding \$10,500.

The amendment was agreed to.

The next amendment was, on page 6, under the headline "Lake Michigan," in line 127, before the word "fog," to insert "steam;" so as to make the clause read:

At Seul Chok Point, a steam fog signal, at a cost not exceeding \$5,500.

The amendment was agreed to.

The next amendment was, on page 6, line 129, before the word "fog," to insert "steam;" so as to make the clause read:

On South Fox Island, a steam fog signal, at a cost not exceeding \$5,500.

The amendment was agreed to.

The next amendment was, on page 6, line 131, after the word "and," to insert "steam;" so as to make the clause read:

On North end Manitou Island, a light and steam fog signal, at a cost not exceeding \$20,000.

The amendment was agreed to.

The next amendment was, on page 6, to strike out lines 133 and 134, as follows:

On southeast point North Manitou Island, a light and fog signal, at a cost not exceeding \$20,000.

The amendment was agreed to.

The next amendment was, on page 7, line 137, before the word "fog," to insert "steam;" so as to make the clause read:

At Ludington, a steam fog signal, at a cost not exceeding \$5,500.

The amendment was agreed to.

The next amendment was, on page 7, line 139, before the word "fog," to insert "steam;" so as to make the clause read:

At St. Joseph, a steam fog signal, at a cost not exceeding \$5,000.

The amendment was agreed to.

The next amendment was, on page 7, line 141, before the word "fog," to insert "steam;" so as to make the clause read:

At Manitowoc, a steam fog signal, at a cost not exceeding \$5,500.

The amendment was agreed to.

The next amendment was, on page 7, to strike out lines 147 and 148, as follows:

At Rock Island, a light ship of suitable pattern, at a cost not exceeding \$20,000.

The amendment was agreed to.

The next amendment was, on page 7, line 151, before the word "fog," to insert "steam;" so as to make the clause read:

At Little Gull Island, a light and steam fog signal, at a cost not exceeding \$20,000.

The amendment was agreed to.

The next amendment was, on page 7, to strike out lines 153 and 154, as follows:

At Pointe aux Barques, a light and fog signal, at a cost not exceeding \$25,000.

The amendment was agreed to.

The next amendment was, on page 7, in line 155, to strike out the word "Noque" and insert "Noquette;" so as to make the clause read:

At Squaw Point, Little Bay de Noquette, a light, at a cost not exceeding \$5,000.

The amendment was agreed to.

The next amendment was, on page 7, line 157, before the word "Peshtigo," to insert "or near;" and in the same line, to strike out the words "light-ship with fog whistle," and insert "light-house and steam fog signal;" so as to make the clause read:

At or near Peshtigo Shoal, Green Bay, a light-house and steam fog signal, at a cost not exceeding \$10,000.

The amendment was agreed to.

The next amendment was, on page 8, line 164, after the words "for the," to strike out "purchase of four light-ships of suitable pattern: one of said light-ships to be stationed at or near Eleven Foot Shoal, one at or near Drisco Shoal, one at or near Poverty Island Shoal, and one at or near Whale Back Shoal" and insert in lieu thereof "construction or purchase and equipment of one or more light-ships for service on the Great Lakes, and said appropriation shall be immediately available therefor;" so as to make the clause read:

That the sum of \$60,000 heretofore appropriated by act of Congress, August 30, 1890, for the building of a light-house on Eleven Foot Shoal, Green Bay, be applied, under the direction of the Light-House Board, for the construction or purchase and equipment of one or more light-ships for service on the Great Lakes, and said appropriation shall be immediately available therefor.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5499) to amend an act entitled "An act approving with amendments the funding act of Arizona," approved June 25, 1890, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WASHINGTON, Mr. KILGORE, and Mr. PERKINS, managers at the conference on the part of the House.

#### BOSTON HARBOR IMPROVEMENT.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the Senate of the 18th instant, a letter from the Chief of Engineers, dated the 19th instant, together with a copy of a letter from Lieut. Col. S. M. Mansfield, Corps of Engineers, relative to the cost of deepening the main channel of Boston Harbor, which was read.

Mr. HOAR. I desire to ask the chairman of the Committee on Commerce to examine that report and see whether the map which accompanies it should be printed or not, as well as the letter; and, if so, that he will make the proper motion.

Mr. HARRIS. Had it not better be referred to the Committee on Commerce? Then the committee can order any printing they desire.

Mr. HOAR. I wish to have the matter advanced. It relates to an important improvement in Boston Harbor, which I want to have the committee consider in time for the river and harbor bill.

Mr. FRYE. I think that ordering the printing of the map will cause such delays that it will probably be useless at this session of Congress, and perhaps it had better not be printed, but let the communication be printed and referred to the Committee on Commerce.

Mr. HOAR. Very well.

The PRESIDENT *pro tempore*. The communication and accompanying papers, except the map, will be printed and referred to the Committee on Commerce.

#### MILITARY POST NEAR HELENA, MONT.

Mr. HAWLEY. I dislike to ask the Senate to take up a bill out of its order, but I am going out of town for four or five days, and I am pressed by the Secretary of War, the Senators from Montana, and various citizens to ask for the early consideration of Senate bill 1881, to establish a military post near the city of Helena, in Lewis and Clarke County, in the State of Montana. I ask unanimous consent that it may be considered now.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1881) to establish a military post near the city of Helena, in Lewis and Clarke County, in the State of Montana.

The bill was reported from the Committee on Military Affairs, with an amendment in section 2, line 3, after the word "quarters," to insert "hospital;" so as to read:

SEC. 2. That for the purpose of defraying the expenses of locating the said army post as aforesaid, and of constructing barracks, quarters, hospital kitchens, mess halls, stables, storehouses, magazines, defenses, and other necessary and suitable improvements and buildings, there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$300,000, or so much thereof as may be necessary, the same to be drawn from the Treasury and applied to said purposes under the direction of the Secretary of War.

The amendment was agreed to.

Mr. HAWLEY. This is a bill of so much importance and asking for so much money that I ought perhaps to put on record a brief statement about it.

This is a matter which has been long considered by the War Department. The establishment of this post is recommended by the Secretary of War, by the General commanding the Army, the general commanding the Department of the Missouri, and the general commanding the Department of Dakota. It is a part of a general system for rearranging the posts of the Army, which has become a wise and necessary policy.

We have no longer what is called technically "a frontier." The abolishment of small posts and the concentration of troops at points strategically strong and conveniently situated for quick distribution in case of necessity is a policy which is being carried out by the War Department. Pursuant to this policy, Fort Shaw, Fort Logan, Fort Ellis, and Fort Maginnis, in Montana, have all been discontinued, while other small posts and camps where military forces have been stationed in former time have

disposal of the land afford the Government the opportunity to acquire the land at a cost for the purposes of the act.

The bill was reported to the Senate as amended, and the amendments were agreed to.

**MR. CALL.** There is a very large appropriation for the establishment of a military post. We passed a bill a few days ago establishing a post in the State of Florida for the erection of certain new barracks, and the appropriation, I think, was \$20,000. The appropriation proposed to be appropriated, especially in the present condition of the Treasury of the country, seems to me to be a large amount.

**MR. HAWLEY.** Well, Mr. President, the Senator is correct; it is a large amount; but it is a matter, as I say—I can only repeat what I have already said—that the Secretary of War, the General commanding the Army, and the general's of various departments recommend. It causes the discontinuance of four very considerable forts and a number of small posts.

**MR. McPHERSON.** Where is it located?

**MR. HAWLEY.** In Helena, Mont. The Senators from Montana understand the question fully. I think the bill is wise and economical. I think it is most decidedly an economical measure.

**MR. SANDERS.** Mr. President, the establishment of this post in that vicinity has been approved by various generals commanding the Army from the days of Gen. Grant down until now. It was the judgment of Gen. Sheridan, as it is now of all the army officers familiar with that region, that it is in the interest of economy.

In response to what the Senator from Florida [Mr. CALL] is pleased to say, I will state that the bill itself contemplates as a condition precedent a very considerable contribution from the people in that region. A thousand acres of land at any place where it is likely this post will be established in that vicinity will not be likely to be worth less than from fifty to one hundred dollars an acre; and while I do not very cordially or enthusiastically support that portion of the proposition, I am satisfied that it will be accepted and the conditions be complied with.

There are a number of small posts remote from railroads which have been or are to be abolished there. The point selected in this bill is one from which railroads diverge at almost every point of the compass. It is near to our northern frontier, and troops can be maintained at the post to be established here much more cheaply than they can at the various posts to be abolished and those which have heretofore been abolished.

While it is true that the appropriation is somewhat larger, I do not know, and I do not suppose, indeed, that it will be possible, that it will all be expended this year; but the creation of such a post as will accommodate the army which may live somewhere at that point will be accompanied with some expense. That expense, however, will be largely reimbursed by the saving which will result to the Government by removing the troops from posts which are now very expensive. Gen. Merritt, I believe, states that Fort Custer, which is one of the posts contemplated to be abandoned, is the most expensive post in the United States to supply, and inasmuch as at that point the necessity for a military force has ceased to exist, it is contemplated that it shall be abolished and that the troops shall be stationed at this new post.

There is no apprehension that the property will not be worth twice as much as the Government proposes to appropriate by this bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### ECKINGTON AND SOLDIERS' HOME RAILROAD COMPANY.

The bill (H. R. 110) to amend the charter of the Eckington and Soldiers' Home Railroad Company was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with amendments. The first amendment was, in section 1, line 8, after the word "across," to strike out:

Thence from the intersection of New Jersey avenue and C street north, east along C street to North Capitol street, and thence north along North Capitol street to B street north, and also beginning at the intersection of C street and New Jersey avenue, east to Massachusetts avenue, thence south easterly along Massachusetts avenue to North Capitol street, and—

And insert in lieu thereof:

And first, east, thence south along First street NW to C street NW, thence east along C street to New Jersey avenue, thence east along New Jersey avenue to a point in the center of said avenue, thence north easterly along the north center line of B street north. Beginning north at the New Jersey avenue to D street, thence west on D street to First street NW, thence north on First street to C street, and along C street to First street NW, also beginning at the intersection of C street and New Jersey avenue, thence across New Jersey avenue to and along C street to North Capitol street.

The amendment was agreed to.

The next amendment was, in section 1, after line 27, to insert:

Also beginning at the intersection of New Jersey avenue and C street NW, thence east on C street to Stanton square, thence around Stanton square,

on the north side thereof, to C street NE and along C street to Fifteenth street NE, thence north on Fifteenth street to D street NE, thence west on D street to Fourth street; thence south on Fourth street to and along C street to New Jersey avenue and the point of beginning. *Provided*, That until C and D streets shall be paved and provided with sewers to Fifteenth street the company shall not be required to construct its road beyond Twelfth street, and that the authority to make connection with D street through Twelfth street.

The amendment was agreed to.

The next amendment was, in section 1, line 54, after the word "line," to strike out "in" and insert "line," so as to read:

S. 1. If company shall construct any extension of its main line or any of its branches, and any point on such lines to the terminus of its main line or any of its branches.

The amendment was agreed to.

The next amendment was, to insert at the end of section 1 the following additional provisions:

*Provided*, That no construction or sand rail on any street where the same may be built, and no extension or appurtenance pertaining to the Washington Avenue line shall be subject to such conditions as may be approved by the Secretary of War, which conditions must be obtained and be accepted in writing by said company before commencing any work on such street, and no steam cars, horse cars, or passenger or other cars for street railroads shall ever be run on the tracks of said company over any such main, fixture, or appurtenance. The said railroad shall be subject to the requirements of section 3 of the act of Congress, approved February 28, 1861, entitled "An act to incorporate the Washington and Arlington Railway Company of the District of Columbia." The said company shall before commencing work on said railroad on such street deposit with the Treasurer of the United States to the credit of the Washington Avenue line the sum of the Secretary of War, the sum of \$100,000, to be used by the Secretary of War in the expenses that may be incurred by the United States in connection with the inspection of the work of construction of said railroad on such street, and in making good any damages done by said company or its works, or by any of its contracting agents, to any of said main, fixtures, or appurtenances, and in completing, as the Secretary of War may deem necessary, any of the work that the said company may neglect or refuse to complete, and that the Secretary of War may consider necessary for the safety of said main, fixtures, or appurtenances, and the said company shall at all times deposit such further sums for said purposes at such times as the Secretary of War may consider necessary. *Provided*, That the said sum shall be used like other moneys appropriated for the Washington Avenue line, and that whenever said sum of said deposits at the end of one year or the expiration of said railroad in such street shall be returned to said company on the order of the Secretary of War, with an account of its disbursement in detail. *And provided*, That disbursements of said deposits shall, except in case of emergency, be made only on the order of the Secretary of War. The exercise of the rights by the said company to terminate the franchise of the Secretary of War in case of persistent neglect by said company or by its successors to comply with the demands or to comply with any of the conditions, requirements, and regulations aforesaid.

The amendment was agreed to.

**MR. McMILLAN.** I am instructed by the Committee on the District of Columbia to offer an amendment, which I send to the desk.

**THE PRESIDING OFFICER.** The amendment will be reported.

**THE SECRETARY.** In section 1, line 39, after the word "street," it is proposed to insert:

Also beginning at the present terminus of the Eckington and Soldiers' Home Railroad on Fourth street extended, thence along and wholly outside of the present Eckington and Soldiers' Home Railroad to and along C street, thence east along C street to North Capitol street, and thence north along North Capitol street to B street north, and also beginning at the intersection of C street and New Jersey avenue, east to Massachusetts avenue, thence south easterly along Massachusetts avenue to North Capitol street, and—

The amendment was agreed to.

**MR. McMILLAN.** In line 84, on page 4, in section 1, I move to strike out "sums" and insert "sums."

The amendment was agreed to.

**MR. McMILLAN.** In section 1, line 80, before the word "disbursements," I have to strike out "its" and insert "their," so as to read: "with an account of their disbursement in detail."

The amendment was agreed to.

**MR. McMILLAN.** In section 3, line 2, after the word "act," I move to insert "except as otherwise expressly provided for."

The amendment was agreed to.

**MR. CALL.** Mr. President, I should be very glad if the Senator from Michigan in charge of this bill would explain the necessity for it.

**MR. McMILLAN.** The object of the bill is to extend the Eckington road, which now runs to the Soldiers' Home and the Catholic University, to extend its line, which now runs on C street, up to the Baltimore and Ohio depot first, using the tracks of the present companies, so that it is not necessary for them to build a track on one block. Between Fourth and Fifth streets, on C street, they will have to build a track on the two blocks. Then they use the tracks of the B. & O. line until they get up to New Jersey avenue, when they use the tracks of the New Jersey avenue line.

Then it was thought best, instead of permitting new charters to be granted for the purpose of building new lines on the north side of the city, to extend this road up to Fifteenth street north, east. This enables passengers in the north-east part of the city to take the Eckington cars, which will take them either

down to the Treasury Department in the center of the city with transfers to Georgetown, or will take them to the Soldiers' Home for the sum of 5 cents. If we were to allow charters to be given to those who are demanding them in the east end, it would simply mean that a passenger would have to pay 10 cents to take the same ride. This bill has had careful attention from the committee; it was examined very carefully, and we think it is a very good bill indeed, satisfactory to the citizens and advantageous for the District in every way. It has behind it petitions from hundreds of people.

Mr. MORGAN. I wish to ask the chairman of the committee whether this proposed railway line passes along G street between Fourth and Fifth?

Mr. McMILLAN. It now runs on G street.

Mr. MORGAN. It runs to Fifth street on G?

Mr. McMILLAN. Yes, sir.

Mr. MORGAN. Is it proposed to extend it from Fifth to Fourth on G?

Mr. McMILLAN. Yes; to fill up that gap, and then connect with what is called the Belt Line.

Mr. MORGAN. You can not put two lines of railway in that street without ruining it.

Mr. McMILLAN. They do not. There is no track there at all now.

Mr. MORGAN. I mean that you can not put a double track there without ruining that street.

Mr. McMILLAN. There is a double track on G street.

Mr. MORGAN. Up to Fifth there is, but not beyond that, not between Fourth and Fifth.

Mr. McMILLAN. The Senator will remember that on G street at that point the Pension Office is situated.

Mr. MORGAN. Yes, I know, and that is the reason why you can not get a proper width of street there to put in two tracks.

Mr. McMILLAN. I do not think there is any difficulty about it. I have driven down there myself and looked at it very carefully.

Mr. MORGAN. I lived on that street for four years, and I know it to be the fact.

Mr. HARRIS. The street from Fourth to Fifth is as wide as it is from Fifth to Fifteenth.

Mr. MORGAN. No, not as wide.

Mr. HARRIS. It is quite as wide; and on one side there are no buildings. On the north side there are buildings.

Mr. MORGAN. On the south side there is the Pension Office.

Mr. HARRIS. Of course, and there is an open space.

The PRESIDING OFFICER. The Senator from Michigan has the floor.

Mr. McMILLAN. The majority of the people who live there have no objection to this road. The track is laid very smoothly; the new pattern of rail is used, and when it is asphalted over there will not be any difficulty about it, and it will be a very great convenience to have this road extended that one block.

Mr. MORGAN. What is the motive power?

Mr. McMILLAN. Electricity.

Mr. MORGAN. Overhead?

Mr. McMILLAN. Underground or the storage battery. It is expressly provided in the bill that nothing else shall be used. It must be either underground or the storage-battery system.

Mr. VEST. They may use the present power that they have.

Mr. McMILLAN. That is storage. They use on New York avenue now the trolley system, but that has to be done away with now very soon. The company has been using for some time the storage system.

Mr. VEST. The language of the bill, I notice, is

"If electric wires or cables are used.

"If" they are used.

Mr. McMILLAN. There is no doubt that they may use a cable, I suppose, but they can not use overhead wires. That is absolutely prohibited.

Mr. VEST. I simply quote the language, which implies that they may use other power.

Mr. HARRIS. There is no other method except the trolley or overhead system, the storage battery, or the conduit system. The provision is exactly the same that was inserted. I think, upon the amendment of the Senator from Missouri a year or two ago in a similar measure. It will require putting under ground any wire or cable that is used for conducting the electric power.

Mr. MORGAN. Will it prohibit the use of horses for traction purposes?

Mr. McMILLAN. There will be no horses on this road.

Mr. VEST. It does not prohibit the use of them. I will say to the Senator from Michigan that the amendment I offered some years ago and which is now the law prohibited the use of overhead wires; that was all. But the language of this bill would permit them to use any power they saw proper. There is no in-

hibition on them at all. It simply says, "If electric wires or cables are used, \* \* \* the same shall be placed under ground;" but it does not say what they shall use.

Mr. HARRIS. If the Senator from Missouri will look at the act providing for the extension on G street, passed two or three years ago, I think that the language in this bill is precisely the same as the language in that in respect of the power, and under that extension act storage batteries have been exclusively used. I think I can safely say that nothing else is contemplated in this extension than the use of storage batteries.

Mr. McMILLAN. I think that they do not contemplate using anything else.

Mr. VEST. I should like to ask the chairman of the committee a question. I am not so familiar with these streets as I possibly ought to be. Where would this road run on B street?

Mr. McMILLAN. It does not run on B street. It runs upon New Jersey avenue within 150 feet of B street. That was done at the request of the property-owners and people who live there. They agreed to that suggestion, so that the people could take cars coming to the Capitol here on New Jersey avenue; but objection was made to coming up to B street, and that was stricken out of the bill.

Mr. VEST. It runs then within 150 feet of B street?

Mr. McMILLAN. Yes, sir.

Mr. HARRIS. To the Baltimore and Ohio depot, within 150 feet of B street.

Mr. MORGAN. There ought to be a restriction in the bill against the use of horse power.

Mr. McMILLAN. The committee have no objection to an amendment of that kind. There is no danger of horse power being used, I can assure the Senator.

Mr. MORGAN. There is always danger when there is an opening for a railroad company.

Mr. HARRIS. If the Senator will suggest an amendment, there can be no objection to prohibiting the use of horse power.

Mr. McMILLAN. I have no objection to it.

Mr. MORGAN. In section 1, line 39, after the word "provided," I move to insert, "That horse power shall not be used on said line for traction purposes, and;" so as to read:

*Provided*, That horse power shall not be used on said line for traction purposes, and that if electric wires or cables are used to propel its cars over any of the routes hereby authorized within the limits of the city of Washington the same shall be placed under ground.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. McMILLAN. I move that the Senate request a conference with the House of Representatives upon the bill and amendments.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. McMILLAN, Mr. HARRIS, and Mr. PERKINS were appointed.

#### EXCLUSION OF CHINESE.

Mr. DOLPH. I move to take up for present consideration the bill (H. R. 6185) to absolutely prohibit the coming of Chinese persons into the United States.

Mr. BATE. Why can we not go on with the Calendar regularly?

The PRESIDING OFFICER. The Senator from Oregon moves that the Senate proceed to the consideration of the bill indicated by him.

Mr. BATE. Why can we not go on with the Calendar regularly?

Mr. DOLPH. As I explained when the bill was reported, in my judgment it is of the utmost importance that it shall receive early action, and if the bill is taken up I am going to give my reasons in support of my proposition.

Mr. BATE. I have no doubt it will get us into a general debate on the bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon to take up the bill, and the motion is not debatable.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Foreign Relations with an amendment to strike out all after the enacting clause and insert:

That all laws now in force prohibiting and regulating the coming into this



country of Chinese persons and persons of Chinese descent are hereby continued in force for a period of ten years from the passage of this act.

SEC. 2. That any Chinese person or person of Chinese descent, when convicted and adjudged under any of said laws to be not lawfully entitled to be or remain in the United States, shall be removed from the United States to China, unless he or they shall make it appear to the justice, judge, or commissioner before whom he or they are tried that he or they are subjects or citizens of some other country, in which case he or they shall be removed from the United States to such country; *Provided*, That in any case where such other country of which such Chinese person shall claim to be a citizen or subject shall demand any tax as a condition of the removal of such person to that country, he or she shall be removed to China.

SEC. 3. That any Chinese person or person of Chinese descent arrested under the provisions of this act shall be adjudged to be unlawfully within the United States unless such person shall establish, by affirmative proof, to the satisfaction of such justice, judge, or commissioner, his lawful right to remain in the United States.

SEC. 4. That any such Chinese person or person of Chinese descent, once convicted and adjudged to be not lawfully entitled to be or remain in the United States, and having been once removed from the United States in pursuance of such conviction, who shall be subsequently convicted for a like offense, shall be imprisoned at hard labor for a period of not exceeding six months, and thereafter removed from the United States, as hereinbefore provided.

Mr. CHANDLER. I move to amend the text of the original House bill. In section 1, line 3, after the first word "that," I move to insert "for fifteen years;" so as to read:

That for fifteen years from and after the passage of this act it shall be unlawful for any Chinese person or persons, etc.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire [Mr. CHANDLER].

Mr. DOLPH. Mr. President, at the time I reported this bill I suggested that there was a necessity for speedy action on the part of the Senate, from the fact that the other House had not considered the Senate bill, but had sent to the Senate another bill, a House bill, so that neither bill could become a law without passing one branch of Congress. I stated that in my judgment there was no more reason why the Senate should act upon the House bill than why the House should act upon the Senate bill, and that if the House had amended the Senate bill by striking out all after the enacting clause and inserting the House bill, the matter would have gone into conference and some agreement could probably have been arrived at by which some legislation could have been had extending the existing laws for the exclusion of Chinese.

I stated that in my judgment on the 6th day of May next the present law for excluding Chinese would expire. There seemed to be some question in the minds of some Senators as to whether I was correct or not, and I learn from the RECORD that the chairman of the Committee on Foreign Relations yesterday stated that he had given further examination to the subject and that he was clearly of the opinion that the existing laws will not expire until the 5th of July, 1894; that is, ten years from the passage of the amendatory act of 1884. I am sorry to be compelled to disagree *in toto* and emphatically with the position taken by the chairman of the Committee on Foreign Relations and with any other Senator or lawyer who asserts that such is the proper construction of the act of 1884.

I had not when I reported the bill examined the authorities on the subject, but my own good judgment taught me that it must be that I was right. Since coming into the Senate Chamber this afternoon I have looked at some authorities, and I think I find authority to fully bear me out in my proposition. The first section of the act of May 6, 1882, is as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the expiration of ninety days next after the passage of this act, and until the expiration of ten years next after the passage of this act—

To this language I call the attention of my colleague, because I think he has fallen into an error by not closely examining this provision of the section. I repeat—

And until the expiration of ten years next after the passage of this act—

Not after the expiration of the ninety days—

And until the expiration of ten years next after the passage of this act, the coming of Chinese laborers to the United States be, and the same is hereby suspended; and during such suspension it shall not be lawful for any Chinese laborer to come, or, having so come, after the expiration of said ninety days, to remain within the United States.

In 1884 we found it necessary to amend the law so as to provide that no Chinese laborers should come from any foreign port or place. The question having arisen whether they must not come from China under the original act and whether we could exclude when they came from an English or other foreign port, Congress amended the law. It amended the first section, and that is all that is necessary to consider in examining this proposition. It is all that throws any light upon the subject whatever. Instead of amending it by saying that there should be stricken out of it certain words or that there should be inserted in it certain words, it amended it by saying it should be amended "so as to read as follows." In interpreting an amendment to a statute it is important to observe the manner in which it is amended. Suppose we had

merely provided that there should be inserted in the act the words which were inserted by this amendment of the act, "from any foreign port or place," would anyone contend that we had at all changed the time during which Chinese laborers were prohibited from coming into the United States by the original section? We would not have touched the question. But instead of amending it in that way we amended it by saying—

That section 1 of the act entitled "An act to execute certain treaty stipulations relating to the Chinese," approved May 6, 1882, is hereby amended so as to read as follows:

Section 1 of the act of 1884 provides—

That from and after the passage of this act, and until the expiration of ten years next after the passage of this act, the coming of Chinese laborers to the United States be, and the same is hereby suspended, and during such suspension it shall not be lawful for any Chinese laborer to come from any foreign port or place, or having so come to remain within the United States.

All that Congress was seeking to do was to provide that Chinese laborers should not come from any foreign port or place. They were not attempting to deal with the question of time during which they should be precluded from coming. They did omit the provision that they should not come after the expiration of ninety days, and why? Because that provision had expended its force; the ninety days had run. The prohibition against the coming of Chinese laborers did not take effect until after the expiration of ninety days from the time the original act had been passed, and therefore there was no necessity to repeat those words; they were no longer in force; they had performed the office it was intended they should perform.

Mr. MITCHELL. May I ask my colleague a question?

Mr. DOLPH. Certainly.

Mr. MITCHELL. Would not the construction of the amendatory act placed upon it by my colleague have the effect to shorten the period of suspension ninety days?

Mr. DOLPH. There is just where my colleague is mistaken, and that is what I am trying to explain to him. The original act did not provide that the Chinese should be prohibited from coming into the United States for ten years after the expiration of ninety days. There is where my colleague is in error. The original act provided that after the expiration of ninety days they should be precluded from coming for ten years from the passage of the act.

Mr. MITCHELL. The original act says in so many words:

That from and after the expiration of ninety days next after the passage of this act, and until the expiration of ten years next after the passage of this act, the coming of Chinese laborers to the United States be, and the same is hereby suspended; and during such suspension it shall not be lawful for any Chinese laborer to come, or, having so come, after the expiration of said ninety days, to remain within the United States.

Mr. DOLPH. I agree to that. My colleague has not changed my statement in regard to the matter at all. They could freely come for ninety days after the passage of the act. I suppose that was intended to enable those who were on shipboard on their way to the United States to come in, and then from that time until ten years from the passage of the act they were precluded from coming—not ten years from the expiration of ninety days, but ten years from the passage of the act. They were precluded only nine years and nine months by the original act from coming to the United States. So if the act of 1884 is read as part of the act of 1882 it does not change the time a particle, because it is said they are precluded from coming for ten years from the date of the passage of the act.

There is where my colleague has fallen into an error, in supposing that if the first section of the act of 1884 was inserted in the act of 1882 and read as part of it, it would shorten the time for which the Chinese were precluded from coming to the United States. That is not true. So, I say, that Congress was not dealing with the question of time. It only sought to amend the act by providing that Chinese should not come from any foreign port or place, and it did not change the time in which Chinese were prohibited from coming into the United States one moment, either to extend it or to shorten it, under that view of the case.

I had an impression—and I had not looked at the authorities when I made that report—my own judgment taught me that where you amend a section of a previous act "to read as follows," the section must be read just as if it were cut out and pasted in the original act in place of the section amended. I think I have found some authorities, hastily looking for them this morning since I came into the Senate Chamber, because I was absent when the Senator from Ohio made the statement yesterday, that bear me out. I read from the case of the *People vs. Sweetser*, in the 1st Dakota Reports, from the syllabus first:

An amendment becomes a part of the original act, whether it be the change of a word, figure, or line, or the striking out of an entire section, or striking out and inserting, or in any other way modifying or altering its provisions. When an amendatory act sets forth the entire sections amended, they are to be construed as introduced into the place of the repealed sections, and in view of the provisions of the original act after such introduction.

I now read from the opinion in the case:

As the provisions of section 4, act of 1872-73, applied to sections 1 and 2



diers' home for disabled and needy soldiers and sailors; which were referred to the Committee on Territories.

Mr. PROCTOR presented the memorial of Daniel Wilcox and other members of the Seventh-Day Adventist Church at Jamaica, Windham County, Vt., remonstrating against Congress committing the Government to a union of religion and the State by the passage of any legislation to close the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of Clarke W. Harrington, of Hampton, Va., praying that he be appointed custodian of the Yorktown Monument, in Virginia; which was referred to the Committee on Appropriations.

Mr. PLATT presented a memorial of Colechester Grange, Patrons of Husbandry, of Connecticut, remonstrating against the passage of legislation allowing gambling in farm products; which was referred to the Committee on the Judiciary.

He also presented a memorial of citizens of Washingtonville, Pa.; a memorial of citizens of Lehigh County, Pa.; a memorial of citizens of Luzerne County, Pa.; a memorial of citizens of Sandusky, Ohio; and a memorial of citizens of Chester County, Pa., remonstrating against the passage of the Faulkner, Caine, and Teller bills to provide home rule for Utah; which were referred to the Committee on Territories.

Mr. FRYE presented the petition of Rev. C. M. Emery and 42 other citizens of Norridgewock and South Norridgewock, Me., praying for the passage of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion, or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

He also presented a petition of 29 members of Vincent Mountfort Post, No. 22, Grand Army of the Republic, Department of Maine, praying for the passage of legislation providing for the marking of battle lines at Gettysburg, Pa.; which was referred to the Committee on Military Affairs.

Mr. DANIEL presented the memorial of W. W. Hubbell, of Appomattox County, Va., remonstrating against the passage of any legislation permitting the free importation of wool; which was referred to the Committee on Finance.

Mr. STOCKBRIDGE presented a petition of the Woman's Christian Temperance Union of Ypsilanti, Mich., praying that the Chinese exclusion act be not made to apply to those who come with wives and families to make permanent homes in this country; which was referred to the Committee on Foreign Relations.

He also presented the memorial of W. H. Falconer and 25 other members of the Jefferson Seventh-Day Advent Church of Pittsford, Mich.; the memorial of John T. Terrell and 23 other members of the Seventh-Day Advent Church of Byron Center, Mich.; and a memorial of sundry citizens of Michigan, remonstrating against the passage of any legislation by Congress committing the Government to a union of church and State; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the following petitions of Bath Grange, Patrons of Husbandry, of Michigan:

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—referred to the Committee on Finance.

Mr. CULLOM presented a petition of sundry citizens of Rockford, Ill., praying for the adoption of an amendment to the Constitution of the United States, prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 2174) to incorporate the Cross-Town Railroad of the District of Columbia, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 2805) to establish a botanic hospital and home and a free school in the District of Columbia, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the

bill (S. 2852) to change the name of the Capitol, North O Street and South Washington Railway Company, and for other purposes, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1965) to reimburse James M. Trotter, late recorder of deeds of the District of Columbia, for amount expended for record books of the office of recorder of deeds in said District, asked to be discharged from its further consideration, and that it be referred to the Committee on Claims; which was agreed to.

Mr. STEWART. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 6323) making appropriations for the support of the Army for the fiscal year ending June 30, 1893, and for other purposes, to report it with amendments. I give notice that I shall call the bill up on Monday next.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the resolution of the common council of Sault St. Marie, Mich., in favor of an appropriation for the completion of the new post at Fort Brady, asked to be discharged from its further consideration, and that it be referred to the Committee on Appropriations; which was agreed to.

He also, from the Committee on Military Affairs, to whom was referred the memorial of the Legislature of Oregon, concerning the re-establishment of Fort Klunath as a military post, asked to be discharged from its further consideration; which was agreed to.

Mr. PADDOCK, from the Committee on Agriculture and Forestry, reported an amendment intended to be proposed to the agricultural appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also, from the Committee on Agriculture and Forestry, to whom was referred an amendment submitted by himself intended to be proposed to the agricultural appropriation bill, reported it favorably, and moved its reference to the Committee on Appropriations and that it be printed; which was agreed to.

#### APPEALS IN CAPITAL CASES.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 2171) to amend section 766 of the Revised Statutes of the United States, to report it favorably, with an amendment. I call the attention of the Senator from New Jersey [Mr. McPHERSON] to the report.

Mr. McPHERSON. I ask the chairman of the Committee on the Judiciary if he will object to my requesting the unanimous consent of the Senate for the immediate consideration of the bill?

Mr. HOAR and Mr. HARRIS. Let the bill be read for information.

The Chief Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 766 of the Revised Statutes be amended by adding thereto, at the end of said section, the following words: "Provided, That said appeal shall not stay execution in capital cases unless accompanied by an order from the judge from whose decision such appeal is taken, restraining the sheriff or other officer from executing the sentence of the trial court."

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. DOLPH. I should like to know what the section is that is proposed to be amended and what the bill is before. I consent to its being considered at present.

Mr. HOAR. I will make an explanation, if it please the Senate. Let the amendment be read.

The PRESIDENT *pro tempore*. The amendment of the committee will be stated.

The CHIEF CLERK. Add to the bill:

Or unless such order be obtained from some justice of the Supreme Court of the United States.

Mr. HOAR. The section of the Revised Statutes of the United States referred to authorizes an appeal to the circuit court of the United States, among other things, where any person convicted in a State court claims to have acted under the authority of any statute of the United States, or under any authority derived from the law of the United States, or that he is restrained of his liberty in violation of the Constitution or any law or treaty of the United States, or where he justifies his act by setting up an authority from any foreign power, the latter being intended to cover the old McLeod case, which my friend from Oregon [Mr. Doan] knows as thoroughly as anybody, who was formerly a citizen of the State of New York, where it arose.

The provision of the Revised Statutes further is that where an application is made to a circuit court of the United States for a habeas corpus, and an appeal is taken, no action of the State authority shall be of any validity thereafter until the appeal is decided. That provision was originally applied only to a case where the prisoner set up the action of a foreign government in justification, but by a subsequent statute that provision is extended to all cases, the result of which is that a person sentenced

capitally in a State court may apply to a circuit court of the United States and set up that he was acting under some authority of the United States in the matter for which he is convicted, or that he is restrained of his liberty in violation of the Constitution or any law or treaty of the United States, and if the habeas corpus be denied by the circuit court he can appeal to the Supreme Court of the United States, and in such cases all proceedings in the State must be suspended. When the case reaches the Supreme Court of the United States, and is just ready for decision he can withdraw his appeal, or his claim can be overruled by the Supreme Court of the United States, he takes another application to a circuit court and another appeal, and so on forever.

Judge Sawyer, a very eminent and learned judge, lately deceased, held—and the circuit court in New Jersey deems itself bound by the precedent established by Judge Sawyer—that the overruling of one appeal or the withdrawal of one does not prevent a new application and a new appeal founded on precisely the same cause. Although Judge Green, of the New Jersey circuit, does not think that is a sound view, he feels constrained to follow it. So no person can be executed capitally in this country. There is a man in New Jersey who has been sentenced by the court of that State to be executed for an atrocious murder of his own wife. He pleaded guilty, and the court under the law of New Jersey declared the murder to be murder in the first degree, and he was sentenced to be executed. He comes into the circuit court and claims that that is in violation of the Constitution of the United States, which provides a jury trial in all capital cases, although it has been again and again declared by the Supreme Court of the United States that that provision of the Constitution does not apply to State courts, but only to courts of the United States, which is as well settled a doctrine of law as any in the reports. Still Judge Green, denying his application for a habeas corpus, feels constrained to grant his appeal, and, one having been granted and withdrawn by the petitioner, he comes and asks anew and gets another one, so that the State authority is absolutely defied.

The bill proposes to remedy that by providing that the proceedings in the State where an appeal is taken shall not be delayed unless one of two things happens: either the judge who denies the application for a habeas corpus and grants the appeal shall make an order directing the State authority to proceed no further, or, in order that that may not rest exclusively on the discretion of the judge whose judgment is appealed from, that such order shall be obtained from any justice of the Supreme Court of the United States. This appeal has existed only since 1885 in the suspension of this class of cases, and we think we have carefully guarded it.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. HALE. I shall not object if it takes no time.

Mr. HOAR. It is over now.

Mr. PALMER. I should like—

The PRESIDENT *pro tempore*. Does the Senator from Illinois rise to object to the consideration of the bill?

Mr. PALMER. I merely want to ask a question.

Mr. HALE. I object, if it gives rise to debate.

Mr. HOAR. I think all the time has been taken that will be required.

Mr. PALMER. I merely want to ask if the bill would still permit applications to be made to any justice of the Supreme Court.

Mr. HOAR. Certainly, the application may be made to any justice of the Supreme Court.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Committee on the Judiciary to add to the bill:

Or unless such order be obtained from some justice of the Supreme Court of the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. HOAR. There is a brief letter from the attorney-general of New Jersey to the Senator from New Jersey, which I ask may be printed in the RECORD as part of my remarks.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

The letter is as follows:

STATE OF NEW JERSEY, OFFICE OF ATTORNEY-GENERAL.  
Trenton, February 10, 1897.

MY DEAR SENATOR: I desire through you to call the attention of the Judiciary Committee of the Senate to the importance of the immediate amendment of Revised Statutes 761, as amended by the act of March 3, 1885.

Judge Sawyer, *In re Sun Hung* and another, 24 Federal Reporter, page

723, thus speaks of the section as it stands: "Upon examination I have come to the conclusion that I have no discretion in the matter, and that the right of appeal is absolute. I think the act must have passed without due consideration, without appreciating the effect or the consequences of an unlimited right of appeal." Other circuit courts have taken the same view of the act, and the courts of the United States are being used in cases where they have no jurisdiction to stay the execution of the criminal laws of the State courts. There have been several cases, but perhaps the most striking is the case of Hallinger, which was before Judge Green, judge of the district court of New Jersey. The case was this: About a year ago Hallinger pleaded guilty in the court of oyer and terminer of the county of Hudson to an indictment setting forth the facts constituting atrocious murder of his own wife.

Under the New Jersey statute and in accordance with the settled practice of the State the judge fixed the degree of murder, which the law applied to the facts as found in the first degree. He was accordingly sentenced to be hung. A few days before the time of execution application was made to Judge Green for a writ of habeas corpus under the act of 1867, extending the power of the United States judiciary to all cases where any person may be restrained of liberty in violation of the Constitution or any treaty or law of the United States (see section 753, chapter 39 title habeas corpus, Revised Statutes 1878). The petition alleged that Hallinger was deprived of his liberty contrary to the Constitution of the United States and the constitution of the State of New Jersey, because he had not had a trial by jury. Judge Green refused to grant the writ, and petitioner took an appeal. The judge allowed the appeal under the statute. The petitioner did not present the appeal, but suffered it to be dismissed by the Supreme Court of the United States, in accordance with the practice in New Jersey another day was fixed by the judge for the execution, which was the 10th of February. On the 6th an application was made to Judge Green again for another writ of habeas corpus; the petition containing the full record of the court and alleging, as before, that the detention was in violation of the constitution of the State and of the United States because the culprit had not had a trial by jury. The attorney-general of the State was notified after the judge had refused the writ, but before the appeal papers had been indorsed. He objected to the appeal being granted on the ground that the judge himself had decided that he had no jurisdiction in the matter, and therefore no appeal would lie; that in Judge's case (19 U. S., page 291) the court held that the statute made the appeal a stay from all proceedings in the State court "until final judgment," that the former appeal should be considered as an estoppel from a new application to release from the same imprisonment.

Judge Green agreed entirely with the attorney-general, but felt himself bound by the decision of Judge Sawyer and the words of the act to grant the appeal, although on the face of the petition itself it appeared that it simply was an effort to examine into error from a writ of habeas corpus directly from a court of oyer and terminer of the State to the Supreme Court of the United States. This construction of the statute is contrary to the ruling of the Supreme Court of the United States *In re Lange* and *Ex parte Parks*, where it is held that if a court has jurisdiction and a writ of error lies, that error will not be examined under a writ of habeas corpus. It will be also observed that it is settled law that the fifth amendment to the Constitution of the United States does not guarantee the right of trial by jury in the State courts, and the allegation is therefore simply that the State law is not in accordance with the State constitution, and this is the only question presented to the United States judge, and for which reason he of course properly refused the writ.

My own judgment is that Hallinger could have been hung to-day without any risk whatever. Judge Green refused to make any declaration on the subject, and directed the sheriff to take the advice of the attorney-general, in view of the fact that Judge Green granted the appeal against his will, because he felt bound by the decision of Judge Sawyer, and that Judge Sawyer, in making the decision, had pointed out the evil which would flow from his construction, and the fact that Judge Harlan held in Judge's case that the appeal was an absolute stay. I advised the sheriff to disobey the sentence of our own court.

Under these circumstances Judge Green has suggested that the power of appeal should be discretionary in the court or judge refusing the writ. As this is also the opinion of Judge Sawyer, it would seem to be proper that such an amendment should be immediately made to relieve the State authorities from the dilemma in which they are placed, or it is suggested that the same end would be reached by declaring that no appeal should be a stay, but giving discretion to a judge of the supreme court or the presiding judge of the circuit court of appeals to grant a stay in his discretion.

You will see the importance of immediate action in this matter, and I will thank you to present it to the proper committee, and if I can be of any service in further explanation I will be glad to attend on being notified.

I am, very truly, yours,

JOHN P. STOCKTON.

The PRESIDENT *pro tempore*. The question is, shall the bill pass?

The bill was passed.

#### LANDS AT DETROIT.

Mr. WILSON. By direction of the Committee on the Judiciary I report back favorably without amendment the joint resolution (H. Res. 10) for the release of all claim of the United States to lot 18, section 2, governor and judges' plan, Detroit. Inasmuch as it is a matter of some importance in connection with quieting title, I ask that the joint resolution may be considered at the present time. It will give rise to no debate.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the joint resolution?

Mr. HALE. If it gives rise to no debate I shall not object.

Mr. WILSON. I do not think it will incur any debate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. WILSON. In explanation of the joint resolution, I will state that it was submitted to the Secretary of the Interior for any suggestions or information that he might desire to communicate to the committee, and he referred the matter to the Commissioner of the General Land Office, who has reported fully upon it, and from which report I will read two brief paragraphs. Referring to the report of the House Judiciary Committee, he says:

It appears from said House Judiciary report that the western part of the lot in question "passed by one conveyance into the possession of Gen. Lewis Cass," and further, that "a search through the Department's files fails to show a title in Gen. Cass to the eastern portion of the said lot." I am therefore of the opinion that the Government has never in any manner parted with title to the eastern portion of said lot 18, except as provided by the

above-cited act of August 29, 1812, in accordance with which fee-simple title to all public land in the original site of Detroit passed to the mayor, recorder, and aldermen of said city.

Said last-named officials were required to make report of their proceedings to Congress on or before January 1, 1841. Presuming that they did so without having conveyed to anyone the portion of the lot in question, and in view of Mr. Glover's long and undisputed possession of the same, I respectfully recommend the removal of all cloud to his title thereto by the passage of the resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### DISTRICT BUILDING PERMITS.

Mr. WOLCOTT. I am directed by the Committee on the District of Columbia, to whom was referred the joint resolution (H. Res. 118) to suspend the issue of permits to erect dwelling houses in alleys in the District of Columbia, to report it favorably with amendments, and I ask unanimous consent for its immediate consideration. The matter is one of great importance.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. COCKRELL. What is the object of the joint resolution?

Mr. WOLCOTT. Let the amendments be read.

The PRESIDENT *pro tempore*. The amendments of the committee are now in order, and will be stated.

Mr. KENNA. Let the joint resolution be read as proposed to be amended.

The PRESIDENT *pro tempore*. The first amendment will be stated.

The CHIEF CLERK. In line 6, strike out the words "until further provided for by," and insert in lieu thereof "less than 40 feet in width, during the first session of the Fifty-second;" so as to read:

That the Commissioners of the District of Columbia are hereby instructed not to issue any more permits for buildings intended for human habitation in alleys in the District of Columbia less than 40 feet in width during the first session of the Fifty-second Congress.

Mr. WOLCOTT. There is another amendment.

The PRESIDENT *pro tempore*. The question is on agreeing to the first amendment proposed by the committee.

Mr. KENNA. Let the joint resolution be read as it would stand if amended.

The PRESIDENT *pro tempore*. That may be done for the information of the Senate. The amendments, however, must be proceeded with in a parliamentary way.

Mr. KENNA. For that purpose I ask that it be done. It is very short.

The PRESIDENT *pro tempore*. The resolution will be read as it would read if amended.

The Chief Clerk read the resolution as proposed to be amended, as follows:

The Commissioners of the District of Columbia are hereby instructed not to issue any more permits for buildings intended for human habitation in alleys in the District of Columbia less than 40 feet in width during the first session of the Fifty-second Congress; and that all such permits heretofore granted on alleys less than the width aforesaid shall be revoked where construction shall not already have been actually begun.

The PRESIDENT *pro tempore*. The question is on agreeing to the first amendment reported by the Committee on the District of Columbia which has been read.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The next amendment will be stated.

The CHIEF CLERK. The committee report to add to the joint resolution:

And that all such permits heretofore granted on alleys less than the width aforesaid shall be revoked where construction shall not already have been actually begun.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

Mr. WOLCOTT. I move that the Senate request a conference with the House of Representatives on the joint resolution and amendments.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. WOLCOTT, Mr. McMILLAN, and Mr. HARRIS were appointed.

#### BILLS INTRODUCED.

Mr. DAVIS introduced a bill (S. 2979) for the relief of Edward Dorsey, late Company C, First United States Colored Troops; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 2980) to correct the military record of Michael Collins; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. BUTLER introduced a bill (S. 2981) for the relief of the

Citadel Academy of Charleston, S. C.; which was read twice by its title.

Mr. BUTLER. I ask that the bill be referred to the Committee on Military Affairs; and I beg to call the attention of the committee to the affidavits of the superintendent of the Citadel Academy and two officers of that institution, and also a letter from the War Department in regard to the destruction by fire of its ordnance stores by the Government, the object being to relieve that institution of any money liability on that account.

The PRESIDENT *pro tempore*. The bill and accompanying papers will be referred to the Committee on Military Affairs.

Mr. PROCTOR introduced a bill (S. 2982) to restore to the pension roll the name of Mary F. Prindley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DANIEL (by request) introduced a bill (S. 2983) to authorize the construction of a railway across the Government reservation at Willoughby Spit, Va.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced a joint resolution (S. R. 75) authorizing the printing of 2,000 copies of the Twenty-third Annual List of Merchant Vessels of the United States, for the year ending June 30, 1891; which was read twice by its title.

Mr. FRYE. I ask that the joint resolution be referred to the Committee on Printing. I call the attention of the chairman of the Committee on Printing to the fact that the edition of that book is very small. It is a list of names of vessels. I think the edition is only 2,000, and the vessel-owners of Maine, I am informed, want to take up nearly the whole of the edition themselves.

The PRESIDENT *pro tempore*. The joint resolution will be referred to the Committee on Printing.

Mr. WILSON introduced a bill (S. 2984) defining "lard" and imposing a tax on manufactures of compound lard; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

#### AMENDMENTS TO BILLS.

Mr. WALTHALL submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. CULLOM submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

#### NAVAL OBSERVATORY HEARING.

Mr. HALE submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the stenographer employed to report the hearings before the Committee on Naval Affairs on Senate bill No. 1703, to provide for a more perfect organization for the United States Naval Observatory, and for other purposes, be paid out of the contingent fund of the Senate.

#### WILLIAM AND MARY COLLEGE, OF VIRGINIA.

Mr. HALE. I gave notice yesterday that I should call up the urgent deficiency appropriation bill on the close of the routine morning business this morning. I learn that the Senator from Massachusetts [Mr. HOAR] is desirous of leaving the city within a short time, and that he has a bill which will involve no debate, and I will not at present interfere with him. If the bill takes up much time I must ask the Senate to go on with the appropriation bill; but I will not interfere now.

Mr. HOAR. I call up Senate bill 2566, according to the agreement yesterday.

The PRESIDENT *pro tempore*. By the unanimous consent of the Senate, given yesterday, the Chair lays before the Senate the bill (S. 2566) for the relief of William and Mary College of Virginia.

The Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to the College of William and Mary, in Virginia, \$64,000 to reimburse that college for the destruction of its buildings and other property destroyed without authority by soldiers of the United States during the late war.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. HOAR subsequently said: I ask that the report, which is brief, in regard to the bill (S. 2566) for the relief of William and Mary College of Virginia may be printed in the Record.

The PRESIDING OFFICER (Mr. PLATT in the chair). The Senator from Massachusetts asks that the report of the Committee on Claims on the bill referred to by him, which was passed this morning, be printed in the Record in connection with the action of the Senate upon the bill. If there be no objection that order will be made. The Chair hears none.

The report, submitted by Mr. WHITE March 6, 1892, is as follows:

The Committee on Claims, to whom was referred Senate bill 2566, submitted the following report:

A bill similar in its nature, has been before Congress for many years, has often been reported favorably in the House and in the Senate, and has passed the House and Senate at various times, but never reached consideration in both Houses of any one Congress.

Your committee adopt now as their own the report made in the House of Representatives, first session, Forty-fourth Congress, on behalf of the Committee on Education and Labor, by the Hon. GEORGE F. HOAR. That report, as will be observed, apart from technical legal considerations, bases its conclusions upon broad and comprehensive lines of justice and public policy. These findings, being predicated on exceptional conditions, can give rise to no other of engendering thereby a general rule to do harm if invoked in the future.

The report is as follows:

"On the 9th day of September, 1862, the principal building of the College of William and Mary was destroyed by fire. This college is in the town of Williamsburg, 35 miles from Fort Monroe, on territory which remained under the control of the United States during nearly the whole of the war. Williamsburg is situated on the narrowest part of the peninsula, partly in the county of York and partly in that of James City. York County was in the hands of the Union troops from May, 1862, to the close of the war. It was never during that time treated as rebel territory; was expressly exempted from President Lincoln's original proclamation of emancipation; it formed a part of the State of Virginia, which had for a time its seat of government at Alexandria under Governor Pierpont, was represented in Congress, and gave the necessary constitutional assent to the separation of West Virginia. The college is a little over the line in James City, but was in the town of Williamsburg, and was held by the Union forces, as was York County, and was practically Union territory as much as the rest of the town of which it formed a part.

"Before the fire the United States took possession of the college buildings for military uses. Its rooms contained hay and other stores and cavalry equipments. The day before the destruction of the building a court-martial was going on in it, which was not over at the time of the destruction. On the morning of May 9, after a conflict between the Union forces and a body of rebel cavalry, the latter got possession of the place for a few hours. After their withdrawal, some returning stragglers of the garrison, provoked by defeat and under the influence of drink, set fire to the building and prevented the residents of the neighborhood from extinguishing the flames till it was wholly consumed.

"The sum appropriated by the accompanying bill is somewhat less than the actual value of the building, which was erected in 1859, and is without the addition of interest.

"We are of the opinion that the United States should restore the building so destroyed, for several reasons which do not apply to any other claim whatever which can hereafter be made for the injury or destruction of property during the rebellion. The Government had taken possession of the property for its own purposes, excluding the owners and preventing them from taking any measures to secure its protection. This was on what was practically friendly and not hostile territory, and the case should be treated as if it had happened in Washington or Philadelphia.

"There are other considerations which appeal most powerfully alike to reason and patriotic feeling in demanding this relief.

"Every civilized nation has its hallowed spots, about which its patriotic memories cluster, and whose names arise before the imagination whenever these memories are stirred. Sometimes these spots are the scenes of famous battles, as Bunker Hill, or Saratoga, or Yorktown; sometimes the places where the foundations of great States have been laid, as at Jamestown or Plymouth; sometimes where great civic events have occurred, as Independence Hall or Faneuil Hall; sometimes the dwelling places or burial places of heroes or statesmen, as Mount Vernon or Westminster Abbey; sometimes the venerable institutions of learning which have educated and trained the great benefactors of the people, as Oxford and Cambridge, Harvard, Yale, Princeton, and William and Mary. Under our form of government these hallowed spots are in the custody of States. But they hold them as trustees for the whole people, and the gratitude and affection which surround and hallow them are the gratitude and affection of the whole people. Unless this be true, the American people, alone among civilized nations, are without any common objects of national reverence.

"The colleges of the period preceding the war of the Revolution were among the most potent forces in accomplishing our independence and founding our Constitution. Among them, none can claim precedence over William and Mary. The names of Washington, to whose genius in war and to whose influence in peace we owe the vindication of our liberties and the successful inauguration of our Constitution; Jefferson, author of the Declaration of Independence, who announced the great law of equality and human rights; Marshall, without whose luminous and far-sighted exposition the Constitution could hardly have been put into successful and harmonious operation, are inseparably connected with hers. She first called Washington into the public service in his youth, giving him her commission as deputy surveyor, the office of surveyor-general being then held by the corporation of the college. He was for the last twelve years of his life chancellor of William and Mary. Jefferson and Marshall were her graduates. We doubt if any college in America or Europe can, in proportion to the whole number borne on its catalogue, show so large a list of names famous for conspicuous patriotic service or can extract from its history a passage like this, which is taken from President Lowell's historical sketch of William and Mary:

"Besides her long roll of most eminent divines, lawyers, and physicians in private life, she has given to the country two eminent Attorneys-General of the United States; to the House of Representatives of the Congress of the United States, nearly twenty members; and to the Senate of the United States, fifteen Senators; to Virginia and other States, seventeen governors; to the country, one historian and numberless eminent writers; to the State and the United States, thirty-seven judges; to the Revolution, twenty-seven of her sons; to the Army of the United States, a Lieutenant-general and a score of principal and subordinate officers; to the United States Navy, a list of admirals of the sea, headed by Warrington and Thomas Ap Catesby Jones; to the colleges and university, twelve professors; to the nation, three Presidents—Jefferson, Monroe, and John Tyler; to independence, four signers of its Declaration; to the first American Congress, its President; to the Federal judiciary, its most eminent Chief Justice, John Marshall; to the Federal Executive, seven Cabinet officers, and to the convention which framed the Constitution of the United States, Edmund Randolph, its chief author and draftsman.

"In all she has given to her country more than two hundred heroes and sages who have been preeminently distinguished in public service and place.

"Your committee are of opinion that if the accidents of war had led to the injury of Mount Vernon, of the house or the tomb of Washington, or of Independence Hall in Philadelphia, we should have hastened to repair the injury. We shall more truly honor Washington by restoring the living fountain of learning whose service was the pleasure of his last years than by any empty act of worship or respect toward his sepulcher.

"There is another view of this matter which impresses one of the members of your committee with very great force. It is unquestionable that, by the law of nations, institutions of learning are exempted by all civilized nations from the hostilities of war.

"They are to be classed, in this respect, with public libraries, monuments, collections of art or science, hospitals, etc. The Government of the United States, in its Instructions for the Government of Armies in the Field, originally prepared by Dr. Lieber, revised by a board of officers, of which Maj. Gen. Hitchcock was president, and approved by President Lincoln in 1863, binds itself by these rules:

"Extract from General Order No. 100, Adjutant General's Office, section 2, paragraphs 31 to 36:

"31. As a general rule, the property is belonging to churches, to hospitals, or other establishments of an exclusively charitable character, to establishments of education or foundations for the promotion of knowledge, whether public schools, universities, academies of learning, or observatories, museums of the fine arts, or of a scientific character, such property is not to be considered public property in the sense of paragraph 31, but it may be taxed or used when the public service may require it.

"35. Classical works of art, libraries, scientific collections, or precious instruments, such as astronomical telescopes, as well as hospitals, must be secured against all avoidable injury, even when they are contained in fortified places while besieged or bombarded.

"36. If such works of art, libraries, collections, or instruments belonging to a hostile nation or government can be removed without injury, the ruler of the conquering state or nation may order them to be seized and removed for the benefit of the said nation. The ultimate ownership is to be settled by the enduring treaty of peace. In no case shall they be sold or given away, if captured by the armies of the United States; nor shall they ever be privately appropriated or wantonly destroyed or injured.

"It is needless to multiply citations. Every authority on the law of nations who touches this subject, from Grotius to Hallerck, agrees that the destruction of property of this class is a violation of this law. But it can not be maintained that the Government is liable for all injuries committed either by its authority or wantonly by its troops, without orders, upon property protected by this rule. But there are many examples in history which seem to place the case of endowed institutions of learning, established by funds given for public purposes, upon grounds of their own, and give them a peculiar title to reparation when so injured which is not possessed by the public school or even by the church. The funds or buildings of the public school are public funds belonging to the hostile sovereign and appropriated to the fulfillment of a function which that sovereign undertakes to perform for the citizen. The funds or buildings of the church, though consecrated to the highest objects, are the property of particular sects and are neither within the control nor for the use of mankind at large. But, in the language of an eminent judge, 'the arts and sciences are admitted among all civilized nations as forming an exception to the severe rights of warfare, and as entitled to favor and protection. They are considered, not as the peculium of this or that nation, but as the property of mankind at large, and as belonging to the common interest of the whole species.' (Case of the Marquis de Somerelles, Stewart's Rep., Nova Scotia, page 482.)

"The endowed corporation of the college can do nothing except hold and apply its fund to a cause which is for the benefit of mankind at large. It can not commit an act of war, and the hostile character can not properly be imputed to it. While a violation of the law of nations in the conduct of the war for the suppression of the rebellion can not constitute a claim upon the Government of the United States, using the term 'claim' in the sense of legal constraint, we believe this Government should, in dealing with an American college, imitate the frequent examples which history furnishes, where the most highly civilized nations and the most famous commanders have respected their moral obligations by making voluntary reparation at their own expense of injuries inflicted on endowed colleges and kindred institutions by the operations of war.

"During the battle of Princeton, the Americans, in dislodging the British from the college building, fired a cannon shot through the walls; Washington, in order to make good to the college the damage sustained by the fire of his troops, made the trustees a present of 50 guineas.

"During the war of Independence the buildings of William and Mary were repeatedly occupied by British troops. They were in every instance respected as sacred to the cause of letters and left intact. After the close of the war, Louis XVI, the ally of America, caused the buildings accidentally destroyed by the fire of his troops to be replaced and every injury to be repaired.

"Thus it appears that a Virginian, the chancellor of the College of William and Mary, rendered to a Northern college the justice which is now asked for her. Thus it appears that a foreign monarch rendered, under like circumstances, to William and Mary herself the justice which she now asks of her countrymen of the Republic.

"The British troops under Tryon, when they occupied Yale College in 1779, spared Yale College, although its students in arms harassed their approach. But President Clapp's manuscripts were carried off. President Stiles addressed a letter to General Tryon, in which he represented that 'a war against science had been reprobated for ages by the wisest and most powerful generals. The irreparable losses sustained by the Alexandrian library and other ancient monuments of literature have prompted the victorious commanders of modern ages to exempt the monuments from the ravages and desolations inseparable to the highest rigors of war.' General Tryon replied that 'disposed by principle as well as inclination to prevent the violence of war from injuring the rights of the republics of learning, he very much approved of the president's solicitude for the recovery of the manuscripts, and caused every effort to be made for their recovery and restoration.'

"In the war with Great Britain of 1812 a quantity of paintings and prints, designed for the Academy of Arts at Philadelphia, were captured by the British on their passage from Italy and taken into Halifax. Dr. Croke, the distinguished judge of the admiralty court, without hesitation ordered them to be restored, saying, in addition to the quotation already quoted, 'Heaven forbids that such an application to the generosity of Great Britain should ever be ineffectual.' (Case of the Marquis de Somerelles, above cited.)

"We believe that to follow the example of Washington, of Louis XVI, of Judge Croke, of Tryon, will make every college in America safer, if civil strife or foreign war should ever hereafter disturb our peace. Every new State, as it takes its place in the great family, makes haste to establish its university. Their pupils, scattered over the country, retain an attachment for them and for each other which is one of the strongest bonds of the Union. In her bloodiest and angriest civil strife England has respected her great schools and colleges. The cause of William and Mary is, in this respect, the cause of every college in the country.

"The act of April 23, 1884, entitled 'An act to increase the endowment of the University of Alabama from the public lands in said State, and another act for the indemnity of the theological institution in Alexandria, furnish exact precedents for our action in reporting the accompanying bill and recommending its passage by the House.

"A bill like the present passed the House in the Forty-second Congress, but it was not reached in the Senate for want of time. It was received with expressions of approbation by the press of all parties and by persons connected with the colleges throughout the country."

## URGENT DEFICIENCIES.

Mr. HALE. I ask that the appropriation bill reported yesterday, and printed, be laid before the Senate.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7818) to provide for certain of the most urgent deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1892, and for other purposes; which had been reported from the Committee on Appropriations with amendments.

Mr. HALE. I ask that the formal reading of the bill be dispensed with, and that the amendments of the Committee on Appropriations be acted on as they are reached in the reading.

The PRESIDENT *pro tempore*. It will be so ordered in the absence of objection.

The Chief Clerk proceeded to read the bill.

The first amendment reported by the Committee on Appropriations was, under the head of "State Department," on page 2, after line 3, to insert:

Columbian Historical Exposition at Madrid: For the expense of representation of the United States at the Columbian Historical Exposition to be held in Madrid in 1892 in commemoration of the four hundredth anniversary of the discovery of America, \$25,000, or so much thereof as may be necessary, to be expended under the direction and in the discretion of the Secretary of State; and the President is hereby authorized to appoint a commissioner-general and two assistant commissioners, who may, in his discretion, be selected from the active or retired list of the Army or Navy, and shall serve without other compensation than that to which they are now entitled by law, to represent the United States at said exposition; that it shall be the duty of such commissioners to select from the archives of the United States, from the National Museum, and from the various Executive Departments of the Government such pictures, books, papers, documents, and other articles as may relate to the discovery and early settlement of America and the aboriginal inhabitants thereof; and they shall be authorized to secure the loan of similar articles from other museums and private collections, and arrange, classify, and install them as the exhibit of the United States at the said exposition; that the President is authorized to cause the detail of officers from the active or retired list of the Army and Navy, to serve without compensation other than to which they are now entitled by law, as assistants to said commissioners; and the said commissioners shall be authorized to employ such clerical and other assistance as may be necessary, subject to the approval of the Secretary of State.

The amendment was agreed to.

The next amendment was, under the head of "Treasury Department," on page 3, after line 24, to insert:

Payment to State of Montana: To reimburse the State of Montana for moneys paid and expended in defraying so much of the expenses of the constitutional convention held therein in 1889, pursuant to an act entitled "An act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments, and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States," approved February 22, 1889, as have not heretofore been paid by the United States, \$7,231.09, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 7, after line 2, to insert:

Fish hatchery, Northville, Mich.: The act approved August 30, 1890, entitled, "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1891, and for other purposes," shall be construed as giving to the United States Commissioner of Fish and Fisheries authority to expend the sum of \$5,000 therein appropriated for the erection of new buildings at Northville, Mich., for such constructions as may be necessary for the development of the work of the Fish Commission at that place, including the introduction of a water supply, the construction of ponds, and repairs to the present buildings.

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," on page 8, to strike out the clause from line 8 to line 14, inclusive, as follows:

Rent of buildings: That if the whole of the \$16,000 already appropriated for rents for the General Land Office shall not be expended for that purpose, the Secretary of the Interior is hereby authorized to expend such part of the unexpended balance thereof as may be necessary to rent rooms for office or storage purposes for any of the bureaus or offices of the Interior Department.

The amendment was agreed to.

The next amendment was, on page 8, after line 14, to insert:

Eleventh Census: For salaries and necessary expenses for continuing the work of compiling the results of the Eleventh Census, \$100,000, to be available until expended.

The amendment was agreed to.

The next amendment was, under the head of "Department of Justice," on page 8, line 22, before the word "roof," to strike out "iron" and insert "metallic," so as to make the clause read:

For covering alleyway adjoining Department of Justice building for use of the Court of Claims, including flooring, glass, and metallic roof, front and rear walls, or sash, steam heat, party wall, painting, set of cases full length of the room, and cutting doorway, to be done under the supervision of the Architect of the Capitol, \$4,000.

The amendment was agreed to.

The next amendment was, to strike out the clause from line 1 to line 4, on page 9, as follows:

Eleventh Census: For salaries and necessary expenses for continuing the work of compiling the results of the Eleventh Census, \$100,000, to be available until expended.

The amendment was agreed to.

The next amendment was, under the head of "Post-Office Department," to strike out the clause from line 8, on page 9, to line 2, on page 10, inclusive, as follows:

For editing and preparing for publication a new edition of the Postal Laws

and Regulations the Postmaster-General be, and he is hereby, authorized to use any sum not exceeding \$2,000 of the appropriation of \$40,365, provided for the printing and publishing of said edition by "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1891, and for prior years, and for other purposes," approved March 3, 1891, which sum of \$2,000, or so much thereof as may be necessary, he may direct to be paid to any officers or employees of the Post-Office Department whom he may designate for that purpose, in consideration of their services rendered out of the regular Department hours, in the editing and preparation of the same, and the said appropriation of \$40,365 is hereby continued and made available until the completion of the printing and publishing of the edition of laws and regulations to which it applies.

The amendment was agreed to.

The next amendment was, under the head of "Senate and House of Representatives," on page 10, in line 8, after the word "House," to strike out "three thousand" and insert "five thousand eight hundred;" so as to make the clause read:

## SENATE AND HOUSE OF REPRESENTATIVES.

For the expenses of the typhus fever and mummification investigation to be made by the Senate Committee on Immigration and the House Select Committee on Immigration and Naturalization under concurrent resolution of the Senate and House, \$5,800, or so much thereof as may be necessary, to be advanced or paid, in sums as needed by the Secretary of the Senate, on the joint orders of the chairmen of said committees.

The amendment was agreed to.

The next amendment was, on page 10, after line 11, to insert:

## SENATE.

For stationery and newspapers, \$500.  
For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers to committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding \$1.25 per printed page, \$10,000.

For fuel, oil, and cotton waste, and advertising for the heating apparatus, \$2,862.

For fuel, oil, and cotton waste, and advertising for the heating apparatus, fiscal year 1891, \$43.02.

For purchase of furniture, \$11,750.

For services in cleaning, repairing, and varnishing furniture, \$300.

For expenses of maintaining and equipping horses and mail wagons for carrying the mails, \$1,430.

For miscellaneous items, exclusive of labor, \$8,900.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

## LEONARD I. BROWNSON.

The PRESIDENT *pro tempore*. The Calendar under Rule VIII being in order, the first case will be reported.

The bill (S. 1430) for the relief of Leonard I. Brownson, late first lieutenant, Company K, Fifth Vermont Volunteers, was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That the President of the United States be, and he hereby is, authorized to revoke and set aside so much of General Orders No. 21, Headquarters Middle Military Division, dated September 18, 1864, as dismissed First Lieut. Leonard I. Brownson, Company K, Fifth Vermont Volunteers, for absence without leave and for conduct prejudicial to good order and military discipline, and to grant and cause to be issued to said Leonard I. Brownson a certificate of honorable muster out of the service as of the date of September 18, 1864; and said Leonard I. Brownson shall not be entitled, by virtue of this act, to any pay or allowance subsequent to said September 18, 1864.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## PROPERTY RIGHTS OF MARRIED WOMEN IN THE DISTRICT.

The bill (S. 2280) to amend sections 727 and 729 of the Revised Statutes, relating to the District of Columbia, was considered as in Committee of the Whole.

Sections numbered 727 and 729 of the Revised Statutes relating to the District of Columbia are by the bill amended so as to read:

Sec. 727. In the District of Columbia the right of any married woman to any property, personal or real, belonging to her at the time of marriage or acquired during marriage by her trade, business, labor, or services carried on or performed on her sole and separate account, or in any other way than by gift or conveyance from her husband, shall be as absolute as if she were unmarried, and shall not be subject to the disposal of her husband nor be liable for his debts.

Sec. 729. Any married woman may contract and sue and be sued in her own name, and in matters having relation to her sole and separate property, or to her trade, business, labor, or services carried on or performed on her sole and separate account, in the same manner as if she were unmarried, and may make notes, drafts, or other negotiable or business paper or evidence of indebtedness, and the same shall be of like effect and valid in law as if made by an unmarried woman.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## PREVENTION OF CRUELTY IN THE DISTRICT.

The bill (S. 1714) to prevent cruelty to children in the District of Columbia, and for other purposes, was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with amendments.



The first amendment was, to strike out section 2, as follows:

SEC. 2. That any parent or guardian, in the District of Columbia, who unreasonably neglects to provide for the support of his or her minor child or ward shall upon conviction of such unreasonable neglect be punished by fine not exceeding \$30, or by imprisonment not exceeding six months.

The amendment was agreed to.

The next amendment was, in section (4) 3, in line 9, after the word "individuals," to strike out "and the knowledge and acts of agents and employes of such corporations and companies, in regard to animals owned or employed by them, shall be held to be the knowledge and acts of such corporations and companies themselves;" so as to make the section read:

SEC. (4) 3. That section 12 of the act of August 23, 1871, entitled "An act for the prevention of cruelty to animals in the District of Columbia" is amended to read as follows: "That in this act the words 'animals' or 'animal' shall be held to include all living and sentient creatures (human beings excepted) and the words 'owner,' 'persons,' and 'whoever' shall be held to include corporations and incorporated companies as well as individuals.

The amendment was agreed to.

The next amendment was, in section (5) 4, line 8, after the word "not," to strike out "less than ten days nor;" so as to read:

SEC. (5) 4. That a person being the owner or possessor or having charge or custody of a maimed, diseased, disabled, or infirm animal, who abandons such animal, or leaves it to lie in the street, or road, or public place more than three hours after he receives notice that it is left disabled, is guilty of a misdemeanor, punishable by a fine of not less than \$10 nor more than \$250, or by imprisonment in jail not more than one year, or both.

The amendment was agreed to.

The next amendment was, in section (6) 5, line 2, after the word "docking," to strike out "or by any other operation performed for the purpose of shortening the tail;" so as to make the section read:

SEC. (6) 5. That whoever cuts the tail part of the tail of any horse in the operation known as docking, and whoever shall cause the same to be done or assist in doing such cutting (unless the same is proved to be of benefit to the horse), shall, upon conviction thereof, be punished by imprisonment in the jail not exceeding one year or fine of not less than \$10 nor more than \$250.

The amendment was agreed to.

The next amendment was, in section (7) 6, line 7, after the word "not," to strike out "less than \$10 nor;" and in line 9, after the word "not," to strike out "less than ten days nor;" so as to make the section read:

SEC. (7) 6. That any person who sets on foot, instigates, promotes, carries on, or does act, as assistant, umpire, or principal, or attends or in any way engages in the furtherance of any fight between cocks, fowls, or other birds or dogs, bulls, bears, or other animals, premeditated by any person owning or having custody of such birds or animals, is guilty of a misdemeanor, punishable by a fine of not more than \$250 or by imprisonment in jail not more than one year, or both.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. McMILLAN. I should like to ask if the numbers of the sections have been changed?

The PRESIDENT *pro tempore*. That will be attended to by the enrolling clerk in the enrollment of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. HARRIS. I think the title ought to be amended by adding the words "or animals" after the word "children."

The PRESIDENT *pro tempore*. The Senator from Tennessee suggests that the title of the bill should be amended. The Chair hears no objection, and the title will be amended to read as follows: "A bill to prevent cruelty to children or animals in the District of Columbia, and for other purposes."

#### PUBLIC BUILDING AT WOONSOCKET, R. I.

The bill (S. 2331) for the erection of a public building in the city of Woonsocket, R. I., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### LANDS ADJOINING NAVAL STATION, PORT ROYAL.

The bill (S. 1299) to provide for the purchase of lands adjoining the United States naval station, Port Royal, S. C., was considered as in Committee of the Whole.

The bill was reported from the Committee on Naval Affairs with an amendment, to add at the end of section 3 the words "or ten thousand dollars, or so much thereof as may be necessary, out of any moneys in the Treasury not otherwise appropriated;" so as to make the section read:

SEC. 3. That for the purchase of the lands heretofore described there is hereby appropriated the sum of \$10,000, or so much thereof as may be necessary, out of any moneys in the Treasury not otherwise appropriated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PURCHASE OF LAND OPPOSITE GOSPORT NAVY-YARD.

The bill (S. 1543) authorizing and directing the Secretary of the Navy to contract for the purchase of a lot of land opposite to the Gosport navy-yard, was considered as in Committee of the Whole.

The bill was reported from the Committee on Naval Affairs with amendments.

The first amendment was, in section 1, line 9, after the word "purposes," to strike out:

*Provided*, That he can obtain the same at a price by him considered to be fair and reasonable.

So as to make the section read:

That the Secretary of the Navy be, and he is hereby, authorized and directed to negotiate and contract for the purchase at private sale of the tract of land known as "Cold or Grove," containing 50 acres, with a water front of 1,000 feet on the Elizabeth River, immediately opposite to the Gosport navy-yard, for the purpose of constructing a wet dock, for other purposes.

The amendment was agreed to.

The next amendment was to add to section 2 the following proviso:

*And provided further*, That where he is unable to purchase such lands at what he may deem a reasonable price, or where the owner or owners of said lands or any part thereof may be unable for any reason to vest by voluntary conveyance a complete and valid title to any part of said lands heretofore described, then the same shall be acquired by condemnation, agreeably to the act of Congress of August 1, 1888, relative to such condemnations, and to the laws of the State of Virginia for the condemnation of land for public uses in that State.

So as to make the section read:

SEC. 2. That to enable the Secretary of the Navy to make the said purchase the sum of \$20,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, That if money shall be expended for the purchase of said land until a valid title to the same shall be vested in the United States and the State of Virginia shall have released and relinquished jurisdiction over the same and exempted from taxation said land and such buildings as may hereafter be erected thereon, so long as the same are the property of the United States, *And provided further*, That where he is unable to purchase such lands at what he may deem a reasonable price, or where the owner or owners of said lands or any part thereof may be unable for any reason to vest by voluntary conveyance a complete and valid title to any part of said lands heretofore described, then the same shall be acquired by condemnation, agreeably to the act of Congress of August 1, 1888, relative to such condemnations, and to the laws of the State of Virginia for the condemnation of land for public uses in that State.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### SALE OF PROPERTY UNDER UNITED STATES COURT DECREES.

Mr. WOLCOTT. I desire to offer amendments to the bill (H. R. 5816) to regulate the manner in which property shall be held under orders and decrees of any United States court, and I ask that the amendments be printed.

The PRESIDENT *pro tempore*. Does the Senator desire to have them referred?

Mr. WOLCOTT. No, I prefer that they shall lie on the table, as the bill is on the Calendar.

Mr. WOLCOTT subsequently said: Referring to House bill 5816, to which I offered amendments a few moments ago, after further consideration and consultation with some members of the committee, I move that the bill be recommitted to the Committee on the Judiciary, with the amendments I have offered. I think that will facilitate action.

The PRESIDING OFFICER (Mr. PLATT in the chair). The Senator from Colorado asks that the bill referred to by him, together with the amendments intended to be proposed by him, be recommitted to the Committee on the Judiciary. Is there objection? The Chair hears none, and that order will be made.

#### PRESIDENTIAL SUCCESSION.

The bill (H. R. 3927) to amend "An act to provide for the performance of the duties of the office of President in case of the removal, death, resignation, or inability both of the President and Vice-President," approved January 19, 1886, was considered as in Committee of the Whole. It proposes to amend the first section of the act of January 19, 1886, by inserting after the words "Secretary of the Interior" the words "or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of Agriculture."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### WORLD'S COLUMBIAN EXPOSITION.

The joint resolution (S. R. 12) extending an invitation to the King and Queen of Spain and their descendants of Old Castile to participate in the World's Columbian Exposition was considered as in Committee of the Whole.

The joint resolution was reported from the Select Committee on the Quadricentennial with an amendment, in line 9, before the word "that," to insert "and;" and in line 11, after the word "entertainment," to strike out "and that a sufficient sum to pay the expenses thereof is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, or the same to be expended under the direction of the Secretary of State, according to the provisions of section 291 of the Revised Statutes;" so as to make the joint resolution read:

*Resolved*, etc., That the President of the United States be, and he is hereby, authorized and requested to extend to His Majesty Alfonso XIII. of Her



The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. SHERMAN. I have no objection if the usual clause is inserted, which is always done in resolutions addressed to the President, "if not incompatible with the public interest."

Mr. TELLER. I have no objection to those words being put in, but I can not see how it can be possible that a disclosure of what has occurred could be incompatible with the public interest. However, let those words be put in.

Mr. SHERMAN. That is the usual language always adopted. The PRESIDENT *pro tempore*. The Senator from Colorado modifies his resolution, and the modification thereof will be stated.

The CHIEF CLERK. In the first line, after the word "requested," insert the words "if not incompatible with the public interest;" so as to read:

*Resolved*, That the President be, and is hereby, requested, if not incompatible with the public interest, to inform the Senate, etc.

The resolution was considered by unanimous consent, and agreed to.

#### INQUIRY CONCERNING RAILWAYS.

Mr. CALL submitted the following resolution; which was read:

*Resolved*, That a special committee of the Senate shall be, and is hereby, created, to consist of nine members, chosen by resolution of the Senate, who shall be charged with the duty of inquiring into and reporting to the Senate the present value per mile of the railways of the United States; also the present capitalization of the same, and the difference, if any, between the capitalization and the actual cost of construction and equipment of said railways; also to inquire and report to the Senate the gross and net receipts of all and each of the railway companies in the United States; the number of employees and the compensation paid to each; the amount of the bonded indebtedness; the amount of its outstanding capital stock; the kind and value of all property, whether money, stocks, and bonds, or real and personal estate, the names and residence and amount of stock or bonds held by each stockholder or bondholder of each and all of such railroads.

That the committee shall have power to send for persons and papers and to compel their attendance, and to employ a clerk and stenographer.

That the committee shall also inquire and report to the Senate whether any of said railway companies, their stockholders or bondholders, agents or employees have used or attempted to use their corporate privileges or powers, or money, to influence and control the elections of members of Congress or the members of the State Legislatures.

Mr. CALL. I ask that the resolution may be printed and lie on the table, to be called up hereafter.

The PRESIDENT *pro tempore*. The resolution will be read.

Mr. MORGAN. I suggest an amendment which I hope the Senator from Florida will concur in and put in the resolution; that in reporting the amount of stocks and bonds issued by railroad corporations the committee will also report whether they are held in the United States or held abroad, and at what rates of interest.

Mr. CALL. I accept the modification. I ask that the resolution may be modified in that form.

The PRESIDENT *pro tempore*. The modification of the resolution suggested by the Senator from Alabama, and adopted by the Senator from Florida, will be made and the resolution will be printed and lie over.

The Chief Clerk will report the modification.

The CHIEF CLERK. Add to the resolution the following words:

That the committee shall also report the amount of stocks and bonds owned or controlled abroad, and the rate of interest.

The PRESIDENT *pro tempore*. The resolution will lie over under the rule.

#### PORTAGE CANAL AND IMPROVEMENT COMPANY.

Mr. McMILLAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of War be, and he hereby is, directed to send to the Senate as soon as may be the report of Maj. C. E. L. Davis on the Portage Canal and Improvement Company.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 1415) for the relief of John Nickles.

The message also announced that the House had agreed to some and disagreed to other amendments of the Senate to the bill (H. R. 6746) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1893, and for other purposes, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DICKERY, Mr. COMPTON, and Mr. HENDERSON of Iowa, managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5681) for the better control of and to promote the safety of national banks, agreed to the conference asked by the Senate on the disagreeing

votes of the two Houses thereon, and had appointed Mr. BACON, Mr. COX of Tennessee, and Mr. WALKER managers at the conference on the part of the House.

#### ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 2786) to amend the act giving the approval and sanction of Congress to the route and termini of the Anacostia and Potomac River Railroad in the District of Columbia, and it was thereupon signed by the President *pro tempore*.

#### EXCLUSION OF CHINESE.

The PRESIDENT *pro tempore*. Is there further morning business? If not, the Calendar under Rule VII is in order.

Mr. SHERMAN. I move that the Senate proceed to the consideration of the unfinished business. I believe that was the understanding, so that we may have the full day on it.

The PRESIDENT *pro tempore*. The Senator from Ohio moves that the Senate proceed to the consideration of the unfinished business, which is the bill (H. R. 6185) to absolutely prohibit the coming of Chinese persons into the United States.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill, the pending question being on the amendment in the nature of a substitute reported by the Committee on Foreign Relations.

Mr. TELLER. Mr. President, I do not intend to debate the merits of the bill. That has been done by several Senators who agree with the action of the committee. I only rise because yesterday I made a statement of what I understood to be the well-established rule of international law, which seems to have been questioned by the Senator from New Hampshire [Mr. CHANDLER], and perhaps by others. I desire to say that, whatever may be our relations with China, I do not think there can be any dispute as to what the law on the subject touching the rejection of a minister whom we proffer to China is. I understand it to be an elementary principle that a minister serves as such with the consent of both nations, and both nations must consent before he can be a minister. He must be received as well as sent. I have myself been unable to find any case (and my attention has been called to this matter on several occasions) where it has been considered offensive for a nation to reject a minister sent to it. I find the authorities to be uniform on the subject that the nation to whom he is sent is to judge for itself. The nation to whom the ambassador or minister is accredited is not required to give any reasons why the minister is not acceptable. As stated by the Senator from Minnesota [Mr. DAVIS] so well yesterday, all it has to do is to say that it does not want him.

Mr. Fish, Secretary of State during the administration of General Grant, declared that not only a nation was not required to give a reason for the rejection of a minister or for his recall, but that no self-respecting nation would do it. So if the Chinese Government rejected Minister Blair, or refused to receive him, it is not a ground of complaint here, and our legislation should proceed exactly as if it had accepted that minister.

But it is said that the Chinese Government gave reasons why it would not receive him and that those reasons were untenable. There is nothing in that. It was not required to give any reasons. If it gave reasons that were not sufficient, it still was left with the unquestioned right to fall back and say, by giving no reason if it chose, it would not receive the minister.

I have taken a little pains to look up this subject since it was called up. I do not intend to take more than a moment or two on this point. I just want to call attention to the authorities:

Every foreign agent depends upon the double will of the two Governments: of that which sends him, and of that which is to permit the exercise of his functions within its territory, and when either of these wills is refused or withdrawn his authority to act within that territory becomes incomplete.

That is the language of Mr. Jefferson, Secretary of State, to the minister of France, and that was touching the conduct of a minister who had been received, but the principle as laid down is the same. I find later this declaration:

No instance is recollected of one power pressing another equally independent to recognize against its will a minister to whom objections of a personal nature are entertained.

That is Mr. Monroe, Secretary of State, to Mr. Onís, in 1815. I find also the following:

A minister from a foreign sovereign will not be received when there are personal objections to him, and when the nomination is forced, not as a matter of courtesy, but in defiance of such objections.

That is Mr. Dallas, Acting Secretary of State, to Mr. Onís, in June, 1815.

It must be borne in mind that an envoy is a person as well as the abstract representative of his government, and that it is the prerogative of every government to require that those with whom it deals be *persona grata*, and to decide the question for itself. This Government has on several occasions

availed itself of this personal right, without thereby being supposed to reflect on the representative character of the person himself, and still less upon the collective representative character of his associates.

That is Mr. Frothinghuyzen, Secretary of State, to Mr. Morgan, in 1884. There are quite a number of cases where ministers have been recalled, and the same rule, I understand, prevails exactly as when the minister is not received.

Every government has the right to have the representative of another power an acceptable person, and no government has the right to expect of another the retention of a representative who indulges in personal abuse of the head of the government to which he is accredited, as Mr. Cutaicay has done.

This is Mr. Fish, Secretary of State, to Mr. Curtin. This is what he referred to, and this is laid down as the general rule:

The declaration of the authorized representative of the power to which an offending minister is accredited is all that can properly be asked, and all that a self-respecting power could give.

I think it must be admitted that we have no ground of complaint against China because Senator Blair was rejected as minister. They had a right to reject him on absolutely false premises or without any whatever.

I wish to say just a word about the abrogation of treaties, and I shall not dwell on that point, because I understand that the Senator from Oregon who sits on my left [Mr. MITCHELL], who made a few years ago a very able presentation of the law on that point, will probably say something on the subject now. I understand the rule to be exactly as I laid it down yesterday. Every nation that treats with another treats with the understanding that that nation may retire from the treaty at any time it sees fit, and it may do that notwithstanding there is a provision in the treaty that it shall continue for a limited period of time. All treaties that are not stipulated to expire at a particular time, unless in the very nature of the circumstances surrounding which they treat, are for unlimited periods. A stipulation that a treaty shall remain in force five years or ten may be annulled by either of the contracting parties at will.

The Senator from Massachusetts [Mr. DAWES] says when that is done the country must take the responsibility. That is true; there is no doubt about that. There might be such a condition of affairs that the abrogation of one section of a treaty, or the whole treaty by one nation without conferring and consulting with the other might be very offensive, and it is possible out of that might grow complications very important and sometimes very disastrous; but the rule remains just as I have stated it, that legislation in this country by the national legislative body will set aside any treaty inconsistent with the provisions of that enactment, whether it was intended so to be done or not.

In the Cherokee Tobacco Case, which has been mentioned, the Supreme Court fairly decided that doctrine, where there was no reason to suppose that the legislative branch of the Government intended to set aside the treaty, but did in fact by the enactment of a law that was entirely inconsistent with the provisions of the treaty; and that is certainly true when the legislative department of the Government purposely abrogates a provision of a treaty.

The Senator from New Hampshire seemed to think that the terms "abrogate" and "repeal" are synonymous with "violation." To abrogate a treaty, or to repeal a treaty, is a legal right which is always presumptive of a moral right. The violation of a treaty is presumptive of wrong. A treaty should be enforced while it remains, and repealed or abrogated whenever it is improper or contrary to the interests of the nation to enforce or to maintain its provisions.

Mr. President, I do not need to speak to any extent of the merits of this bill. The bill as it comes here from the other House may be, and doubtless is, exceedingly harsh in its provisions; but there is one thing certain, that the public sentiment in this country demands the exclusion of this class of people from the United States, or, in other words, if not the exclusion of those who are here the exclusion of those who may seek to come. I remember very well some ten or twelve years ago, perhaps ten, when this question was presented to the Senate for the first time—

Mr. DAWES. In 1882.

Mr. TELLER. In 1882, some Senator says. I do not recall the exact time. I remember there was a very determined opposition to the bill, based upon the high ground that this country is the asylum and the refuge and the home of all peoples. We who favored then the restriction of the Chinese maintained, as we maintain now, that the exclusion of the Chinese from this country is no violation of that well-established and honored rule. We also maintained that rigid and strict rules may be enacted touching the immigration of people not of the same class as the Chinese, if we saw fit. The question of the immigration of a class of people who are entirely different from ours, a class of people with whom we can have no social relations and with whom our people can not and will not amalgamate, pre-

sents, in my judgment, a very different question from that which is presented even when we come to consider the undesirable immigration of persons from foreign countries who are of our family.

We can assimilate with the most objectionable classes that come here from Europe; they become in a few years a part and parcel of the American citizenship, and we shall find in one or two generations at most a homogeneous people in language, in sympathy, in feeling, and in taste, possibly not altogether in religion; but in all those things that go to make a harmonious people and that induce coherence and peace within the borders of a nation, there will be no distinction between the children of the immigrant of to-day and the children of the immigrant of 200 years ago.

Mr. MORRILL. May I ask the Senator from Colorado a question before he leaves that subject?

Mr. TELLER. Certainly.

Mr. MORRILL. I am inclined to believe that Congress has the power to pass a law which would supersede a treaty, but now I should like to ask the Senator from Colorado whether he thinks other nations have the same power?

Mr. TELLER. Oh, Mr. President, I thought I stated explicitly that all nations have that power.

Mr. MORRILL. Then, I should like to ask the Senator whether Japan can repeal the treaties which are existing between it and several other nations, especially with England, in relation to the duties on imports?

Mr. MITCHELL. We have done it over and over again.

Mr. TELLER. I should have a very poor opinion of a nation which would surrender that right, and I do not believe that the Japanese nation, or even the Chinese, have ever surrendered any right of that character. I have no doubt that any treaty may be retired from.

Mr. MORRILL. Japan has endeavored to secure a release from her treaty from Great Britain for years, and has not succeeded.

Mr. TELLER. Very well, Mr. President, Japan may not be willing to abrogate the treaty, and thus, perhaps, create friction and a complaint in Great Britain, not of a legal character, but of another character. We have been trying to get rid of a treaty with Great Britain for a great many years, too, and a great many people in this country believe we got rid of the treaty by the action of Great Britain in violating it.

There has never been quite such a condition of affairs that anybody wanted to propose the absolute repeal or abrogation of that treaty—I refer to the Bulwer-Clayton treaty—and yet neither the United States nor Great Britain, I think, is to the highest extent respecting the terms of that treaty. It is very evident that the people of the United States would insist upon the abrogation of that treaty whenever it should appear that it was inimical to the interests of the great masses of the people of this country.

We shall never assimilate with the Chinese; we never shall assimilate with them, because even if we would they will not.

I listened with great interest to the very able speech of the Senator from Minnesota [Mr. DAVIS] when he spoke of these people, of their great civilization, their great age, their great wealth, and their great numbers. They are a very wonderful people, and perhaps the most wonderful thing about the Chinese people is that practically they are to-day where they were a thousand or two thousand years ago, and that to the Chinaman is the highest possible evidence of his superiority over all other men. In the whole catalogue of nations there is no nation that is so thoroughly satisfied with its life and its surroundings as the Chinese. Their civilization to them is infinitely superior to the civilization of Europe and America. They believe that their scholastic attainments are infinitely greater and better than the scholastic attainments of any other people in the world, and they are as unchangeable now in this, the last of the nineteenth century, as they were when they were first touched and we first learned of them through Marco Polo, of whom the chairman of the Committee on Foreign Relations [Mr. SHERMAN] spoke a few days since. They will, in contact with the civilization of Europe and America, remain Chinese, and so a reason exists for keeping them out of our country that exists for keeping out of the country no other class of people who desire to come here.

The Senator from Minnesota said that Chinamen did not come here to remain, but they came here with the intent to return. That is the objectionable feature of this immigration: it is objectionable because they come here simply to take money out of the country and return to their homes. They take no part in building up the society in which they live. The lowest immigrant who comes from Europe, whether he be a convict, pauper, or otherwise, comes here and contributes something to civilized society; he puts his children in school, and the great mass of them contribute materially to the prosperity of this country.

petition of Frederick Speed, department commander of the Louisiana and Mississippi Grand Army of the Republic; the petition of H. B. Nichols, department commander of the Virginia Grand Army of the Republic; the petition of E. Calkins, department commander of the Indian Territory Grand Army of the Republic; the petition of C. L. Eaton, department commander of the Michigan Grand Army of the Republic; and the petition of S. G. Hillis, department commander of the Kentucky Grand Army of the Republic, praying that if any disposition is made of the Industrial Home property at Salt Lake City, Utah, it be set aside for a soldiers' home for disabled and needy soldiers and sailors; which were referred to the Committee on Territories.

Mr. VILAS presented the memorial of E. V. Higgins and 42 other members of the Seventh-Day Adventist Church of Portage County, Wis., and the memorial of C. K. Ackley and 55 other members of the Seventh-Day Adventist Church of Richland County, Wis., remonstrating against Congress committing the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. JONES of Arkansas presented the memorial of W. R. Robinson and 6 other members of the Seventh-Day Adventist Church of Sebastian County, Ark., remonstrating against the United States Government committing itself to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the joint resolution (H. Res. 96) to authorize the loan of certain ensigns, flags, and signal numbers for the purpose of decorating the streets and buildings of Washington on the occasion of the Grand Army Encampment in September, 1892, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LAPHAM, Mr. OUTHWAITE, and Mr. HULL managers at the conference on the part of the House.

The message also announced that the House had passed the following bills and resolution: in which it requested the concurrence of the Senate:

A bill (H. R. 793) to amend the military record of De Loss Cramer;

A bill (H. R. 2973) granting a pension to Mrs. Jennie Y. Wade;

A bill (H. R. 3587) for the relief of Jonathan Ramey, Mexican war veteran;

A bill (H. R. 4279) for the relief of D. P. Abbott, A. S. Keever, and T. E. Smith;

A bill (H. R. 4620) to authorize the Secretary of the Treasury to consent to the use of a portion of the public grounds of the United States in the town of Abingdon, Va., for a public street;

A bill (H. R. 5290) for the relief of Betsey Worthington;

A bill (H. R. 5396) for the relief of W. H. Howard;

A bill (H. R. 5722) increasing the pension of Meridy Smith, a Revolutionary pensioner;

A bill (H. R. 6093) for the relief of Quincy McNeil;

A bill (H. R. 6490) to amend an act entitled "An act establishing post roads, and for other purposes," approved March 3, 1877;

A bill (H. R. 7281) granting a pension to William F. C. Nindemann, late of the Jeannette expedition to the Arctic Ocean; and

A joint resolution (H. Res. 97) to fill vacancies which will occur in the Board of Managers of the National Home for Disabled Volunteer Soldiers on April 21, 1892.

#### REPORTS OF COMMITTEES.

Mr. WALTHALL, from the Committee on Public Lands, reported an amendment intended to be proposed to the sundry civil appropriation bill; which, with the accompanying report, was referred to the Committee on Appropriations, and ordered to be printed.

He also, from the Committee on Public Lands, to whom was referred the bill (S. 2885) to authorize the Legislature of the State of Mississippi to sell or lease the lands heretofore appropriated to the use of schools within the Chickasaw cession, and to ratify and approve the sales already made, reported it without amendment, and submitted a report thereon.

Mr. PUGH, from the Committee on the Judiciary, to whom was referred the bill (S. 2519) authorizing the Secretary of the Treasury to sell certain lands in the city of Springfield and Commonwealth of Massachusetts, reported it without amendment.

Mr. McPHERSON, from the Committee on Naval Affairs, to whom was referred the bill (S. 653) for the relief of Charles W.

Cronk, reported it without amendment, and submitted a report thereon.

Mr. WILSON, from the Committee on the Judiciary, to whom was recommended the bill (H. R. 5816) to regulate the manner in which property shall be sold under orders and decrees of any United States court, reported it with amendments.

Mr. PADDOCK, from the Committee on Public Lands, to whom was referred the bill (S. 90) explanatory of an act entitled "An act to settle certain accounts between the United States and the State of Mississippi and other States," and for other purposes, reported adversely thereon, and the bill was postponed indefinitely.

Mr. PETTIGREW, from the Committee on Public Lands, to whom was referred the bill (S. 2829) granting to the State of North Dakota certain portions of the abandoned Fort Abraham Lincoln military reservation, together with the buildings thereon, reported it with amendments, and submitted a report thereon.

#### BILLS INTRODUCED.

Mr. CARLISLE introduced a bill (S. 2991) for the relief of Margaret Jane Lovell, administratrix; which was read twice by its title, and referred to the Committee on Claims.

Mr. VEST introduced a bill (S. 2992) for the relief of William W. Arnett; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BARBOUR (by request) introduced a bill (S. 2993) authorizing the purchase of the Quidan and Kolb letter-engraving machine for the use of the Navy Department; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. McMILLAN (by request) introduced a bill (S. 2994) to prevent the sale or delivery of ice within the District of Columbia on the Sabbath day, commonly known as Sunday; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. SAWYER introduced a bill (S. 2995) granting a pension to Cornelius Meydant; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ALLISON introduced a bill (S. 2996) providing for the erection of a public building at Muscatine, Iowa; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CASEY introduced a bill (S. 2997) to place James W. Foley, late commissary sergeant, upon the retired list of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DOLPH introduced a bill (S. 2998) for the relief of settlers upon certain lands in the States of North Dakota and South Dakota; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. DUBOIS introduced a bill (S. 2999) extending the time for the completion of the Spokane and Palouse Railway through the Nez Percé Indian Reservation in Idaho; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. SHERMAN introduced a joint resolution (S. R. 76) to authorize the President to invite certain Governments to send delegates to the Pan-American Medical Congress; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Foreign Relations.

Mr. CAREY introduced a joint resolution (S. R. 77) for the relief of Maj. Henry A. Read; which was read twice by its title, and referred to the Committee on Military Affairs.

#### AMENDMENTS TO BILLS.

Mr. McPHERSON submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. McPHERSON. I submit an amendment intended to be proposed to the bill to place wool on the free list and to reduce the duties on woolen goods. This is an amendment placing sugar also on the free list.

The PRESIDENT *pro tempore*. The amendment will be printed and referred to the Committee on Finance.

Mr. McPHERSON. I also submit an amendment intended to be proposed to the naval appropriation bill, making an appropriation for an increase of the Navy, which I should like to have referred to the Committee on Naval Affairs.

The PRESIDENT *pro tempore*. The amendment will be referred to the Committee on Naval Affairs, and be printed.

Mr. CALL submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. WARREN submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was

referred to the Committee on Appropriations, and ordered to be printed.

#### THE FINANCIAL SYSTEM.

Mr. COKE. Mr. President, I desire to give notice that to-morrow morning, after the routine business is closed, I shall ask permission to address the Senate very briefly on the silver resolutions lying on the table, introduced by the Senator from Alabama [Mr. MORGAN].

#### TRANSFER OF REVENUE MARINE.

Mr. BUTLER. Mr. President, I desire to give notice that a week from next Thursday I shall ask the Senate to consider the bill (S. 67) to transfer the Revenue Cutter Service from the Treasury Department to the Navy Department. I shall move to proceed to the consideration of the bill after the routine morning business on that day.

Mr. ALLISON. I shall not interfere with the Senator's notice except to say that when appropriation bills are ready I hope it will be understood that they shall take precedence of all other matters.

#### EXCLUSION OF CHINESE.

The PRESIDENT *pro tempore*. In compliance with the unanimous consent of the Senate made upon the last legislative day, the Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6185) to absolutely prohibit the coming of Chinese persons into the United States.

The PRESIDENT *pro tempore*. The pending question is on the amendment reported to the bill by the Committee on Foreign Relations. Is the Senate ready for the question? Those in favor of the amendment will say "ay," contrary "no." [Putting the question.] The ayes seem to have it. The ayes have it, and the amendment is adopted.

Mr. PLATT. May the question be stated again?

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the committee in the nature of a substitute for the House bill.

Mr. CULLOM. It is the Senate bill that is proposed as a substitute for the House bill, I understand. Is that right?

The PRESIDENT *pro tempore*. The Chair will restate the question. An amendment is proposed by the committee in the nature of a substitute for the House bill.

Mr. CULLOM. By the Committee on Foreign Relations of this body?

The PRESIDENT *pro tempore*. Yes.

Mr. SHERMAN. I ought to say to the Senate that I understood from the general arrangement made the other evening that the vote should be taken upon this proposition, and that the amendment, if adopted, should be open to amendment.

Mr. PLATT. That is what I wanted to ask.

Mr. SHERMAN. The amendment, if adopted, is to be treated as the text of the bill.

The PRESIDENT *pro tempore*. That was the understanding of the Chair, that in the event the committee amendment should be adopted to the House bill that amendment would still be open to amendment, and in the event that the amendment proposed by the committee should be lost the House bill would be open to amendment by the Senate.

Mr. PLATT. That was all I desired to inquire about.

Mr. HARRIS. If the amendment shall be adopted, it stands as an original proposition, so that an amendment in the second degree will be admissible.

The PRESIDENT *pro tempore*. The Chair would so understand it.

Mr. BUTLER. I understand that the amendment has been adopted.

The PRESIDENT *pro tempore*. The Chair did so decide, but will count it as no vote, and will again state the question. The question is on the adoption of the amendment reported by the Committee on Foreign Relations. Is the Senate ready for the question?

Mr. MITCHELL. No, sir. I took the floor on Saturday, but I consented when the bill came up to permit the Senator from Washington [Mr. SQUIRE] to go on this morning. He desires to address the Senate on this question before the vote is taken. He will be in the Senate in a moment. He has gone to get his papers.

Mr. SHERMAN. I suggest that until the Senator from Washington comes in the Calendar be called.

Mr. SQUIRE entered the Chamber.

The PRESIDENT *pro tempore*. The pending question is on the adoption of the substitute reported by the Committee on Foreign Relations, and the Senator from Washington will proceed.

Mr. SQUIRE. Mr. President, I desire to define my position as to this bill. I will first premise by referring briefly to my own convictions upon the general subject of the exclusion of the

Chinese. When I first went to reside on the Pacific coast in 1879, like many another who has been educated in New York and New England, I was inclined to think there was too much prejudice against the Chinese, and perhaps persecution of them. I was inclined to take the humanitarian view and to believe that our country was so grand and so strong that it could safely withstand the friendly incursions of the people of China without danger to our civilization.

During my residence in the city of Seattle, between 1879 and 1884, I met a number of Chinese merchants who were engaged in legitimate business upon a somewhat extensive scale for the size of the place. I remember in particular the firm of Wa Chong as being one that was well thought of by the citizens of Seattle. The members of this firm owned their own real estate, and the city had let to them extensive contracts for street work which had been executed satisfactorily. I found the manager of this establishment to be an able and honorable business man; and by reason of meeting a few of this class of Chinese I had come to be very favorably disposed toward them.

I soon found, however, that there were a great many Chinese of a different order there, and on visiting the cities of Tacoma, Olympia, Portland, and San Francisco, I ascertained from personal observation that a very large portion of the Chinese on the Pacific coast are of a kind whose presence is deleterious to the best interests of society.

In the years 1884, 1885, 1886, and 1887, I happened to occupy the position of governor of the Territory of Washington, and during that time I had occasion to investigate this subject officially, by reason of the strong hostile feeling then prevailing in all those cities and places in the vicinity of Puget Sound. During a part of this time there had been an unusual depression in business in that country as a result of the great business failures of 1873.

The work upon the railroads of that country had been to a large degree suspended, and many of the laboring class were without employment. A profound feeling of dissatisfaction and unrest prevailed among the masses, and hostility against the Chinese was developed to a remarkable degree. Public meetings were held, at which heated discussions prevailed. The Chinese were attacked and driven from the mines and their habitations destroyed. In another instance they were driven from the hop yards in Squak Valley, where they had been given work; their tents were burned and several of them were killed. At another time they were driven out of Tacoma by an organized body of citizens, which the sheriff of the county and his posse could not control, and their dwellings were burned.

An attempt was also made to drive them out of the city of Seattle, where I happened to be at the time, but in consequence of the vigorous measures adopted, including the employment of the militia of the Territory and the subsequent support of United States troops, this attempt was unsuccessful. The President sent a regiment of United States troops there under Gen. Gibbon, commanding the department, and these troops remained in Seattle for several months in order to prevent further trouble. Every effort was made by me in four of the large counties to protect the Chinese, as it was my duty to do; and I have been given to understand that the Chinese Government was satisfied with the action of the United States Government in its endeavor to carry out the spirit and the letter of the treaty.

These trying events led me to understand, as I had never done before, the intense feeling of antagonism that is seated in the breasts of the great body of our laboring people in reference to the Chinese.

In my official report to the Government, dated October 1, 1886, I stated as follows:

The fact is not to be disguised that the people of the Pacific coast, with very few exceptions, possess a spirit of hostility toward the Chinese residents, and although a large proportion of our citizens entertain feelings of loyalty and patriotism toward the Government, yet in several large towns they are inclined to believe to those who engage in acts hostile to the Chinese, and this fact makes it extremely difficult to secure convictions of this class of offenders against the law.

This feeling has been greatly aggravated by the fact that notwithstanding the terms of the so-called restriction act large numbers of Chinese have continued to cross the border from British Columbia in defiance of the law, and though appeals have been made to the Government to employ sufficient force in the customs department to prevent such unlawful incursions by Chinese, it has been found that with the limited customs force at its disposal the Government is practically unable to enforce the exclusion of the Chinese under the terms of the law.

The letter of the Secretary of the Treasury (copy here inclosed), dated December 9, 1885, explicitly states that "the appropriation heretofore made by Congress for carrying out the requirements of said act is entirely exhausted, and that at present it is impracticable for the Department to take any measures other than those already taken to prevent the landing and entrance of unauthorized Chinese laborers in United States territory."

I may be permitted to urge the view which is naturally taken by American residents of the Pacific coast, that it is important to have that country settled by free American laborers, who have respect for the institutions and laws of our country, who will establish permanent homes, and who will rear their families and train their children to have proper respect for labor in even its humblest sphere.

The presence of Chinese in large numbers has heretofore been necessary,

ing and were degraded, this Republic of ours, founded as a light for the people of the world, should have no obligation to perform towards elevating and improving and instructing nearly one-half of the human race?

Mr. President, let us see whether there is any necessity for this, whether there are any other methods by which the result of limiting the immigration of these people may be attained or the prohibition of them in particular States where the people are unfriendly to them and where their competition might interfere with the industry of the native people.

What is the trouble in the State of California to-day legislating to prevent the social evils which the Senator from Oregon [Mr. MITCHELL] alluded to. Is our republican system of State governments inadequate to eradicate a social evil of any kind? Can we not make laws and execute them of sufficient rigour equal to that which any other people can, to suppress vice in any form which it may assume? Here we have a national policy of prohibition, founded upon the idea that the State governments are inadequate to preserve their people from moral contamination by the suppression of vice. There is no ground for this proposition. Why is it not practicable for this Government, negotiating a treaty with China, to say that we will let Chinese in certain quantities and of certain employments come here for certain purposes of study, of education, of commerce, or of trade, limiting it as the country may need, and also so to be admitted to such States as shall not forbid their admission.

Is a treaty of that description, recognizing the authority of the States and allowing free egress to those who are permitted to come in to States which desire their admission? There is no trouble in establishing a treaty of that sort and leaving it to the legislation of the States to exclude them.

The ninth section of the first article of the Constitution provides:

The migration or importation of such persons as any of the States now existing shall think proper to admit shall not be prohibited by the Congress prior to the year 1808.

That implies that Congress not exercising its authority, the States may prohibit the migration or importation of such persons as they see fit, certainly being supervised by the paramount authority of Congress, if it sees fit to require them to be admitted.

But why is it not adequate to all these purposes of prohibition of this evil upon the Pacific coast, that a treaty should be made recognizing the right and power of the States to prohibit absolutely, if they see fit to do so, by a majority of their people, in their State legislation or their constitution, the admission of these immigrants? I apprehend that the Chinese people, the Emperor of China, and the public authorities of that Empire would not object to a proposition of that kind, that the local State government being unfriendly to their admission, the treaty should provide that they should not be admitted into such a State.

Are we to be told that there are no systems of registration, of police inspection, or of the execution of the laws known to the States by which a Chinaman coming into a State can be identified, recognized, removed, and, if necessary, extradited? There is no difficulty in California or in Oregon providing a State system of legislation by the permission of the Congress of the United States in a treaty with China, by which every Chinaman who comes into either of those communities can be required not only to register, but also to keep himself in communication with the public authorities as to his residence and even his temporary place of abode. The whole subject is perfectly in the power not only in respect to the admission and the egress of these people, but also in respect of their vices and the suppression of them by the local authority of those States.

So, Mr. President, taking this bill and these declarations that our people are to have no commercial intercourse—for that is unquestionably what it is as shown conclusively in the very able and clear exposition of the House bill made by the chairman of the Committee on Foreign Relations—this bill declaring that there shall be no intercourse of any kind whatever between the people of the United States and the people of China, for that is the unquestionable force and effect of the bill, you can not suppose that the Chinese people, when we declare here that they shall be absolutely prohibited from coming to this country, except as diplomatic or other public officials, and provide for their arrest and punishment with a degraded punishment if they violate this law, and provide a penalty upon every person who shall bring them—there can be no question that this nation, which has existed for these thousands of years, famous in statecraft, famous for its protection of its own people, with its wisdom, the accumulation of many centuries—this people, who have been able to defy the changes which have destroyed all other races and all other peoples for hundreds of centuries—there can be no question that these people would retaliate by making a similar declaration and no payment of one hundred millions or two hundred millions of dollars to this immensely rich country would be of

avail to prevent their Government from excluding Americans precisely as the Chinese are to be excluded from our domain.

What is to be the effect of this policy upon the great cotton-producing interests of this country? Cotton is already at such a price that it brings no remuneration to the producer, and a vast portion of the people of this country are absolutely dependent upon it for all the comforts of life. What is to be the effect of this policy of saying that one-half the human race shall be excluded from the privilege of dealing with our people and obtaining the fabrics which are produced from our cotton, whether here or in England or elsewhere? What is to be the effect upon this interest of this prohibitory, this exclusive policy, which this bill provides? Why, Mr. President, in an economical point of view alone, looking to this single production of the Southern States, I should say that this bill ought not to be passed, but ought to meet with the condemnation of the whole country.

How about the production of wheat? China is a great grain-producing region, but with its vast overgrowing population there have been periods of time and are now in India and China in which the supplies of wheat from this country will readily find a market. Are we to deny to our wheat-growers the possibility of a market there?

Upon all these considerations it seems to me that the mere statement that because these people who come here possess certain vices, because they are transitory and return to China, carrying with them the avails of their labor, but leaving behind them great works of industry and permanent improvement—that because of their competing successfully and more cheaply with American labor we shall exclude them from the whole country, is a consequence that has no promise to sustain it.

Why not admit them to those parts of the country where their labor may be useful? Why declare this policy since we have here in our midst a vast portion of another population which we have civilized, more diverse from the Anglo-Saxon than are this people and yet pursuing the paths of peaceful industry and progressing in civilization? Why not say the powerful influences of our republican system, our educational system, our religious system, are adequate, with proper police and municipal regulations, to deal with this evil? Why not prohibit the Chinese from exercising the elective franchise? Why not, if necessary, deny by law their right to become citizens? Why not leave to the States the economies which shall prescribe such prices for labor, either in their great trade organizations or otherwise, that these people may be required to conform to, instead of declaring the impossible doctrine that there shall be absolute nonintercourse, commercial, educational, scientific, mechanical, and of any and every kind, between them and us?

The writer of this book, Mr. Whitney, advocates strongly absolute exclusion upon the theory that the greater power of this vast multitude of people, as suggested by the Senator from Oregon who spoke this morning, will so increase with the knowledge of the arts of offense and defense which this age is developing, that they will be dangerous to the future safety and independence of the people of this country. But suppose that to be so, how will the policy of isolation and exclusion contribute in any degree to the diminution of that power? Suppose it to be true that this people with their vast numbers will increase and grow and become skilled in the use of arms, of naval architecture, and of naval warfare until they can transport to this country or elsewhere an indefinite and sufficient number of people to overpower us, how will the policy of exclusion protect us from that result?

So it must be by the power of intercourse, by impressing upon them our superior powers, by measuring strength with them, and if there is to be, as I have no idea and we can see nothing to warrant it if there is an irrepressible conflict between the Chinese power and ourselves, let us prepare to meet it by a knowledge of it. But I have no fears. The military power of this Anglo-Saxon race and the religious power of our civilization and our Christianity need have no fear from these Mongolian people with their vast antiquity and in their vast numbers, inhabiting, as they do, the most fertile and prolific region of the world. I have no apprehension of that result.

The PRESIDENT *pro tempore*. The Chair calls the attention of the Senator from Florida and the Senate to the unanimous agreement made by the Senate on the last legislative day that debate should cease upon the bill at 1 o'clock to-day and the vote be taken upon the pending question.

Mr. CALL. I have no desire to continue the discussion further.

Mr. TELLER. I rise to make an inquiry as to the bill. I did not fully hear the arrangement made. I wish to inquire, if the House bill is adopted instead of the Senate amendment, will it be open to amendment?

The PRESIDENT *pro tempore*. That is the understanding of the Chair. The pending question is on the amendment proposed by the Committee on Foreign Relations. If that amendment



shall prevail by adoption, then it will be open to amendment as the text of the bill. If it should be defeated, then the bill as it came from the other House will be open to amendment. The question is on the adoption of the amendment reported by the Committee on Foreign Relations.

Mr. FELTON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CASEY (when his name was called). I am paired with the Senator from Florida [Mr. PASCO].

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE], and therefore withhold my vote. If he were present I should vote "yea."

Mr. HARRIS (when his name was called). I have a general pair with the Senator from Vermont [Mr. MORRILL]. I do not know how he would vote. If he were present I should vote "yea."

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE], but he has sent me word that he is in favor of the amendment, and I vote "yea."

The PRESIDENT *pro tempore* (when Mr. MANDERSON'S name was called). The occupant of the chair is paired with the Senator from Kentucky [Mr. BLACKBURN]. The Chair understands that if that Senator were present he would vote "yea," and therefore the occupant of the chair votes "yea."

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER].

Mr. PLATT (when his name was called). My colleague [Mr. HAWLEY] is absent and is paired with the Senator from Missouri [Mr. COCKRELL], but upon this question I think my colleague would vote, if present, as the Senator from Missouri voted, that is, in favor of the report of the committee. I am paired with the Senator from Virginia [Mr. BARBOUR], but I am at liberty to vote upon this question. I vote "yea."

Mr. COCKRELL. In this connection I desire to say that the Senator from Connecticut [Mr. HAWLEY] before leaving the Chamber told me that he would vote with the Senator from Ohio [Mr. SHERMAN] upon this matter, and as I supposed the Senator from Ohio would vote for the committee's substitute, I voted.

Mr. PUGH (when his name was called). I have a general pair with the junior Senator from Massachusetts [Mr. HOAR]. On this amendment, however, he would vote "yea." That is my vote. I vote "yea."

Mr. WOLCOTT (when his name was called). I am paired with the Senator from West Virginia [Mr. KENNA]. If he were present I should vote "nay," and I think he would vote "yea."

The roll call was concluded.

Mr. PERKINS. I was told that I was paired with the Senator from Indiana [Mr. TURPIE], but the Senator from Minnesota [Mr. DAVIS] informs me that he is paired with him, and hence I vote "yea," unless I am advised that I have another pair. I am quite willing to obey orders.

Mr. DOLPH. I announce my pair with the senior Senator from Mississippi [Mr. GEORGE].

The result was announced—yeas 43, nays 14; as follows:

#### YEAS—43.

Allison.	Cullom.	McMillan.	Pugh.
Bate.	Dawes.	McPherson.	Ransom.
Berry.	Dixon.	Manderson.	Sawyer.
Brice.	Frye.	Morgan.	Sherman.
Butler.	Gorman.	Paddock.	Squire.
Call.	Gray.	Palmer.	Stockbridge.
Carey.	Hansbrough.	Puffer.	Vest.
Carlisle.	Higgins.	Perkins.	Vilas.
Cockrell.	Hiscock.	Pettigrew.	Walthall.
Coke.	Jones, Ark.	Platt.	Washburn.
Colquitt.	Kyle.	Proctor.	

#### NAYS—14.

Allen.	Dubois.	Sanders.	Warren.
Blodgett.	Felton.	Shoup.	Wilson.
Chandler.	Jones, Nev.	Stewart.	
Daniel.	Mitchell.	Teller.	

#### NOT VOTING—31.

Aldrich.	Gallinger.	Hill.	Quay.
Barbour.	George.	Hoar.	Stanford.
Blackburn.	Gibson, La.	Irby.	Turpie.
Cameron.	Gibson, Md.	Kennerly.	Vance.
Casey.	Gordon.	Mills.	Voices.
Davis.	Hale.	Morrill.	White.
Dolph.	Harris.	Pasco.	Wolcott.
Faulkner.	Hawley.	Power.	

So the amendment was agreed to.

The PRESIDENT *pro tempore*. The amendment becomes the text of the bill. The text of the bill is open to amendment, and under the unanimous agreement of the Senate amendments are to be considered under the five-minute rule.

Mr. PLATT. I offer the amendment of which I gave notice some time since.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In section 1, line 5, after the word "descend," it is proposed to insert:

Excepting only the act approved October 1, 1888, entitled "An act supple-

ment to an act entitled 'An act to execute certain treaty stipulations relating to Chinese,' approved the 6th day of May, 1882."

So as to read:

That all laws now in force prohibiting and regulating the coming into this country of Chinese persons and persons of Chinese descent, excepting only the act approved October 1, 1888, entitled "An act to supplement to an act entitled 'An act to execute certain treaty stipulations relating to Chinese,' approved the 6th day of May, 1882," are hereby continued in force for a period of ten years from the passage of this act.

Mr. PLATT. Mr. President, the effect of this amendment, if adopted, would be to exclude from the provision which extends the present laws relating to the coming of Chinese persons for ten years the Scott act, so called. It would extend for ten years all other laws relating to the coming of Chinese. It would not extend the provisions of the Scott act.

Mr. DAWES. I should like to inquire of the Senator what effect it would have on the Scott act. Is not that an act without limitation?

Mr. PLATT. That is a conundrum which I can not answer in five minutes. If the Scott act is limited to the time mentioned in the other laws, this would prevent its extension. If it is not limited in its operation, this would have no effect upon it. As to that legal question I am not able at this time to speak.

But I can not vote for the bill without this amendment. We are told that the passage of that act was a violation of the treaty of 1880. It is agreed on all sides that it was a violation of that treaty. It has been remonstrated against by the Chinese Government, and we are told in a dispatch which has been read here that they have addressed repeated notes to the State Department claiming that it was a violation of the treaty, none of which have received any notice by the State Department. Under those circumstances I can not again vote by an extension of that act to abrogate the treaty or vote for a bill which is in conflict with it. I know that I voted for it before. I voted for it under protest. As all Senators know, it was voted for under somewhat peculiar circumstances. It has been thrown in the face of everybody who voted for it and who is to-day opposed to the House bill that we violated or abrogated the treaty of 1880; that we propose to do it again by this bill, and that we should not stickle very much about going further and violating the treaty more. I do not propose hereafter to be charged with violating the treaty by voting for the bill as it is since the adoption of the amendment.

Mr. CHANDLER. Mr. President—

Mr. PLATT. I have only five minutes, and I want to say this in that time: I do not believe it is necessary to extend the Scott law. I believe the laws of 1882 and 1884 are amply sufficient to protect this country against the coming of Chinese laborers into it. I believe, and I think there is no question about it, that since the law of 1882 went into operation the number of Chinese laborers in this country has diminished by at least 35,000 or 40,000. There were in 1880, in round numbers, 105,000 Chinese laborers in this country. There came into this country, according to the immigration records, in the year ending June 30, 1881, 11,890; in 1882, 39,579; in the year ending June 30, 1883, 8,031. That is about 60,000. So it is safe to assume that by the time those laws took effect there were 160,000 Chinese laborers in the country. The present census, not entirely complete and not entirely accurate, but accurate enough for all purposes, however, shows that there are now in the country about 110,000. There are at the outside figures from 35,000 to 40,000 less Chinese laborers in the country now than there were when that act was passed. It is a diminishing evil, and it is not necessary to violate treaties, and if we have done it, to violate them over again, to diminish and finally remove and eradicate this evil.

I am willing to do what we can do, keeping faith, for after all that has been said here I do hold that there is some obligation on the Government to keep faith with a nation with whom it makes a treaty and a contract. I do believe that keeping faith with China, extending these laws for another ten years, we shall have practically eradicated the evil, if it be one, and I agree that it is one, resulting from this undesirable class of immigration.

The PRESIDENT *pro tempore*. The time of the Senator has expired.

Mr. CHANDLER. Mr. President, I think logically the advocates of the Senate committee's amendment ought to vote for the amendment of the Senator from Connecticut. Certainly the adoption of that amendment will have a beneficial effect upon our relations with China. Perhaps I ought to vote for it, because we have the assurance of China that if we will do that my late colleague will be willingly received as minister to that Empire. Senators will realize what they are voting in the face of if they adopt the amendment of the Senator from Connecticut.

The minister says that the passing of that law while the treaty was being considered has had a very bad effect in China. If the President or the Secretary of State could do anything to repeal that law and to put in force again the treaties, the situation in China would be much changed; and then it would not make much difference what Mr. Blair has said and he would be well received if the President asked for it. But Mr. Wharton—



There is another point to which I call the attention of the Senate, and before we finally vote here we ought to have some light on the subject. Perhaps the Senator from Connecticut may give us some light on this subject.

But Mr. Wharton must know that the last Chinese minister had written to Mr. Bayard and afterwards to Mr. Blaine long notes, and that he had also written Mr. Blaine notes complaining of the passing of that law, showing by great American public men that—

That is the Senator from Ohio [Mr. SHERMAN] and the late Senator from New York, Mr. Evans—

It was against the treaties and in violation of all the conduct of the United States to all other governments, and that its passage had done great harm and loss to many thousands of poor Chinese; and Mr. Wharton must know that the United States Government has not made any answer to these complaints.

Mr. President, we are legislating here entirely in the dark on this subject. We are taking up a work that, if we repeal the Scott law and mend the broken treaty and again go back to those treaties, we are doing entirely in the dark. As to what the reasons were why there have been no answers made to the many complaints of the Chinese Government against the passage of the Scott law, about the only thing we do know is that notwithstanding they have refused to receive Mr. Blair on account of words spoken in debate in the Senate, if we will only do this thing, no matter what he may have said, they will take him as minister if the President continues to desire it. I have no knowledge on the last point.

Mr. STEWART. Mr. President, I hope the amendment will not be adopted. The old law led to a great deal of fraud and scandal, to habeas corpus proceedings, and litigation, and fraudulent certificates, and it was impracticable in its operations. A great many Chinese came in under it. It was a very defective arrangement. There are many leaks in the present law, but nothing like as many as existed under the other acts. They led to innumerable scandals. It was impossible to execute them with anything like decency. The Chinese had learned so many ways of evading them by fraudulent contrivances that it became a public scandal involving nearly half of the community. The laws were exceedingly loose, without safeguards; and it would be a very dangerous step to repeal the Scott law and revive those ancient and defective statutes.

Mr. SHERMAN. Mr. President, I feel a good deal of hesitation in regard to this amendment. I believe the Scott law was one of the most vicious laws that have been passed in my time in Congress. I believe now and I believed then it was a mere political race between the two Houses, then opposed to each other in politics, in the face of a Presidential election. I say it was a mere political race between two political parties to try and influence the vote of the Pacific coast in the last Presidential election. When the bill came here it had passed the other House *nem. con.* on the day it was introduced. It came to the Senate and it was not referred to any committee. A proposition to postpone it for a few days to ascertain whether the Chinese embassy would not agree to the provisions of it as a part of the treaty was voted down by almost a tie vote; I believe there was one majority against the motion; and the bill was finally passed.

I believe the passage of that law prevented the negotiation of a treaty which would have accomplished the object. The whole sum and substance and the only provision in the Scott law that had any weight or effect was the declaration that when Chinamen went to China and attempted to return they should not be again admitted into our country. That I believe was the only provision, was it not?

Mr. MITCHELL. Chinese laborers.

Mr. SHERMAN. That laborers who had been here and went over from our country to China and remained there awhile should not return.

Mr. PLATT. And it canceled the certificates.

Mr. MITCHELL. It canceled the certificates. That was the most important feature.

Mr. SHERMAN. I believe from the light of history and from what I learn from the debates that if that bill had not been passed within two weeks after the time it did pass a treaty would have been made by the Chinese Government agreeing that when a Chinaman should return to China he should not have the privilege of coming back to America if he was a Chinese laborer. No one then proposed to interfere with the right of merchants to go and come.

Now, if this amendment should be adopted I think the bill would stand with the amendment in it on stronger grounds than it would without it; but I do not myself care to vote to change the existing law. My inclination now is to vote against the amendment and leave the law as it stands. We have got to be consistent somewhat when we attempt to carry out our laws. The object of the bill, as reported by our committee, is simply to continue the existing status for ten years longer, leaving open, however, all the time to the Executive authority the right to make treaties and to Congress the right to pass laws without

limit. We simply provide for a bridge to go over the chasm as it exists. If we propose to remedy the existing things before now, to change the laws that exist, we may be embarrassed by it.

So I think it would be an act of wisdom to just let the law of 1888 and all the laws on the Chinese question stand as they are until Congress, with more deliberation than it can now have, may take up the subject and either take away some of the stringent provisions of existing law or modify them in some way, or negotiate a new treaty. But now we are under the present spur of the moment, and we have to pass this bill in some form to continue existing laws in order to prevent the income of a great mass of population which all of us agree ought not to come.

That is my position, although it may be not entirely consistent with my course, because I have been opposed to the Scott law all along, especially when it was introduced at a time when we might have made a treaty. Under the circumstances I am not disposed to embarrass our friends on the Pacific coast by any change of existing law, but would simply continue the laws as they stand, good, bad, and indifferent, until Congress may at its proper leisure take up the subject calmly and consider it deliberately.

Mr. FELTON. Mr. President, I have no desire to discuss this amendment, but I do desire to correct what I deem to be a false impression from the remarks of the Senator from Connecticut [Mr. PLATT]. I undertake to say that the census is in no wise a correct enumeration of the Chinese population within the United States. For instance, in the city of San Francisco alone it is well understood by the police at their headquarters that there are between 35,000 and 36,000 Chinese within the city, while the census gives less than 25,000. We in the West who are conversant with these people and their way of doing things know of their evasions of laws before, and we know that it is not in accordance with their theories, their aims, their ambitions, and their interests to give a proper enumeration of them. Whenever they can evade it, I desire to assure the Senate they will do it, and have done it.

Mr. DOLPH. Mr. President, I hope this amendment will not prevail. The Senate Committee on Foreign Relations concluded after a fair deliberation to report a bill extending all existing laws, including the Scott law. Whatever changes that law made in the treaty have been acquiesced in virtually by China. Our diplomatic and other relations have continued substantially unimpaired. The most important objection to the Scott law was the fact that it cancelled the certificates of Chinese laborers who were out of the country holding certificates entitling them to return. Undoubtedly most of the Chinamen whose certificates were cancelled have entered into other employment, and probably not many of them would desire to return again to the United States. But to repeal the Scott law would change the existing status and allow Chinese laborers to go abroad with certificates entitling them to return and open the door again to the admission of any number of Chinese laborers.

Mr. GRAY. I should like to ask the Senator from Oregon before he takes his seat whether the law as it existed prior to the enactment of what is called the Scott law was confined, in its permission to Chinese laborers to go abroad and come back again, to those who were in the country at the date of the treaty, that is, November, 1880?

Mr. DOLPH. I am not prepared now without an examination of the treaty to state.

Mr. GRAY. That is true, I think.

Mr. DOLPH. I do not know whether it extended to Chinese laborers who came in afterwards or applied only to those who were here at the date of the treaty, but if the Senator is correct that will only make the argument made by me all the stronger.

Mr. GRAY. So that the Scott law in effect merely took away from all laborers, whether they were here at the time of the treaty or subsequently came, the right to go and return.

Mr. DOLPH. It took away the right to return from those already abroad. The worst feature of it, if I may be allowed to use the expression, the most objectionable feature to anyone who opposed the law would be the fact that it cancelled outstanding certificates and prevented the return of those who had been once here and gone back with the understanding that under the treaty and existing laws they could return and had certificates entitling them to return.

Mr. GRAY. That is the fact.

Mr. DOLPH. But we could not make any adequate restitution by the repeal of the Scott law, and I do not think it advisable to disturb existing laws.

Mr. GRAY. That may be, but a repeal of the Scott law would do only in that view being about this state of things, that no Chinese laborer who is here now could go back to China and return unless he had been here in November, 1880.

Mr. DOLPH. That is possibly true.

Mr. GRAY. And that would confine the right of going and returning to, I suppose, a very small class of Chinese laborers.

Mr. STEWART. That is, if the law could be executed.

Mr. GRAY. If the law could be executed.

Mr. STEWART. You can not pick them out.

Mr. GRAY. That is another phase of it.

Mr. MITCHELL. Mr. President, I shall vote with the committee against this proposed amendment, although in my view of the state of the law and of the proposed legislation it does not make very much difference whether the amendment is adopted or not. My impression is that even if the amendment were adopted the Scott law would stand all the same forever, until it was repealed. I do not think the amendment as proposed by the Senator from Connecticut would operate as a repeal of what is known as the Scott law.

The Scott law, as I understand it, is an independent act, although it says something in the title about being supplementary. At the same time I do not think the Scott exclusion act expires with the acts of 1882 and 1884. I think they might expire and the Scott exclusion act would remain and continue on. There may be a question, however, in that view of the case as to whether the amendment proposed by the committee would not operate as a limitation upon the existence of the Scott act, making what is a perpetual act as it stands now an act that would only be vital for ten years. But taking it altogether, I shall risk the position of the committee and vote against the amendment of the Senator from Connecticut.

Mr. DOLPH. I will state to my colleague if he has any fears that the Scott law was a continuing act it would limit it to insert after the words "descent" the words "shall expire by their own limitation," and confine this extension to those acts which expire by their own limitation.

Mr. MITCHELL. That would do very well, but that would still leave open the question, if it should turn out that I am wrong in my opinion that the Scott law is permanent.

Mr. DOLPH. This would extend the Scott law, because it would expire then by its own limitation or by being limited by reference to another act.

Mr. MITCHELL. I think it is in pretty good shape the way the committee has fixed, if we simply intend to extend the existing law.

Mr. DOLPH. I am inclined to think myself that the Scott law falls with the other, being built upon it as a supplementary act.

Mr. SHERMAN. I should like to have the Scott law read if the Senator has it.

Mr. MITCHELL. I have it here. It is short.

Mr. SHERMAN. Let it be read at the desk.

The PRESIDENT *pro tempore*. The law of 1888 will be read. The Chief Clerk read as follows:

*Be it enacted, etc.*, That from and after the passage of this act it shall be lawful for any Chinese laborer who shall at any time heretofore have been or who may now or hereafter be a resident within the United States, and who shall have departed or shall depart therefrom and shall not have returned before the passage of this act, to return to, or remain in the United States.

Sec. 2. That no certificates of identity provided for in the fourth and fifth sections of the act to which this is a supplement shall hereafter be issued; and every certificate heretofore issued in pursuance thereof is hereby declared void and of no effect, and the Chinese laborer claiming admission by virtue thereof shall not be permitted to enter the United States.

Sec. 3. That all the duties prescribed, liabilities, penalties, and forfeitures imposed, and the powers conferred by the second, tenth, eleventh, and twelfth sections of the act to which this is a supplement are hereby extended and made applicable to the provisions of this act.

Sec. 4. That all such part or parts of the act to which this is a supplement as are inconsistent herewith are hereby repealed.

Approved, October 1, 1888.

Mr. DAWES. Mr. President, I shall vote for this amendment without regard to the effect it may have upon what is called the Scott law, for the reason that the Scott law was passed under circumstances very peculiar and which I have not heard lately any man approve. It was passed by both Houses of Congress almost in a single day. It passed the other House without being referred to a committee upon the day it was introduced there. It was passed very soon afterwards by the Senate, without reference to any committee.

Mr. SHERMAN. Within three days.

Mr. DAWES. It was enacted in the face of a treaty in which we had covenanted that those Chinese who had already come to this country under the encouragement of the treaty stipulations might go and come and remain as citizens of the United States are permitted to go and come and remain. Instantly, without a single hour's warning, every one of those Chinamen who had gone abroad under this stipulation had the gates shut down between him and this country and all they had here that would induce them to remain here or come here for any purpose, except a few. A man might come if he had a wife and a child, and there were one or two other such exceptions; but without the slightest warning to all others who went on the faith of a treaty abroad that stipulated they might return we passed that law that they should never come back to this country. We passed it under such circumstances which could never, it appears to me, meet the approval of Congress again.

The question comes up here to-day under calmer times and when reason seems for this time and on this subject to have some sway, and yet we are asked to-day to approve of that proceeding. Four years after it has passed Congress, looking back upon it, Senators have been free to say that their participation in it they regret exceedingly, and yet we are asked to reaffirm what we did then. We see now that if we had not done it the way would have been clear for a reasonable and stringent, if you may say, law sufficient, and a treaty stipulation sufficient to exclude all such Chinamen whose presence would be injurious here.

I am ready to go as far as anyone in the enactment in accordance with treaty stipulations of any law that shall exclude any Chinaman or anyone of any other nation whose presence here is injurious to our society or our institutions. I am ready to cooperate in an effort to make treaty stipulations with China or any other nation; but I am not ready now, looking back for four years and recollecting the circumstances under which that law was passed, to reaffirm, as the bill in its present shape does, all that was done then, and stamp it with the approval of to-day.

Mr. VEST. Mr. President, I voted for the Scott law and I shall vote for it again. I do not choose to be put in the role of those who are in a penitential mood over that transaction. I voted for it, as I have voted for all laws which I believed would prevent a Mongolian inundation on the Pacific Slope or any other portion of this country. I voted for it as I am willing to vote for any law that will prevent so great a calamity to this country.

The Chinese are *subgenus* emphatically. They do not belong to the general category of immigrants into this country. They do not assimilate with the American people. To use a better word, they do not homologate with our people at all. They are political parasites. They do not come here for the purpose of assisting in working out the great problem of American republican government upon this continent.

My conscience has never been lacerated and torn by any legislation doing away with the treaty when self-preservation demanded that we should take immediate action to protect our own people. The Supreme Court of the United States has time and again decided that Congress had the right by an act of both Houses, approved by the President, to do away with any treaty. While I hold this opinion, I am convinced that the Scott law has worked well and there is now no imminent and overwhelming danger of an inundation of Asiatics upon the Pacific Slope of this country.

I have voted to sustain the report of the Committee on Foreign Relations exactly as I would vote anywhere else as a legislator when the principal argument against an existing law was that it had not been enforced. What would be thought of the legislator who had assisted in passing a law for punishment by imprisonment in the penitentiary for ten years when he was told that that penalty ought to be changed into a death penalty because the ten years in the penitentiary could not be enforced? If the Scott law is not strictly enforced it is the fault of administration. The law, if enforced, is ample and if it is enforced partially, as it has been, there has been no tremendous increase of Asiatics upon the Pacific Slope, as has been alleged here in this debate.

But more than that, Mr. President, if the words of the late minister to China, John Russell Young, just published in the North American Review, are true, then we should go no further in this direction than is absolutely necessary for the protection of our own people. I have supported the Committee on Foreign Relations because I believed that we had already a remedy sufficient in existing law to prevent this great evil of which I have spoken, and I did not think it proper to go farther and needlessly and ruthlessly to end the Chinese Government when it did not become necessary for the protection of our own people. As a matter of justice, however, if Mr. Young is a credible witness, the Chinese Government is not to blame for any amount of immigration to the soil of the United States of their people. He says:

The Chinese are blamed for what is our own fault. We denounce the Chinese Government for the immigration of Chinese and overlook the fact that this immigration is from an English port and under the English flag, and that China has no more control over it than over the immigration of Irishmen from Londonderry.

If that assertion be true, coming from our late minister to China, we should be careful not to insult or outrage the sentiment of the people of China or the Government of China on behalf's breadth further than is absolutely necessary to exercise the right of self-preservation for our own people.

I am willing, if I believed it was necessary, to go as far as any Senator from the Pacific Slope to protect the people of this country from this inundation of Chinese. In the southern States we have seen the ruinous effect of taking a people unprepared for citizenship who knew nothing about making laws and suddenly lifting them into the sphere of determining the destiny of the people of the United States. We have seen there the ruinous effect of such experiments, and with the humble negro, who assimilates himself with us in our institutions, who is essen-

tially imitative in everything, to go further and take a people who can never become Americans, who can never be anything else but political parasites, and to enable them to flood this country to such an extent as either in labor or society or political affairs to exercise any material influence shall never come about by any vote of mine.

Mr. CALL. Mr. President, I shall vote for the amendment proposed by the Senator from Connecticut. These general terms are very eloquent, but shall we adopt a rule that nobody shall come to the United States who does not homologate with our people, as the Senator from Missouri says? How many hundreds of thousands of people are there who come here who have no sympathy with free institutions? How can you apply these doctrines? If it be said that the Chinese are incapable of improvement, upon what data does the Senator from Missouri found that proposition? They are among the most civilized people of the country, from whom we have derived, as I have shown, many of our most valuable discoveries and inventions.

Mr. President, let us have something practical. There is no trouble in any State excluding every Chinaman. There is no trouble in having a treaty made that will enable them to do it. There is no reasonable danger of any overflow in this country by the Mongolians. But if there were a million of them here the people of this country are capable of holding them in subjection and of keeping them from containing any control or domination. We are capable of establishing systems of labor that will prevent them from competing injuriously with our country. There is no trouble in keeping the Chinese out of this country or out of any State without resorting to these harsh and unreasonable provisions.

Mr. SANDERS. Mr. President, in some observations which I made Saturday upon a condition of affairs found by a joint committee of the two Houses of Congress to exist in San Francisco, I took occasion to condemn that condition of affairs as being unworthy of any judicial tribunal. I did express the opinion that it did not continue. It was said that complaints being made by Chinese persons that they were unlawfully detained, writs of habeas corpus were issued by the courts, and when upon an inquiry as to whether they were lawfully or unlawfully detained, it was adjudged that they were lawfully in custody, not 5 per cent of them could be found to be returned to the custody from which they were taken by the writ. I expressed a belief that that condition of things did not continue, and I rose simply to say that I am reliably informed from San Francisco by parties in a situation to know that no such condition of affairs to-day exists. The courts in that city refuse to accept Chinese bail, for they have found it to be worthless, and as a result of enforcing the law in that spirit the number of habeas corpus cases has diminished from 7,000 in the year 1888 to 2 within the last six months.

Mr. DOLPH. Two cases or 2,000 cases?

Mr. SANDERS. Two cases.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Connecticut.

Mr. PLATT. On that let us have the yeas and nays.

Mr. PALMER. Mr. President, if this were a question of the exclusion of immigrants in the ordinary sense of the term, men who come to the United States with their wives and children and assume the responsibility which belongs to civilized manhood, I should hesitate. But I understand from all I have heard that this is an invasion of Chinese men, who come into the country for their own temporary purposes, and in the nature of things they do not assume the ordinary burdens and responsibilities of manhood, and they can much more easily elude a law passed for their exclusion.

I see no reason why we should not exclude the Chinese men who come into this country and assume none of the duties not of citizenship alone, but none of the duties of manhood, who do not intend to remain, but who come to earn what they may rightfully earn and then return to their own country. I see no difficulty in excluding them; and when we keep within the limits of legal justice and charity I am in favor of the most rigorous laws. The distinction is a very wide one between immigration and the mere migration of these herds of laborers.

Mr. GRAY. Mr. President, I have never found any difficulty in gaining my own consent to vote for any measure of exclusion of the Chinese that seemed to be necessary by the condition of things on the Pacific coast where they most abound. I do not believe that it accords with the best interests of that people or any other people to introduce an alien race among them, nor a labor element that will come in competition with the American laborer who performs work on such different principles and surrounded by essentially different conditions.

I therefore have voted, as the Senator from Missouri [Mr. VEST] said he has voted, for every measure of Chinese exclusion that has come before the Senate since I have been a member of

it. But I shall vote for the Senate substitute and against the House bill because I do not believe that any exigency which would warrant the harshness of the provisions of the House bill exists on the Pacific coast. There has been no evidence produced either in the Senate or before the committees to which the bill has been referred—certainly none before the Committee on Foreign Relations of the Senate—to show that any condition exists on the Pacific coast which demands the enactment of a stronger measure of exclusion than we already have.

I did not understand the junior Senator from Oregon [Mr. MITCHELL] to cite any evidence to the effect that the present laws of exclusion do not operate to substantially prevent any ingress of Chinese within our borders. The condition of things which he cited from a newspaper as existing in San Francisco is deplorable enough, but it exists by reason of the presence of Chinese who are already there, and I do not understand that he even said that that was increased by the importation of Chinese at the present time or that the present laws do not sufficiently exclude them.

But I can not vote, although I thought at first I might be able to do it, for the amendment of the Senator from Connecticut, because I can see that there are difficulties of administration in regard to the law existing prior to the law of 1888 which might create a grievance of which the people on the Pacific coast would have a right to complain. I shall feel compelled to vote against that amendment and by my vote seek to establish and continue the present condition of statute law in that regard.

The PRESIDENT *pro tempore*. The Senator from Connecticut [Mr. PLATT] demands the yeas and nays on agreeing to the amendment submitted by him.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. COLQUITT (when Mr. BUTLER's name was called). The Senator from South Carolina [Mr. BUTLER] is paired with the senior Senator from Pennsylvania [Mr. CAMERON]. I am authorized to state that if the Senator from South Carolina [Mr. BUTLER] were present and unpaired he would vote in the affirmative upon this question.

Mr. CASEY (when his name was called). I am paired with the Senator from Florida [Mr. PASCO]. As I do not know how he would vote, I withhold my vote.

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE]. If he were present I should vote "yea."

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

The PRESIDENT *pro tempore*. When Mr. MANDERSON's name was called. The occupant of the Chair is paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER].

Mr. POWER (when his name was called). I am paired with the Senator from Louisiana [Mr. WHITE]. If he were present I should vote "nay."

Mr. McMILLAN (when Mr. STOCKBRIDGE's name was called). My colleague [Mr. STOCKBRIDGE] is paired with the Senator from Maryland [Mr. GIBSON].

Mr. BERRY (when Mr. TELLER's name was called). I am paired generally with the Senator from Colorado [Mr. TELLER]. He was compelled to be absent this evening, and stated that he would vote "nay," and I voted "nay." The Senator from Colorado would vote "nay" if he were present.

The roll-call was concluded.

Mr. COCKRELL. I am paired with the Senator from Connecticut [Mr. HAWLEY]. I do not know how he would vote, whether for or against the amendment, and therefore I withhold my vote.

Mr. CALL. My colleague [Mr. PASCO] is paired with the Senator from North Dakota [Mr. CASEY]. I do not know how my colleague would vote. I desire to state that he is detained at home by important business.

Mr. DOLPH. I will announce my pair with the Senator from Mississippi [Mr. GEORGE].

The result was announced—yeas 8, nays 45; as follows:

YEAS—8			
Bate	Call	Dixon	Platt
Blodgett	Dawes	Frye	Paugh
NAYS—45			
Allen	Dubois	McMillan	Squire
Allison	Felton	Mitchell	Stewart
Barbour	Gorman	Morgan	Vest
Berry	Gray	Padlock	Vilas
Brice	Hale	Palmer	Walthall
Carey	Hansbrough	Pfeffer	Warren
Carlisle	Higgins	Perkins	Washburn
Chandler	Hiscock	Proctor	Wilson
Coke	Jones, Ark	Sanders	Wolcott
Colquitt	Jones, Nev	Sawyer	
Cullum	Kyle	Sherman	
Daniel	McMillan	Shoup	

## NOT VOTING—35

Aldrich.	Gallinger.	Irby.	Ransom.
Blackburn.	George.	Kenna.	Stanford.
Butler.	Gibson, La.	Manderson.	Stockbridge.
Cameron.	Gibson, Md.	Mills.	Teller.
Casey.	Gordon.	Morrill.	Turpie.
Cockrell.	Harris.	Pasco.	Vance.
Davis.	Hawley.	Pettigrew.	Voorhees.
Dolph.	Hill.	Power.	White.
Faulkner.	Hoar.	Quay.	

So the amendment was rejected.

Mr. CHANDLER. In section 4, line 2, I move to strike out the word "once;" in line 3, after the words "United States," to insert "shall be imprisoned at hard labor for a period of not exceeding six months, and thereafter removed from the United States as heretofore provided, and any such Chinese person or person of Chinese descent having been once so convicted," and, in line 7, to strike out "six months" and insert "one year."

Mr. BUTLER. How will the clause then read?

The PRESIDENT *pro tempore*. The section will be read as proposed to be amended.

The CHIEF CLERK. It is proposed to amend the section so as to read:

That any such Chinese person or person of Chinese descent convicted and adjudged to be not lawfully entitled to be or remain in the United States shall be imprisoned at hard labor for a period of not exceeding six months and thereafter removed from the United States as heretofore provided, and any such Chinese person or person of Chinese descent having been once so convicted and having been once so removed from the United States in pursuance of such conviction, who shall be subsequently convicted for a like offense, shall be imprisoned at hard labor for a period of not exceeding one year, and thereafter removed from the United States as heretofore provided.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendments to the section proposed by the Senator from New Hampshire [Mr. CHANDLER], which question will be taken in gross unless there be objection.

Mr. PLATT. I should like to ask the Senator from New Hampshire if he thinks that a Chinese laborer having once come to the United States and having been convicted here for being here, and imprisoned six months at hard labor, would be likely to come back again after he had been removed from the United States?

Mr. CHANDLER. The Senate committee seemed to think that a second coming was possible. Senators will notice that the original House bill, section 7, provides that any Chinese person coming here contrary to law "shall be imprisoned in a penitentiary for a term of not exceeding five years, and at the expiration of such term of imprisonment be removed from the United States to the country whence he came." The Senate provision is only for imprisoning a Chinaman unlawfully coming here on a second conviction. It has been already developed in this debate that the deportation of Chinamen who come here unlawfully, without imprisoning them, does not deter them from coming.

Now, this is merely a question of adequate penalty. We pass this proposed law. We exclude these Chinamen, and they know they have no right to come here. If they come here there ought to be an adequate penalty to punish them for coming. The penalty of deportation is not sufficient, for our experience has shown that they come here just the same. If they come across the border and are sent back across the border they come again.

The universal judgment, I think, of Senators from the Pacific coast and others who are familiar with this subject and desire a rigid and stringent enforcement of the existing law is that there should be a penalty of imprisonment upon the first conviction of a Chinaman for coming here contrary to law. I do not ask that there shall be a five years' imprisonment, but I submit that if the law is to be effectually enforced there should be some imprisonment, no matter how short, for coming here contrary to law.

Mr. FELTON. I hope we shall have a vote upon the pending question, because I desire to offer an amendment which I think is important. The time is getting late, and I desire to have it acted upon to-night.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from New Hampshire [Mr. CHANDLER].

The amendment was rejected.

Mr. FELTON. I offer the amendment which I send to the desk.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. It is proposed to insert after line 6, at the end of the first section:

And that it shall be the duty of all Chinese persons, except diplomatic and other officers and their body and household servants, within the limits of the United States at the time of the passage of this act to apply for and obtain from the collectors of internal revenue in their respective districts, within one year after the passage of this act, certificates of residence; and any such Chinese person within the limits of the United States who shall fail or refuse to comply with the provisions of this act, or who, within one year after the passage hereof, shall be found without such certificate of residence,

shall be adjudged by the court, before whom he may be brought as being unlawfully within the limits of the United States, and shall be subject to the same fines and penalties as if he had unlawfully come into the United States in the first instance as in this act provided.

That immediately after the passage of this act the Secretary of the Treasury shall make rules and regulations and prescribe the necessary forms to enable the Treasury Department to issue the certificates required hereby. Such certificates may be issued by the collector or deputy collector of internal revenue nearest the place where such Chinese resides. The certificate shall contain a true photographic copy of the applicant, together with his name, age, local residence, and occupation, and a duplicate of the same shall be retained in the office of said collector of internal revenue. That in the case of the loss or destruction, proven to be without the fault of any Chinese, of his certificate of residence issued to him, a duplicate may be issued to him under rules and regulations which may be prescribed by said Secretary of the Treasury.

That the Secretary of the Treasury may appoint additional deputy collectors for the purpose of enforcing this section, and the sum of \$100,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated to carry out the provisions of this section. And it shall be the duty of all Chinese persons, except diplomatic and consular officers, entitled to come and remain in the United States, upon entering the United States, to apply for and obtain from the collector of customs of the port at which they enter like certificates, showing their right to remain in the United States; and immediately after the passage of this act the Secretary of the Treasury shall make the necessary rules and regulations to enable collectors of customs to issue such certificates.

Mr. DOLPH. I wish to say to the Senator from California that in hearing the amendment read, I think he has made a mistake in providing that if the Chinaman be found here within one year after the passage of the act without the certificate, he shall be arrested. I think what the Senator intended to say is, that if he be found after the expiration of one year he shall be arrested.

Mr. FELTON. That was my intention.

Mr. DOLPH. I ask that the amendment be so modified.

The PRESIDENT *pro tempore*. The modification will be stated.

The CHIEF CLERK. In the ninth line strike out the word "within" and insert the words "at the expiration of," so as to read:

And any such Chinese person within the limits of the United States who shall fail or refuse to comply with the provisions of this act, or who, at the expiration of one year after the passage hereof, etc.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from California as modified.

Mr. FELTON. Mr. President, I have offered the amendment for the purpose, as I believe, of making the present law, the Scott law, operative wherein it is now inoperative. There is no provision in that law which at all prevents the incoming of Chinese across our frontier. They come to the countries adjoining us, pass over the border, and the instant that they are here it is very difficult, almost impossible, to distinguish one from another. If this amendment should pass the result would be that within the time prescribed all Chinamen entitled to remain in this country would have a certificate or a passport practically showing that fact. If one were found without it that one might be distinguished and suffer the penalties of the law.

I think this would be no hardship upon these people. Our own people are required to register for other purposes. There is no imputation upon these people, nothing against their rights, so long as they are here, as I see it, and if they are simply honest it will prevent collusion between them and the others coming in. I am unable to see that it is a violation of the present law or of any treaty obligation in relation to the matter. The facts remain that the borders are utterly without any law to prevent the incoming of these people. The treaty provides that the laborers are not entitled to come in any more. I should like very much to see the amendment passed.

In this connection I desire to say that the Senator from New York [Mr. HISCOCK], able and distinguished as he is, has, in my opinion, an entirely wrong view in regard to the present law being sufficient for this purpose. The Senator is of the opinion that we of the Pacific coast by enforcing the law would be enabled to exclude all Chinese who were not entitled to remain in the country. In order to do this we would select, for instance, some one person and we would arraign him, believing that he was not entitled to be here. He would immediately swear that he was entitled, that he had been here ten years, and he could get any quantity of his countrymen to indorse that proposition.

What gentleman upon this coast can not understand is the fact that the Chinese have no morals, no regard whatever for the sanctity of an oath. With them the end justifies the means, and the end is to come in here and possess themselves of what we have and return to their own country with it, and let another herd come and take their place.

Mr. HISCOCK. Mr. President, I regret extremely if under this bill, in the event of its passage, California should find itself unable to have it executed; but is there danger of that? As I understand, section 13 of the law will be in force, and it provides:

That any Chinese person, or person of Chinese descent, found unlawfully in the United States, or its Territories, may be arrested upon a warrant issued upon a complaint, under oath, filed by any party on behalf of the United States, by any justice, judge, or commissioner of any United States court.

He has a summary trial there.

Mr. FELTON. How are you going to identify him?

Mr. HISCOCK. He has to identify himself. I answer the Senator, and I have but five minutes, that he is compelled to identify himself. He is compelled to prove that twelve years ago, when the treaty of 1880 was negotiated, he was here; that he came in here lawfully; that he had a right to be here, and that he has not been home and returned since.

If these people have reached that stage of morals that you have described—and I do not doubt it, I am not questioning it—I see it is advertised, and they are exhibited in the California papers which are read here, as an attraction, I suppose, to visit the city of San Francisco, and I have been told that they are under police espionage, and strangers are conducted through these dives and places to see them as the greatest living curiosities there, rather than to be punished for violation of the law. I do not undertake to say that these things are true, but if they are in that state of degradation that you have described, what one of your justices, what one of your judges, what one of your officers there will believe them? They will require to have something besides Chinese evidence to establish their identity.

The burden of proof is upon them to do it, and if a whole battalion of Chinamen might advance and swear that they knew that a man was there twelve years ago and entitled to a domicile in the United States it would have no effect whatever on the judicial mind of a judicial officer in the judicial State of California. As is suggested by the Senator from Ohio [Mr. SHERMAN], the accusation that the law can not be enforced is an arraignment of the whole judiciary system of the country. I have seen, and so have you, Mr. President, a dozen men go upon the stand, so degraded that they were not entitled to credit, and, with their evidence all one way, the jury finding a verdict the other and the judge sustain it. This evidence is to be weighed, and to be weighed by men, if they are human, prejudiced against these people.

Mr. FELTON. Mr. President—

The PRESIDENT *pro tempore*. The Chair calls the attention of the Senator from California to the fact that he has spoken once on this amendment.

Mr. HISCOCK. If I have any time left, I will yield it to the Senator.

The PRESIDENT *pro tempore*. The Chair does not understand that that can be done under the rule. The Senator from California can proceed by unanimous consent.

Mr. FRYE. I ask unanimous consent that the Senator from California be permitted to proceed.

The PRESIDENT *pro tempore*. If there be no objection, the Senator will proceed.

Mr. FELTON. Only one word, Mr. President. If, as the Senator from New York said, there shall be no justice in any court whatever and a Chinese oath is not to be taken under any circumstances, then I will grant that the Senator's position is correct, but not otherwise.

Mr. STEWART. The Chinese are the only witnesses that can be found under such circumstances, and under the civil rights act they are permitted to testify.

I have had some experience in relation to Chinese testimony. About forty years ago I was the district attorney of Nevada County, Cal., and tried the first murder case in which Chinese testimony was used. I labored very hard to ascertain what regard Chinamen had for an oath. A Chinese missionary, Rev. Mr. Speer, who had been in China for a long time, was then living in San Francisco, and was familiar with them. I sent for him, and the board of supervisors made an appropriation to send for everybody who knew anything about the matter. There were a large number of people there who had lived in China, and they came to attend the trial. The question was how an oath could be administered. Some stated that it was the habit to administer it by cutting off a chicken's head, others that it was by burning papers, and various other devices were suggested.

We tried them all in order that there might not be any mistake about it. We thought we would get the truth out of the Chinese witnesses by separating them, and so we hired rooms in different parts of the town, kept them separately, and brought them in separately; but when they came in each one of them told precisely the same story in exactly the same language. [Laughter.]

Mr. ALLISON. Did they tell the truth?

Mr. STEWART. They did not; but they told the same story in exactly the same language, and they had undoubtedly made up their stories before they came there. On further investigation we found that in China they were in the habit of using some torture to make witnesses tell the truth; and whenever a crime was committed there the witnesses were in the habit of getting together and all telling the same story; so that if they should kill or torture one they should have to kill or torture all of them. That was the general mode they had.

I spent several months over this question, and finally I took it up to the Supreme Court. There was no objection taken in the court below except as to the difference in the names, Kong-Wing, and Ching-Chee, and all these Chinese names. I convicted my man and went to the Supreme Court with great confidence. The statute required that there should be exceptions taken. None had been taken. I argued the case for the State and Gen. McConnell was on the other side. He made a very learned argument against Chinese evidence and undertook to show that the Chinamen were the same as the Indians and then used the statutes against Indians testifying against a white man, and to my astonishment the Supreme Court held that a Chinaman was an Indian, and could not testify against a white man in the State of California. [Laughter.]

Having had this experience with them, I have observed their testimony in the courts of San Francisco and on the Pacific coast generally. There have been five or six thousand of these cases, and the Chinamen all come in and tell the same story. They have one man bailed out and substitute another for him and play all sorts of games on the courts.

Because you have got a law if you think it practicable that you can remove a Chinaman who is improperly here, if you think you can get one out of one hundred thousand of them in twenty years and make a case to extradite him, then I shall be disappointed. I do not believe it can be done. A white man, a stranger, can not tell Chinamen apart. They will substitute one for another right before your eyes and then go right on with the case. [Laughter.] They understand all these games to such a degree that the men who lecture on sleight of hand would have no chance with them. They would play in court a game that no lecturer on sleight of hand ever dreamed of as far as that was concerned. [Laughter.]

The PRESIDENT *pro tempore*. The time of the Senator from Nevada has expired. The question is on the amendment proposed by the Senator from California [Mr. FELTON].

Mr. MITCHELL. I can only see one objection to this amendment. The effect of this amendment, if adopted, will be, I presume, to legalize—if that is the proper word—the remaining here of all Chinamen who shall take out a certificate in a year, whether they are lawfully here or not. I do not know that there is any other way out of it, but it will have that effect. It was the opinion of Judge Field, which I read the other day, that at least two-thirds of all who were here five years ago came here unlawfully, in violation of the law.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from California. [Putting the question.] The yeas seem to have it.

Mr. FELTON. I should like to have a division on the amendment.

Mr. HARRIS. Mr. President, it seems to me evident that we are not going to dispose of this bill this evening.

Several SENATORS. Oh, yes.

Mr. HARRIS. I have no further remark to make.

The PRESIDENT *pro tempore*. The Senator from California asks for a division on his amendment.

The question being taken, there were—ayes 12—

Mr. FELTON. I withdraw the demand for a division. I am satisfied.

The PRESIDENT *pro tempore*. The demand for a division is withdrawn, and the amendment is rejected.

Mr. FELTON. I intended to offer one other amendment, which, in my simplicity, I thought very important in this case, but I rather think that I understand the temper of the Senate, and I have no desire to delay the matter further, so I shall not offer the amendment.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to prohibit the coming of Chinese persons into the United States."

Mr. SHERMAN. I move that the Senate insist upon its amendment and ask a conference with the House of Representatives.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. DOLPH, Mr. DAVIS, and Mr. BUTLER were appointed.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had approved and signed on the 23d instant the following acts:

An act (S. 113) to establish a military post at Little Rock, Ark.; and

An act (S. 1492) to authorize the appointment of an inspector of plumbing in the District of Columbia, and for other purposes.



## HOUSE BILLS REFERRED.

The bill (H. R. 1270) for the relief of D. P. Abbott, A. S. Keesee, and T. E. Smith was read twice by its title, and referred to the Committee on Finance.

The bill (H. R. 4620) to authorize the Secretary of the Treasury to consent to the use of a portion of the public grounds of the United States in the town of Abingdon, Va., for a public street was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

The following bills were severally read twice by their titles, and referred to the Committee on Post-Offices and Post-Roads:

A bill (H. R. 5396) for the relief of W. H. Howard; and

A bill (H. R. 6490) to amend an act entitled "An act establishing post-roads, and for other purposes," approved March 3, 1877.

The following bills and joint resolution were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 793) to amend the military record of De Loss Cramer;

A bill (H. R. 6093) for the relief of Quincy McNeil; and

A joint resolution (H. Res. 97) to fill vacancies which will occur in the board of managers of the National Home for Disabled Volunteer Soldiers on April 21, 1892.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 2073) granting a pension to Mrs. Jennie Y. Wade;

A bill (H. R. 3587) for the relief of Jonathan Ramey, Mexican war veteran;

A bill (H. R. 5200) for the relief of Betsey Worthington;

A bill (H. R. 5722) increasing the pension of Meridy Smith, a Revolutionary pensioner; and

A bill (H. R. 7281) granting a pension to William F. C. Nindemann, late of the Jeannette expedition to the Arctic Ocean.

## CHEYENNE AND ARAPAHOE RESERVATION.

Mr. JONES of Arkansas. I move that the Senate proceed to the consideration of the resolution reported from the Committee on Indian Affairs, relative to the payment to the Chickasaw and Choctaw Nations for their interest in the Cheyenne and Arapahoe Reservation.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Arkansas.

The motion was agreed to.

## EXECUTIVE SESSION.

Mr. SAWYER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, April 26, 1892, at 12 o'clock m.

## CONFIRMATION.

*Executive nomination confirmed by the Senate April 24, 1892.*

## REGISTER OF LAND OFFICE.

Henry L. Bessie, of Butternut, Wis., to be register of the land office at Ashland, Wis.

## HOUSE OF REPRESENTATIVES.

MONDAY, April 25, 1892.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Saturday was read and approved.

## MONEY-ORDER SYSTEM, POST-OFFICE DEPARTMENT.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Postmaster-General, submitting an estimate of appropriations for increased force in the office of the superintendent of the money-order system of the Post-Office Department; which was referred to the Committee on Appropriations.

## DEPUTY MARSHALS, OKLAHOMA.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting an additional report and estimates of the Attorney-General on the claims of persons alleged to have rendered service in Oklahoma as deputy marshals; which was referred to the Committee on Appropriations.

## ARBITRATION TRIBUNAL, PARIS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a copy of communica-

tion from the Secretary of State, submitting estimate of an appropriation to enable the President to execute the treaty stipulations between the United States and Great Britain, concluded February 29 and April 18, 1892, in relation to the tribunal of arbitration at Paris; which was referred to the Committee on Foreign Affairs.

## JUDGMENTS, COURT OF CLAIMS.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting a list of judgments of the Court of Claims which require an appropriation for their payment; which was referred to the Committee on Appropriations.

## UNSURVEYED LANDS, NEW MEXICO AND ARIZONA.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting, in response to resolution of the 5th instant information relating to the unsurveyed lands in New Mexico and Arizona; which was referred to the Committee on the Public Lands.

## PENSIONS TO CERTAIN INDIANS.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting, with requests for favorable action, copy of communication from the Commissioner of Indian Affairs, relating to the granting of pensions and medals to certain Indians of the Standing Rock Agency; which was referred to the Committee on Pensions.

## FRENCH SPOILIATION CLAIMS.

The SPEAKER also laid before the House a communication from the Court of Claims, transmitting a copy of the findings of the court in the French spoliation claim arising from the seizure of the vessel, schooner Victor; which was referred to the Committee on Claims.

## SENATE BILLS REFERRED.

The SPEAKER also laid before the House Senate bills and joint resolutions; which were severally referred as indicated, viz:

A bill (S. 1188) granting a pension to Samuel P. Glenn—to the Committee on Invalid Pensions.

A bill (S. 1290) to provide for the purchase of land adjoining the United States naval station, Port Royal, S. C.—to the Committee on Naval Affairs.

A bill (S. 1303) to increase the pension of Mrs. S. A. Farquharson—to the Committee on Pensions.

A bill (S. 1436) for the relief of Leonard L. Brownson, late first lieutenant Company K, Fifth Vermont Volunteers—to the Committee on Military Affairs.

A bill (S. 1543) authorizing and directing the Secretary of the Navy to contract for the purchase of a lot of land opposite to the Gosport navy-yard—to the Committee on Naval Affairs.

A bill (S. 1724) to prevent cruelty to children or animals in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

A bill (S. 2174) to amend section 796 of the Revised Statutes of the United States—to the Committee on the Judiciary.

A bill (S. 2280) to amend sections 727 and 729 of the Revised Statutes, relating to the District of Columbia—to the Committee on the District of Columbia.

A bill (S. 2331) for the erection of a public building in the city of Woonsocket, R. I.—to the Committee on Public Buildings and Grounds.

A bill (S. 2566) for the relief of William and Mary College, of Virginia—to the Committee on War Claims.

A bill (S. 2592) granting an increase of pension to William C. Tarkington—to the Committee on Invalid Pensions.

A bill (S. 2593) granting an increase of pension to Samuel M. Campbell—to the Committee on Invalid Pensions.

Joint resolution (S. R. 41) extending an invitation to the Presidents of the American Republics and the governors of the American Colonies to participate in the World's Columbian Exposition—to the Select Committee on the Columbian Exposition.

Joint resolution (S. R. 42) extending an invitation to the King and Queen of Spain and the descendants of Columbus to participate in the World's Columbian Exposition—to the Select Committee on the Columbian Exposition.

Joint resolution (S. R. 43) requesting the loan of certain articles for the World's Columbian Exposition—to the Committee on Foreign Affairs.

## ENROLLED BILLS SIGNED.

Mr. WARWICK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a joint resolution and bills of the following titles: and the Speaker signed the same:

Joint resolution (H. Res. 10) for the release of all claim of the United States to lot 18, section 2, governor and judges' plan, Detroit.

A bill (H. R. 3927) to amend an act to provide for the per-



service of the Government for the fiscal year ending June 30, 1892, and for other purposes, and requesting a conference on the disagreeing votes of the two Houses thereon.

Mr. HALE. I move that the Senate insist upon its amendments and agree to the conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. HALE, Mr. ALLISON, and Mr. COCKRELL were appointed.

#### PETITIONS AND MEMORIALS.

Mr. SHERMAN presented memorials of 36 Methodist Episcopal churches in Ohio; of 13 Presbyterian churches in Ohio; of 9 Congregational churches in Ohio; of 5 Lutheran churches in Ohio; of sundry Baptist churches in Springfield, Cincinnati, Kenton, and Lebanon, Ohio; of 6 Lutheran churches in Ohio; of the Baptist Church of Bucyrus, Ohio; of sundry Presbyterian churches in Dennison, Xenia, and West Rushville, Ohio; of sundry Congregational churches in Edinburg, Wakarusa, and Bristolville, Ohio; of the First Presbyterian Church of Springfield, Ohio; of the congregation of the Presbyterian Church of Xenia, Ohio; and of the congregation of the Methodist Episcopal Church of Defiance, Ohio, remonstrating against the opening of the World's Columbian Exposition on Sunday, and praying that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the following petitions of Low Gap and Shady Vale Granges, Patrons of Husbandry, of Ohio:

Petition praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. CULLOM presented a petition of Cortland Grange, Patrons of Husbandry, of Illinois, praying for the passage of legislation for the free coinage of silver; which was ordered to lie on the table.

Mr. TURPIE presented a memorial of sundry citizens of Sullivan County, Ind., remonstrating against the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented sundry petitions, collected by the National Woman's Christian Temperance Union of Indiana, containing 333 individual signatures, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. PERKINS presented a petition of Tomahawk Grange, Patrons of Husbandry, of Kansas, praying for the free delivery of mails in rural districts; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. MANDERSON presented a petition of sundry citizens of Washington County, Nebr., praying for the passage of the Butterworth option bill; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Pawnee County, Nebr., praying for the free delivery of mails in rural districts; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. DAWES presented the petition of Elbert L. Porter and other members of the Central Square Church and Woman's Christian Temperance Union, of Bridgewater, Mass., praying that a loan be granted to the World's Columbian Exposition only on condition that it be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of sundry members of the Seventh-Day Adventist Church of Franklin County, Mass., remonstrating against Congress committing the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. FRYE presented the following petitions of North Jay, Sidney, and Mount Cutler Granges, Patrons of Husbandry, of Maine:

Petitions praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the free delivery of mails in the rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. PETTIGREW presented sundry petitions collected by the National Woman's Christian Temperance Union, of Mecklin and Jerauld Counties, S. Dak., praying that the World's Columbian Exposition be closed on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. MITCHELL presented a memorial of sundry citizens of Union County, Oregon, remonstrating against Congress committing the Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. COCKRELL. I present a petition of sundry citizens of Carthage, Mo., together with the affidavit of C. B. Stickney and T. M. Garland, praying that a pension be granted Mrs. Ann Bradford, for whom a bill has already been introduced. I move that the petition be referred to the Committee on Pensions, to accompany the bill.

The motion was agreed to.

#### REPORTS OF COMMITTEES.

Mr. HALE. I am directed by the Committee on Appropriations to report back the bill (H. R. 7093) making appropriations for the naval service for the fiscal year ending June 30, 1893, and for other purposes, with sundry amendments, which I ask may be printed. I shall call the bill up at some near day in the future.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. VILAS. I am instructed by the Committee on Claims to report back adversely the bill (S. 1585) for the relief of the New Orleans and Bayou Sara Mail Company, and to submit a report thereon. At the request of the junior Senator from Louisiana [Mr. WHITE], made before he left for his home, I suggest that the bill and report be placed upon the Calendar.

The PRESIDENT *pro tempore*. The bill with the adverse report will be placed upon the Calendar.

Mr. ALLEN, from the Committee on Claims, to whom was referred the bill (S. 1426) for the relief of Dabney, Simmons & Co., submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. SHERMAN, from the Committee on Foreign Relations, to whom was referred the bill (S. 2940) to authorize Admiral George Brown, Capt. George C. Remey, Lieut. George S. Dyer, Medical Inspector George W. Wood, Ensign George P. Blow, and Mr. Frank Lavie, United States Navy, to accept certain decorations from the Government of Hawaii, reported it without amendment.

He also, from the same committee, to whom was referred the joint resolution (S. R. 76) to authorize the President to invite certain governments to send delegates to the Pan-American Medical Congress, reported it without amendment.

He also, from the same committee, to whom was referred the message of the President of the United States, transmitting, in response to Senate resolutions of March 16 and 21, 1892, a report from the Acting Secretary of State, with accompanying statistics, showing the duties imposed by the Governments of Venezuela and Colombia upon products of the United States imported into those countries, asked to be discharged from its further consideration, and that it be referred to the Committee on Finance; which was agreed to.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 1445) for the relief of Adolph von Haake, reported it with an amendment, and submitted a report thereon.

Mr. MANDERSON. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 2657) granting to Sergt. Thomas O. Harter, Company 1, First Indiana Cavalry, \$10,000 and a gold medal for losses and services, which, in July and August, 1862, saved Pope's army and the nation's capital from capture by Lee's army, to report it adversely. In the absence of the Senator from Kansas [Mr. PEPPER], who has some interest, I think, in the bill, I ask that it be placed upon the Calendar with the adverse report of the committee.

The PRESIDING OFFICER (Mr. BERRY in the chair). The bill will be placed on the Calendar with the adverse report of the committee.

## BILLS INTRODUCED.

Mr. CULLOM introduced a bill (S. 3008) for the relief of William Devine, teamster, authorizing the president of the Board of Managers of the National Home for Disabled Volunteer Soldiers to receive him at one of the branches of said national home; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. VOORHEES introduced a bill (S. 3009) for the relief of David B. Moore, late a captain Company D, Sixteenth Regiment Iowa Infantry Volunteers, and subsequently first sergeant Troop B, Seventh United States Cavalry and acting sergeant-major Seventh United States Cavalry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BUTLER introduced a bill (S. 3010) making appropriation for the establishment of a national park near Florence, S. C.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. McMILLAN introduced a bill (S. 3011) to amend "An act to define the jurisdiction of the police court of the District of Columbia," approved March 3, 1891; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. TELLER (by request) introduced a bill (S. 3012) to amend an act entitled "An act prescribing regulations for the Soldiers' Home located at Washington, in the District of Columbia, and for other purposes;" which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. PROCTOR introduced a bill (S. 3013) providing that appointments in staff corps be made from the line of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. WALTHALL (by request) introduced a bill (S. 3014) for the relief of Mrs. Hannah Waters, of Horn Island, in Mississippi Sound; which was read twice by its title, and referred to the Committee on Claims.

Mr. PERKINS (by request) introduced a bill (S. 3015) providing for the retirement of wagon masters; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FELTON introduced a bill (S. 3016) for the relief of Charles Harkins; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUAY introduced a bill (S. 3017) to provide and equip a steam vessel for boarding purposes at Philadelphia, Pa.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 3018) for the erection of a statue to the late Admiral David D. Porter, United States Navy; which was read twice by its title, and referred to the Committee on the Library.

Mr. TURPIE introduced a bill (S. 3019) to amend an act approved February 3, 1887, amending an act to provide for the muster and pay of certain officers and enlisted men on the volunteer forces, approved June 3, 1884; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MITCHELL introduced a bill (S. 3020) for the relief of Lieut. Col. George H. Elliot; which was read twice by its title, and referred to the Committee on Claims.

Mr. KYLE introduced a bill (S. 3021) to increase the pay and allowances of officers of the Army who have been continuously in one grade for a period of twenty years; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. KENNA introduced a bill (S. 3023) to authorize the purchase of the manuscript of William Vans Murray; which was read twice by its title, and referred to the Committee on the Library.

## MISSOURI RIVER BRIDGE AT LEAVENWORTH.

Mr. PERKINS introduced a joint resolution (S. R. —) authorizing the Leavenworth and Platte County Bridge Company to sell, transfer, and assign to the Leavenworth Terminal Railway and Bridge Company the rights and franchises as granted by acts of Congress approved February 25 and March 22, 1889, and by act of Congress approved July 25, 1890; which was read the first time by its title.

Mr. PERKINS. If there is no objection, I will ask for the immediate consideration of the joint resolution. There are reasons why this matter is of considerable importance to those concerned. I think there can be no objection to it, and I should like to secure its immediate consideration.

The PRESIDENT *pro tempore*. The Senator from Kansas asks the unanimous consent of the Senate that the joint resolution introduced by him may be now considered.

Mr. HARRIS. Let it be read for information.

The PRESIDENT *pro tempore*. The joint resolution will be read at length for information.

The joint resolution was read the second time at length, as follows:

*Resolved, etc.* That permission be, and is hereby, granted to the Leavenworth and Platte County Bridge Company, a corporation duly organized and existing under the laws of the State of Kansas, to sell, transfer, and assign to the Leavenworth Terminal Railway and Bridge Company, a corporation duly organized and existing under the laws of the State of Kansas, its successors and assigns, all of the rights and franchises granted to the said Leavenworth and Platte County Bridge Company by an act of Congress entitled "An act to authorize the construction of a bridge across the Missouri River between the city of Leavenworth, in the State of Kansas, and Platte County, in the State of Missouri," approved April 25, 1889, and by an act of Congress entitled "An act to authorize the construction of a bridge across the Missouri River between the city of Leavenworth, in the State of Kansas, and Platte County, in the State of Missouri," approved March 2, 1889, and by an act of Congress entitled "An act to authorize the Leavenworth and Platte County Bridge Company to substitute a pivot drawbridge over the Missouri River in place of a pontoon bridge," approved July 25, 1890; and any such transfer and conveyance as has been heretofore made is hereby consented to and confirmed; all subject, however, to the conditions named in said act of Congress.

Mr. PERKINS. All that the joint resolution contemplates is that the Leavenworth and Platte County Bridge Company may transfer to the Leavenworth Terminal Company the right to construct this bridge. They have sold the right and franchise to the latter company and that company now desire an approval of the location of the bridge. In consequence of this transfer, the Secretary of War doubts whether he can approve their application. They have made contracts with the railroad companies there to use the bridge when constructed, they have arranged for money for its construction, and they ask that this joint resolution may be passed by Congress giving to them the right to make this transfer. That is all there is of the measure, and it does not seem to me that there can be any objection to it.

Mr. KENNA. Is the joint resolution now introduced?

The PRESIDENT *pro tempore*. It is now introduced.

Mr. PERKINS. It is a matter of local importance to the people there, and can not be to the prejudice of anyone.

Mr. SHERMAN. I will ask the Senator from Kansas whether it does not propose to change the form of the bridge? It seems to me it gives the right to make a drawbridge instead of another kind.

Mr. PERKINS. There were two acts of Congress passed—one authorizing the construction of a pontoon bridge and the other authorizing the construction of a drawbridge. The joint resolution gives to this company the right to transfer both privileges, and the transfer is to be made with the conditions that were imposed upon the original company.

Mr. COCKRELL. As I understand this case, simply the rights, privileges, and authority granted in the two acts are transferred from one company to the other, subject to the same action of the Secretary of War.

Mr. PERKINS. Yes, subject to all the original conditions. No change is contemplated in any particular, except—

Mr. COCKRELL. The joint resolution simply authorizes the Secretary of War to act upon the plans and specifications presented by this company instead of the original company?

Mr. PERKINS. That is all that is contemplated by the joint resolution.

The PRESIDENT *pro tempore*. The Chair suggests to the Senator from Kansas that the parliamentary precedent in measures of this character is that they should be bills rather than joint resolutions. If there be no objection, the Chair will direct that the form of the measure be changed from that of a joint resolution to a bill.

Mr. PERKINS. I shall be very glad to accept the suggestion of the Chair.

The PRESIDENT *pro tempore*. That change will be made. Is there objection to present consideration?

Mr. SHERMAN. I do not wish to object to this measure, but I think it would be bad as a precedent. Here is a proposition introduced which it is proposed to pass into the form of a law without any reference. I would a great deal rather that it should be referred, informally even, to the Committee on Commerce and reported back. It is a very bad precedent to act in this way.

Mr. PERKINS. I will say in answer to the Senator that the joint resolution does not contemplate a change of the present law in any particular. It authorizes this transfer, but coupled with it all the conditions of the original act. The reason for early action is that these people have already arranged for the money with which to make the construction of the bridge, and they are only embarrassed in the War Department because of the transfer, the War Department thinking that it can not approve the application made in the name of this terminal company because the grant was to the Leavenworth and Platte County Bridge Company.

Mr. SHERMAN. I have no doubt, from the statements made by the Senator from Kansas, that the bill ought to pass, and

Cadmus,	Hamilton,	Milliken,	Sayers,
Campbell,	Harmer,	Mitchell,	Scott,
Castle,	Hartley,	Moore,	Shonk,
Cate,	Harter,	Morse,	Snow,
Causey,	Hayes, Iowa,	Netchler,	Springer,
Cheatham,	Haynes, Ohio,	Newberry,	Stackhouse,
Chapin,	Heard,	Norton,	Stahlmecker,
Clancy,	Hemphill,	O'Ferrall,	Stevens,
Clark, Wyo.	Henderson, Iowa,	O'Neil, Mass.	Stewart, Tex.
Clarke, Ala.	Herbert,	Onthwaite,	Stone, W. A.
Coburn,	Hermann,	Page, R. I.	Stump,
Cockran,	Hoar,	Parrett,	Sweet,
Cogswell,	Hooker, N. Y.	Partison, Ohio	Tarsney,
Compton,	Hopkins, Ill.	Payne,	Taylor, Ill.
Coofidge,	Houk, Tenn.	Paynter,	Taylor, Tenn.
Cowles,	Huff,	Peel,	Taylor, E. B.
Crain, Tex.	Hull,	Pendleton,	Taylor, V. A.
Crosby,	Johnson, Ind.	Perkins,	Townsend,
Culbertson,	Johnson, Ohio,	Pickler,	Tracey,
Curtis,	Johnstone, S. C.	Pierce,	Tucker,
Dalzell,	Kem,	Powers,	Turner,
Daniell,	Ketcham,	Price,	Van Horn,
Doan,	Kribbs,	Quackenbush,	Wadsworth,
Dunphy,	Lagan,	Raines,	Warner,
Durbinow,	Lanham,	Randall,	Washington,
Enochs,	Lawson, Va.	Rayner,	Weddock,
Fellows,	Lawson, Ga.	Reilly,	Wever,
Fitch,	Lester, Ga.	Reyburn,	Whiting,
Fithian,	Lockwood,	Richardson,	Wike,
Flick,	Lodge,	Rife,	Williams, Mass.
Forman,	Magner,	Robertson, La.	Williams, Ill.
Fumston,	Mansur,	Robinson, Pa.	Wilson, Ky.
Fyan,	McDonald,	Rockwell,	Wilson, Wash.
Gantz,	McKaig,	Rusk,	Wilson, Mo.
Gillespie,	McKeighan,	Russell,	Wolverton,
Grout,	Meredith,	Sinford,	Wright,

Mr. BUCHANAN of Virginia. I desire to state that my colleague, Mr. LAWSON of Virginia, is at home sick, and I ask that he be excused.

The committee then rose, and the Speaker resumed the chair.

Mr. OATES. Mr. Speaker, the Committee of the Whole House on the state of the Union had under consideration the bill H. R. 7624, and found itself, while proceeding, without a quorum. The Chair caused the roll to be called and 154 gentlemen only answered to their names as present. Being still without a quorum, the committee rose under the rule, and I report the names of the absentees.

The SPEAKER. The gentleman from Alabama [Mr. OATES], chairman of the Committee of the Whole House on the state of the Union, reports that that committee found itself without a quorum, and that he caused the roll to be called and noted the absentees. The names of the absentees will be entered on the Journal.

Mr. BLOUNT. I move that the House adjourn.

The motion was agreed to; and accordingly, (at 4 o'clock and 48 minutes p. m.) the House adjourned.

#### REPORTS OF COMMITTEES.

The following reports of committees were handed in at the Clerk's desk and referred to their appropriate Calendars as indicated below:

#### SALARY OF SUPERVISING ARCHITECT, TREASURY DEPARTMENT.

Mr. BRICKNER, from the Committee on Expenditures in the Treasury Department, reported back with amendment the bill (H. R. 4540) to provide for the increase of the salary of the Supervising Architect of the Treasury Department; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### SALARY OF ASSISTANT AND CHIEF CLERK OF SUPERVISING ARCHITECT, TREASURY DEPARTMENT.

Mr. BRICKNER also, from the Committee on Expenditures in the Treasury Department, reported back favorably the bill (H. R. 3998) to increase the salary of the assistant and chief clerk of the Supervising Architect, Treasury Department; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### LEAVE OF ABSENCE TO OFFICERS AND EMPLOYÉS IN CUSTOMS SERVICE.

Mr. BRICKNER also, from the Committee on Expenditures in the Treasury Department, reported adversely the bills (H. R. 2939 and H. R. 2622) providing for leave of absence for officers and employés in the customs service of the Government who receive a per diem compensation; which were laid upon the table and, with the accompanying report, ordered to be printed.

#### SETTLEMENT OF ACCOUNTS AND CLAIMS IN CERTAIN CASES.

Mr. STOCKDALE, from the Committee on the Judiciary, reported back adversely the bill (H. R. 374) to provide for the settlement of accounts and claims in certain cases; which was laid upon the table, and, with the accompanying report, ordered to be printed.

#### PUNTA GORDA, SUPPORT OF ENTRY.

Mr. MALLORY, from the Committee on Interstate and For-

eign Commerce, reported back favorably the bill (S. 1956) to make Punta Gorda a subport of entry; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### TRANSPORTATION OF DUTIABLE GOODS.

Mr. MALLORY also, from the Committee on Interstate and Foreign Commerce, reported back favorably the bill (S. 1393) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 16, A. D. 1880, by extending the privileges of the first section thereof to the port of Fernandina, Florida; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### HISTORICAL MANUSCRIPTS RELATING TO THE DISTRICT OF COLUMBIA.

Mr. CUMMINGS, from the Committee on the Library, reported back favorably joint resolution (H. Res. 71) providing for the purchase of historical manuscripts relating to the District of Columbia; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### MONUMENT AT PUT IN BAY, OHIO.

Mr. CUMMINGS also, from the Committee on the Library, reported back favorably the bill (H. R. 323) providing for the erection of a monument at Put In Bay, Ohio, commemorative of Commodore Oliver Hazard Perry and those who participated in the naval battle of Lake Erie on the 10th day of September, 1813; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### PREVENTION OF CRUELTY TO CHILDREN AND ANIMALS IN THE DISTRICT OF COLUMBIA.

Mr. COGSWELL, from the Committee on the District of Columbia, reported back favorably the bill (S. 1714) to prevent cruelty to children or animals in the District of Columbia, and for other purposes; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### MONUMENT AT NORTH BEND, OHIO.

Mr. CUMMINGS, from the Committee on the Library, reported back favorably the bill (H. R. 621) for the erection of a monument to the late William Henry Harrison, at North Bend, Ohio; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. BELTZHOVER, from the Committee on War Claims: A bill (S. 2593) for the relief of William and Mary College of Virginia. (Report No. 1207.)

By Mr. COBB of Missouri, from the same committee: A resolution referring the bill (H. R. 3657) for the relief of the owners of the steamer Clara Bell. (Report No. 1219.)

By Mr. BOWERS, from the Committee on Military Affairs: A bill (H. R. 6554) to remove the charge of desertion against Charles H. Behle. (Report No. 1220.)

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were severally discharged from the consideration of the following bills; which were respectively re-referred as follows:

A bill (H. R. 8385) granting a pension to Martha A. Hughes—the Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 935) for the relief of Eunice Tripler—the Committee on Military Affairs discharged, and referred to the Committee on Claims.

#### BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills of the following titles were introduced, and severally referred as follows:

By Mr. JOHNSON of Ohio: A bill (H. R. 8417) to amend paragraph 106 of an act entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890—to the Committee on Ways and Means.

By Mr. TOWNSEND: A bill (H. R. 8418) to provide for the purchase of a site and the erection of a public building thereon at Glenwood Springs, in the State of Colorado—to the Committee on Public Buildings and Grounds.

By Mr. HEMPHILL: A bill (H. R. 8419) to amend an act to define the jurisdiction of the police court of the District of Columbia, approved March 3, 1891—to the Committee on the District of Columbia.

By Mr. RANDALL: A bill (H. R. 8420) granting the use of certain lands to the town of New Bedford, Mass., for a public park—to the Committee on Military Affairs.

By Mr. WHEELER of Alabama (by request): A bill (H. R. 8421) to amend an act entitled "An act prescribing regulations for the Soldier's Home located at Washington, in the District of Columbia, and for other purposes"—to the Committee on Military Affairs.

By Mr. GRISWOLD: A bill (H. R. 8422) to reimburse registers and receivers of district land offices for moneys paid on account of the United States—to the Committee on the Public Lands.

By Mr. BRODERICK: A joint resolution (H. Res. 423) authorizing the Leavenworth and Platte County Bridge Company to sell, transfer, and assign to the Leavenworth Terminal Railway and Bridge Company the rights and franchises as granted by the acts of Congress approved February 25 and March 2, 1889, and by act of Congress approved July 25, 1890—to the Committee on Interstate and Foreign Commerce.

By Mr. BLAND: A resolution for an income tax to pay pensions and to repeal the tax on currency issued by authority of the States—to the Committee on Ways and Means.

#### PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. BEEMAN: A bill (H. R. 8423) for the relief of L. B. P. Champion—to the Committee on War Claims.

By Mr. BOATNER (by request): A bill (H. R. 8424) for the relief of A. A. Harvey, guardian, of Washington Parish, La., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also (by request): A bill (H. R. 8425) for the relief of Mrs. Emma L. Andras, of St. Landry Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 8426) for the relief of the estate of Mrs. Mary Morgan, late of Carroll Parish, La.—to the Committee on War Claims.

By Mr. CATCHINGS: A bill (H. R. 8427) for the relief of Mrs. Jane P. Moore, of Bolivar County, Miss.—to the Committee on War Claims.

By Mr. CAPEHART: A bill (H. R. 8428) for the relief of the estate of George W. Surbaugh—to the Committee on War Claims.

Also, a bill (H. R. 8429) for the relief of Mathew Tate—to the Committee on War Claims.

By Mr. FORNEY: A bill (H. R. 8430) for the relief of Mrs. Martha Stiff, of Cherokee County, Ala., for property taken for use of the United States Army—to the Committee on War Claims.

By Mr. FUNSTON: A bill (H. R. 8431) to pension Thomas E. Rochester—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8432) to pension Angelina Weldon—to the Committee on Invalid Pensions.

By Mr. GEARY: A bill (H. R. 8433) to increase the pension of Cornelius D. Hughes—to the Committee on Pensions.

By Mr. HARTER: A bill (H. R. 8434) granting an honorable discharge to William S. Fox—to the Committee on Naval Affairs.

By Mr. HITT: A bill (H. R. 8435) to amend the record of Simon Rice, of Company A, Sixth Maryland Volunteers—to the Committee on Military Affairs.

By Mr. JOHNSON of Ohio (by request): A bill (H. R. 8436) to provide for the extension of letters patent to Mrs. Anna Kerstine for improvement on grate bus—to the Committee on Patents.

By Mr. KYLE: A bill (H. R. 8437) for relief of estate of M. H. Battle—to the Committee on War Claims.

Also, a bill (H. R. 8438) for the relief of Melchisedec Robinson, of Benton County, Miss.—to the Committee on War Claims.

By Mr. PATTERSON of Tennessee: A bill (H. R. 8439) for the relief of James A. Richardson, administrator of Ezekiel T. Keel, of Shelby County, Tenn., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill (H. R. 8440) for the relief of Mrs. Ellen P. Malloy, of Shelby County, Tenn., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

Also, a bill (H. R. 8441) for the relief of J. Harvey Mathes, administrator of Benjamin J. Cash, deceased, of Shelby County, Tenn., as found due by the Court of Claims under the act of March 3, 1883—to the Committee on War Claims.

By Mr. WARWICK: A bill (H. R. 8442) to remove the charge of desertion from the military record of James Ammerman—to the Committee on Military Affairs.

By Mr. WHEELER of Alabama: A bill (H. R. 8443) for the relief of Sally C. Smith, administratrix of the estate of Gabriel M. Smith, deceased—to the Committee on War Claims.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Petition of the faculty and students of Davidson College, North Carolina, against opening the Columbian Exposition on Sunday, and against selling liquors on the grounds of said Exposition—to the Select Committee on the Columbian Exposition.

By Mr. BELDEN: Petition of Excelsior Grange, No. 456, of New York, for the passage of a law to prevent the adulteration of food and drugs—to the Committee on Agriculture.

By Mr. BOWMAN: Three petitions of citizens of Iowa, as follows: of 17 citizens of Mills County, 9 citizens of Harrison County, and 9 citizens of Pilot Grove Township, Montgomery County, all for the passage of the antioption bill—to the Committee on Agriculture.

By Mr. BROOKSHIRE: Petition of John A. Wiltmore and 36 others, of Vermillion County, Ind., praying for a law to suppress the use of the United States mails for the transmission of obscene literature—to the Committee on the Post-Office and Post-Roads.

Also, petition of W. S. Fish and 15 others, of Indianapolis, Ind., against the United States Government putting private matter on envelopes—to the Committee on the Post-Office and Post-Roads.

By Mr. BURROWS: Resolution of Dailey Grange, No. 162, Patrons of Husbandry, of Cass County, Mich., for regulating speculation in fictitious farm products—to the Committee on Ways and Means.

By Mr. BUTLER: Petition of citizens of Clayton County, Iowa, praying the passage of House bill defining options and futures—to the Committee on Agriculture.

By Mr. CATCHINGS: Two petitions of citizens of Mississippi, one of Washington County, and the other of the county of Tenuca, remonstrating against the passage of the Brodus (or Conger) land bill, H. R. 335—to the Committee on Agriculture.

By Mr. CHEATHAM: Papers in the claim of Enos Case of Greene County, N. C.—to the Committee on War Claims.

By Mr. DALZELL: Petition of Aron Marshall for a pension—to the Committee on Pensions.

By Mr. DINGLEY: Petition of Charles A. Toole and others, of Auburn, Me., against the opening of the Columbian Exposition on Sundays—to the Select Committee on the Columbian Exposition.

By Mr. DOLLIVER: Five petitions and resolutions of Farmers' Alliances of Iowa, as follows: Coon Grove, of Crawford County; Washington Township; Carroll County; Clinton Troop, of Pocahontas County; Union Township, and East Boyer, all in favor of a speedy passage of the option bill—to the Committee on Agriculture.

Also, petition of the Paradise Alliance, No. 1481, in favor of the Hatch-Washburn option bill—to the Committee on Agriculture.

Also, five petitions of citizens of Iowa, as follows: Of East Boyer, Crawford County; of Washington Township; of Carroll County; of Pocahontas County, and of Coon Grove Alliance, Crawford County, all in favor of House bill defining options and futures—to the Committee on Agriculture.

By Mr. ELLIS: Petition of James Weir and other citizens, of Owensboro, Ky., asking the passage of an act requiring that the Columbian Exposition be closed on the Sabbath—to the Select Committee on the Columbian Exposition.

By Mr. EVERETT: Papers in the claim of James W. Hill, of Georgia—to the Committee on War Claims.

By Mr. FLICK: Three petitions of citizens of Iowa, as follows: Of Lamoni, Decatur County; of John Dokes and others, and of N. N. Hazleton and others, of Lamoni, all in favor of the antioption bill—to the Committee on Agriculture.

By Mr. FUNSTON: Petition of the Methodist Episcopal Church and Woman's Christian Temperance Union of Le Cygne, Kans., for the passage of House bill 129, now before the Committee on the Post-Office and Post-Roads—to the Committee on the Post-Office and Post-Roads.

Also, petition of the session of Carver (Kans.) Presbyterian Church, for the observance of the Sabbath at the World's Fair—to the Select Committee on the Columbian Exposition.

Also, petition of Augustine Weldon, for a pension—to the Committee on Invalid Pensions.

Also, petition of Thomas E. Rochester, for a pension—to the Committee on Invalid Pensions.

By Mr. GOODNIGHT: Evidence to accompany bill to pension W. E. Floyd, of Kentucky—to the Committee on Invalid Pensions.

By Mr. HARMER: Memorial of citizens of the city of Philadelphia, protesting against the passage of bill to provide home rule for Utah—to the Committee on the Judiciary.

By Mr. HATCH: Seven protests of Farmers and Laborers' Union of Missouri, as follows: of Macon County, of Audrain County, of Scotland County, of Knox County, of Clark County, of Macon County, of Clark County, and of Macon County, all against the passage of the Brosius land bill (H. R. 395), and praying for the passage of a general pure-food law—to the Committee on Agriculture.

Also, petition and resolutions of the Massachusetts State Board of Agriculture and State Grange, for the passage of a pure-food bill—to the Committee on Agriculture.

Also, petition of citizens of Macon County, Mo., for the passage of pure-food bill—to the Committee on Agriculture.

Also, petition of citizens of Kingman County, Kans., for the passage of anti-option law—to the Committee on Agriculture.

By Mr. HAYNES of Ohio: Evidence in support of House bill 6329, for the relief of Nicholas Becker—to the Committee on Military Affairs.

Also, four petitions of citizens of Ohio, as follows: One, the Methodist Episcopal Church of Port Clinton; the second, the Protestant Episcopal Grace Church of Toledo; the Methodist Episcopal Church of Gibsonburg, and citizens of Cedar Rapids, all for the closing of the Columbian Exposition on Sunday and the prohibition of the sale of liquor on the Exposition grounds—to the Select Committee on the Columbian Exposition.

By Mr. JOHNSON of Indiana: Petition of the National Woman's Temperance Union, asking that no exposition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. LANE: Petition of Louisa G. Hiatt and others, of Shelby County, Ill., against the Government being committed to a course of religious legislation by closing the World's Columbian Exposition on Sunday or in any other way—to the Select Committee on the Columbian Exposition.

By Mr. LAYTON: Protest of the Philadelphia Drug Exchange and the Philadelphia College of Pharmacy, against the passage of the Paddock pure-food bill—to the Committee on Agriculture.

Also, petitions of churches of Ohio, as follows: The Methodist Episcopal Church of Convoy, the Methodist Episcopal Church, of Belle Center, the First English Lutheran Church of Wapakonts, the First Baptist Church of Kenton, and the First Methodist Episcopal Church of Van Wert, praying the closing of the World's Columbian Exposition on Sunday, and that the sale of intoxicating liquors therein be prohibited—to the Select Committee on the Columbian Exposition.

By Mr. LEWIS: Six petitions of Clay County, Miss., remonstrating against the passage of the Brosius (or Conger) land bill, H. R. 395—to the Committee on Agriculture.

By Mr. LIVINGSTON: Petition of citizens of Texas, touching financial legislation—to the Committee on Coinage, Weights, and Measures.

By Mr. McALEER: Protest of the Produce Exchange of Pennsylvania, against the passage of Senate bill 1757—to the Committee on Agriculture.

By Mr. O'FERRALL: Papers in the claim of Elizabeth Nicholases, of Shenandoah County, Va.—to the Committee on War Claims.

Also, papers in the claim of Ezra Spiker, of Shenandoah County, Va.—to the Committee on War Claims.

Also, papers in the claim of Hiram Bydler, of Shenandoah County, Va.—to the Committee on War Claims.

By Mr. O'NEILL of Pennsylvania: Preambles and resolutions of the Philadelphia National Exchange, favoring the passage of House bill 6182, to establish communication with light-ships and light-houses—to the Committee on Interstate and Foreign Commerce.

Also, copy of a report made on bill 10883 of the first session Fifty-first Congress, favoring the purchase or building a steam boarding vessel for the port of Philadelphia—to the Committee on Interstate and Foreign Commerce.

By Mr. OUTHWAITE: Petition of the Presbyterian Church of Rushville, Ohio, to close the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Mayflower Congregation of Columbus, Ohio, for the closing of the World's Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. OWENS: Petition of the First Methodist Church at Philadelphia, for the closing of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of Dennison Presbyterian Church, of Dennison, for closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. PAGE of Rhode Island: Petition of Arthur W. Brown and 25 others, for an amendment to the Constitution of the United States—to the Committee on the Judiciary.

By Mr. PERKINS: Petition of 15 citizens of Osceola County, Iowa, in behalf of bill defining options and futures—to the Committee on Agriculture.

By Mr. RANDALL: Petition of the Boston Baptist Ministers' Conference, against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, resolutions of the Commonwealth of Massachusetts, to restore John M. Goodhue to the Army and place him on the retired list—to the Committee on Military Affairs.

By Mr. SHELLE: Petition of Oakville Alliance, No. 644, asking Congress to enact a bill to prevent gambling in futures—to the Committee on Agriculture.

By Mr. STORER: Petition of the Emanuel Episcopal Church, of Cincinnati, Ohio, against the opening of the Columbian Exposition on Sundays—to the Select Committee on the Columbian Exposition.

Also, petition of Robert S. McCook Post, Grand Army of the Republic, to preserve battle lines at Gettysburg—to the Committee on Military Affairs.

By Mr. WARWICK: Three petitions of churches of Ohio, as follows: Methodist Episcopal Church of Nashville, United Brethren Congregation of Burbank, and the Evangelical Lutheran Church of Osnaburg, Stark County, all against opening the Columbian Exposition on Sundays—to the Select Committee on the Columbian Exposition.

By Mr. WILSON of Washington: Two petitions of citizens of the State of Washington, protesting against the reduction of the tariff on hops—to the Committee on Ways and Means.

By Mr. WHEELER of Alabama: Petition of ex-soldiers of the United States Army, for "outdoor relief"—to the Committee on Military Affairs.

By Mr. WHEELER of Michigan: Petitions of citizens of the Ninth Michigan district, asking that no exposition for which appropriations are made by Congress shall be opened on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of citizens of the city of Ludington, Mich., for defeating the passage of the so-called Hatch bill—to the Committee on Agriculture.

Also, petition of C. A. Adams and others, for increasing the internal-revenue tax on paper-wrapped cigarettes—to the Committee on Ways and Means.

## SENATE.

THURSDAY, April 28, 1892.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Vice-President resumed the chair.

The Journal of yesterday's proceedings was read and approved.

### COURT OF CLAIMS REPORTS.

The VICE-PRESIDENT presented a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law and the opinion of that court in the French spoliation claims relating to the schooner Dolphin; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

He also presented a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed by that court in French spoliation claims relating to the brig Catherine, the schooner Hannah, and the schooner Three Friends; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

### HOUSE BILL REFERRED.

The bill (H. R. 464) for the benefit of J. C. Rudd was read twice by its title and referred to the Committee on Claims.

### REPORT ON PRODUCTION OF PRECIOUS METALS.

The following concurrent resolution received yesterday from the House of Representatives was read and referred to the Committee on Printing:

*Resolved by the House of Representatives (the Senate concurring), That there be printed of the report of the Director of the Mint on the production of the precious metals in the United States for the calendar year 1891, 6,000 extra copies, of which 1,000 copies shall be for the Senate, 2,000 copies for the House, and 3,000 copies for the Director of the Mint.*

### ADJOURNMENT TO MONDAY.

Mr. MANDERSON. I move that when the Senate adjourn to-day, it be to meet on Monday next.

The motion was agreed to.



## PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Central Labor Union of New York City, praying for the passage of the pending bill to equalize and increase the salaries of letter-carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented resolutions of the Legislature of Massachusetts; which were read and referred to the Committee on Commerce, as follows:

COMMONWEALTH OF MASSACHUSETTS, *In the year 1892.*

Resolutions relative to the establishment of a life-saving station at City Point.

Whereas a serious accident has recently occurred off City Point, in the city of Boston, whereby eight persons lost their lives by drowning; and

Whereas many accidents of a similar nature have heretofore occurred near the same point and are likely to occur in the future, resulting in great loss of life, unless some provision is made for the rescue of persons in peril of drowning:

*Resolved*, That our Senators and Representatives in Congress are requested to lay before Congress or before the proper officials of the National Government the importance of establishing and maintaining another life-saving station on the coast of Massachusetts, to be located at City Point.

*Resolved*, That a copy of these resolutions be transmitted to each Senator and Representative from this Commonwealth in the Congress of the United States.

HOUSE OF REPRESENTATIVES, April 25, 1892.

Adopted: Sent up for concurrence.

EDWARD A. McLAUGHLIN, *Clerk*.

SENATE, April 25, 1892.

Adopted, in concurrence.

HENRY D. COOLIDGE, *Clerk*.

A true copy. Attest.

EDWARD A. McLAUGHLIN,  
*Clerk of the House of Representatives.*

Mr. STOCKBRIDGE presented the petition of C. F. Veeder and 31 other citizens of Hillsdale, Mich.; the petition of A. Smith and 12 other citizens of Grandville, Mich.; the petition of J. F. Cannon and 29 other citizens of Pottersville, Mich.; and the petition of G. P. Bailey and 42 other citizens of Bunker Hill, Mich., praying Congress not to enact any legislation relative to the closing of the World's Columbian Fair on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of Dailey Grange, Patrons of Husbandry, and the Dailey Alliance, of Cass County, Mich., praying for the passage of legislation prohibiting gambling in farm products; which was referred to the Committee on the Judiciary.

Mr. BARBOUR presented a petition of the Board of Trade of Newport News, Va., praying that their Representatives in Congress use their best efforts to defeat legislation making any change in the existing pilot laws; which was ordered to lie on the table.

He also presented a petition of the Presbytery of Winchester, Va., praying that the World's Columbian Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. SHERMAN presented memorials of Lutheran churches in Osnaburg and Shiloh, Ohio; of Baptist churches in Cincinnati, Ohio; of twenty-eight Methodist Episcopal churches in Ohio; of seven Presbyterian churches in Ohio, and of Congregational churches in Sweden and Norwalk, Ohio, remonstrating against the opening of the World's Columbian Exposition on Sunday and the sale of intoxicating liquors thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. MORRILL presented the memorial of Francis Gould and 26 other members of the Borderville Church, of Franklin, Vt., remonstrating against Congress committing the United States Government to a union of religion and state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. McMILLAN presented the memorial of Levi G. Moore and 36 other members of the Seventh-Day Adventist Church of Grand Rapids, Mich., remonstrating against Congress committing the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. DAVIS presented a petition of the Board of Trade of Winona, Minn., praying for the passage of legislation increasing the salaries of employes in the Railway Mail Service; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a resolution adopted by the Tailors' Union, No. 97, of Duluth, Minn., indorsing the action of the Journeymen Tailors' Union of America, praying for the passage of the Hoar clothing-label bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. BLODGETT presented the memorial of L. C. Parmele

and 8 other members of the Seventh-Day Adventist Church of Middlesex County, N. J., remonstrating against the passage of any legislation for the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Presbytery of New Brunswick, N. J., comprising 62 ministers of the gospel, praying for the passage of legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. WALTHALL presented the petition of J. M. C. Ballard and 21 other citizens of Newton County, Miss., praying for the passage of the Washburn-Hatch antiopion bills; which was referred to the Committee on the Judiciary.

He also presented the following petitions of Evergreen Grange, Patrons of Husbandry, of Mississippi:

Petition praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining land and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. TURPIE presented a memorial of the Indianapolis Typothetie Association, in which the memorialists state as follows:

We desire to call to your attention the evident injustice practiced by the United States Government in furnishing printed envelopes to anyone desiring them at the price of the cost of envelopes only, with one charge for the printing, and without any charge whatever for freight or delivery. By estimate, the number of envelopes furnished the mercantile community in this way exceeds 300,000,000. Our objections are based upon the ground that the Government has no right to set up opposition to private enterprise or invade its field, and that such action is a clear deprivation to the printers of the country of an actual revenue of not less than \$250,000; that the injustice to the printers extends far beyond this sum by reducing the price on all envelope printing to a ruinous degree because of the unequal and unfair competition of the Government; that the advantage to the Post-Office Department is certainly small; and that therefore the Government cannot be defended upon either that ground or the principle of "the greater good to the greatest number," for the advantage thus offered by the Government is made use of principally by large firms and corporations better able to pay for what they get than are the smaller concerns, who naturally can not, and in fact do not, except in very few cases, take advantage of such privilege.

I move that the memorial be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

Mr. TURPIE presented a memorial of sundry citizens of Bunker Hill, Ind., remonstrating against the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of sundry citizens of Kempton, Ind., praying for the adoption of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

Mr. DAWES presented the memorial of William J. Boynton and 30 other members of the Seventh-Day Adventist Church of Essex County, Mass., remonstrating against Congress committing the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. DIXON presented a petition which, although addressed to me personally, is evidently intended for the consideration of the appropriate committee of this body. It is a petition of citizens of West Kingston, R. I., praying for the adoption of a constitutional amendment prohibiting any State from passing legislation respecting the establishment of religion, etc. I move that the petition be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. WASHBURN presented a petition of the Board of Trade of Winona, Minn., praying for the passage of legislation increasing the salaries of employes in the Railway Mail Service; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the memorial of Martin Martinson and 31 other citizens of Stillwater, Minn., remonstrating against closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Board of Trade of Minneapolis, Minn., praying for the passage of Senate bill 1737, defin-



ing options and futures; which was referred to the Committee on the Judiciary.

Mr. PADDOCK presented the memorial of P. E. Danielson and 12 other citizens of Washington County, Nebr., remonstrating against Congress committing the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the United States Maimed Soldiers' League of Philadelphia, Pa., praying for the passage of Senate bill 641, providing for increased pensions for maimed soldiers of the late war; which was referred to the Committee on Pensions.

He also presented a memorial of the Union Veteran Republican Club of Lincoln, Nebr., remonstrating against the appropriation by Congress of \$100,000 for the purpose of defraying the expenses of the national encampment of the Grand Army of the Republic to be held at Washington, D. C., during the fall of 1892; which was ordered to lie on the table.

He also presented a petition of Empire Grange, Patrons of Husbandry, signed by S. E. Hurd and 28 other members, citizens of Nebraska, and the petition of S. Snook and 12 other citizens of Highland, Nebr., praying for the passage of the Washburn-Hatch antioption bills; which were referred to the Committee on the Judiciary.

Mr. DOLPH presented the memorial of Mrs. F. W. Graham and other citizens of Lane County, Oregon, remonstrating against Congress committing the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

#### REPORTS OF COMMITTEES.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 2990) for the relief of George W. McKinney, reported it without amendment, and submitted a report thereon.

Mr. WOLCOTT, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 3974) to provide for the opening of alleys in the District of Columbia, reported it with an amendment.

Mr. HAWLEY. Sundry petitions, praying for the passage of a bill providing for the marking of the battle lines at Gettysburg, have been sent to the Committee on Military Affairs. Before they were sent there a bill on that subject was reported favorably. I report back the petitions, and move that they be laid upon the table.

The motion was agreed to.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 2988) for the relief of Josiah Freeman Herring, of Company K, Fourth Georgia Volunteers, Indian war, asked to be discharged from its further consideration, and that it be referred to the Committee on Pensions; which was agreed to.

Mr. HAWLEY. The bill (S. 2974) granting an honorable discharge to Ephraim Morrison is no longer necessary, because the War Department found itself able to give the requisite relief. I report back the bill, ask that the Military Affairs Committee be relieved from its further consideration, and that the bill be indefinitely postponed.

The VICE-PRESIDENT. The bill will be indefinitely postponed.

Mr. BRICE from the Committee on Pensions, to whom was referred the bill (S. 2321) granting an increase of pension to Jonas Deyo, reported it without amendment, and submitted a report thereon.

#### WITHDRAWAL OF PAPERS.

On motion of Mr. SAWYER, it was

Ordered, That Kate M. Smith be leave to withdraw her petition and papers from the files of the Senate, subject to the rules.

#### BILLS INTRODUCED.

Mr. TURPIE. I introduce a bill, and I hope I shall be indulged in being allowed to say that the object of the bill is to relieve any soldiers now in the classified service or who may hereafter be appointed from competitive examination in the civil service of the United States in applications for promotion. We are well aware that in the class of soldiers now serving many of them are those who did not have the advantages in early life of education; that those persons who were engaged in service in the armies of the Union occupied a great part of the time in the prime of their life in labors not necessarily educational and not

very well adapted to early educational training. I hope, therefore, that the Committee on Organization, Conduct, and Expenditures of the Executive Departments, to which the bill will be referred, will give the measure early consideration, and that the soldiers now engaged in the civil service will have the benefit of its provisions as well as those ex-soldiers of the Union who may hereafter be appointed.

The bill (S. 3024) to exempt veterans from competitive examinations in the classified service of the United States was read twice by its title, and referred to the Committee on Organization, Conduct, and Expenditures of the Executive Departments.

Mr. COLQUITT introduced a bill (S. 3025) for the relief of the Fulton Bag and Cotton Mills Company, of Atlanta, Ga.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Finance.

Mr. BARBOUR introduced a bill (S. 3026) to mark the birthplace of James Madison, fourth President of the United States; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 3027) granting pension to Celestia P. Hart; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WILSON introduced a bill (S. 3028) for the relief of William P. Dunwoody; which was read twice by its title.

Mr. WILSON. In connection with the bill, I desire to say that I hope the Committee on Claims will take early action upon the subject-matter of the bill, as I think it is one involving decided merit.

The VICE-PRESIDENT. The bill will be referred to the Committee on Claims.

Mr. ALLEN introduced a bill (S. 3029) authorizing the construction of a bridge across the Columbia River, in the State of Washington; which was read twice by its title, and referred to the Committee on Commerce.

#### AMENDMENT TO A BILL.

Mr. PERKINS submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

#### DISTRICT THEATER LICENSES.

Mr. McMILLAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Commissioners of the District of Columbia be, and hereby are, instructed to report to the Senate forthwith what action, if any, they have taken to make building regulations to carry into effect the joint resolution "to regulate licenses to proprietors of theaters in the city of Washington, D. C., and for other purposes," approved February 25, 1892, also whether said Commissioners have issued any permits for theaters or public halls to be constructed at any considerable height above the level of the street.

#### CHEYENNE AND ARAPAHOE RESERVATION.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The CHIEF CLERK. Resolution by Mr. JONES of Arkansas relative to the President's message of February 18, 1892, upon the appropriation of March 3, 1891, for payment to the Choctaw and Chickasaw Nations for their interest in the Cheyenne and Arapahoe Reservation, Indian Territory.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution, on which the yeas and nays have been ordered.

Mr. ALLISON. Mr. President, when the Senate adjourned yesterday I believe I had the floor for the purpose of submitting some observations on this resolution.

Mr. SHERMAN. As this question involves two or three million dollars, I should like to see a quorum present. There is no quorum here now.

The PRESIDENT *pro tempore*. The roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Cullom,	Kyle,	Ransom,
Allison,	Daniel,	McMillan,	Sawyer,
Bate,	Davis,	McPherson,	Sherman,
Berry,	Dawes,	Mauderson,	Shoup,
Blackburn,	Dixon,	Morrill,	Stanford,
Blodgett,	Dolph,	Paddock,	Stewart,
Brice,	Feiton,	Palmer,	Stockbridge,
Call,	Frye,	Perkins,	Teiber,
Cameron,	George,	Pettigrew,	Turpie,
Carlisle,	Gibson, Md.	Platt,	Vest,
Casey,	Hansbrough,	Power,	Wadhall,
Chandler,	Hawley,	Proctor,	Washburn,
Cockrell,	Jones, Ark.	Pugh,	Wilson,
Colquitt,	Kenna,	Quay,	

The PRESIDENT *pro tempore*. Fifty-five Senators have responded to their names. A quorum is present, and the Senator from Iowa will proceed.

Mr. WEST. I have been detained upon a committee, and I ask the Senator from Iowa to permit me to make a report.

Mr. ALLISON. Very well.

## MISSOURI RIVER BRIDGE AT LEAVENWORTH.

Mr. VEST. I am directed by the Committee on Commerce, to whom was referred the bill (S. 3022) authorizing the Leavenworth and Platte County Bridge Company to sell, transfer, and assign to the Leavenworth Terminal Railway and Bridge Company the rights and franchise as granted by acts of Congress approved February 25, and March 2, 1889, and by act of Congress approved July 25, 1890, to report it favorably, with an amendment.

Mr. PERKINS. I ask unanimous consent for the consideration of the bill at this time. It was up yesterday, and was referred by consent to the committee.

The PRESIDENT *pro tempore*. The bill will be read for information.

The Chief Clerk read the bill, and there being no objection, the Senate as in Committee of the Whole, proceeded to its consideration.

The PRESIDENT *pro tempore*. The amendment of the Committee on Commerce will be stated.

The CHIEF CLERK. In line 25, after the word, "confirmed," it is proposed to strike out the remainder of the bill, the words to be stricken out being as follows:

All subject, however, to the conditions named in said act of Congress.

And insert the following proviso:

*Provided, how ever*, That the conditions, limitations, and restrictions imposed by existing law upon the said Leavenworth and Platte County Bridge Company shall continue in force as to the said Leavenworth Terminal Railway and Bridge Company.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## MANAGERS OF NATIONAL SOLDIERS' HOME.

Mr. HAWLEY. I beg the Senator from Iowa to yield to me a moment for a matter of morning business that ought to be transacted promptly.

Mr. ALLISON. I have no objection to yielding with the consent of the Senator from Arkansas, who is in charge of the pending resolution. I do not wish the time unnecessarily occupied with business, inasmuch as by unanimous consent the pending question was to come up immediately after the morning business was disposed of.

Mr. HAWLEY. This is morning business.

Mr. ALLISON. Very well, if the Senator has morning business, I yield.

Mr. HAWLEY. It is a report from a committee, which I should be glad to have considered now.

Mr. ALLISON. Very well, if the Senator from Arkansas yields.

Mr. HAWLEY. It will give rise to no discussion.

Mr. JONES of Arkansas. I am perfectly willing to yield.

Mr. HAWLEY. I am directed by the Committee on Military Affairs, to whom was referred the joint resolution H. Res. 97, to fill vacancies which will occur in the Board of Managers of the National Home for Disabled Volunteer Soldiers on April 21, 1892, to report it favorably with amendment. The vacancies occurred one week ago and the Board would like to have them filled. The names mentioned are satisfactory to everybody, I believe. Three of them are reappointments.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It proposes to appoint Gen. William J. S. and Gen. Martin T. McMahon, Capt. John L. Mitchell, and Maj. George Bonbrake, managers of the National Home for Disabled Volunteer Soldiers for the terms of office commencing on the 21st day of April, 1892, to fill vacancies which will occur by expiration of terms of office.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## EXCLUSION OF CHINESE.

Mr. DAVIS. I am obliged to be absent from the city for a few days, and I ask to be excused from service upon the conference committee on the so-called Chinese exclusion bill.

The PRESIDING OFFICER (Mr. COCKRELL in the chair). If there be no objection, the request of the Senator from Minnesota will be granted. The Chair hears none.

Mr. SHERMAN. I understand that the Senator from Delaware [Mr. GRAY], who is one of the conferees on that bill, will be absent also. I therefore ask that the Senator from Delaware be relieved from service on the committee and that some other Senator be appointed.

The PRESIDING OFFICER. If there be no objection, in consequence of the absence of the Senator from Delaware [Mr. GRAY], he will also be excused from service on the conference committee. Is it the desire that the Chair shall fill these two vacancies?

Mr. SHERMAN and others. Yes.

The PRESIDING OFFICER. The Chair will appoint the Senator from Ohio [Mr. SHERMAN] and the Senator from Alabama [Mr. MORGAN] in place of the Senators who have been excused.

## TELEPHONE LINE ON VIRGINIA COAST.

The bill (H. R. 7727) to authorize the construction of a telephone line on the coast of Virginia, from Cape Charles to Assateague Island, in aid of the preservation of life and property, was read twice by its title.

Mr. FRYE. I ask that that bill may take the place of the bill (S. 2806) to authorize the construction of a telephone line on the coast of Virginia from Cape Charles to Assateague Island, in aid of the preservation of life and property. Calendar No. 592, the House bill being the same exactly with the Senate bill reported, and I ask that Senate bill 2806 may be indefinitely postponed.

The PRESIDING OFFICER. If there be no objection, the House bill will be placed on the Calendar with the same number as the Senate bill, and the Senate bill will be postponed indefinitely. The Chair hears no objection, and it is so ordered.

## CHEYENNE AND ARAPAHOE RESERVATION.

The Senator resumed the consideration of the resolution reported by Mr. JONES of Arkansas, from the Committee on Indian Affairs, relative to the President's message upon the appropriation of March 1, 1891, for payment to the Choctaw and Chickasaw nations for their interests in the Cheyenne and Arapahoe Reservation.

Mr. ALLISON. Mr. President, the resolution proposed by the Committee on Indian Affairs and reported to the Senate by the Senator from Arkansas is a resolution in response to the message of the President of the United States, which message was read last evening, wherein the President calls the attention of Congress to an appropriation made by Congress at the closing hours of the last session, the appropriation carrying \$2,391,450 to pay an alleged claim due from the United States to the Choctaw and Chickasaw nations. The resolution before us not only commits the Senate, if it shall be adopted, to a recommendation to the President for the immediate payment of this sum, but it commits the Senate to the reciting and statements of the printed report which accompanies the resolution. The resolution provides in its terms—

That for reasons set forth in the report of the Committee on Indian Affairs upon the President's message of February 18, 1892, etc.

This report I hold in my hand, and I wish to call attention to it, in view of the fact that the Committee on Indian Affairs not only ask us to agree to a resolution which shall provide for the payment, but also ask us by our votes to be committed to the reasons and arguments made use of in this report showing or claiming that this amount is due to the Choctaws and Chickasaws. Therefore the Senate must agree to two distinct propositions. It must affirmatively agree to the payment of the money, and it must affirmatively agree to the reasoning of this committee, which of course places this committee in the position of direct antagonism to the argument and propositions made by the President of the United States.

It is in the beginning worth while for us to know something of the origin of this appropriation, amounting in round numbers to \$3,000,000, and I shall endeavor as near as I can, to truthfully recite the history of the transactions.

It is enough for me to say that no committee of this body and no committee of the House of Representatives, as a separate and distinct measure, recommended this appropriation.

Mr. PERKINS. Will the Senator permit a suggestion there?

Mr. ALLISON. Yes, sir.

Mr. PERKINS. The Senator is in error in that particular. The Committee on Indian Affairs of the House of Representatives did report as an independent measure a bill appropriating this sum for the purpose of the purchase of this land, and subsequently the proposition was attached here to the Indian appropriation bill; but an independent measure was reported by the Committee on Indian Affairs in the House, and was considered for two days in the House, but a vote was not reached upon it.

Mr. ALLISON. The Senator from Kansas very properly says that the Committee on Indian Affairs of the House of Representatives reported a bill, but it did not report this bill, and in theatives reported a bill, but it did not report this bill, and in the report that it made and the separate bill that it introduced it provided for a sum of 20 cents an acre less than is included in this appropriation. So, then, we have the deliberate judgment of the House of Representatives as respects this question,

as it is required by foreclosure proceedings to take property from time to time, which, however, under the proposed law, it can not hold for more than five years.

The bill has passed the House of Representatives without objection; it was carefully considered by the committee of the Senate, and was unanimously reported. It was thought that the bill was right.

Mr. COCKRELL. I should like to ask whether the House or the Senate bill is being considered?

Mr. PERKINS. The House bill is being considered, as I understand it. The Senate bill was laid upon the table, as I remember, or indefinitely postponed.

Mr. COCKRELL. I was looking at the Calendar to see if this was a House bill. There are two bills here just the same.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ORDNANCE STORES AND SUPPLIES TO NEBRASKA.

The bill (S. 1348) for the issue of ordnance stores and supplies to the State of Nebraska, to replace similar stores destroyed by fire, was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments.

The first amendment was, in line 12, after the word "trousers," to strike out "forty-two" and insert "forty;" and in line 13, after the word "caps," to strike out "forty-two cavalry dress coats, forty-two cork helmets with spikes and plumes, two bugles, and one stand of colors, including two cavalry guidons," and insert "and two trumpets;" so as to make the clause read:

Clothing, camp, and garrison equipage: Forty-two cavalry blouses, forty-two cavalry trousers, forty forage caps, and two trumpets.

The amendment was agreed to.

The next amendment was, in line 18, after the word "pattern," to strike out "fifty cartridge belts and fifty slings;" so as to make the clause read:

Ordnance and ordnance stores: Fifty sabers, fifty saber belts, fifty cavalry bridles complete, fifty Springfield carbines complete (latest pattern).

The amendment was agreed to.

The next amendment was, to insert the following as an additional section:

SEC. 2. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,216.34 to enable the Secretary of War to purchase the ordnance and ordnance stores called for herein, and the further sum of \$368.12 to further enable the Secretary of War aforesaid to purchase the quartermaster's stores or clothing, camp, and garrison equipage mentioned and called for in this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### DUNBAR R. RANSOM.

The bill (S. 2481) to place Dunbar R. Ransom on the retired list of the Army was considered as in Committee of the Whole. It proposes to authorize the President of the United States to nominate and, by and with the advice and consent of the Senate, to appoint Dunbar R. Ransom, late captain in the Third Artillery of the Army, a captain in the Army, and to place him on the unlimited retired list.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### LORAIN RUGGLES.

The bill (S. 307) for the relief of Lorain Ruggles was announced as next in order.

Mr. COCKRELL. I object to that bill. It ought to be postponed indefinitely, as recommended by the Committee on Military Affairs, unless some Senator desires its retention on the Calendar.

The PRESIDING OFFICER. Objection being made, the bill will go over under Rule IX.

#### SILK CULTURE IN THE UNITED STATES.

The bill (S. 979) for the development and encouragement of silk culture in the United States, under the supervision of the Secretary of Agriculture, was announced as next in order.

Mr. VEST. Let that bill go over.

The PRESIDING OFFICER. Objection being made, the bill will be passed over.

Mr. MITCHELL. I hope the Senator from Missouri will not insist on his objection, but will allow the bill to go over without prejudice. It is an important bill for the development of the silk industry in this country.

Mr. PLATT. I should like to examine the bill. I do not ask to have it go over permanently but only temporarily.

Mr. VEST. I have not had time to examine the bill. Does it not create another office?

Mr. MITCHELL. The Senator from Mississippi [Mr. GEORGE] reported the bill. I had the honor to introduce it originally, but a substitute has been reported by the committee.

Mr. GEORGE. It only provides for an expenditure of \$2,000 per annum.

Mr. VEST. I should like to look at the bill.

Mr. MITCHELL. I hope the bill will not lose its place on the Calendar.

The PRESIDING OFFICER. The bill will be passed over informally, retaining its place.

#### PERJURY AT LAND OFFICES.

The bill (S. 2161) to provide for and to punish the crime of perjury before the United States local land offices was considered as in Committee of the Whole.

The bill was reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That in all cases where any oath, affirmation, or affidavit shall be made or taken before any register or receiver, or either, or both, of them, or any local land office of the United States or any Territory thereof, or where any oath, affirmation, or affidavit shall be made or taken before any person authorized by the laws of any State or Territory of the United States to administer oaths or affirmations, or to take affidavits, and such oaths, affirmations, or affidavits are made, used, or filed in any of said local land offices, or in the General Land Office, as well in cases arising under any or either of the orders, regulations, or instructions, concerning any of the public lands of the United States issued by the Commissioner of the General Land Office, or other proper officer of the Government of the United States, as under the laws of the United States, in anywise relating to or affecting any right, claim, or title, or any contest therefor, to any of the public lands of the United States, and if any person or persons shall, taking such oath, affirmation, or affidavit, knowingly, willfully, or corruptly, swear or affirm falsely, the same shall be deemed and taken to be perjury, and the person or persons guilty thereof shall, upon conviction, be liable to the punishment prescribed for that offense by the laws of the United States.

Mr. WILSON. This bill is rendered necessary by reason of the effect of some recent decisions of some local courts in the West. There can be no objection to it, as it merely revives a section of law passed in 1857, which by an omission in the repealing clause in the Revised Statutes was repealed entirely, so that the character of crime described in this amendment, which is simply a recital of the old law, can not be reached in the courts. Therefore it is necessary, in order to provide for the punishment of such crimes, that this additional legislation should be had.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. The question is on agreeing to the preamble, which the committee recommend be stricken out.

Mr. WILSON. The preamble should be stricken out, I think. The preamble was rejected.

#### CUARTEL LOT, IN MONTEREY, CAL.

The bill (S. 2599) releasing the right, title, and interest of the United States to the piece or parcel of land known as the Cuartel lot to the city of Monterey, Cal., was announced as next in order.

Mr. COCKRELL. I should like to have some explanation of that bill. I see the Senator from Oregon [Mr. DOLPH] who reported it is present. It purports to confirm title to one particular lot, naming it, but there is such language in the body of the bill as to confirm all the public lands around Sacramento to the city. Now, if this bill is intended to confirm only title to this one lot, then we know exactly what it is, but if it is to be a sweeping and general law, we do not know what it covers.

Mr. DOLPH. The bill relates simply to a little lot that had some sort of a military establishment on it at the time Mexico was captured, and the title is disputed.

Mr. COCKRELL. This bill seems to be very adroitly prepared, and appears to have been introduced by request. The language used is as follows:

That the city of Monterey, Cal., is hereby designated as the trustee of the original grant made by the Mexican Government of pueblo lands—

Not of this Cuartel lot, but of all pueblo lands. That is a little too broad. I move to strike out in line 9 the words "of pueblo lands," and then in line 10, after the word "of," to strike out "said pueblo."

Mr. DOLPH. If the Senator will allow this bill to go over a moment, I will look at it. It was reported and passed at the last session. I will make some inquiries about it. I think it is only intended to make the present city of Monterey the successor of the old corporation.

Mr. COCKRELL. To this lot?

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. DOLPH. Let it go over temporarily, and I will call it up again.

The PRESIDING OFFICER. The bill will be passed over informally.

## SOLDIERS' HOME IN KANSAS.

The bill (S. 2140) to authorize the Secretary of the Interior to convey to the State of Kansas certain lands therein named for homes of old soldiers and their families, etc., was announced as next in order on the Calendar.

Mr. COCKRELL. Let that bill go over without losing its place on the Calendar.

The PRESIDING OFFICER. Objection being made, the bill will be passed over informally.

Mr. PERKINS. I hope it may go over with the understanding that it may not lose its place.

Mr. COCKRELL. I said not to lose its place on the Calendar. There is no report with the bill. There is already a national volunteer soldiers' home in Kansas at Leavenworth, and the General Government supports these State homes by one-half contributions to them. Unless there is some very extraordinary reason, I do not see why we should establish a State home in a State where there is already a national home.

Mr. PERKINS. This bill does not provide for the establishment of a soldiers' home under the supervision of Congress, but simply donates this land to the State of Kansas that the State of Kansas may establish a home.

Mr. COCKRELL. But there is a general provision that the United States Treasury pays one-half of the expenses of the State homes, and Kansas would come in and claim that as a matter of course. There is no question on that point.

The PRESIDING OFFICER. The bill will be passed over, retaining its place on the Calendar.

## SALE OF DISTRICT LOTS.

The bill (S. 2755) to provide for the sale of certain lots in the District of Columbia was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 30th ultimo approved and signed the act (S. 1415) for the relief of John Nickels.

## CHINESE EXCLUSION.

Mr. DOLPH submitted the following report: which was read:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H. R. 6185, having met, after full and free conference, have agreed to recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with amendments as follows:

In section 3, line 2, after the word "act," insert the words "or the acts hereby extended."

In section 4, line 2, after the word "descent," strike out the word "once," in section 4, after the words "United States," in line 3, strike out all down to the word "shall," in line 6.

In section 4, line 7, strike out the words "six months" and insert in lieu thereof "one year."

Add new sections as follows:

"Sec. 5. That after the passage of this act, on an application to any judge or court of the United States in the first instance for a writ of habeas corpus by a Chinese person seeking to land in the United States, to whom that privilege has been denied, no bail shall be allowed, and such application shall be heard and determined promptly, without unnecessary delay.

"Sec. 6. And it shall be the duty of all Chinese laborers within the limits of the United States at the time of the passage of this act, and who are entitled to remain in the United States, to apply to the collector of internal revenue of their respective districts, within one year after the passage of this act, for a certificate of residence, and any Chinese laborer within the limits of the United States who shall neglect, fail, or refuse to comply with the provisions of this act, or who, after one year from the passage hereof, shall be found within the jurisdiction of the United States without such certificate of residence, shall be deemed and adjudged to be unlawfully within the United States, and may be arrested by any United States customs official, collector of internal revenue or his deputies, United States marshal or his deputies and taken before a United States judge, whose duty it shall be to order that he be deported from the United States, as hereinbefore provided, unless he shall establish clearly to the satisfaction of said judge that by reason of accident, sickness, or other unavoidable cause he has been unable to procure his certificate, and to the satisfaction of the court, and by at least one credible white witness that he was a resident of the United States at the time of the passage of this act; and if upon the hearing it shall appear that he is so entitled to a certificate, it shall be granted upon his paying the cost. Should it appear that said Chinaman had procured a certificate, which has been lost or destroyed, he shall be detained and judgment suspended a reasonable time to enable him to procure a duplicate from the officer granting it, and in such cases the costs of said arrest and trial shall be in the discretion of the court. And any Chinese person other than a Chinese laborer, having a right to be and remain in the United States, desiring such certificate as evidence of such right, may apply for and receive the same without charge.

"Sec. 7. That immediately after the passage of this act, the Secretary of the Treasury shall make such rules and regulations as may be necessary for the efficient execution of this act, and shall prescribe the necessary forms, and furnish the necessary blanks to enable collectors of internal revenue to issue the certificates required hereby, and make such provisions that certificates may be procured in localities convenient to the applicants. Such certificates shall be issued without charge to the applicant, and shall contain the name, age, local residence, and occupation of the applicant, and such other description of the applicant as shall be prescribed by the Secretary of the Treasury, and a duplicate thereof shall be filed in the office of the

collector of internal revenue for the district within which such Chinaman makes application.

"Sec. 8. That any person who shall knowingly and falsely alter or substitute any name for the name written in such certificate, or forge such certificate, or knowingly utter any forged or fraudulent certificate, or falsely personate any person named in such certificate, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding \$1,000, or imprisoned in the penitentiary for a term of not more than five years.

"Sec. 9. The Secretary of the Treasury may authorize the payment of such compensation in the nature of fees to the collectors of internal revenue, for services performed under the provisions of this act, in addition to salaries now allowed by law, as he shall deem necessary, not exceeding the sum of \$1 for each certificate issued.

And the House agree to the amendment of the Senate to the title so as to read as follows: "An act to prohibit the coming of Chinese persons into the United States."

J. N. DOLPH,  
JOHN T. MORGAN,  
*Managers on the part of the Senate.*  
T. J. GEARY,  
J. LOGAN CHIPMAN,  
*Managers on the part of the House of Representatives.*

## EXECUTIVE SESSION.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and thirteen minutes spent in executive session the doors were reopened, and at 4 o'clock and 10 minutes p. m. the Senate adjourned until tomorrow, Tuesday, May 3, 1892, at 12 o'clock m.

## NOMINATION.

*Executive nomination received by the Senate May 2, 1892.*

## ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

T. Jefferson Coolidge, of Massachusetts, to be envoy extraordinary and minister plenipotentiary of the United States to France, vice Whitelaw Reid, resigned.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate May 2, 1892.*

## PROMOTIONS IN THE ARMY.

*Quartermaster's Department.*

Capt. John Simpson, assistant quartermaster, to be quartermaster.

*Infantry Arm.*

Lieut. Col. Edward G. Bush, Eleventh Infantry, to be colonel.  
Maj. Edward C. Woodruff, Fifth Infantry, to be lieutenant-colonel.

Capt. George B. Russell, Ninth Infantry, to be major.  
First Lieut. Thomas S. McCaleb, regimental adjutant, Ninth Infantry, to be captain.

## COLLECTOR OF INTERNAL REVENUE.

Homor C. Powers, of Mississippi, to be collector of internal revenue for the district of Louisiana.

## POSTMASTER.

George W. Shoemaker, to be postmaster at Albany, in the county of Gentry and State of Missouri.

## HOUSE OF REPRESENTATIVES.

Monday, May 2, 1892.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. WILLIAM H. MILBURN, D. D.

The Journal of the proceedings of Saturday was read and approved.

## LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:  
To Mr. MCKINNEY, for one day, on account of important business.

To Mr. WASHINGTON, for one week, on account of important business.

To Mr. HARTER, for this day.

## THE CENSUS INVESTIGATION.

The SPEAKER. The Chair will lay before the House a proposed order, which the Clerk will read:

The order was read, as follows:

*Ordered.* The Committee on Census, heretofore ordered to investigate the administration of the Census Office, is authorized to discharge that duty by a subcommittee appointed by the chairman, and the expenses of the investigation shall be paid out of the contingent fund of the House on vouchers to be approved by the chairman of said committee.

The SPEAKER. Is there objection to the adoption of this order?

There was no objection, and the order was adopted.

The result was announced—yeas 19, nays 26; as follows:

YEAS—19.			
Barbour,	Daniel,	McPherson,	Ransom,
Berry,	George,	Morgan,	Squire,
Butler,	Gorman,	Palmer,	Stewart,
Cameron,	Harris,	Pasco,	Vest.
Cockrell,	Hill,	Pugh,	
NAYS—26.			
Aldrich,	Coke,	Mitchell,	Sanders,
Allen,	Cullom,	Padlock,	Sawyer,
Allison,	Dolph,	Peffer,	Shoup,
Bate,	Felton,	Perkins,	Stockbridge,
Call,	Frye,	Platt,	Warren.
Casey,	Gray,	Power,	
Chandler,	Kyle,	Proctor,	
NOT VOTING—13.			
Blackburn,	Gallinger,	Jones, Ark.	Teller,
Blodgett,	Gibson, La.	Jones, Nev.	Turpie,
Brice,	Gibson, Md.	Kenna,	Vance,
Carey,	Gordon,	McMillan,	Vilas,
Carlisle,	Hale,	Manderson,	Voorhees,
Colquitt,	Hansbrough,	Mills,	Walthall,
Davis,	Hawley,	Morrill,	Washburn,
Dawes,	Higgins,	Pettigrew,	White,
Dixon,	Hiscock,	Quay,	Wilson,
Dubois,	Hoar,	Sherman,	Wolfcott.
Faulkner,	Irby,	Stanford,	

So the Senate refused to adjourn.

The PRESIDING OFFICER. The question recurs on the amendment proposed by the Senator from Missouri [Mr. COCKRELL] to the bill under consideration.

#### EXECUTIVE SESSION.

Mr. QUAY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 4 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Thursday, May 5, 1892, at 12 o'clock m.

#### NOMINATIONS.

*Executive nominations received by the Senate May 4, 1892.*

##### UNITED STATES ATTORNEY.

Ferdinand B. Earhart, of Louisiana, to be attorney of the United States for the eastern district of Louisiana, vice William Grant resigned.

##### CONSUL.

Richard Lambert, of San Francisco, Cal., to be consul of the United States at Mazatlan, to which office he was appointed during the last recess of the Senate, vice Edward G. Kelton, resigned.

##### PROMOTIONS IN THE ARMY.

##### *Infantry arm.*

First Lieut. Daniel H. Brush, Seventeenth Infantry, to be captain, May 2, 1892, vice Howe, Seventeenth Infantry, retired from active service.

Second Lieut. Daniel B. Devore, Twenty-third Infantry, to be first lieutenant, May 2, 1892, vice Brush, Seventeenth Infantry, promoted.

#### HOUSE OF REPRESENTATIVES.

WEDNESDAY, May 4, 1892.

The House met at 12 o'clock noon, and was called to order by the Speaker.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

##### ADDITIONAL ROOM SPACE, ADJUTANT-GENERAL'S OFFICE.

The SPEAKER laid before the House a letter from the Secretary of War, transmitting a copy of a letter from the Adjutant-General, representing the necessity for additional room space for his office, to accommodate the division of military information as reorganized and enlarged, and recommending that the request be complied with; ordered to be printed, and referred to the Committee on Appropriations.

##### URGENT DEFICIENCY, SUPREME COURT, DISTRICT OF COLUMBIA.

The SPEAKER laid before the House a letter from the Attorney-General, transmitting a petition signed by the clerks and bailiffs of the supreme court of the District of Columbia, and recommending that an urgent deficiency appropriation be made covering this subject-matter; ordered to be printed, and referred to the Committee on Appropriations.

#### SENATE BILLS REFERRED.

The SPEAKER. There are quite a number of Senate bills that came over day before yesterday, the titles of which have been printed in the RECORD. If there be no objection, the Chair will refer them without having them separately read at the Clerk's desk.

There was no objection.

The bills and references are as follows:

A bill (S. 453) granting a pension to Eliza Conroy—to the Committee on Invalid Pensions.

A bill (S. 520) granting an increase of pension to Oliver P. Goodwin—to the Committee on Pensions.

A bill (S. 789) for the relief of Warren Hall—to the Committee on Claims.

A bill (S. 1140) for the relief of John C. Smith, Milton Evans, and others—to the Committee on the Public Lands.

A bill (S. 1143) granting a pension to Mary A. Wise—to the Committee on Invalid Pensions.

A bill (S. 1279) for the correction of the military record of Wilhelm Spiegelburg—to the Committee on Military Affairs.

A bill (S. 1318) for the issue of ordnance stores and supplies to the State of Nebraska to replace similar stores destroyed by fire—to the Committee on the Militia.

A bill (S. 1535) to increase the pension of Andrew J. Moore—to the Committee on Invalid Pensions.

A bill (S. 1777) for the erection of a public building at Selma, Ala.—to the Committee on Public Buildings and Grounds.

A bill (S. 1975) for the protection of livery-stable keepers and other persons keeping horses at livery within the District of Columbia—to the Committee on the District of Columbia.

A bill (S. 2067) for a public building at Altoona, Pa., and appropriating money therefor—to the Committee on Public Buildings and Grounds.

A bill (S. 2087) for the relief of Charles Fletcher, alias James H. Mitchell—to the Committee on Military Affairs.

A bill (S. 2092) to fix the price of lands entered under the desert-land laws—to the Committee on the Public Lands.

A bill (S. 2161) to provide for and to punish the crime of perjury before the United States local land offices—to the Committee on the Judiciary.

A bill (S. 2481) to place Dunbar R. Ransom on the retired list of the Army—to the Committee on Military Affairs.

A bill (S. 2575) to provide for the sale of certain lots in the District of Columbia—to the Committee on the District of Columbia.

A bill (S. 2605) granting a pension to Mrs. Adelia New, of Indianapolis, Ind.—to the Committee on Invalid Pensions.

##### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. ROCKWELL, for ten days, on account of important business.

##### NEMIAH GARRISON, ASSIGNEE.

Mr. WINN. I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The bill was read, as follows:

A bill (H. R. 3508) for the relief of Nemiah Garrison, assignee of Moses Perkins, *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay Nemiah Garrison, a citizen of the State of Georgia, the sum of \$750, out of any money in the Treasury not otherwise appropriated, in accordance with the judgment of the Court of Claims in the case of Nemiah Garrison, assignee of Moses Perkins *vs.* The United States.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. HOLMAN. Mr. Speaker, I would like to have some explanation of it. The report, I suppose, accompanies the bill.

Mr. WINN. Certainly.

The SPEAKER. The Clerk will read the report.

The report was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 3508) for the relief of Nemiah Garrison, assignee of Moses Perkins, submit the following report:

This claim was submitted to the Fiftieth Congress and a report was made thereon by the Committee on Claims. As the investigations of your committee have led them to substantially the same results as those arrived at by the committee of the Fiftieth Congress, it is deemed unnecessary to recapitulate the facts. A copy of the report in the Fiftieth Congress is attached hereto for information and made a part of this report.

Your committee recommend that the bill do pass.

[House Report No. 610, Fiftieth Congress, first session.]

The Committee on Claims have considered House bill No. 7409, for the relief of the executor or administrator of the estate of Nemiah Garrison, assignee of Moses Perkins, and recommend that it do pass, with the following amendment: Strike out the words "with interest," in line 7.

This matter received the favorable consideration of the Committee on Claims in the Forty-fifth Congress. The following report from that committee is adopted and made a part hereof:

"The Committee on Claims, to whom was referred the bill H. R. 955, have had the same under consideration, and present the following report thereon: "The facts upon which this claim are based were investigated and deter-



mined by the Court of Claims, which rendered judgment against the United States on the 24 day of March, A. D. 1860, as fully appears by a report of the proceedings had in said court made to the first Session of the Thirty-sixth Congress (Report Court of Claims No. 232). A copy of the opinion of said court in the case is hereto attached and made part of this report."

Your committee report back said bill, with an amendment, as follows, viz: In line 7, strike out the words "with interest;" and, thus amended, recommend its passage.

Mr. BURROWS. Do I understand this was passed upon by the Committee on War Claims?

Mr. WINN. Yes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and being engrossed was accordingly read the third time, and passed.

On motion of Mr. WINN, a motion to reconsider the last vote was laid on the table.

#### CHANGE OF REFERENCE.

Mr. WISE. I am instructed by the Committee on Interstate and Foreign Commerce to report back the bill S. 1295, and to ask that the committee be discharged from the further consideration of it, and that it be referred to the Committee on Rivers and Harbors.

The SPEAKER. The Clerk will report the title of the bill. The Clerk read as follows:

A bill (S. 1295) to authorize the construction of jetties, piers, and breakwaters at private expense in the Gulf of Mexico, at the mouth of Ropes Pass, in the State of Texas.

The SPEAKER. The gentleman from Virginia [Mr. WISE] asks that the Committee on Interstate and Foreign Commerce be discharged from the further consideration of this bill, and that it be referred to the Committee on Rivers and Harbors. Is there objection?

There was no objection, and it was so ordered.

#### CHINESE EXCLUSION.

Mr. GEARY. I have a conference report which I wish to present. I send it to the Clerk's desk, and move that it be adopted; and upon that I move the previous question.

The SPEAKER. The conference report will be read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H. R. 6185, having met, after full and free conference, have agreed to recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with amendments as follows:

In section 3, line 2, after the word "act," insert the words "or the act," hereby extended.

In section 4, line 2, after the word "descent," strike out the word "once."

In section 4, after the words "United States," in line 3, strike out all down to the word "shall," in line 5.

In section 4, line 7, strike out the words "six months" and insert in lieu thereof "one year."

All new sections as follows:

SEC. 5. That after the passage of this act, on an application to any judge or court of the United States in the first instance for a writ of habeas corpus by a Chinese person seeking to land in the United States, to whom that privilege has been denied, no bail shall be allowed and such application shall be heard and determined promptly, without unnecessary delay.

SEC. 6. And it shall be the duty of all Chinese laborers within the limits of the United States at the time of the passage of this act, and who are entitled to remain in the United States, to apply to the collector of internal revenue of their respective districts, within one year after the passage of this act, for a certificate of residence, and any Chinese laborer within the limits of the United States who shall neglect, fail, or refuse to comply with the provisions of this act, or who, after one year from the passage hereof, shall be found within the jurisdiction of the United States without such certificate of residence, shall be deemed and adjudged to be unlawfully within the United States, and may be arrested by any United States customs official, collector of internal revenue, or his deputies, United States marshal or his deputies and taken before a United States judge, whose duty it shall be to order that he be deported from the United States, as hereinafter provided, unless he shall establish clearly to the satisfaction of said judge that by reason of accident, sickness, or other unavoidable cause he has been unable to procure his certificate, and to the satisfaction of the court, and by at least one credible white witness that he was a resident of the United States at the time of the passage of this act; and if upon the hearing it shall appear that he is so entitled to a certificate, it shall be granted upon his paying the costs. Should it appear that said Chinaman had procured a certificate, which has been lost or destroyed, he shall be detained and judgment suspended a reasonable time to enable him to procure a duplicate from the officer granting it, and in such cases the costs of said arrest and trial shall be in the discretion of the court. And any Chinese person other than a Chinese laborer, having a right to be and remain in the United States, desiring such certificate as evidence of such right, may apply for and receive the same without charge.

SEC. 7. That immediately after the passage of this act, the Secretary of the Treasury shall make such rules and regulations as may be necessary for the efficient execution of this act, and shall prescribe the necessary forms, and furnish the necessary blanks to enable collectors of internal revenue to issue the certificates required hereby, and make such provisions that such certificates may be procured in localities convenient to the applicants. Such certificates shall be issued without charge to the applicant, and shall contain the name, age, legal residence, and occupation of the applicant, and such other description of the applicant as shall be prescribed by the Secretary of the Treasury, and a duplicate thereof shall be filed in the office of the collector of internal revenue for the district within which such Chinaman makes application.

SEC. 8. That any person who shall knowingly and falsely alter or substitute any name for the name written in such certificate, or forge such cer-

tificate, or knowingly utter any forged or fraudulent certificate, or falsely personate any person named in such certificate, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding \$1,000, or imprisoned in the penitentiary for a term of not more than five years.

SEC. 9. The Secretary of the Treasury may authorize the payment of such compensation in the nature of fees to the collectors of internal revenue, for services performed under the provisions of this act, in addition to salaries now allowed by law, as he shall deem necessary, not exceeding the sum of \$1 for each certificate issued.

And the House agree to the amendment of the Senate to the title so as to read as follows: "An act to prohibit the coming of Chinese persons into the United States."

T. J. GEARY,

J. LOGAN CHIPMAN,

*Managers on the part of the House of Representatives.*

J. N. DOLPH,

JOHN T. MORRAN,

*Managers on the part of the Senate.*

The statement of the conferees on the part of the House was read, as follows:

#### STATEMENT

The managers on the part of the House on the disagreeing votes of the two Houses on H. R. 6185 make the following statement to accompany the report of the conferees of the two Houses.

The first amendment merely makes more certain the laws to be continued in force.

The second amendment provides for the punishment of those who attempt to violate the law the first time instead of for the second offense.

The third amendment increases the limit of punishment from six months to one year.

The other amendments explain themselves.

T. J. GEARY,

J. LOGAN CHIPMAN,

*Managers on part of House.*

The SPEAKER. The gentleman from California demands the previous question upon the adoption of the report.

Mr. HOOKER of Mississippi. Mr. Speaker, I hope we shall have some discussion of this matter, or some explanation of the report greater than this small fragment that has been read. I do not understand, and I take it for granted a great many members do not understand, precisely the effect of the report. Therefore I think we ought to have some discussion upon the report. It is a very important matter, one which was very fully discussed when Senator DOLPH made the report in the Senate, and it is one of importance to the House, and it is a question upon which the House ought to pass more deliberately than it did the bill as it originally passed through the House. I think there ought to be a full explanation of the charges that have been made by the committee of conference. I hope the motion for the previous question will be voted down. We passed the former bill under the spur of the previous question, and passed it without the House understanding it.

The SPEAKER. The question is not debatable.

The question was taken on ordering the previous question, and the Speaker announced that the "ayes" seemed to have it.

Mr. HOOKER of Mississippi. I demand a division.

The House divided, and there were—ayes 97, nays 17.

So the previous question was ordered.

The SPEAKER put the question on the adoption of the conference report.

Mr. HITT. Is there no debate upon this question after the previous question has been ordered?

The SPEAKER. There is, if gentlemen desire it, fifteen minutes on either side.

Mr. HITT. I think there ought to be some explanation of this report.

The SPEAKER. The Chair recognizes the gentleman from Illinois.

Mr. HITT. I shall oppose the adoption of the report. I hope the gentleman from California [Mr. GEARY] who brings in the report is willing to explain it so that an intelligent man watching him closely can get some understanding of the bill, whatever it be, contained or implied in this conference report.

Mr. GEARY. It depends upon the degree of intelligence possessed.

Mr. Speaker, this bill, as it has been reported back by the committee of conference, provides for the continuance of the existing law upon this subject, with the addition of a few amendments agreed to by the Senate, and which are intended to make more effective the operation of the existing law. It is not the House bill. All those drastic features that some gentlemen found so much fault with have been eliminated by the Senate. The Senate has agreed to this report, and we are anxious to get the bill through, because the law expires the day after tomorrow.

Mr. HITT. The statement of the gentleman throws very little light upon the bill. A very close search of a series of several obscure documents is required in order to learn the meaning of this conference report. In the first place, it is the House bill, amended by the Senate by the substitution of a bill continuing the existing exclusion laws. To that the committee of conference have made a series of verbal and important amendments to different parts of that Senate bill. Added to that are a series of



of Maryland, are engaged at the present time in the laudable effort to erect in the State of Maryland a monument to all patriots of the said State who aided during the Revolutionary war to establish the independence of the said State and of these United States of America; and

Whereas Maryland furnished over 20,000 soldiers fully equipped and perfect in discipline to the Revolutionary army, troops that were distinguished for great bravery in the field, as shown:

First, At Fricks Mill Pond, Long Island, where 400 of the Maryland Regiment, under Maj. Gist, with fixed bayonets charged six different times Cornwallis's brigade of Regulars, and by their great gallantry saved the American Army, and caused Washington to exclaim, "Good God! what brave fellows I must this day lose."

Second, As shown when acting as rear guard in the defense of the retreat of the American Army from Long Island and from New York.

Third, As shown at Harlem Heights, when the First Regiment, Col. Griffith, and the Fourth Regiment, Col. Richardson, Regulars of the "Flying Camp," charged and carried with fixed bayonets the intrenchments of the British Regulars and drove them until recalled by Gen. Washington.

Fourth, As shown at Fort Washington, when Col. Moses Rawlings's Regiment of Rifles, but 274 strong, resisted the six different charges of a body of 5,000 Hessians, killing and wounding over 600 of the enemy, and only retired from their post after the rest of the American Army had retreated from the field.

Fifth, As shown at Monmouth, where Lieut. Col. Ramsey's Maryland battalion and Col. Stewart's Regiment of Regulars saved the American Army.

Sixth, As shown at Cowpens, where the gallant Capt. John Eager Howard and his Maryland company saved a retreating army and turned defeat into a glorious victory.

Seventh, As shown at Germantown, Trenton, Eutaw Springs, and other battlefields of the Revolutionary war; and

Whereas the United States Government has made a number of liberal appropriations to Revolutionary monuments in other States, or else erected at its own cost the said monuments; and

Whereas nearly all of the over 20,000 heroes of Maryland rest in unknown and unmarked graves, and it is proper and right that their patriotic and great deeds be handed down to future generations, as the patriotism of the people is the safety of the state; and

Whereas the State of Maryland after the said war did by its firm stand against the claims made by the State of Virginia to sole ownership of the Western territory, preserve to the General Government the said territory now largely developed into great States of this National Confederacy, and did also cede for the purposes of the General Government the present District of Columbia, and did advance to aid in erection of proper buildings for the said General Government the sum of \$93,000, which money came in a very large measure from the same families that furnished their fathers and sons to the Revolutionary war; and

Whereas the said Maryland Society of the Sons of the American Revolution intend to apply to the Congress of the United States for the sum of \$40,000, to aid in the erection of the said Revolutionary monument; Therefore,

*Be it resolved*, First, that this national congress of the Sons of the American Revolution, composed of delegates from the different State organizations, do most heartily indorse the erection of the said monument by the Maryland Society, and ask that the active aid and influence of each and every member of the society throughout the United States be given to the enterprise.

Second, that this congress, by the signatures of its general officers hereto attached, petitions the Congress of the United States that the said appropriation of \$40,000 be granted the Maryland Society of the Sons of the American Revolution to aid in the erection of the said monument to all Maryland patriots of the Revolutionary war.

HORACE PORTER,

*President-General.*

JAMES C. CRESAP,

*Lieutenant, U. S. Navy, Secretary-General.*

CITY HALL, NEW YORK, April 30, 1892.

#### REPORTS OF COMMITTEES.

Mr. BLACKBURN, from the Committee on Naval Affairs, to whom was referred the bill (S. 823) allowing the pay of rear-admirals to commodores while acting as rear-admirals, reported it without amendment.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 2900) authorizing the Aransas Harbor Terminal Railway Company to construct a bridge over and across the Corpus Christi Channel, known as the Morris and Cummings Ship Channel, in Aransas County, Tex., reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 2893) authorizing the construction of a free bridge across the Arkansas River, connecting Little Rock and Argenta, Ark., reported it with amendments.

#### BILLS INTRODUCED.

Mr. VOORHEES introduced a bill (S. 3076) granting an increase of pension to Wells Johnson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 3077) granting an honorable discharge to David Patterson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3078) granting an honorable discharge to Spencer D. Gleason; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3079) granting an honorable discharge to Timothy Way; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3080) supplementary to an act entitled "An act to provide a government for the District of Columbia," approved February 21, 1871, and also to an act entitled

"An act for the government of the District of Columbia, and for other purposes," approved June 20, 1874; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. SHERMAN introduced a bill (S. 3081) to authorize the issue of a duplicate to Addison A. Hosmer of a certificate of location of certain land therein described, which has been lost or destroyed; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

Mr. BARBOUR introduced a bill (S. 3082) for the relief of Sophia Miller; which was read twice by its title, and referred to the Committee on Claims.

Mr. PERKINS introduced a bill (S. 3083) granting a pension to Henry Stein; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PADDOCK introduced a bill (S. 3084) granting a pension to Martha J. Griffith; which was read twice by its title, and referred to the Committee on Pensions.

#### AMENDMENTS TO BILLS.

Mr. DOLPH submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. TELLER submitted an amendment intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. SQUIRE submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

#### HAMPTON INSTITUTE REPORT.

Mr. DAWES submitted the following resolution; which was referred to the Committee on Printing:

*Resolved*, That there be printed for the use of the Senate 3,000 extra copies of Executive Document No. 31, first session Fifty-second Congress, being report made by the Hampton Institute regarding its returned Indian students.

#### POWDER BOATS IN NEW YORK HARBOR.

The VICE-PRESIDENT. The Chair lays before the Senate a concurrent resolution submitted yesterday by the Senator from New Jersey [Mr. McPHERSON], which will be read.

The concurrent resolution was read, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That the Secretary of the Treasury be directed to remove at once all powder boats used for the storage of powder now lying in the harbor of New York; and that hereafter no boats of this description shall be allowed in said harbor, except boats in transit or those engaged in transferring army and navy supplies of powder.

The VICE-PRESIDENT. The question is on agreeing to the concurrent resolution.

Mr. CHANDLER. Since yesterday I have investigated this subject. I find that there are no army or navy boats in the harbor used for the storage of powder. The only boats that come within the province of the resolution—

Mr. DAWES. Let me inquire how the resolution comes before the Senate?

Mr. McPHERSON. I can not hear the Senator from New Hampshire.

Mr. CHANDLER. I waited for the Senator from Massachusetts.

Mr. DAWES. I understood that there was an arrangement for the order of business this morning.

The VICE-PRESIDENT. The resolution comes over from a previous day.

Mr. DAWES. Is it part of the morning business?

The VICE-PRESIDENT. The Chair laid the resolution before the Senate under the rule.

Mr. DAWES. Is it part of the morning business?

The VICE-PRESIDENT. It is morning business.

Mr. CHANDLER. There are no boats which would come within the purview of this resolution except mercantile powder boats. There are such boats moored in the harbor, and I suppose perhaps that is the safest place in which to keep powder in the vicinity of New York City. I think there is some reason to doubt whether it would be wise to prevent the storing of mercantile powder in those boats in that harbor, but I make no objection to the resolution if the Senator desires its passage, because before it passes the other House the owners of those harbor boats will have an opportunity to make themselves heard.

I desire to call the attention of the Senator, however, to the fact that this should be not a concurrent resolution but a joint resolution, because it is an act of legislation. It is an act directing the Secretary of the Treasury to remove the powder boats, and I do not suppose that that act of legislation can be performed by the two Houses by concurrent resolution; but if the Senator will change the resolution to a joint resolution, which will go

to the President in the ordinary method, I will make no further objection.

Mr. McPHERSON. Very well; I have no objection to changing the form of the resolution.

Mr. HISCOCK. What is the resolution?

The VICE-PRESIDENT. The resolution will be again read. The Chief Clerk read the resolution.

Mr. HISCOCK. I should like to have the resolution go over.

The VICE-PRESIDENT. It has already gone over one day.

Mr. McPHERSON. The resolution came over from yesterday.

Mr. HISCOCK. This is the first I have heard of the resolution, and I should like to ascertain something of the facts.

Mr. McPHERSON. The facts are simply these: There has been complaint made to the Department by the boards of trade and commerce of Jersey City in the past few years with respect to the nearness of the powder boats that are moored in the harbor of New York and often in and about B-does Island and Ellis Island. Before Ellis Island was taken as an immigrant station it was used for the storage of powder; and when the Government took possession of that island the powder which had been stored there for the use of the Army and Navy and also for commercial purposes was stored upon boats in the harbor. At any hour of the day or night anybody who is familiar with that locality will see a hundred powder boats, both foreign and engaged in domestic trade, moored in and about the harbor. It was confessed by the Navy Department and the War Department that there had been hundreds of tons of powder stored on those boats. The people of Jersey City are very much afraid of it; and although the Ordnance Bureau of the Navy Department assured the people of Jersey City that two or three hundred tons of powder blown up in the harbor of New York would not injure anybody that does not satisfy their fears.

There are a great many places where the powder boats could be moored, up the Hudson River, if you please, somewhere along the shore, or down below the harbor in the Kills, or anywhere far removed from these populations.

I have repeatedly asked the Department to make a change. Last year we proposed an appropriation of money, one was offered here, for the purpose of providing a powder magazine for the Navy Department, and they have established themselves in the interior of New Jersey, something like 40 miles from the coast. They have purchased property alongside of the army magazine, which is somewhere up in the mountains of New Jersey, and there they manufacture and store their powder. There is train communication twenty times a day between the powder station and the coast, and powder can be transported on cars if it is to go on board a naval ship, or if it is to be used by the Army it can be put on board a boat and transferred immediately to the ship.

There is no necessity for storing powder in and about the harbor of New York. It is a menace all the time, and if some foreign ship, a merchant ship, if you please, or a naval ship, should come into the harbor and moor alongside a powder boat and by some accident there should be a collision, or a shock upon the boat should explode the powder, the effect would be serious; it would blow all the lot of craft out of the water. It is in close proximity to B-does Island, where the Statue of Liberty is erected, and it is a case of the most extreme negligence and carelessness of which I have any knowledge. It is the duty of Congress to simply say that some other place must be provided for storing these immense quantities of powder.

Mr. HISCOCK. Am I interrupting the Senator?

Mr. McPHERSON. Not at all.

Mr. CHANDLER. If I may be allowed a moment, I should like to ask the Senator from New Jersey whether he understood my statement that there is no army or navy powder in the harbor; that these boats are all private boats for the storage of commercial powder? I have ascertained that fact since yesterday; so that it is not a case as against the army or navy powder boats, but only as against the few boats that are kept there for the storage of powder by private parties for commercial sale.

Mr. McPHERSON. Then I want to ask the Senator from New Hampshire if that should be permitted? Why should not commercial powder be transported through the harbor in like manner as is the powder to be used for the Army and the Navy?

Mr. CHANDLER. That is a question—

Mr. McPHERSON. It was confessed here about a year or a year and a half ago that the Navy did store powder on boats in the harbor and so did also the Army, but the occasion for doing that has now been entirely avoided by reason of the close proximity of the powder magazine in the State of New Jersey, some 30 or 40 miles from the coast, with direct rail communication. If the commercial boats in which the commercial powder is stored are moored in the harbor of New York the Secretary of the Treasury, having control of the police department of that

harbor under the revenue system, is perfectly qualified to see that they are removed.

Mr. HISCOCK. This resolution may be all right. I do not know whether it is or not. The condition of things depicted by the Senator from New Jersey has existed for years. The resolution, if it should pass, would not be effective, as it would be simply the direction of the Senate and not a law.

Mr. McPHERSON. The Senator, then, is not aware of the fact that I have consented to change the form of the resolution and make it a joint resolution for that purpose?

Mr. HISCOCK. What I propose is that in any case, whether in this resolution or a joint resolution, it is always unusual, so unusual that there is scarcely a precedent for it, to pass a measure of this kind unless it has been acted upon and reported by a committee of the Senate. I do not care how speedy action is taken in investigating this question, the sooner a committee may report the better, but in my judgment it should go to a committee; and therefore I move its reference to the Committee on Commerce. I believe the Senator is a member of that committee. Let them report the facts and report a joint resolution. If this action should be justified or desirable, if a half of what the Senator has stated as justifying it is true, it certainly will meet no objection at my hands; but I think, as it interferes with the commerce of a great city and a great harbor, there should be a report upon the question. Therefore I move its reference to the Committee on Commerce.

Mr. McPHERSON. Mr. President, a single word, if you please. If the Senator from New York had watched the reading of the resolution he would have found that I make no interference in the resolution with the operations of commerce. The resolution itself proceeds against the storing of powder in boats in the harbor of New York and using them for storage purposes. I have no objection to the resolution going to the Committee on Commerce.

Mr. HISCOCK. All right; let it go there.

Mr. McPHERSON. I hope the committee will report it back at an early day.

Mr. HISCOCK. The sooner the better. I do not intend any obstruction of it.

The VICE-PRESIDENT. If there be no objection the resolution will be referred to the Committee on Commerce. It is so referred.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TWAYLES, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 4636) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1883, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WHEELER of Alabama, Mr. NEWBERRY, and Mr. HELL managers at the conference on the part of the House.

The message also announced that the House insisted upon its amendment to the bill (S. 1379) to provide for a pension for Obe Sutherland, late a teamster in the Quartermaster's Department of the United States Army, disagreed to by the Senate, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MARTIN, Mr. SNOW, and Mr. CURTIS managers at the conference on the part of the House.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 256) to authorize the construction of a bridge across the Missouri River at DeWitt, Carroll County, Mo., and to establish it as a post road.

The message also announced that the House had passed the following resolution in which it requested the concurrence of the Senate:

*Resolved by the House of Representatives, (the Senate concurring), That the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5818) to provide for certain of the most urgent deficiencies in the appropriation for the service of the Government for the fiscal year 1883, and for other purposes, be, and they are hereby, authorized to consider, and if they deem the same to be necessary, to embrace in their agreement an appropriation for fees of witnesses in United States courts.*

#### CHEYENNE AND ARAPAHOE RESERVATION.

The VICE-PRESIDENT. The Chair lays before the Senate the unfinished business which was assigned for this hour, being the resolution submitted by the Senator from Arkansas [Mr. JONES] relative to President's message upon the appropriation of March 3, 1881, for payment to the Choctaw and Chickasaw Nations for their interests in the Cheyenne and Arapahoe Reservation. The Senator from Massachusetts [Mr. DAWES] is entitled to the floor.

Mr. DAWES. Mr. President, I voted for this resolution in committee, and as I propose to vote for it in the Senate, I desire to state very briefly the reasons which control my vote. Those reasons will not lead me to follow either the Senator

money they take more satisfaction in the fact that they will hoist the American flag upon these two magnificent ships than they do with any question of dollars and cents or other matters, whether pertaining to subsidy or anything else. They own them; they run them, and they want them under the flag.

There is no harm in my stating what I think, that the Senator from Maine [Mr. FRYE] in his very full and clear statement, did not make altogether clear that the International Navigation Company is an American company, organized under American law, with large capital and splendid management. It owns the Red Star or Antwerp line. It owns the Inman Line, which is the one in which the 90 per cent is held, as referred to in the bill. It also owns five line American vessels built in America, the Ohio, the Pennsylvania, the Indiana, the Missouri, and the Conemaugh. Now they seek to make the nominal transfer, not of title, not of ownership in any way, but the nominal transfer of flag in the case of these two magnificent vessels. It is a matter of national pride that we have so great a steamship company now already engaged in the foreign trade, and it will be a gratification to everybody to see these two splendid vessels sailing under our flag and have the pecuniary advantage of being able to draw many more passengers by doing so, which would be a reward for the transfer.

Mr. MILLS. I desire to ask the Senator if I am to understand that the language of this bill excludes these vessels from participation in the benefits of the provisions of the law passed by the last Congress?

Mr. HAWLEY. My inclination was to agree with the view of the Senator [from Missouri [Mr. VEST], because I wanted the bill to go through, but I am not very particular whether they get subsidy or not. They are surrendering over \$100,000 a year by this transfer, which the British Government is giving them.

Mr. MILLS. I do not believe, Mr. President, that they will be actuated by such strong emotions of patriotism as to surrender \$100,000 simply that they may display the American flag upon the masts of their vessels. Gentlemen do not trade by such promptings as that. When these gentlemen are surrendering this \$100,000 per annum which they are deriving from the treasury of Great Britain, they do it that they may derive more than \$100,000 from the Treasury of the United States.

It seems to me the question presented by this bill is, Shall the owners of these vessels draw their subsidies from the treasury of Great Britain or shall the Treasury of the people of the United States contribute it to them? This measure means that we shall give out of the money placed in our Treasury by the taxpayers of the United States this subsidy and permit the owners of these vessels to pay it back in subsidy into the coffers of Great Britain.

I am as much in favor of free ships as any gentleman on the other side of the Chamber or any gentleman on this side of the Chamber, but I want free ships to come upon a question of principle, and I want anybody, in the exercise of his natural right as a free man, to be permitted to go anywhere in the markets of the world to buy anything from a ship to a pin and bring it to this country, and to display over the masts of your vessels the ensign of the Republic and navigate the waters of the earth with it. I do not want to vote to permit a given company as a favorite of the Government to go to a foreign country and buy one or two vessels, not to enlarge the commercial marine of the United States, but to put their hands into the public Treasury and extort the revenues taken by unjust principles of taxation and placed there by the hard earnings of the people of the United States.

Let your ship measures stand upon a principle, and if you want to enlarge the commercial marine of the United States and you want to see the flag of the Republic riding upon all the waters of the earth, then make laws that will permit all the citizens of the United States to go into foreign markets and have their ships built at foreign navy-yards and bring them to the United States free of duty. If we can make ships in the United States cheaper and better than the people of other countries there will be no necessity for the adoption of this or any other measure of this kind.

If there is anything upon our statute books that forbids American shipbuilders from building vessels as cheap and as good here as vessels are built in foreign shipyards, then let us repeal the law and permit the American people to build their own vessels in their own shipyards, and build them without bounty contributed from the pockets of the people of the United States.

I do not like this measure. I am sorry that the Senator has presented it so hastily, and that he demands for it such hasty and rapid consideration. There is a great question involved in this measure, which ought to receive the calm and deliberate consideration of this very deliberative body, but, instead of that, a bill is brought forward in this body without even a report, and it is demanded that it shall be rushed through, and it has nothing behind it to recommend it except the patriotic desire of the

owners of these vessels that the American flag shall float above them instead of the flag of Great Britain. It is the old flag and an appropriation again. Patriotism always comes to Congress, but it comes for dollars, and this company would not be so desirous to transfer the flag of Great Britain back to some British vessels and place upon its own vessels the Stars and Stripes, except that dollars are to be made by the transaction. If this company has the right to make these dollars, then every citizen of the United States has the same equal right, and this Senator, representing the States and the people of the United States, ought to so make the laws that they shall render equal and exact justice to all.

Mr. PALMER. I am always very much inclined to suspect a claim proposed by private individuals which promises such large public advantages. I can appreciate the sentiment so beautifully expressed by the Senator from Connecticut [Mr. HAWLEY] of the anxiety of these shipowners to sail under the American flag. I can comprehend that. I do not know how long they have been bearing the flag of Great Britain; I do not know when this sudden passion became so potent as to bring them before Congress to require this assistance. It seems to be new-born, though it has been slow in developing; still I say I am inclined to suspect a scheme in what promises so much.

I have listened with admiration to the brilliant picture drawn by the Senator from Maine [Mr. FRYE], and if my imagination was not somewhat chilled by age, probably, or by remoteness from the ocean, I should sympathize with him, but it promises too much—too much good to the country. There is too much offered by these patriotic citizens to justify, at least, speedy and sudden action upon this bill.

If the statements made are true, might not some general law be prepared which would allow other patriotic men to indulge their passion for the flag? Why limit it to these two ships? Are there not others afloat which would also desire to bear the flag? Why should the privilege be conferred especially upon the owners of these two ships?

Underlying all this, Mr. President, there is a very important question, and one which I think ought to be carefully considered before we commit ourselves to the special policy proposed by this bill. As a rule, I dislike special legislation; as a rule, general legislation is much more likely to promote the general welfare, and while I do not profess to understand this subject, and my remoteness from the sea, perhaps, disqualifies me from appreciating the disinterestedness of seafaring men, still this matter involves a good deal more than is on the surface, and I should be glad, before we are called upon to vote on the bill, to hear more about it. I know of no one who can furnish me information that would be so satisfactory as the Senator from Maine.

Mr. HIGGINS. Mr. President, I shall vote for this bill, but with very great reluctance and upon a single ground, and that is that it will give to the American Navy two ships that can be used for cruisers in case we are involved in any imbroglio such as we have been threatened with in the last year or two, when we have needed some such vessels. Other than that, I think we ought to stand on the rule which has governed this Government since its origin, that ships flying the American flag shall be built in the United States, and I object to their being brought in here under what seems to be special legislation.

The reason given by the Senator from Connecticut [Mr. HAWLEY] that 90 per cent of the stock of this company is owned by Americans does not appeal to me. If Americans want to build ships, let them build them in the United States and not buy them in foreign countries. I think it is dangerous to establish any exception, even this exception to the rule for which I stand, and I only get my consent to vote for it on the ground I have named, and that is that the needs of the Navy require that these ships should be introduced when there is the opportunity thus to do it.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Texas [Mr. MILLS].

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, and read the third time.

Mr. MORRILL. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

The Secretary proceeded to call the roll, and Mr. ALLEN responded in the affirmative.

Mr. MANDERSON. I wish to interrupt the roll call to state that I do not think the question is understood. Is the question on the amendment proposed by the Senator from Texas?

The VICE-PRESIDENT. The question is on the passage of the bill. The amendment has been disagreed to.

Mr. ALLEN. I voted with the understanding that I was voting for the passage of the bill.

The VICE-PRESIDENT. The Senator is correct.

Mr. CULLOM (when his name was called). I have a general

pair with the Senator from Delaware [Mr. GRAY]. I have been informed that he would vote for this bill if present, and with that belief, I shall vote. I vote "yea."

Mr. HIGGINS (when his name was called). I am paired generally with the senior Senator from New Jersey [Mr. McPHERSON]. In his absence I withhold my vote.

Mr. IRBY (when his name was called). I am paired with the Senator from Wyoming [Mr. CAREY]. If he were present I should vote "nay."

Mr. JONES of Arkansas (when his name was called). I am paired with the Senator from New York [Mr. HISCOCK], who is detained from the Senate, and therefore I withhold my vote.

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE], but I understand from his colleague [Mr. RANSOM] that I am permitted to vote on this question, and so I vote "yea."

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN]. Not knowing how he would vote upon this question if present, I abstain from voting. I should vote "yea" if he were here.

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER]. If he were present I should vote "nay."

Mr. PUGH. I am paired with the junior Senator from Massachusetts [Mr. HOAR], but I am satisfied he and I agree on this bill, and I vote "yea."

Mr. QUAY (when his name was called). I am paired generally with the junior Senator from West Virginia [Mr. FAULKNER], who is absent. Being informed that if present he would for the bill, I vote "yea."

Mr. SHERMAN (when his name was called). I am paired with the Senator from Kentucky [Mr. CARLISLE]. I do not know how he would vote if present, and therefore I withhold my vote.

Mr. TURPIE (when his name was called). I am paired generally with the senior Senator from Minnesota [Mr. DAVIS]. He being absent, I withhold my vote.

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. I am not advised how he would vote, if present, on the question. In his absence I withhold my vote. Otherwise I should vote "yea."

The roll call was concluded.

Mr. CASEY (after having voted in the affirmative). I am paired with the Senator from Florida [Mr. PASCO]. I do not know how he would vote on this bill, and I therefore withdraw my vote.

The result was announced—yeas 41, nays 10; as follows:

#### YEAS—41.

Allen,	Dixon,	Kyle,	Ransom,
Allison,	Dolph,	McMillan,	Sanders,
Barbour,	Dubois,	Morgan,	Sawyer,
Brice,	Frye,	Paddock,	Shoup,
Butler,	Gibson, Md.	Perkins,	Stockbridge,
Call,	Gorman,	Pettigrew,	Vest,
Cameron,	Hale,	Platt,	Vilas,
Cockrell,	Hansbrough,	Power,	Wolcott.
Coke,	Hawley,	Proctor,	
Cullom,	Hill,	Pugh,	
Dawes,	Kenna,	Quay,	

#### NAYS—10.

Bate,	Harris,	Palmer,	Walthall.
Felton,	Mitchell,	Teller,	
George,	Morrill,	Voorhees.	

#### NOT VOTING—37.

Aldrich,	Davis,	Jones, Ark.	Stewart.
Berry,	Paulkner,	Jones, Nev.	Turpie.
Blackburn,	Gallinger,	McPherson.	Vance.
Blodgett,	Gibson, La.	Manderson.	Warren.
Carey,	Gordon,	Mills,	Washburn.
Carlisle,	Gray,	Pasco,	White.
Casey,	Higgins,	Peffer,	Wilson.
Chandler,	Hiscock,	Sherman.	
Colquitt,	Hoar,	Squire,	
Daniel,	Irby,	Stanford,	

So the bill was passed.

#### LEAVE OF ABSENCE.

Mr. MORGAN. At the request of the senior Senator from Kansas [Mr. PEPPER], I desire to ask leave of absence for him until Thursday next. He is called away from the Senate on some matters that require his attention in Philadelphia. I believe.

The VICE-PRESIDENT. The leave of absence will be granted in the absence of objection.

#### INTERNATIONAL MONETARY CONFERENCE.

Mr. MORGAN. I beg to announce also, at the request of the Senator from Kansas [Mr. PEPPER], that on Thursday morning, after the routine business of the Senate is finished, he will ask the Senate for permission to speak upon the subjects involved in the President's message on bimetallism, which I shall then ask to take from the table.

#### DISTRICT TAX SALES.

Mr. McMILLAN. I ask unanimous consent to take up Order of Business 566, being House bill 4815.

Mr. COCKRELL and Mr. DAWES. Regular order!

The VICE-PRESIDENT. The regular order is called for.

Mr. McMILLAN. The bill I desire to have acted upon is an administrative matter that requires to be passed immediately. It is connected with the District of Columbia, and it will not take more than two or three minutes to act upon it.

The VICE-PRESIDENT. Is there objection?

Mr. DAWES. The Senator will excuse me—

Mr. McMILLAN. It will only take a few minutes.

The VICE-PRESIDENT. The Chair will lay the unfinished business before the Senate, which is the resolution of the Senator from Arkansas [Mr. JONES] relative to the President's message concerning the Cheyenne and Arapahoe Reservations.

Mr. DAWES. I hope the Senator from Michigan will excuse me. The time is fixed for taking the vote on the pending measure, and there are other Senators who desire to occupy the attention of the Senate in that time. If the Senator will excuse me, I shall be much obliged to him.

Mr. CULLOM. I think the bill of the Senator from Michigan will be disposed of in a moment.

The VICE-PRESIDENT. The title to the bill will be stated.

The CHIEF CLERK. A bill (H. R. 4845) to amend an act entitled "An act relating to tax sales and taxes in the District of Columbia."

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend the act relating to tax sales and taxes in the District of Columbia, approved February 6, 1879, so as to read:

That it shall be the duty of the assessor for the District of Columbia to prepare and keep in his office, for public inspection, a list of all real estate in the District of Columbia heretofore sold, or which may hereafter be sold, for the nonpayment of any general or special tax or assessment levied or assessed upon the same, said list to show the date of sale and for what taxes sold; in whose name assessed at the time of sale; the amount for which the same was sold; when and to whom conveyed if deeded, or, if redeemed from said sale, the date of redemption. And it shall be the duty of said assessor, whenever called upon, to furnish, in addition to the regular tax bills, a certified statement, over his hand and official seal, of all taxes and assessments, general and special, that may be due and unpaid at the time of making said certificate; and for each and every certificate so furnished by said assessor, the party requesting the same shall pay into the treasury of said District a fee of 50 cents; and said certificate when furnished shall be a bar to the collection and recovery from any subsequent purchaser of any tax or assessment omitted from and which may be a lien upon the real estate mentioned in said certificate, and said lien shall be discharged as to such subsequent purchaser, but shall not affect the liability of the person who owned the property at the time such tax was assessed to pay the same, mentioned in said certificate. And it is hereby declared that all public records which have any reference or in any way relate to real or personal property in said District shall be open to the public for inspection free of charge.

All acts or parts of acts inconsistent with any of the provisions of this act are hereby repealed.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### CHEYENNE AND ARAPAHOE RESERVATION.

The VICE-PRESIDENT. The Chair lays before the Senate the unfinished business which was assigned for this hour, being the resolution submitted by the Senator from Arkansas [Mr. JONES] relative to President's message upon the appropriation of March 3, 1891, for payment to the Choctaw and Chickasaw Nations for their interest in the Cheyenne and Arapahoe Reservation.

Mr. DAWES. Mr. President, it will be recollected that at the cessation of the debate on Friday I was calling attention to what evidence there was in support of the position that there was an implied trust accompanying this conveyance by the Choctaws and Chickasaws of the land about which this debate has arisen. I had admitted that upon its face the deed was an absolute conveyance. I had stated, and this is what I mean by an implied trust, that without regard to the form of the deed, the transfer by the Choctaws to the United States was by them and by the United States understood to be for the purpose of settling upon the land friendly Indians. That restriction and limitation was not put in the deed.

I desire, first, to bring to the attention of the Senate what evidence there was of the existence of this understanding before I discuss the question what obligation that imposed upon the United States. I had first called the attention of the Senate to the admission of the Senator from Connecticut [Mr. PLATT] to that effect, wherein he had stated that both parties supposed that the lands would be used for an Indian government, and that that was in contemplation. I might have added at that time, which I desire to now, the admission of my other distinguished friend and colleague upon the committee, the Senator from Iowa [Mr. ALLISON], to the same effect, wherein in the same debate he stated:

These treaties, taken by and large, not only with the Choctaws and Chickasaws, but with the Creeks and Seminoles and Cherokees, do provide, running all through them, that here is to be a government by Indians, and that white men, except in certain conditions, are not to interfere with them.

Mr. MUTCHLER. As announced by the Clerk, I am paired with the gentleman from Ohio [Mr. WARWICK]. If he were present he would vote "no" on this question and I would vote "ay."

The result of the vote was announced as above stated.

The question recurred on the motion of Mr. HOLMAN to recommit with instructions.

The SPEAKER. The instructions will be read.

The Clerk read as follows:

*Resolved*, That the bill (H. R. 7820) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors be recommitted to the Committee on Rivers and Harbors, with instructions to report the same back at once, amended by striking therefrom the two provisions authorizing contracts to be entered into amounting in the aggregate to \$26,702,321 for certain works in excess of appropriations proposed in the bill.

The question was taken, and the Speaker announced that the yeas seemed to have it.

Mr. HOLMAN demanded a division.

Mr. HEMPHILL. In order to save time, Mr. Speaker, we may as well have the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 85, nays 152, not voting 92; as follows:

## YEAS—85.

Alexander,	Coombs,	Hallowell,	Pearson,
Andrew,	Cooper,	Hamilton,	Rayner,
Bailey,	Cox, Tenn.	Heard,	Reilly,
Baker,	Craig, Pa.	Henderson, N. C.	Richardson,
Beaman,	Crawford,	Hoar,	Sayers,
Beltzhoover,	Crosby,	Holman,	Scott,
Blount,	Culberson,	Johnson, Ind.	Seerley,
Bowman,	Cummings,	Kem,	Shively,
Branch,	Davis,	Ketchum,	Simpson,
Breckinridge, Ky.	De Armond,	Kilgore,	Snodgrass,
Brookshire,	Dickerson,	Kribbs,	Stone, Ky.
Brown,	Dockery,	Lane,	Tucker,
Brunner,	Dolliver,	Lanham,	Van Horn,
Busey,	Edmunds,	Mallory,	Watson,
Bushnell,	Ellis,	Martin,	Wagh,
Butler,	Enloe,	McCreary,	White,
Bynum,	Fowler,	McMillin,	Whiting,
Caruth,	Fyan,	Montgomery,	Williams, Mass.
Clancy,	Gantz,	Moore,	Williams, N. C.
Clover,	Goodnight,	O'Ferrall,	
Cockran,	Grady,	O'Neill, Mass.	
Compton,	Hall,	Outhwaite,	

## NAYS—152.

Babbitt,	Durbin,	Lapham,	Reyburn,
Bankhead,	Elliot,	Lawson, Va.	Robertson, La.
Bartine,	English,	Lawson, Ga.	Russell,
Barwig,	Enochs,	Lester, Va.	Scull,
Belknap,	Epps,	Lester, Ga.	Shell,
Bentley,	Everett,	Lewis,	Shonk,
Bingham,	Fithian,	Little,	Smith,
Blanchard,	Flick,	Livingston,	Sperry,
Bland,	Forman,	Lockwood,	Stackhouse,
Boatner,	Forney,	Lodge,	Stephenson,
Bowers,	Geary,	Long,	Stewart, Ill.
Brawley,	Gorman,	Loud,	Stewart, Tex.
Brickner,	Greenleaf,	Lynch,	Stockdale,
Brosius,	Grant,	McAleer,	Stone, W. A.
Bullock,	Harmer,	McGann,	Sweet,
Bunting,	Hatch,	McRae,	Tarsney,
Burrows,	Haugen,	Meyer,	Taylor, Ill.
Byrns,	Haynes, Ohio	Miller,	Taylor, E. B.
Cable,	Hemphill,	Mitchell,	Taylor, V. A.
Caminetti,	Henderson, Ill.	Moses,	Terry,
Campbell,	Herbert,	Newberry,	Tillman,
Castle,	Hermann,	O'Donnell,	Townsend,
Catchings,	Hitt,	O'Neill, Pa.	Tracey,
Cate,	Hooker, Miss.	O'Neill, Mo.	Turner,
Cheatham,	Hooker, N. Y.	Otis,	Van Horn,
Chipman,	Hopkins, Pa.	Parrett,	Wadsworth,
Clark, Wyo.	Houk, Ohio	Patterson, Tenn.	Walker,
Clarke, Ala.	Huff,	Payne,	Washington,
Cobb, Ala.	Hull,	Paynter,	Weadock,
Cobb, Mo.	Johnson, N. Dak.	Perkins,	Wheeler, Ala.
Cogswell,	Johnson, Ohio	Pierce,	Wheeler, Mich.
Curtis,	Johnstone, S. C.	Post,	Whiting,
Cutting,	Jolley,	Powers,	Willcox,
Dalzell,	Jones,	Price,	Wilson, Wash.
Daniell,	Kendall,	Quackenbush,	Winn,
Dixon,	Kyle,	Randall,	Wright,
Dixon,	Lagan,	Ray,	Yonmans,
Dixon,	Lagan,	Reed,	

## NOT VOTING—92.

Abbott,	Capehart,	Gillespie,	Meredith,
Alderson,	Causey,	Griswold,	Milliken,
Allen,	Chapin,	Hare,	Morse,
Amerman,	Coburn,	Harries,	Mottler,
Arnold,	Coolidge,	Harter,	Norton,
Atkinson,	Covert,	Hayes, Iowa	Oates,
Bacon,	Cowles,	Henderson, Iowa	Owens,
Belden,	Cox, N. Y.	Hopkins, Ill.	Page, R. I.
Bergen,	Crain, Tex.	Houk, Tenn.	Page, Md.
Boutelle,	De Forest,	Layton,	Pattison, Ohio
Breckinridge, Ark.	Dingley,	Lind,	Patton,
Bretz,	Doan,	Magner,	Peel,
Bryan,	Dungan,	Mansur,	Pendleton,
Buchanan, N. J.	Dunphy,	McClellan,	Pickler,
Buchanan, Va.	Fellows,	McDonald,	Raines,
Bunn,	Fitch,	McKaig,	Rife,
Cadmus,	Funston,	McKeighan,	Robinson, Pa.
Caldwell,	Geissenhainer,	McKinney,	Rockwell,

Rusk,  
Sanford,  
Snow,  
Springer,  
Stahlhecker,  
Stevens,  
Stone, C. W.  
Storey,  
Stout,  
Stump,

Taylor, Tenn.  
Taylor, J. D.  
Turpin,  
Warner,  
Warwick,

Wever,  
Williams, Ill.  
Wilson, Mo.  
Wilson, W. Va.  
Wolverton,

So the motion was rejected.

The following additional pairs were announced on this vote:

Mr. STUMP with Mr. GEISSENHAINER.

Mr. WILSON of West Virginia with Mr. BUCHANAN of Virginia.

The result of the vote was then announced as above recorded.

The question recurred on the passage of the bill.

Mr. HOLMAN. On that I demand the yeas and nays.

The yeas and nays were not ordered, there being on a division (demanded by Mr. HOLMAN) 31 in support of the demand and 144 against it, the affirmative not being one-fifth of the whole.

Mr. HOLMAN and Mr. COOPER demanded tellers.

Mr. HEMPHILL. Mr. Speaker, it was agreed that there would be no filibustering. We are consuming the time unnecessarily.

Mr. HOLMAN. Give us the yeas and nays.

Mr. BYNUM. We may as well have the yeas and nays on this or otherwise there will not be a vote on anything else to-day.

Tellers were ordered.

Mr. BLANCHARD. I ask unanimous consent that we take the vote by the yeas and nays, as it will save time.

There being no objection, the vote was ordered by yeas and nays.

The question was taken; and there were—yeas 185, nays 66, not voting 78; as follows:

## YEAS—185.

Alexander,	Dixon,	Lapham,	Rife,
Babbitt,	Donovan,	Lawson, Va.	Robertson, La.
Bankhead,	Durbin,	Lawson, Ga.	Rusk,
Bartine,	Edmunds,	Lester, Ga.	Russell,
Barwig,	Elliot,	Lewis,	Scull,
Belknap,	English,	Little,	Shell,
Bentley,	Enloe,	Livingston,	Shively,
Bingham,	Enochs,	Lockwood,	Shonk,
Blanchard,	Epps,	Lodge,	Smith,
Bland,	Everett,	Long,	Snodgrass,
Blount,	Fithian,	Loud,	Sperry,
Boatner,	Forman,	Lynch,	Stackhouse,
Bowers,	Forney,	Mallory,	Stephenson,
Bowman,	Funston,	McAleer,	Stewart, Ill.
Branch,	Fyan,	McCreary,	Stewart, Tex.
Brawley,	Gantz,	McGann,	Stockdale,
Brickner,	Geary,	McMillin,	Stone, W. A.
Broderick,	Geissenhainer,	McRae,	Stone, Ky.
Brosius,	Goodnight,	Meyer,	Sweet,
Bullock,	Gorman,	Miller,	Tarsney,
Bunting,	Greenleaf,	Mitchell,	Taylor, Ill.
Burrows,	Halvorson,	Montgomery,	Taylor, E. B.
Byrns,	Harmer,	Moore,	Taylor, V. A.
Cable,	Hatch,	Moses,	Terry,
Cadmus,	Haugen,	Newberry,	Tillman,
Caldwell,	Haynes, Ohio	O'Donnell,	Townsend,
Caminetti,	Herbert,	O'Ferrall,	Tracey,
Castle,	Hemphill,	O'Neill, Pa.	Turner,
Catchings,	Henderson, Ill.	O'Neill, Mo.	Van Horn,
Cate,	Herbert,	Otis,	Wadsworth,
Cheatham,	Hermann,	Owens,	Walker,
Chipman,	Hooker, Miss.	Parrett,	Washington,
Clark, Wyo.	Hooker, N. Y.	Patterson, Tenn.	Weadock,
Clarke, Ala.	Hopkins, Pa.	Pattison, Ohio	Wever,
Clover,	Houk, Ohio	Payne,	Wheeler, Ala.
Cobb, Ala.	Houk, Tenn.	Paynter,	Wheeler, Mich.
Cobb, Mo.	Johnson, Ind.	Pearson,	Whiting,
Cogswell,	Johnson, N. Dak.	Perkins,	Willcox,
Curtis,	Johnson, Ohio	Pickler,	Wilson, Wash.
Cutting,	Johnstone, S. C.	Pierce,	Winn,
Dalzell,	Jolley,	Quackenbush,	Wright,
Daniell,	Jones,	Raines,	Yonmans,
Dixon,	Kendall,	Randall,	
Dixon,	Kyle,	Rayner,	
Dixon,	Lagan,	Reed,	
Dixon,	Lagan,	Reyburn,	

## NAYS—66.

Allen,	Cockran,	Hallowell,	Post,
Andrew,	Cooper,	Hamilton,	Powers,
Bailey,	Cox, N. Y.	Henderson, N. C.	Ray,
Baker,	Craig, Pa.	Hitt,	Reilly,
Beaman,	Crawford,	Hoar,	Richardson,
Beltzhoover,	Crosby,	Holman,	Sayers,
Breckinridge, Ky.	Culberson,	Hall,	Scott,
Brookshire,	Cummings,	Kilgore,	Seerley,
Brown,	De Armond,	Kribbs,	Simpson,
Brunner,	Dickerson,	Lane,	Stevens,
Busey,	Dockery,	Lanham,	Tucker,
Bushnell,	Dolliver,	Lester, Va.	Watson,
Butler,	Ellis,	Martin,	White,
Bynum,	Flick,	O'Neill, Mass.	Williams, Mass.
Campbell,	Fowler,	Outhwaite,	Williams, N. C.
Caruth,	Grady,	Patton,	
Clancy,	Hall,	Pendleton,	

## NOT VOTING—78.

Abbott,	Bacon,	Bretz,	Capehart,
Alderson,	Belden,	Bryan,	Causey,
Amerman,	Bergen,	Buchanan, N. J.	Chapin,
Arnold,	Boutelle,	Buchanan, Va.	Coolidge,
Atkinson,	Breckinridge, Ark.	Bunn,	Covert,



Cowles,  
Cren, Tex.  
De Forest,  
Dunlap,  
Dodge,  
Dugan,  
Dunphy,  
Fellows,  
Fitch,  
Giles,  
Graham,  
Hare,  
Harris,  
Hart,

Hayes, Iowa  
Henderson, Iowa  
Hopkins, Ill.  
Hubb,  
Layton,  
Lind,  
Magner,  
Mansur,  
McCallan,  
McDonald,  
McKaig,  
McKeehan,  
McKinney,  
Merrell,  
Milkien,

Morse,  
Mutchler,  
Norton,  
Oates,  
Page, Md.  
Page, R. I.  
Reed,  
Robinson, Pa.  
Rockwell,  
Sanford,  
McKaig,  
Spritzer,  
Stahlmecker,  
Stone, C. W.  
Storer,

Stout,  
Stump,  
Taylor, Tenn.  
Taylor, J. D.  
Turpin,  
Warner,  
Warwick,  
Waugh,  
Williams, Ill.  
Wilson, Ky.  
Wilson, Mo.  
Wilson, W. Va.  
Wolverton

So the bill was passed.

The Clerk announced the following additional pairs:

Mr. ABBOTT with Mr. WILSON of Kentucky, for the rest of the day.

Mr. WILSON of West Virginia with Mr. BUCHANAN of Virginia, on this vote.

The result of the vote was then announced as above recorded.

On motion of Mr. BLANCHARD, a motion to reconsider the last vote was laid on the table.

#### ORDER OF BUSINESS.

Mr. HOLMAN. Mr. Speaker, I wish to say that on to-morrow morning I shall ask that the House proceed to the consideration of the sundry civil appropriation bill.

#### WASHINGTON AND GEORGETOWN RAILROAD COMPANY.

Mr. HEMPHILL. Mr. Speaker, I ask to call up the bill (H. R. 6913).

Mr. HICOUT. Mr. Speaker, I rise to a question of order. I wish to know if upon the last District day the previous question was not ordered and the yeas and nays ordered on a bill concerning the charter of a railroad corporation in this District, and if that is not the regular order at this time?

Mr. HEMPHILL. I think the gentleman from Georgia is correct, and if there be no objection on the part of the House I will ask that that bill be laid upon the table. I will state that it is impossible for the company to complete the work which was contemplated by it at the time the bill was before the House, and its passage to-day would not only not be of any benefit but would be an injury.

The SPEAKER. Will the gentleman indicate the title of the bill?

Mr. HEMPHILL. Is the bill S. 2015, known as the Washington and Georgetown Railroad bill.

Mr. BLOUNT. I have no objection to the disposition suggested by the gentleman from South Carolina [Mr. HEMPHILL], if the bill can be got out of the way in that manner.

The SPEAKER. The Chair would suggest to the gentleman that perhaps the better way would be to indefinitely postpone it rather than to lay it upon the table, if it is a Senate bill.

Mr. HEMPHILL. I ask unanimous consent that the bill be indefinitely postponed.

The SPEAKER. The gentleman from South Carolina [Mr. HEMPHILL] asks unanimous consent that the bill just indicated by him (S. 2015), known as the Washington and Georgetown Railroad bill, be indefinitely postponed? Is there objection?

There was no objection, and it was so ordered.

#### ENROLLED BILLS SIGNED.

Mr. SCOTT, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles: when the Speaker signed the same:

A bill (H. R. 276) to authorize the construction of a bridge across the Missouri River at De Witt, Carroll County, Mo., and to establish it as a post-road.

A bill (H. R. 5108) to establish a military post at or near the city of Helena in Lewis and Clarke County, Mont.

A bill (H. R. 5374) to authorize the construction of a bridge across the Osage River between the town of Warsaw and the mouth of Turkey Creek, in Benton County, Mo.

A bill (H. R. 5441) to amend an act entitled "An act to incorporate the National Union Insurance Company of Washington," approved February 14, 1895.

A bill (H. R. 6295) to punish falsifying before trial boards of the Metropolitan police force and the department of the District of Columbia, and for other purposes.

A bill (H. R. 6788) to establish supports of entry and delivery at Superior, Wis., and at Ashland, Wis., in the Superior collection district of Michigan and Wisconsin.

A bill (H. R. 5803) making appropriations for expenses that may be incurred under the treaties between the United States and Great Britain concluded at Washington February 29 and April 18, 1892; and

Joint resolution (H. Res. 118) to suspend the issues of permits to erect dwelling houses in alleys in the District of Columbia.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCOOK, its Secretary, announced that the Senate had insisted upon its amendments to the bill (H. R. 4636) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1896, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CULLOM, Mr. STEWART, and Mr. CALL as the conferees on the part of the Senate.

It also announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 7023) to encourage American shipbuilding; and

A bill (H. R. 4845) to amend an act entitled "An act relating to tax sales and taxes in the District of Columbia."

It also announced that the Senate had passed the following resolution:

*Resolved by the House of Representatives (the Senate concurring). That the conferees on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7818) to provide for certain of the most urgent deficiencies in the appropriations for the service of the Government for the fiscal year 1896, and for other purposes, be, and they are hereby, authorized to amend the bill, if they deem the same to be necessary, to embrace in their agreement an appropriation for fees of witnesses in United States courts.*

#### LAND TITLES, DISTRICT OF COLUMBIA.

Mr. HEMPHILL. Mr. Speaker, I ask to call up the bill (H. R. 6913). This bill was read on the last District day, and I ask that it now be read by sections for amendment.

The Clerk read as follows:

Sec. 3. That the records in any trustee's deed, executor's deed, guardian's deed, or marshal's deed, recorded in the proper office in said District prior to March 3, 1893, shall, in favor of the parties in possession actual or constructive claiming thereunder, be *prima facie* evidence in all courts of law and equity of the facts recited: *Provided*, That the provisions of this section shall not affect pending suits, nor the rights, if any, acquired under existing laws, of any person who, within twenty years next before the passage of this act, shall have asserted on the land records of the District of Columbia any title adverse to the title of any person claiming under such deeds.

Mr. HEMPHILL. I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

Section 3, line 7, strike out all after the word "provided" and substitute the following:

"That, excepting in cases of actual, open, and notorious possession for twenty years under such deeds, the provisions of this section shall not bar the right of entry of any person having such right within said twenty years, until after the expiration of three years from and after the passage of this act; nor operate upon or as to any land about which any litigation is now pending for the period of three years from and after the date of any final decree or judgment in, or discontinuance or dismissal of any such litigation, nor bar the right of entry, if such right existed at the date of commencement of possession actual or constructive under any such deed, of any person who, under existing law, was then laboring under any legal disability, until after the expiration of three years from and after the removal of such disability.

Mr. CULBERSON. To what section do you offer that?

Mr. HEMPHILL. I offer that to section 3 in place of the provision.

Mr. CULBERSON. What is the effect of the amendment?

Mr. HEMPHILL. The effect of the amendment is to give persons who have any rights within the period of twenty years, exemption from the operation of this section until the expiration of three years after the passage of this act.

Mr. CULBERSON. I think that is a good amendment.

The SPEAKER. The Chair will ask the gentleman from South Carolina if it is a motion to strike out and insert this?

Mr. HEMPHILL. To strike out the provision therein contained, and insert the words indicated.

The amendment was agreed to.

Mr. CULBERSON. I will ask the gentleman from South Carolina [Mr. HEMPHILL] if he has any objection to an amendment to line 5, section 3, to strike out the words "or constructive."

Mr. HEMPHILL. I will state to the gentleman that with his consent I will go on with the bill a little further, and let him offer the amendment he suggests a little later; or if the gentleman prefers it, I might as well agree to that amendment. I think it is not unreasonable.

I will state to the gentleman from Texas, I think this ought to apply to no one except as against a person in actual possession; and if he will draw the amendment so that it will be applicable where the party is in constructive possession against any one else claiming to be in constructive possession, but not against a person in actual possession, I think it would be a proper amendment.

Mr. CULBERSON. Mr. Speaker, I do not think that the gentleman should insist that the records in an official deed should be *prima facie* evidence in favor of a person who is not in actual possession.

Mr. HEMPHILL. Well, if the gentleman will offer his amendment to strike out the words, I will accept it. I think there is a great deal of force in the position of the gentleman from Texas.



Mr. DIXON presented the memorial of Robert B. Flowers and other citizens, of Washington County, R. I., remonstrating against the commitment of the Government to a union of religion and the state by the passage of any legislation to close the World's Columbian Exposition on Sunday or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. McMILLAN presented the petitions of John J. Bagley & Co., and the Globe Tobacco Company, of Detroit, Mich., praying for the passage of legislation relative to the sale of leaf tobacco; which were referred to the Committee on Finance.

He also presented memorials of Will Walter and 29 other citizens of Fennville; of G. W. Amadon and 279 other citizens of Battle Creek; of O. J. Mason and 111 members of Battle Creek College; of Joel Gulick and 85 other citizens of St. Charles; of O. B. Hill and 64 other citizens of Sand Lake; of N. R. Stainer and 28 other citizens of Covert; of Mrs. Jennett Page and 8 other citizens of Ewell; of H. H. Hutchins and 32 other citizens of Fennville, and of George M. Woodruff and 23 other citizens of Bauer, all in the State of Michigan, remonstrating against a commitment of the Government to a union of religion and state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented memorials of the Mount Hope Congregational Church and the Memorial Presbyterian Church of Detroit, Mich.; the Methodist Episcopal Church of Richland, Mich., and the Methodist Episcopal Church of Gladstone, Mich., remonstrating against the opening of the World's Columbian Exposition on Sunday and the sale of intoxicating liquors thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. PERKINS presented memorials of the Congregational Church of Douglas, Kans.; of the First Swedish Baptist Church of Kansas City, Kans.; and of the Woman's Columbian Club of Kansas, remonstrating against the opening of the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. STOCKBRIDGE presented a petition of the Methodist Episcopal Church of Houghton, Mich., praying that the World's Columbian Exposition be closed on Sunday, and that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. FELTON presented a petition of sundry citizens of Humboldt County, Cal., praying for the passage of legislation regulating speculation in fictitious farm products; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of the District of Columbia, praying for the passage of Senate bill 1213, so that working people may unite their capital and labor in the District of Columbia for the purpose of conducting coöperative enterprises; which was referred to the Committee on the District of Columbia.

Mr. WILSON presented a petition of the directory board of the Commercial Exchange of Des Moines, Iowa, praying that ample appropriation be made for the service of the Weather Bureau; which was referred to the Committee on Appropriations.

Mr. SANBERS. I present a petition of the Board of Trade of Butte, Mont., praying for the passage of legislation segregating the northeast corner of the Yellowstone National Park so as to permit railroad construction therein.

I also present a petition of the city council of Butte, Mont., to the same purport.

I also present a petition of the Helena (Mont.) Commercial Club, praying for the passage of legislation enabling railroads to be constructed to Cooke City, Mont.

I move that the petitions lie on the table, as there is a bill pending which contemplates this legislation.

The motion was agreed to.

Mr. PADDOCK presented memorials of Perley E. Wilson and 227 other citizens of Lexington, Nebr.; of Mrs. P. S. Thompson and 13 other citizens of Barwell, Nebr.; and of the Presbyterian Church of Diller, Nebr., remonstrating against the opening of the World's Columbian Exposition on Sunday and the sale of intoxicating liquors thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. COKE presented the petition of J. L. Long and other citizens of McLennan County, Tex., praying for the passage of the Hatch antioption bill; which was referred to the Committee on the Judiciary.

He also presented the memorial of S. W. Henderson and other citizens of Texas, remonstrating against Congress committing the United States Government to a union of religion and state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the

Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. GIBSON of Maryland presented a memorial of citizens of Maryland, remonstrating against the passage of Senate bill No. 362, providing for the removal of the Southern Ute Indians from their present reservation in Colorado; which was referred to the Committee on Indian Affairs.

He also presented two petitions, collected by the National Woman's Temperance Union of Maryland, containing 72 and 92 individual signatures, respectively, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the memorial of Mary E. Middlekauff and other members of the Seventh-Day Adventist Church of Hagerstown, Md., and a memorial of sundry citizens of Bloomington, Md., remonstrating against Congress committing the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented sundry petitions, collected by the National Woman's Christian Temperance Union of Maryland, containing 1,197 individual signatures, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. WASHBURN presented the memorial of J. W. Kraushaar and 34 other members of the Seventh-Day Adventist Church of Medford, Minn.; the memorial of D. Alway and 17 other members of the Seventh-Day Adventist Church of Eagle Lake, Minn.; the memorial of Almada Southworth, a member of the Eunace Church of Pelican Rapids, Minn., and the memorial of A. D. West and 28 other members of the Seventh-Day Adventist Church of Litchfield, Minn., remonstrating against Congress committing the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of Robert Stanton and other citizens of Crookston, Minn., praying for the adoption of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

Mr. COCKRELL presented a petition of the North Presbyterian Church of St. Louis, Mo., praying that the World's Columbian Exposition be closed on Sunday and that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. MANDERSON presented the memorial of H. H. Schnebly and 19 other citizens of Exeter, Nebr., remonstrating against Congress committing the United States Government to a union of religion and the state in the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of the Presbyterian Church of Diller, Nebr., remonstrating against the opening of the World's Columbian Exposition on Sunday and the sale of intoxicating liquors thereat; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented sundry petitions, collected by the National Woman's Christian Temperance Union of Nebraska, containing 202 individual signatures, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. CHANDLER presented the following petitions of Salem Grange, Patrons of Husbandry, of New Hampshire:

Petition praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of House bill 395, defining hard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petition praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. CAMERON presented memorials of the Presbyterian churches of Pittsburg, Brandt, Reading, Jenkintown, Lawrence County, Hawley, Chameford, Moore, and Butler; of the Methodist Episcopal churches of Greenfield, Philadelphia, Pleasantville, and Kimersburg; of the Lutheran churches of Maytown, Potts Grove, and Pine Grove Mills; of the Baptist churches of Uniontown and Sycamore; of the First Congregational Church of Pittston, and of the Reformed Church of Elderton, all in the State of Pennsylvania, remonstrating against the opening of the World's Columbian Exposition on Sunday and the sale of intoxicating liquors thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. SHERMAN presented sundry petitions, collected by the National Woman's Christian Temperance Union of Ohio, containing 533 individual signatures and 72 representative endorsements, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday, which were referred to the Committee on the Quadro-Centennial (Select).

Mr. PLATT. I present three memorials from churches in the State of Connecticut, remonstrating against any appropriation for the World's Fair unless a guaranty is given that the Fair shall be closed on Sunday and no liquor sold on the premises, with a threat of opposition hereafter to all members of Congress not heeding the demands of the memorialists. I wish to say that I think I am in sympathy with the purpose of the memorialists; I have long ago announced my opinion that the World's Fair ought to be closed on Sunday, but I am not in sympathy with the threat which is contained in the memorials. I do not like to do anything under duress because I am threatened.

The VICE-PRESIDENT. The memorials will be referred to the Select Committee on the Quadro-Centennial.

Mr. HISCOCK presented petitions of the Presbyterian churches of Rochester, Lewiston, Hornellsville, Parma Center, and Brighton, in the State of New York, praying that the World's Columbian Exposition be closed on Sunday, and the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

#### REPORTS OF COMMITTEES.

Mr. SHERMAN, from the Committee on Finance, reported an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also, from the Committee on Foreign Relations, submitted a report to accompany the joint resolution (S. R. 76) to authorize the President to invite certain governments to send delegates to the Pan-American Medical Congress, heretofore reported by him.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 2637) to extend North Capitol Street to the Soldiers' Home, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 429) to incorporate the District of Columbia Suburban Railway Company, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, submitted an adverse report thereon; which was agreed to, and the bills were postponed indefinitely:

A bill (S. 760) to incorporate the District of Columbia Suburban Railway Company;

A bill (S. 1105) to incorporate the Washington and Deanwood Railway Company in the District of Columbia;

A bill (S. 1314) to incorporate the Washington and Brookland Railway of the District of Columbia;

A bill (S. 1433) to incorporate the Washington and Bladensburg Street Railway Company; and

A bill (S. 1193) to incorporate the Washington Northeastern Street Railway Company.

Mr. SHoup, from the Committee on Indian Affairs, to whom was referred the bill (S. 2999) extending the time for the completion of the Spokane and Palouse Railway through the Nez Perces Indian Reservation, reported it with an amendment, and submitted a report thereon.

#### GEORGE H. ELLIOT.

Mr. MITCHELL. I am instructed by the Committee on Claims, to whom was referred the bill (S. 3020) for the relief of Lieut. Col. George H. Elliot, to report it favorably, without amendment. I ask leave to place the bill on its passage. I think when I shall have made a brief statement there will be no objection to it.

The bill proposes to authorize the accounting officers of the Treasury to pass to the credit of Lieut. Col. George H. Elliot,

of the Corps of Engineers, United States Army, the sum of \$40, paid out by him in October, 1889, to Dr. John H. Neail, for medical attendance furnished to one G. W. Brown, a laborer in the employment of the United States, under the direction of said Elliot, and who was seriously injured, through no fault of his own, as shown by the papers, by the fall of a derrick at Washington, D. C., September 21, 1889. The Secretary of War recommended the passage of this bill; the committee has recommended its passage unanimously, and in order to save printing I ask the Senate to proceed to its consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### REPORT ON TABLING.

Mr. MORRILL, from the Committee on Finance, reported the following resolution; which was referred to the Committee on Printing:

*Resolved*, That there be printed for the use of the Senate—copies of Senate report No. 639, Fifty-second Congress, first session, of which number 5,000 copies shall be for the use of the Committee on Finance.

#### NAVAL OBSERVATORY HEARING.

Mr. PADDOCK. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred a resolution providing for payment of stenographer employed by the Committee on Naval Affairs to report hearings on Senate bill 1763, to report it favorably without amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution; which was read, as follows:

*Resolved*, That the stenographer employed to report the hearings before the Committee on Naval Affairs on Senate bill 1763, to provide for a more perfect organization for the United States Naval Observatory, and for other purposes, be paid out of the contingent fund of the Senate.

Mr. COCKRELL. That comes from the Committee on Contingent Expenses?

Mr. PADDOCK. It does. I so reported it. It is simply to authorize the payment of a charge upon the contingent fund of a stenographer who was employed by a previous resolution under which a hearing has been proceeding.

Mr. COCKRELL. That fund is being trenched upon very rapidly.

The VICE-PRESIDENT. The question is upon agreeing to the resolution.

The resolution was agreed to.

#### BILLS INTRODUCED.

Mr. STOCKBRIDGE introduced a bill (S. 3108) granting a pension to Persis Barnard; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 3109) to amend the act incorporating the Washington and Georgetown Railroad Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PADDOCK introduced a bill (S. 3110) granting a pension to Eunice M. Brown; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CARLISLE introduced a bill (S. 3111) for the relief of Robert S. Hill; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GIBSON of Maryland (by request, introduced a bill (S. 3112) to regulate the sale of distilled and fermented liquors in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. MANDERSON introduced a bill (S. 3113) to remove the charge of desertion standing against John W. Wacker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

#### AMENDMENTS TO BILLS.

Mr. CAMERON submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Commerce.

#### NATIONAL GUARD AT WORLD'S FAIR.

Mr. MITCHELL submitted the following resolution; which was referred to the Committee on the Quadro-Centennial (Select), and ordered to be printed:

*Resolved*, That the Select Committee on the Quadro-Centennial be, and it is hereby, instructed to inquire into the propriety of Congress making a suitable provision to cover the cost of transportation and subsistence of the National Guard of the different States to enable such National Guard to be placed in encampment for a reasonable period at the World's Columbian Exposition, Chicago, in 1893; and to report by bill or otherwise.

#### HON. HENRY W. BLAIR.

Mr. CHANDLER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That Senate Executive Document E, of the present session, being

appropriation the Secretary of the Treasury has very little authority or ability to act, especially if restricted to the appropriation for fuel, lights, and water. I will append to my remarks some letters throwing much light on this question, which I will not take up the time of the committee by reading. These letters show clearly the economy of the proposed change.

Why, sir, although this addition of \$1,500 to the bill by my amendment would seem at the first glance to be swelling the appropriations, and therefore in the line of extravagance, it is in reality in the line of economy, retrenchment, and reform. There is not a business man in the country who would not invest \$1,500 additional in equipping his "plant" if by so doing he could save that amount yearly thereafter. The Government is now paying nearly \$4,000 per annum for gas in the post-office and custom-house at Nashville. If we expend twelve or fifteen hundred dollars putting wire and lamps, I am informed that we can get the same light from an electric-light company for about half what is now paid for gas. The following are the letters referred to:

UNITED STATES POST OFFICE,  
Nashville, Tenn., May 7, 1892.

DEAR SIR: Respecting electric-light plant in Nashville custom-house building, I beg to report: \* \* \* What we need now is the wiring of the building. The sale of the Capital Electric plant of Nashville to the Thomson-Houston Company has been confirmed, and they are now erecting an immense plant in Nashville which will be able to supply us with electric light. I enclose herewith:

First, Proposal of Western Electric Company, of Chicago, Ill., to furnish a complete plant. In the ninth article of said proposal you will find the bid for wiring, etc., which includes everything (see their subsequent letter dated May 3, 1892, attached to proposal) to make plant complete, the work to be done for \$1,065.

Second, I enclose proposal of Capital Electric Company, of Nashville, Tenn., to do the wiring, etc., for \$1,315.

Third, I enclose a chart (blue) showing the distribution of the lights on the different floors. The above bids were made with said charts before the bidders.

I respectfully recommend the bid of Western Electric Company, \$1,065, this being the lowest bid, and the bidders responsible. I trust you will be able to have the work ordered at the earliest possible date, to enable me to get the electric light in before the hot weather. With gas at night in our post-office main room the thermometer in June, July, and August reaches nearly 100°.

Our principal mails, as you know, arrive late in the evening and must be distributed in the night. The electric light will be very much cheaper than gas.

If the work is ordered, I respectfully ask the return of the blue chart, so I can see the work is done in accordance with the plan.

Very respectfully, your obedient servant,  
A. W. WILLS, *Postmaster.*

Hon. JOSEPH E. WASHINGTON, M. C.,  
Washington, D. C.

[Extract from letter of A. W. Wills, postmaster at Nashville, Tenn., also custodian of the custom-house building, to honorable Secretary of the Treasury, Washington, D. C.]

Concerning the almost absolute necessity of the use of electric light in the Nashville post-office, I beg to say that the heat from the gas is so oppressive during the hot nights, as well, too, in the day, when gas must be used, that our employes in the summer months break down under it. As many as five mail trains arrive at Nashville about dark every night. All this mail must be distributed at night by gas light; also all the mail received from dusk until near midnight in our hourly collections must be made up for the six outgoing mail trains leaving between the hours of 5:30 and 7:30 every morning. All this work must be done at night. The question of the great saving to the Government by the use of electricity is one of material importance. The record of the Treasury will show that the Nashville Gas Company was paid for the year ending October 31, 1889, the sum of \$3,498.43. This for gas consumed in Nashville custom-house building. For the year 1890 we paid \$2,904.61.

The use of the electric light will be a great blessing to the Nashville post-office employes. The thermometer for nights in June, July, and August stands from 95° to 100° in the Nashville post-office under the great heat generated by the gas, in addition to the torrid atmosphere.

I respectfully submit estimates herewith for the establishment of an electric plant in the building in my custody.

A glance at the facts will readily evidence the very few years required to pay for the whole plant considering the annual payments we are making for gas, hence it is great economy as well as giving us a better and more satisfactory light. \* \* \*

[Copy of letter from John W. Linck, special agent United States Treasury Department.]

NASHVILLE, TENN., April 25, 1891.

SIR: Your communication, of the 24th instant, relative to the lighting of the custom-house with electricity, is at hand, and in answer would respectfully state, that if the estimates for furnishing the plant and cost of running the same are correct and accurate, there should be no delay in advertising for bids, for it would undoubtedly be a very great improvement in every sense.

There would doubtless have to be an act of Congress, however, authorizing the expenditure and making an appropriation for the same. Should there be any appropriation available I have no doubt but what the Department would authorize an advertisement for bids at once, and should the matter be submitted to me, with limited investigation I have made, I would not hesitate to recommend the substitute of an electric plant as being more economical, more satisfactory as light, and infinitely more comfortable to the employes. Only those who have worked under the fierce heat and flickering light of gas jets in hot summer nights for hours can understand how oppressive it is.

Very respectfully,  
JOHN W. LINCK, *Special Agent.*  
Maj. A. W. WILLS, P. M.,  
Custodian Custom-house, Nashville, Tenn.

[Copy of certificate by L. W. Walker, superintendent repairs on public buildings.]

I believe the electric plant established in the Nashville post-office would result in quite a saving to the Government, and I would certainly be a great relief to the employes.

Respectfully,

L. W. WALKER,  
Superintendent Repairs on Public Buildings.

[Copy of letter from Hon. Assistant Secretary United States Treasury.]

TREASURY DEPARTMENT, OFFICE OF SECRETARY,  
Washington, D. C., Oct. 22, 1891.

SIR: The Department is in receipt of your communication of the 7th instant, inclosing proposal of the Western Electric Company, of Chicago, Ill., for the introduction of an electric-lighting system in the building in your custody, and in reply thereto you are informed that until Congress shall have provided an appropriation for such a purpose it is impracticable to favorably consider the proposition submitted.

The Department has several times made an effort to have appropriations made for the introduction of electric plants into some of the larger buildings, but without success.

Respectfully yours,

L. CROUNSEY, *Assistant Secretary.*

CUSTODIAN Custom-house, Nashville, Tenn.

Mr. HOLMAN. Just a single word, Mr. Chairman. The committee thought that the appropriation of \$725,000 for these purposes was sufficient. That is the judgment of the committee. The gentleman from Tennessee [Mr. WASHINGTON] called upon me to inquire whether his item was in the bill. I told him, of course, that it was not. We never put those items in separately. They are all put in in gross; and I feel very certain that if this is a measure of economy, the Secretary of the Treasury will see to it that the proper amount is taken out of this \$725,000 and applied to this object.

Mr. DINGLEY. I move to strike out the last word, simply for the purpose of remarking upon this point that the estimate of the Secretary of the Treasury was \$775,000. That was a considerable reduction from the estimates of the previous year. The committee have cut down the estimates to \$725,000, notwithstanding there are a large number more of public buildings to be heated and lighted; so that gentlemen can see how little chance there is for any new building to come in under this general appropriation.

Mr. HOLMAN. I ask for a vote.

The question being taken on the amendment of Mr. WASHINGTON, the Chairman announced that the yeas seemed to have it.

Mr. WASHINGTON. I demand a division.

The committee divided; and there were—ayes 35, noes 80.

So the amendment was rejected.

Mr. HOLMAN. As some gentlemen desire to leave the House in a few minutes, and as it is very nearly 5 o'clock, to accommodate them, without, I hope, discommoding the committee, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. LESTER of Georgia, from the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 7529) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes, and had come to no resolution thereon.

MESSAGE FROM THE PRESIDENT.

A message, in writing, from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries.

The message also informed the House that the President had approved and signed bills and joint resolutions of the following titles:

- On April 28, 1892:
  - An act (H. R. 5978) to extend the time for making an assessment of real estate in the District of Columbia outside the cities of Washington and Georgetown.
  - An act (H. R. 4429) to empower the commissioners of the District of Columbia to grant respites and pardons in certain cases.
  - On April 30, 1892:
    - An act (H. R. 2786) to amend the act giving the approval and sanction of Congress to the route and termini of the Anacostia and Potomac River Railroad in the District of Columbia.
    - An act (H. R. 6286) to amend the charter of the Rock Creek Railroad Company.
    - On May 3, 1892:
      - An act (H. R. 7029) to create a third division of the district of Kansas for judicial purposes and to fix the time for holding court therein.
- Joint resolution (H. R. 819) for the release of all claim of the United States to lot 18, section 2, governor and judges' plan, Detroit.
- On May 5, 1892:
  - An act (H. R. 6185) to prohibit the coming of Chinese persons into the United States.

An act (H. R. 7023) to encourage American shipbuilding.  
Joint resolution (H. Res. 97) to fill vacancies which will occur in the Board of Managers of the National Home for Disabled Volunteer Soldiers on April 21, 1892.

On May 11, 1892:

An act (H. R. 8503) making appropriations for expenses that may be incurred under the treaties between the United States and Great Britain concluded at Washington, February 29 and April 18, 1892.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendments bills of the following titles:

A bill (H. R. 4288) authorizing the payment of the pension of Edward S. Smith, accrued at the date of his death, to his mother, Catherine;

A bill (H. R. 507) to provide for a term of the United States circuit and district courts at Evanston, Wyo.;

A bill (H. R. 4533) for the relief of the holders of drawback certificates issued under an act of Congress, approved June 2, 1890;

A bill (H. R. 6658) to vacate that part of Madison street, Georgetown, west of Back street, and extend Y street, in Burlington, in the District of Columbia;

It also announced that the Senate had passed, with amendment, the bill (H. R. 7360) authorizing the construction of a wagon and motor bridge over the Missouri River at St. Charles, Mo.; in which concurrence was requested.

It also announced that the Senate had passed bills of the following titles; in which concurrence of the House was requested:

A bill (S. 3020) for the relief of Lieut. Col. George H. Elliot;

A bill (S. 2900) authorizing the Aransas Harbor Terminal Railway Company to construct a bridge over and across the Corpus Christi Channel, known as the Morris and Cummings Ship Channel, in Aransas County, Tex.;

A bill (S. 2699) to repeal section 16, chapter 294, of the act approved July 15, 1870, making appropriations for the support of the Army for the fiscal year ending June 30, 1871, relating to brevets;

A bill (S. 2150) in regard to a monumental column to commemorate the battle of Princeton, and appropriating \$30,000;

A bill (S. 1304) for the erection of a public building at Pierre, S. Dak.;

A bill (S. 1126) for the establishment of fish hatcheries in the States of Montana and Texas and on the Gulf coast;

A bill (S. 894) authorizing the Secretary of War to cause a survey to be made for a ship canal connecting the waters of Lake Erie and Ohio River; and

A bill (S. 242) for the relief of the estate of John W. Whitfield, late register of the land office in the Delaware land district of Kansas.

#### ENROLLED BILLS SIGNED.

Mr. SCOTT, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 7727) to authorize the construction of a telephone line on the coast of Virginia from Cape Charles to Assateague Island, in aid of the preservation of life and property;

A bill (H. R. 4845) to amend an act entitled "An act relating to tax sales and taxes in the District of Columbia;" and

A bill (S. 4) for the relief of Alfred J. Worcester.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. COCKRAN, until Tuesday next, on account of important business.

To Mr. LOCKWOOD, for the remainder of the week, on account of important business.

And then, on motion of Mr. HOLMAN (at 4 o'clock and 54 minutes p. m.) the House adjourned until to-morrow at 12 o'clock m.

#### REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. STONE of Kentucky, from the Committee on War Claims: A bill (S. 789) for the relief of Warren Hall. (Report No. 1361.)

By Mr. WINN, from the same committee:

A resolution referring the bill (H. R. 4291) for the relief of Richard P. Blackstone to the Court of Claims. (Report No. 1362.)

A bill (H. R. 1539) to authorize the Secretary of the Treasury to refund certain moneys collected by the United States. (Report No. 1363.)

By Mr. DOLLIVER, from the same committee:

A bill (H. R. 8551) for the relief of William Hancock, administrator. (Report No. 1364.)

A bill (H. R. 8669) for the relief of Francis Downs, executor of the late William Craig. (Report No. 1365.)

A bill (H. R. 8374) for the relief of Margaret Jane Lovell, administratrix. (Report No. 1366.)

A bill (H. R. 8670) for the relief of Juaneta Howland, administratrix. (Report No. 1367.)

A bill (H. R. 8674) for the relief of Gerald Russell. (Report No. 1368.)

By Mr. CADMUS, from the same committee: A bill (H. R. 8553) for the relief of Richard W. Johnson. (Report No. 1369.)

By Mr. WINN, from the same committee: A resolution referring the bills (H. R. 7646, 7711, 7911, and 6055) for the relief of the estate of Travis E. Harding, Mary H. Anderson, widow of Hiram Anderson, Mrs. Frank Deslonds, and Mrs. Sidonie de la Houssaye to the Court of Claims. (Report No. 1370.)

By Mr. PICKLER, from the same committee: A bill (H. R. 8558) for the relief of Emily Murdock, administratrix. (Report No. 1371.)

By Mr. CLANCY, from the same committee:

A resolution referring the bills (H. R. 6298, 3249, 7805, and 1963) for the relief of Ulger V. Badeaux, Alphonse Des Mare, W. W. Edwards, and Clarissa Bishop to the Court of Claims. (Report No. 1373.)

A bill (H. R. 8656) for the relief of Louis H. Bristol, administrator. (Report No. 1374.)

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were severally discharged from the consideration of the following bills; which were re-referred, as follows:

A bill (H. R. 5840) for the relief of Willis T. Smith, of Clinton, Tenn.—the Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 8666) for the relief of Pay Clerk Charles Blake, United States Navy—the Committee on Naval Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 8667) for the relief of Paymaster James E. Tolfree, United States Navy—the Committee on Naval Affairs discharged, and referred to the Committee on Claims.

#### BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. CLARK of Wyoming: A bill (H. R. 8700) to fix the time for holding the circuit and district courts for the district of Wyoming at Cheyenne—to the Committee on the Judiciary.

By Mr. BROWN (by request): A bill (H. R. 8701) granting right of way to the Yuma Pumping Irrigation Company across the Yuma depot quartermaster's reservation in Arizona—to the Committee on Indian Affairs.

By Mr. HALVORSON (by request): A bill (H. R. 8702) for an act to repeal timber-culture laws, and for other purposes—to the Committee on the Public Lands.

By Mr. CLARK of Wyoming: A bill (H. R. 8703) to grant to the State of Wyoming certain lands to promote technical education in the branches of learning connected with the mining of coal and iron ore, and the production of coke, iron, and steel, and the manufacture thereof—to the Committee on the Public Lands.

By Mr. MUTCHLER: A resolution for the payment of J. W. Murphy—to the Committee on Accounts.

By Mr. BANKHEAD: A resolution setting apart 25th and 26th of May for bills reported from the Committee on Public Buildings and Grounds—to the Committee on Rules.

By Mr. OUTHWAITE: A resolution setting aside two days in May for the consideration of bills reported by the Committee on Military Affairs—to the Committee on Rules.

By Mr. CRAIN: Requesting the Attorney-General to furnish certain information regarding the Edison Electric Company, the Thomson-Houston Electric Company, or the General Electric Company—to the Committee on the Judiciary.

#### PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. BRICKNER: A bill (H. R. 8705) for the relief of Henry W. Chapman, administrator—to the Committee on War Claims.

By Mr. CHEATHAM: A bill (H. R. 8706) to release and turn over to Mrs. Mary O. Augusta certain property in the District of Columbia—to the Committee on the District of Columbia.

By Mr. COX of Tennessee: A bill (H. R. 8707) for the relief of William J. Hines—to the Committee on Military Affairs.

liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HAWLEY presented petitions of the Congregational churches of Thompson, Stony Creek, Berlin, Redding, and East Haven, all in the State of Connecticut, praying that the World's Columbian Exposition be closed on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. COCKRELL presented a petition of the Methodist Episcopal Church of Rolla, and petitions of the Methodist Episcopal, Baptist, and Christ, churches of Greenfield, all in the State of Missouri, praying that the World's Columbian Exposition be closed on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Kirksville (Mo.) Presbyterian Church, signed by a committee of that body, representing 165 members, praying that the World's Columbian Exposition be closed on Sunday and that the sale of intoxicants be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. COCKRELL. I present resolutions adopted by the Cumberland Presbyterian Congregation of Kirksville, Mo., at a meeting held on the 8th of May, 1892, favoring the closing of the World's Fair on Sunday and the prohibition of the sale of intoxicants thereat. This church has 257 resident members, and the resolutions are signed on their behalf by a committee consisting of W. T. Baird, A. T. Patterson, and W. D. William. I move that the resolutions be referred to the Committee on the Quadro-Centennial (Select).

The motion was agreed to.

Mr. TURPIE presented the petition of George W. Geiger and other citizens of Noble County, Ind., praying for the passage of the Washburn-Hatch antiopium bills; which was referred to the Committee on the Judiciary.

He also presented a petition of the Newtown and Beulah Presbyterian Churches, of Newtown and Rob Roy, Ind.; a petition of the Methodist Episcopal Church of State Line City, Ind.; a petition of the Prairie Vine Baptist Church, of Morocco, Ind.; a petition of the First Presbyterian Church of Madison, Ind.; a petition of the Presbyterian Church of Union City, Ind.; a petition of the Methodist Episcopal Church of Lebanon, Ind.; and a petition of the Eminence Methodist Episcopal Church of Eminence, Ind., praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicants be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. HISCOCK presented a petition of the Baptist, Methodist Episcopal, and Presbyterian churches of Penn Yan, N. Y., and petitions of the First Congregational Church of Norwood, of the First Presbyterian Church of Jefferson, of the Presbyterian churches of Ancram Lead Mines, and of Stone Church, all in the State of New York, praying for the closing of the Columbian Exposition on Sunday and for the prohibition of the sale of intoxicating liquors thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. WILSON. I present petitions of the United Presbyterian Church of Goldfield, First Presbyterian Church of Tipton, Bethel Presbyterian Church of Livermore, United Presbyterian Church of Ainsworth, United Presbyterian Church of Tingley, First Presbyterian Church of Marengo, First Presbyterian Church of Janesville, and the Presbyterian Church of Waterloo First Congregational Church of Montour, and the First Baptist Church of Webster City, all in the State of Iowa, praying that the World's Columbian Exposition be closed on Sunday and that the sale of intoxicating liquors be prohibited thereat.

I wish to state that I fully concur in the prayer presented by the petitioners. I move that the petitions be referred to the Select Committee on the Quadro-Centennial.

The motion was agreed to.

Mr. PADDOCK presented a memorial of the First Evangelical Lutheran Church of Wilber, Nebr., and a memorial of the Methodist Episcopal Church of Kennard, Nebr., remonstrating against the opening of the World's Columbian Exposition on Sunday and the sale of intoxicating liquors thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. ALDRICH presented a petition of the Yearly Meeting of Friends of New England, praying for the passage of legislation authorizing an international peace conference at the World's Columbian Exposition; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. QUAY presented the memorial of Mrs. G. G. Green and 99 other members of the Seventh-Day Adventist Church of Little Genesee, Pa., and the memorial of William Barron and 85 other members of the Seventh-Day Adventist Church of Susquehanna County, Pa., remonstrating against the closing of the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented sundry petitions collected by the National Woman's Christian Temperance Union of Pennsylvania, containing 663 individual signatures, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

#### REPORTS OF COMMITTEES.

Mr. CAMERON, from the Committee on Military Affairs, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2652) for the relief of B. la R. Davis;

A bill (S. 2256) for the relief of Carroll L. Comstock; and

A bill (S. 853) to promote and encourage the display of the flag of the United States.

Mr. CAMERON, from the Committee on Military Affairs, to whom was referred the bill (S. 494) for the relief of Daniel W. Boutwell, submitted an adverse report thereon.

Mr. PEPPER. I ask that that bill may be placed upon the Calendar. It is a bill of considerable importance, and I think I shall be able to obtain some additional testimony before the session closes.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 2019) for the relief of Horace Brown, alias Magruder, submitted an adverse report thereon, which was agreed to, and the bill was postponed indefinitely.

Mr. BATE, from the Committee on Military Affairs, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 1782) for the relief of James Roberts; and

A bill (S. 2224) authorizing the President to appoint and retire John W. Hines with the rank and grade of second lieutenant.

Mr. McPHERSON, from the Committee on Naval Affairs, submitted a report to accompany the bill (S. 848) for the relief of John L. Broome, previously reported by him.

He also, from the same committee, submitted a report to accompany the bill (S. 2965) for the relief of Capt. George H. Perkins, heretofore reported by him.

Mr. MANDERSON, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 7557) to ratify and confirm an agreement with the Indians residing on the Colville Reservation, in the State of Washington, with certain modifications, and to make appropriations to carry into effect the same, reported it with an amendment, and submitted a report thereon.

#### BILLS INTRODUCED.

Mr. DAVES introduced a bill (S. 3119) for the relief of Fanny S. Livers, administratrix; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3120) authorizing the appointment of six additional judge-advocates with the rank, pay, and allowances of a captain in the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PROCTOR introduced a bill (S. 3121) to amend an act approved July 15, 1882, entitled "An act to increase the water supply of the city of Washington, and for other purposes;" which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. HISCOCK introduced a bill (S. 3122) to encourage American shipbuilding; which was read twice by its title, and referred to the Committee on Commerce.

Mr. ALDRICH introduced a bill (S. 3123) to restore Lieut. Samuel Howard to his proper rank; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. HAWLEY introduced a bill (S. 3124) granting a pension to Jane E. Anderson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. VILAS introduced a bill (S. 3125) for the relief of John J. Upham; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DAVES introduced a joint resolution (S. R. 83) authorizing and directing the President to proclaim a general holiday commemorating the four hundredth anniversary of the discovery of America on the 12th day of October, 1492; which was read twice by its title, and referred to the Committee on the Quadro-Centennial (Select).

#### AMENDMENT TO A BILL.

Mr. McMILLAN submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.



## PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 9th instant approved and signed the act (S. 2305) to provide for the permanent preservation and custody of the records of the volunteer armies, and for other purposes.

## WEST INDIAN COMMERCIAL RELATIONS.

Mr. CALL submitted the following concurrent resolution; which was ordered to lie on the table and be printed:

*Resolved by the Senate (the House of Representatives concurring), That a joint committee of three Senators and four Representatives of the Congress of the United States shall be appointed by the President of the Senate and the Speaker of the House, respectively, who shall inquire into the conditions of Cuba and the islands known as the Greater Antilles and the Lucayas or Bahama Islands, and the Lesser Antilles or Windward or Caribbean Islands, and their commercial, military, and political relations with the people of the United States of America and report to Congress such legislation as may be expedient and necessary to improve the commercial and political relations of the United States of America and the people of these islands.*

2. That the committee shall have power to send for persons and papers, and to employ a stenographer, and the expense of such investigation, including the pay of the stenographer and clerk, shall be paid out of the contingent fund of the Senate.

## INDEPENDENCE OF CUBA.

Mr. CALL submitted the following resolution; which was referred to the Committee on Foreign Relations:

*Resolved*, That the President be, and he is hereby, authorized and requested to open negotiations with the Government of Spain for the purpose of inducing that Government to consent to the establishment in the island of Cuba of a free and independent republic; such consent to be given upon the payment by Cuba to the Government of Spain of such a sum of money as may be equivalent both to the value of the public property belonging to Spain in the said island and to the relinquishment of her sovereign rights, and also the securing, by treaty, of such commercial advantages as may be agreed upon.

## WASHINGTON AND ARLINGTON RAILWAY COMPANY.

Mr. HALE. I submit a resolution for adoption.

The resolution was read, as follows:

Whereas the Washington and Arlington Railway Company of the District of Columbia was incorporated by an act approved February 28, 1891, and W. H. Bando, D. C. Forney, J. S. Lawrence, Beriah Wilkins, C. G. Lee, and James L. Barbour were named as the incorporators of said road; and

Whereas no one of the above-named persons appeared as a stockholder in said company in the report made to the Senate dated January 23, 1892; and

Whereas the charter of said road authorizes the company, on certain conditions, to construct and maintain a street railroad on the Canal Road in Georgetown, which road will be seriously obstructed for public travel if such railroad were so constructed; and

Whereas it is a matter of public report that the charter of the said railroad company was sold by the incorporators for the sum of \$48,000 or thereabouts, before any part of the construction of said road was begun, and has been sold several times subsequent to the first sale; and

Whereas the amount of money expended on said road is stated to be in the neighborhood of but \$5,000; Therefore,

*Be it resolved*, That the Committee on the District of Columbia be instructed to investigate the affairs of the said Washington and Arlington Railway Company, and to report to the Senate by bill or otherwise what action, if any, is necessary to be taken to protect the public interests in accordance with the reserved power of Congress to amend, alter, or repeal the said act of incorporation.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. HALE. Mr. President, I do not need to call the attention of the chairman of the Committee on the District of Columbia to this matter, because I know that he is most vigilant in guarding the rights of the public against such transactions as will be brought out on the investigation proposed. It has been found that in several cases, enough in number so that I may say it has been a practice, parties living here or living outside got acts of incorporation for building roads in the city and in the country adjacent in this District, and then sell them outright, involving the interposition of Congress to secure charters in order that they may be hawked about in the market, and six months after we pass a bill and make it an act incorporating one of these companies everybody in it has disappeared, and they have exacted whatever terms they can agree upon, whatever sums of money can be paid from others who come in, pay the money, and, as in the case indicated here, sell it out again.

I know that the Senator from Michigan [Mr. McMILLAN], who is giving much time and labor to these questions, will see to it that this practice obtaining heretofore shall cease. When valuable privileges are granted it ought to be upon the bona fide statements and representations of parties who are really going to act under the charters and build the roads, and not, as in this case, under the pretense of spending money, putting a few thousand dollars in, and then selling out their charter.

Mr. COCKRELL. Why should not Congress revoke the charter, then?

Mr. HALE. I leave all that, in the language of the resolution, to the committee that will report. I do not speak, of course, with authority; I am not even a member of the committee; but I have no doubt that the result of this investigation, which need not be long, will be that the charter of the company will be revoked.

I may say here that in the bills being now reported from the Committee on the District of Columbia I am very glad to see that provisions are being inserted, which has not been done be-

fore, that unless the company itself proceeds forthwith to build the road and complete it and throw it open to the public the charter shall be forfeited.

Mr. DAWES. Mr. President, I wish it were practicable to extend this investigation further than the District of Columbia. This reprehensible practice has come to be very prevalent in other quarters. There is quite a vigorous traffic in railroad corporation, authorized to build railroads through the Indian country, going on at this time. There were a great many of those roads chartered in the last Congress and the one previously, and they are offered for sale all over the country. Whenever a road which is absolutely necessary for commercial purposes there is proposed, up comes one of these roads and shakes itself in the face of those parties and tells them that they will sell themselves out to them for a certain sum of money or else they can not go through. It has come to the notice of the Committee on Indian Affairs that that has been carried on a good deal. The committee has reported two bills repealing charters of that kind.

I heartily cooperate with the Senator from Maine in this investigation. I do not think it is practical to extend it to the case I call attention to, but it ought to be thoroughly ventilated in this country that it is quite a matter of mercantile business here getting charters of various kinds, not only these railroads but other corporations for special privileges, and they are offering them for sale around the country.

The PRESIDENT *pro tempore*. The question is on the adoption of the resolution.

The resolution was agreed to.

The preamble was agreed to.

## ORDER OF BUSINESS.

Mr. HALE. I desire to call up the naval appropriation bill, if the routine business is concluded.

Mr. MORGAN. On last Monday I gave notice, at the request of the senior Senator from Kansas [Mr. PEPPER], that I would call up to-day for debate on his part the message of the President which lies on the table in reference to an agreement with foreign countries for the free coinage of silver or some bimetallic arrangement. I desire now, if the routine business is finished, to call up that message so as to enable the Senator from Kansas to deliver his address.

The PRESIDENT *pro tempore*. The Chair will recognize the Senator from Kansas at the conclusion of morning business.

Mr. MORGAN. Very well.

## REPORT ON TARIFF.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The resolution reported yesterday from the Committee on Printing was read, as follows:

*Ordered*, That there be printed for the use of the Senate 15,000 copies of Senate Report No. 619, Fifty-second Congress, first session, of which number 5,000 copies shall be for the use of the Committee on Finance.

The PRESIDENT *pro tempore*. The question is on the adoption of the resolution.

Mr. COCKRELL. Yesterday morning when the resolution was up I called the attention of the members of the Committee on Finance, some of whom were not here, to this matter.

Mr. McPHERSON. It has been, I think, understood by the chairman of the committee that the resolution could not be called up for consideration, as there is some difference of opinion in the Finance Committee as to whether it has been reported to the Senate by the Finance Committee.

Mr. MORRILL. I have no objection to the resolution going over until Tuesday.

The PRESIDENT *pro tempore*. The resolution will be passed over.

## JANE SHERRY.

Mr. HALE. If the Senator from Kansas desires this morning to address the Senate I shall not push the naval appropriation bill, but at the conclusion of his remarks I shall ask the Senate to proceed to the consideration of that bill.

Mr. ALLISON. May I ask the indulgence of the Senator from Kansas one moment to have a pension bill passed? I think it will take but a moment, and it is a case that is rather pressing. The old lady is paralyzed, and it is hoped that she will live long enough at least to have the pension granted. The bill has passed the other House. I ask the Senate to consider House bill 724.

The PRESIDENT *pro tempore*. The Senator from Iowa asks the unanimous consent of the Senate that it now consider the bill H. R. 724 granting a pension to Jane Sherry. Is there objection to the present consideration of the bill?

Mr. COCKRELL. Let it be read for information.

The PRESIDENT *pro tempore*. The bill will be read for information.

The Chief Clerk read the bill, as follows:

*Be it enacted*, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of \$12 per



bill, H. R. 395, and praying for the passage of a general pure-food law—to the Committee on Agriculture.

By Mr. WILSON of West Virginia: Petition of A. F. Allender and others, of Randolph County, W. Va., against the passage of the Brosius land bill and in favor of the Paddock pure-food bill—to the Committee on Agriculture.

By Mr. WRIGHT: Resolutions of the First Baptist Church of Canton, Bradford County, Pa., against Sunday opening of the World's Fair and against the selling of liquors on the grounds of said Exposition—to the Select Committee on the Columbian Exposition.

By Mr. YOUNG: Petition of E. Williams and 26 others, Seventh-Day Adventists, of Bancroft, Shiawassee County, Mich., against the closing of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

## SENATE.

MONDAY, May 16, 1892.

The VICE-PRESIDENT resumed the chair.

### DEATH OF SENATOR BARBOUR.

The Chaplain, Rev. J. G. BUTLER, D. D., offered the following prayer:

O God, Jehovah, we reverently draw nigh to Thee, worshipping Thee, the only living and true God. Amid the mysteries of life and of death, the generations coming and going, we rejoice that Thy throne abideth. We bless Thee for the life and immortality brought to life in the Gospel. We thank Thee for Him who is the way, and the truth, and the life.

As we stand among the dying and the dead, give us grace to walk in Christ, ever accepting His truth and imitating His life, having begotten in us, by Thy divine Spirit, that life which shall never end.

Sanctify to us, we pray Thee, this bereavement. Remember very tenderly, thou God of all comfort, those who stand most nearly related to Thy departed servant. We thank Thee for every true and faithful life and for this life spared so long.

We pray Thee, teach us to live wisely and well, serving God and our own generation, keeping our consciences right before Thee and toward each other, doing whatsoever our hands find to do with all our might faithfully and well, not knowing the day nor the hour wherein the Son of Man cometh, so that whenever Thou shalt come we may be prepared to give account to Thee, the judge of quick and dead.

Hallow to us the day of God with all the blessed privileges that center in the holy Sabbath. Sanctify all the orderings of Thy providence unto us Thy servants this day. Have us in Thy holy keeping, O Thou, in whom we live and move and have our being. If it please Thee, spare and prolong life, and teach us so to use life's blessed opportunity that when we shall come to the end we may enter into rest. Blot out our transgressions, and grant us grace and peace, in the name of Christ our Saviour. Amen.

The Journal of the proceedings of Friday last was read and approved.

Mr. KENNA. Mr. President, in the absence, on account of sickness, of the Senator from Virginia [Mr. DANIEL], it becomes my painful duty to announce to the Senate the death of Hon. John S. Barbour, late a member of this body from that State.

Apparently in the full and healthful possession of every normal faculty, Mr. Barbour was among us on Friday in the active and zealous discharge of public duty. Even beyond the allotted time of threescore years and ten he crossed this threshold on Friday afternoon, seemingly in vigorous health, his last day's labor unconsciously performed. At 10 o'clock in the closing hours of that day he retired to his bedroom the embodiment and type and perfection, as far as human eye could see, of physical manhood. On Saturday morning, at the age of seventy-one years and five months, at the hour of five and a half o'clock, with only a word of admonition to those who affectionately surrounded him at his house in this city, John S. Barbour passed away.

Mr. President, in this second sudden visitation of Providence in the present session of the Senate we recognize a power in whose inscrutable wisdom we were born to live, and in the presence of whose unchallengeable majesty we are born to die. The death of Mr. Barbour is a great grief to his household, a calamity to his friends. It has come as a personal affliction to his late associates in the public service here. His State will exhibit in the bereavement of her people a realization of the full measure of her loss, and his country, by the observances in which the nations, by their accredited representatives, are soon, by your invitation, to take part, will acknowledge her sense and appreciation of this melancholy event.

And yet, Mr. President, speaking for myself and making frank expression of the inspiration of which this solemn occasion possesses me, I have felt, as the associate and neighbor and friend of Mr. Barbour, that memories of his private virtues and public career, elevated and clean and noble as they were, give back, at least in some degree, a compensation from the grave. They soften by the sweet influences which radiate from the consciousness of a life well spent the asperities of grief which nature is prone to indulge on occasions like this. This death is to my mind the gathering of ripened fruit, the garnering of the sheaf in the well rounded fullness of its golden maturity.

John S. Barbour was in all the relations of this world an elevated character and an upright man. His sterling qualities of mind and heart bore practical fruit. His genius for affairs made monuments in the business and public walks of men, as, in a narrower sphere, his humanity made gratitudes which will follow like angels, guarding him to the tomb.

When the Senate, as is its custom, shall have set apart a day to be devoted to the recounting of his manly virtues and the exhibition of the elements of his lofty character, it will be seen of all that his traits were above those of most of his fellow-men; that he was useful and valuable to his country and his countrymen; that he practiced justice and fair dealing; that he was imbued with a love of right; that he gave example worthy of emulation by youth as well as by age, and that he moved and had his being, without ostentation or form, in the reverence and veneration of his God.

Mr. President, I offer the resolutions which I send to the desk.

The VICE-PRESIDENT. The resolutions will be read.

The Chief Clerk read the resolutions, as follows:

*Resolved*, That the announcement of the sudden death of Hon. John S. Barbour is received with profound sorrow by his associates in the Senate.

*Resolved*, That a committee of nine Senators be appointed by the Vice President to take order, with a committee of the House of Representatives, for the funeral of the late Senator Barbour, and as a mark of respect for his memory that his remains be removed from the Capitol to his late residence in Washington, and thence to Poplar Hill, Md., for interment in charge of the Sergeant-at-Arms, and attended by said committee, who shall have power to carry this resolution into effect.

*Resolved*, That the Senate will at 1 o'clock to-day attend in its Chamber the exercises incident to his funeral.

*Resolved*, That the Secretary of the Senate communicate these proceedings to the House of Representatives and invite the House of Representatives to attend the funeral in the Senate Chamber at the hour named.

The resolutions were agreed to unanimously.

The VICE-PRESIDENT. Under the second resolution, as the committee on the part of the Senate to take order with the committee from the House of Representatives to accompany the remains of their late colleague to his final resting place, the Chair appoints the Senator from Virginia [Mr. DANIEL], the Senator from West Virginia [Mr. KENNA], the Senator from Maryland [Mr. GORMAN], the Senator from Mississippi [Mr. WALTHALL], the Senator from Kentucky [Mr. CARLISLE], the Senator from Nevada [Mr. STEWART], the Senator from Michigan [Mr. McMILLAN], the Senator from Illinois [Mr. CULLOM], and the Senator from Minnesota [Mr. WASHBURN].

### RECESS.

Mr. KENNA. Mr. President, I ask the adoption of the resolution which I send to the desk.

The resolution was read, as follows:

*Resolved*, That the Senate do now take a recess until 12:50 o'clock.

The resolution was agreed to; and (at 12 o'clock and 15 minutes p. m.) the Senate took a recess until 12 o'clock and 50 minutes p. m., at which hour it reassembled.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following resolutions:

*Resolved*, That the House of Representatives accept the invitation of the Senate to attend the funeral services of the late Hon. John S. Barbour, a Senator of the United States from the State of Virginia, to be held in the Senate Chamber this day at 1 o'clock p. m.

*Resolved further*, That the Clerk of the House be directed to inform the Senate that the Speaker of the House has appointed the following committee, to act in conjunction with the committee of the Senate, to make necessary arrangements and accompany the remains to the place of burial, viz: Mr. MEREDITH, Mr. HOLMAN, Mr. Wilson of West Virginia, Mr. HENDERSON of North Carolina, Mr. HENPHILL, Mr. MUEHLER, Mr. BLOUNT, Mr. COMPTON, Mr. O'FERRALL, Mr. HARBER, Mr. PAYNE, and Mr. GROOT.

### FUNERAL OF SENATOR BARBOUR.

At five minutes before 1 o'clock the members of the House of Representatives, preceded by the Sergeant-at-Arms and Clerk and headed by the Speaker, entered the Senate Chamber. The Speaker was escorted to a seat at the right of the Vice-President, the Clerk at the Secretary's desk, and the Sergeant-at-Arms on the right of the Vice-President's desk, and the members of the House were escorted to the seats on the floor provided for them.

They were soon followed by the Major-General Commanding the Army, the Commissioners of the District of Columbia, the Chief Justice and associate justices of the Supreme Court of the United States, the members of the Cabinet, and the Diplomatic Corps, who were respectively escorted to the seats assigned them on the floor of the Senate Chamber.

At 1 o'clock and 10 minutes p. m. the casket containing the remains of the deceased Senator was brought into the Senate Chamber, having been preceded by the family and friends of the deceased, and escorted by the Sergeant-at-Arms of the Senate and the committee of arrangements of the two Houses and pallbearers selected from the Capitol police, and followed by acolytes and Rt. Rev. John J. Keane, rector of the Catholic University of America, Rev. C. Gillespie, S. J., Rev. M. C. Dolan, S. J., Rev. A. M. Mandalari, S. J., Rev. James Smith, S. J., Rev. Jacob Walter, Rev. James F. Mackin, Rev. John T. Delaney, Monsignor I. Schroeder and Prof. Joseph Pohle, of the Catholic University, and Rev. Aloysius Brosnan, S. J., master of ceremonies.

The prayers for the burial of the dead, prescribed in the ritual of the Catholic Church, were read by Rev. C. Gillespie, S. J., rector of St. Aloysius Church, first in Latin and then in English, the responses being made by the attending clergymen. After the incensing and blessing of the body, Rt. Rev. JOHN J. KEANE delivered the following sermon:

Judge not before the time, until the Lord come, who both will bring to light the hidden things of darkness, and will make manifest the counsels of the hearts, and then shall every man have his praise from God.—1 Cor. iv. 5.

In the presence of the judgment of God, how must all human judgment bow in adoring silence! It is the lesson which the apostle of the Gentiles thus solemnly impressed on the Corinthians. It is the lesson which in this hour of mourning and of wistful gazing beyond the tomb he lovingly whispers to us. It is the lesson by which he ever shaped his own life. In no spirit of contempt for his fellow-men, but in the profound conviction that man's judgment is of but small account when compared with the judgments of the Almighty, he exclaimed: "To me it is a very small matter how I am judged by you, or by human judgment; neither do I judge my own self. For I am not conscious of any wrong in myself; yet am I not hereby justified; but He that judgeth me is the Lord."

Could those white lips speak to us now, would they not, with the awful eloquence of eternity, repeat the words of the Apostle? "Judge me," he would say, "ye friends and partners and witnesses of my life, judge me, for it is your right; my life was not my own but yours, and you have a right to pass sentence on it. Judge me, all ye whose interests were for so many years intrusted to my keeping; honestly I strove to do my full duty to you, but I own my responsibility and your judgment is welcome. Judgemen! O, my country, to whom the best energies of my life were consecrated; thou knowest that I loved thee devotedly; that I strove to serve thee unselfishly; that beyond all the interests of family or friends or party thy welfare was the chief object of my desires; to thee my life belonged and thou hast a right to judge it. But, O, my country and my friends, highly though I value your judgment, sorely though I would be grieved if ye found me worthy of your disapproval, sweet as will be to me the sentence of your approbation, the hope of which was ever a spur to my endeavors, yet what will all this avail me in the eternity into which I now have entered, unless the judgment of Him who searcheth the reins and the hearts be also a judgment of mercy and approval? O, pray for me, my friends, for the hand of the Lord hath touched me."

"Who hath known the mind of the Lord, or who hath been His counsellor?" Not even the Church of Christ pretends to lift the veil and declare the sentence of the Most High. For every child of God over whom her funeral rites are celebrated she has ever the self-same form of humble and repentant supplication for mercy. Even over those who have been highest in the ranks of her ministry she utters the same cry for mercy, and whatever there is of added liturgy is only addition of supplication because of their weightier responsibility. Knowing full well how truly the apostle says: "If we say that we have no sin we deceive ourselves and the truth is not in us;" in the awful hour of death she discerneth not between layman and cleric, between the poor stray sheep that has got into the fold, as it were, at the last moment, and the faithful one that has stayed in it always; but over them all and in the name of all equally, she cries out to the Eternal Judge: "Have mercy on me, O God, according to Thy great mercy, and according to the multitude of Thy tender mercies blot out my iniquity. For I know my iniquity and my sin is always before me."

She offers up that prayer for mercy not only for them, but in their name. She prays for all men, without limit or exception, with a charity as catholic as her name, as limitless as the charity of Christ. But she can pray in the name only of those who have associated themselves with her, who have become her members

either in accomplished fact or in clearly declared intention and desire. She prays this day not only for Senator Barbour, but in his name, because for years past he had identified his religious life entirely with her. She regards him as having been a catechumen, a candidate for baptism and for full membership in her communion, for such his words and acts plainly declared him to be. And from the earliest days of the Church's history we see with what special tenderness she regarded her catechumens. History has preserved to us the discourse pronounced by the great St. Ambrose over the Emperor Valentinian, who was cut off by an untimely death ere yet he had joined the membership of the Church by receiving baptism.

Grieve not—

Says the saint—

because he died without the sacrament of baptism. Tell me, is there anything on our part but the will, the desire? That grace he desired he asked for; who then will say that having asked he did not receive? Assuredly because he asked the grace he received it. Pour forth then, O Eternal Father—

He continues—

pour forth on this Thy servant the abundance of the mercy and the grace which he so desired. As Thou has crowned Thy unbaptized martyrs with the baptism of their blood, so crown this Thy servant with the baptism of his desire. And ye, O brethren—

He exclaims to the people—

unite your supplications with mine; offer for his soul the holy mysteries; with pious affection let us pray for his repose; by the offering of the heavenly sacraments let us follow his soul with spiritual help. I scatter not flowers on his tomb, but I pour upon his soul the sweet perfume of Christ. With this will I sanctify his remains; through this will I invoke on him all heavenly grace.

In very many words like these, all glowing with faith and charity, all laden with the sweetness of Christian hope, did this great father of the Church utter the feelings of his soul towards his beloved catechumen. And well we know that this was no prompting of human respect, no sacrifice of Christian principle to the dignity of the dead emperor. For it was that same Ambrose who met the Emperor Theodosius at the church door and drove him from the consecrated threshold and from the communion of the faithful, because the blood of the people of Thessalonica was on his hands. No, it was a duty which the great bishop knew that he owed to the catechumen whom death had so suddenly snatched away. And were he here to-day he would speak and act in like manner towards this our friend, who years ago declared his intention of becoming a member of the old Church of Jesus Christ, who, when the duties of public life, which he then thought he had laid aside forever, again seized on him and absorbed him, though he temporarily delayed the final step, never retracted his expressed determination to take it, who all these years has spoken and acted as if he were already in full membership, and who, had time been given him at the last, would assuredly, as his family well knew, have asked for the grace and consolation of her sacred rites.

What Ambrose did fifteen hundred years ago we, his successors in the holy ministry, do to-day. And his eminence Cardinal Gibbons finding it impossible to fulfill this sad duty himself, glad am I that to me should fall the honor of filling his place; for during the eleven years that Richmond was my home and Virginia the field of my episcopal labors I shared in the pride that every Virginian felt at having for the representative of the proud old State in the national Congress so honorable, so high-toned, so spotless a man as John S. Barbour. When, about six years ago, shortly after the untimely death of his saintly and beloved wife, he gave me to understand that soon we would be fellow Catholics, I rejoiced that the luster which his civic virtues reflected on his State and the honor which his public career did to his whole country was likewise to be shared in by the old church of all the ages, the mother of saints and heroes and sturdy upright men and women in every age and clime and condition of human life. Their lives are a testimony to her which she values highly because of its utility to their fellow-men.

In this age of intense activity, when absorption in temporal pursuits so often makes men unmindful of their eternal interests; when the hard-wrought children of men are so prone to think that fidelity to the business of this life renders it impossible to be busy about the life to come; when Caesar's claims are so importunate and so all-pervasive that the representative of the spiritual order is apt to be considered, as her Divine Founder was, an intruder, a usurper, a disturber of the public peace—in such an age that man is a benefactor to his race who by the example of his life gives practical proof that it is possible and easy to be at the same time an energetic business man and yet a man of prayer, to be an active politician and yet a conscientiously religious man, to be a clear-sighted American statesman and yet a firm believer in the old Catholic Church of Jesus Christ.

Soon this Senate Chamber will resound with eloquent tributes to the admirable character and the eminent public services of this good and noble man. Would that the sound of those eulogies might reach so far and sink so deep into the heart of the

nation that all his fellow-citizens might thereby be spurred to emulate his civic virtues. Would that the moral of his life might inspire good men everywhere with a better appreciation of their duty to their country, with a firm resolve that no private considerations should hinder them from taking their full part in safeguarding the public interests, instead of leaving them to the mercy of selfishness and greed. Would that, before this example of clean-handed public service, venality and corruption might cower in shame and disappear from the sanctuary of our country's liberties forever. Would that, at the sight of this union of American statesmanship with Catholic faith, the out-ery of religious animosity, so out of place in this land of civil and religious liberty, might forever be hushed. And, oh, would that, above all, the silent eloquence of this impressive spectacle might indelibly imprint on the mind of our country and on the minds of all her public men that lesson so solemnly taught us by Washington in his Farewell Address, that the absolutely indispensable foundation and props of national prosperity must be morality and religion.

Grant, O Heavenly Father, that such may be the beneficent fruit of the life and the death of this good man. From his example may there go forth an influence to purify and to elevate the life of his people. May his country, which so lovingly honors his memory and so sincerely deplures his loss, reap profit from the practical lesson which his death bequeaths to all her citizens. May his testimony to the faith of our Lord Jesus Christ strengthen that faith in the souls of us all and make it invulnerable against the attacks of unbelief. And as Thy holy Pontiff, St. Ambrose, prayed for the soul of his beloved catechumen, so do we implore thee, O Father of Mercies and God of all consolation, to deal in sweetest mercy and love with the soul of this Thy servant. Eternal rest grant unto him, O Lord, and let perpetual light shine upon him. May he rest in peace. Amen.

The VICE-PRESIDENT. The committee of arrangements will escort the remains of the deceased Senator from the Chamber, and after the guests of the Senate have retired the Senate will accompany the body to the residence of the late Senator Barbour, returning to the Chamber for further duty.

The casket was borne from the Chamber, and the Senate, as a body, the invited guests, and the clergymen attended the remains.

At 2 o'clock and 10 minutes p. m. the Senate returned to its Chamber, and the Vice-President resumed the chair.

Mr. MANDERSON. I move that the Senate do now adjourn. The motion was agreed to; and (at 2 o'clock and 11 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, May 17, 1892, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

MONDAY, May 16, 1892.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Saturday last was read and approved.

### DEFICIENCIES IN APPROPRIATIONS FOR THE DISTRICT OF COLUMBIA.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, transmitting supplemental estimates of deficiencies in appropriations for the District of Columbia submitted by the Commissioners; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

### ENGLISH SCHOONER WANDRIAN.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting a communication from the Secretary of the Navy, with its inclosures, asking for an appropriation to enable that Department to adjust a claim for damages to the English schooner Wandrian, caused by a collision with the United States steamship Monongahela; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

### WHITE EARTH AGENCY, MINNESOTA.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Interior, transmitting a copy of a communication from the Commissioner of Indian Affairs relative to allotments to the Indians of the White Earth Agency, Minnesota; which, with accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

### VESSEL TWO SISTERS.

The SPEAKER also laid before the House a communication from the acting clerk of the Court of Claims, transmitting a copy of the findings of the court in the French spoliation claims arising out of the seizure of the vessel Two Sisters; which, with accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

### DEATH OF HON. JOHN. S. BARBOUR.

The SPEAKER laid before the House the following letter from the Vice-President of the United States:

VICE-PRESIDENT'S CHAMBER,  
Washington, May 11, 1892.

SIR: It is my sad duty to announce the sudden death to-day of Hon. John S. Barbour, late a Senator from the State of Virginia.

The funeral services will be held in the Senate Chamber at 1 o'clock p. m. Monday, May 16, 1892.

On behalf of the Senate, I beg to extend to you and through you to the House of Representatives an invitation to attend these services.

A committee of five Senators will be appointed to act with such committee as is appointed from the House of Representatives to accompany the remains to the place of burial.

I have the honor to be, sir, your obedient servant,

LEVI P. MORTON.

The Hon. CHARLES F. CRISP,  
Speaker of the House of Representatives.

The SPEAKER. The Chair is informed that the resolutions giving the action of the Senate on that subject will come over in a few moments. The gentleman from Indiana [Mr. MARTIN] desires to present a conference report.

### OBE SUTHERLAND.

Mr. MARTIN. Mr. Speaker, I present a conference report on the bill (S. 1379) to provide for a pension for Obe Sutherland, late a teamster in the Quartermaster's Department of the United States Volunteer Army.

The report of the committee of conference was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 1379) to provide for a pension for Obe Sutherland, late a teamster of the Quartermaster's Department of the United States Volunteer Army, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows: In lieu of the amount proposed to be inserted, insert "thirty-five;" and the House agree to the same.

A. N. MARTIN.

H. W. SNOW.

Managers on the part of the House.

G. G. VEST.

GEO. L. SHOUP.

Managers on the part of the Senate.

The SPEAKER. The Clerk will read the statement.

Mr. MARTIN. There is nothing further than the report.

The SPEAKER. The rule requires a statement of the managers on the part of the House to accompany the conference report.

Mr. MARTIN. With the permission of the Chair I will withdraw the conference report.

The SPEAKER. If there be no objection, the gentleman can make an oral statement. The rule requires a statement in writing, explaining the effect of the agreement reached by the committee of conference.

Mr. MARTIN. Mr. Speaker, the bill as it originally passed the Senate was for the allowance of a pension at the rate of \$50 per month. When the bill came to the House, the Committee of the Whole adopted an amendment by which the amount was reduced to \$20. When the bill was returned to the Senate, that body refused to agree to the amendment of the House, and insisted on the rate of \$50 a month. A committee of conference on behalf of the Senate met a like committee on behalf of the House and agreed to the amount of \$35 in place of \$50 as asked by the Senate and \$20 as adopted by the House; and to that, Mr. Speaker, we ask the concurrence of the House.

The report of the committee of conference was agreed to.

On motion of Mr. MARTIN, a motion to reconsider the vote by which the report of the committee of conference was agreed to was laid on the table.

### MILITARY ACADEMY BILL.

Mr. WHEELER of Alabama. Mr. Speaker, I ask to have the report of the committee of conference on the bill (H. R. 4630) making appropriations for the Military Academy printed in the Record, together with the statement.

The SPEAKER. Without desiring to call it up to-day?

Mr. WHEELER of Alabama. Without desiring to call it up to-day.

The SPEAKER. Without objection that order will be made. There was no objection, and it was so ordered.

The report of the committee of conference is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1636) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1892, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 5, 28, 29, 30, 33, 34, and 40.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 31, 35, 36, 39, 41, 42, 43, 44, and 45 and agree to the same.

Amendments numbered 6 and 7: That the House recede from its disagreement to the amendments of the Senate numbered 6 and 7, and agree to the same with an amendment as follows: Strike out the amended paragraph and insert in lieu thereof the following: "For one clerk to the adjutant, \$1,000," and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the same proposed, insert "\$15,120," and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed in the amended paragraph insert "\$1,000," and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$7,500," and the Senate agree to the same.

JOS. WHEELER,  
WALTER C. NEWBERRY,  
J. A. T. HULL,  
*Managers on the part of the House.*  
S. M. CULLOM,  
WM. M. STEWART,  
WILKINSON CALL,  
*Managers on the part of the Senate.*

The statement is as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the bill (H. R. 1636) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1892, submit the following written statement in explanation of the effect of the action agreed upon and recommended by the conference committee, namely:

Amendments numbered 1, 2, 8, 9, 10, 11, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 31, 35, 36, 39, 41, 42, 43, 44, and 45 are simply verbal amendments, or amendments in punctuation.

Amendment numbered 3 appropriates \$1,200 for clerk to the disbursing officer and quartermaster, instead of \$1,500 as proposed by the Senate.

Amendment numbered 4 appropriates \$1,200 for clerk to adjutant in charge of cadet records instead of \$1,500 as proposed by the Senate.

Amendment numbered 5 appropriates \$1,200 for clerk to treasurer instead of \$1,500 as proposed by the Senate.

Amendments numbered 6 and 7: Appropriate \$1,000 for one clerk to the adjutant instead of \$2,400 for a clerk to the adjutant and a clerk to the quartermaster as proposed by the Senate.

Amendment numbered 8: Simply changes a total.

Amendment numbered 12: Simply changes a total.

Amendment numbered 17: Simply changes a total.

Amendment numbered 23: Changes the appropriation for a rifle-carrier gun so as to admit limitation as to the ammunition to be used.

Amendment numbered 25: Is the incorporation of a total.

Amendment numbered 26: Gives the appropriation of an enlisted man employed as waterman from \$150.00 to \$127.75.

Amendment numbered 27: Increases the appropriation for gas, coal, oil, candles, lanterns, torches, chimneys, and wiring for lighting the Academy, chapel, library, cadet barracks, mess-hall, shops, hospital, offices, stables, and riding hall, sidewalks, camps, and wharves from \$1,000 to \$5,000.

Amendment numbered 28: Appropriates \$1,200 for pay of engineer of heating and ventilating apparatus instead of \$1,500 as proposed by the Senate.

Amendments numbered 29 and 30: Appropriates \$3,000 for pay of five firemen instead of \$2,600 for pay of six firemen as proposed by the Senate.

Amendment numbered 31: Limits the period for which a landscape gardener may be employed.

Amendment numbered 32: Changes a total to \$15,120 instead of \$16,020 as proposed by the Senate.

Amendments numbered 33 and 34: Appropriate \$800 for pay of superintendent of gas works instead of \$1,500 as proposed by the Senate.

Amendment numbered 36: Strikes out an appropriation of \$900 for additions and improvements to organ in cadet chapel.

Amendment numbered 37: Appropriates \$1,000 for broken stone and gravel for roads instead of \$2,000 as proposed by the Senate.

Amendment numbered 38: Appropriates \$250 for maintaining and improving the grounds of the post cemetery instead of \$500 as proposed by the Senate.

Amendment numbered 39: Strikes out the words "upon approval of this act."

Amendment numbered 40: Strikes out an appropriation of \$760 proposed by the Senate for renewing woodwork in bathrooms.

Amendment numbered 41: Strikes out an appropriation of \$1,200 for enlarging ceilings in cadet rooms.

Amendment numbered 42: Strikes out an appropriation of \$9,540 for electrical plant for lighting cadet barracks.

Amendment numbered 43: Appropriates \$18,250 for enlarging and replacing gas plant, and for placing a two-light pendant with slide light in each cadet room.

Amendment numbered 44: Strikes out an appropriation of \$2,000 for asphalt road and walk in front of and around new gymnasium.

Amendment numbered 45: Appropriates \$1,000 for equipment of new gymnasium instead of \$2,475 as proposed in the original bill.

The principal increase in the bill by the Senate is the sum of \$18,250 for enlarging and replacing the gas plant. The conferees have given this matter careful consideration and find that this appropriation is absolutely essential to the welfare of the academy.

The following is from the last report of Col. J. M. Wilson, of the Corps of Engineers, the present superintendent of the Military Academy:

"EXTENSION OF GAS PLANT AND METHOD OF LIGHTING CADET BARRACKS."

"During past years great complaint has been made of the character of light furnished cadets for studying at night, and in my last annual report I submitted a plan and estimate for a complete electric light and power plant for this post."

"This plan did not meet with favorable consideration and no action was taken upon my recommendation."

"During the past year the post surgeon has recommended the use of gas for studying in a number of cases of cadets, and at the medical examination of the graduating class in June the surgeons informed me that the eyes of nearly every graduate were more or less congested, inflamed, and the young gentlemen failed to come up to the requirements of the War Department as to vision, and six failed to read the test type at three-fourths of the required distance. In every instance the young gentlemen claimed that the difficulty had commenced since they entered the Military Academy."

"The gas furnished for the use of the post is reported by the professor of chemistry, who tests it frequently, as of excellent quality. Owing to some bad coal furnished by the contractor it contained more or less sulphur on two or three occasions during the year."

"The gas jet used in barracks is what is known as the hot wing burner, placed upon an iron 10 inches long projecting directly from the side wall of the room and over the table. Two cadets are seated on either side of the table, study by this light, which not only is of insufficient power, but gives out so much heat near the head of the student as to be extremely uncomfortable."

"In order to furnish a better light I propose to increase the gas plant sufficiently to furnish a full supply for all buildings on the post, and to place in every room in barracks a plan in iron chandelier with two arms and a slide drop light. This chandelier will be in the center of the ceiling immediately over the table, so that the cadets can study without difficulty."

"An estimate of \$18,000 is submitted for the purpose of carrying out this plan, and I earnestly urge that an appropriation be made for this very important and I may say, almost absolutely necessary improvement."

"An officer of the medical department made an inspection of the gas works at West Point. An extract from his report, now on file in the War Department, says:

"The light now in general use in the cadet barracks is the gas flame or jet supplied by what is known as the 'hot wing light' or 'hot wing burner.' This burner consists essentially in a short horizontal tube terminating at each end in a small vertical tube from which the gas is led. Attached to the center of the horizontal piece is a longer vertical tube which seems to have been designed to act in some way as a pressure regulator. A short nipple beneath the horizontal piece appearing as a prolongation downward of the vertical tube is screwed for attachment to the gas pipe, the whole arrangement having the appearance of an inverted cross, with the extremities of the horizontal arm bent up, and provided with the narrow openings or slits for the exit of the gas. It is seen, therefore, that it is a double jet. This constitutes the entire illumination for each room. There is no special feature about this burner except the central vertical pipe which, as above stated, I probably intended to regulate the pressure of the gas as it is supplied to the burners."

"There is no arrangement for regulating the flow of gas except the key on the common supply pipe, by which the flame may be turned down or out. This double burner is provided with a white glass shade, having the shape of a truncated cone, the diameters of top and bottom being 5 inches and 10 inches. The shade is suspended over the two flames by means of a wire frame, into which the upper or small rim of the shade is fastened. The frame is attached to the top of the vertical pipe or stem already described as the special feature of the burner."

"The general character and defects of the light produced by this burner may be briefly stated as follows: (1) Good illuminating power; the light is indeed, unless suitably modified by distance and proper shading, much too bright for the eyes; (2) unsteadiness of lighting; (3) variability of intensity; (4) high degree of heat; and (5), as a necessary result of the combustion of the gas, a large and rapid production of carbonic acid in the apartment."

"This matter of the increase there of eye diseases has been one that has challenged the attention of every Board of Visitors for many years. The Board of Visitors in the year 1880 called attention to the matter, and I say in their report:

"The eyes of whole generations of officers of the Army are concerned in this vital issue. A student's eyes are not replaceable like his boots, or interchangeable like another's weapons. The long periods of darkness in winter months include prolonged study, and the priceless sight, which is tested so carefully when the cadet enters the Academy, is apt to be injured through want of better illumination purchasable by a few dollars from the Government, which so recently ordered the ophthalmic tests."

"The Board also says:

"Complaints of soreness of eyes are made by about a dozen cadets every three months. Out of an average of 285 cadets 28 with eye affections consulted the post surgeon with regard to them during the three months ending January 31, 1887."

"Since the bill was before the House the conferees have made a careful investigation and find that while electric lights are excellent for illumination, their adaptability for close study by students is seriously questioned, and this is more particularly the case when the students are young boys who have not reached maturity, and particularly is this the case in small plants, such as was proposed by the House for lighting the cadet barracks."

"The conferees find that the Senate has inquired into this matter."

"A letter addressed to the chairman of the Committee on Appropriations of the Senate by the secretary of War is as follows:

"WAR DEPARTMENT, Washington, March 9, 1892."

"SIR, In response to your telegram of the 5th instant, requesting to be informed whether it is desirable to enlarge the gas plant or establish an electric light plant for lighting the Military Academy buildings at West Point, N. Y., I have the honor to invite your attention to the inclosed copy of a telegram dated the 8th instant from the superintendent of the Military Academy on the subject."

"Very respectfully,

"S. B. ELKINS, S. of the War."

"THE CHAIRMAN OF THE COMMITTEE ON APPROPRIATIONS."

"The telegram from Col. Wilson referred to in the secretary's letter is as follows:

"[Telegram.]

"HEADQUARTERS UNITED STATES MILITARY ACADEMY

"West Point, N. Y., March 8, 1892."

"ADJUTANT-GENERAL UNITED STATES ARMY."

"Washington, D. C."

"I have made a report for 1891. I recommended an electric light and power plant at first cost of about \$99,000, a plant and cost of \$11,000 for operating. As this did not meet with approval of War Department, I submitted in 1891 an estimate of \$4,700 for a small gas plant and planing cheap chandeliers in cadet barracks."

"The item of \$4,400 in Military Academy bill for electric light, based upon Lieut. Anderson's plan, submitted before I came here, is entirely too small; the plant recommended by him would cost about \$13,000, and the annual cost of running it would be \$2,400."

"Further study of the subject leads me to prefer gas to electric light for study, except where the plant is immense and the power controlled from a large central station, as in large cities, and I therefore recommended that the gas plant be enlarged and cheap chandeliers introduced into barracks at cost of \$18,250."

Mr. HALE presented a petition of the First Congregational Church of Calais, Me., and a petition of the Congregational Church of Andover, Me., praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. TELLER presented a petition of the United Presbyterian Church of Greeley, Colo., praying for the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. MORGAN. I present the petition of A. E. Redstone and a number of other gentlemen, of the District of Columbia, praying Congress to pass Senate bill 1204, to provide the Government with means sufficient to supply the national want of a sound circulating medium, introduced by the honorable Senator from California [Mr. STANFORD]. I move that the petition be referred to the Committee on Finance.

The motion was agreed to.

Mr. VILAS presented a memorial of Knapp, Stout & Co. and other business men of Menomonee, Wis., remonstrating against the passage of the bill (H. R. 4843) to limit the sale of oleomargarine between the several States; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Wisconsin State Medical Society, praying for the passage of the Sherman bill to provide for the appointment of a public health officer to be a member of the Cabinet; which was referred to the Committee on Epidemic Diseases.

He also presented memorials of the Seventh-Day Adventist churches of Prescott, Maiden Rock, and Antigo, all in the State of Wisconsin, remonstrating against the passage of legislation by Congress closing the World's Columbian Exposition on Sunday, and committing the Government to a course of religious legislation; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. TURPIE presented a memorial of the Seventh-Day Adventists Church, of Eagleton, Ind., remonstrating against the passage of any legislation by Congress closing the World's Columbian Exposition on Sunday, and committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented petitions of the Methodist Episcopal Churches of Remington, Madison, Rensselaer, and Logansport; of the Baptist Church of Mishawaka; and of the Augusta Church of Augusta, all in the State of Indiana, praying for the closing of the World's Columbian Exposition on Sunday and the prohibition of the sale of intoxicating liquors thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. HISCOCK presented a petition of the Presbyterian Church of Barre Center, N. Y., praying that the World's Columbian Exposition be closed on Sunday and that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. MANDERSON presented the memorial of A. Williams and 20 other citizens of Mira Creek, Nebr.; the memorial of Hosea L. Cox and 7 other citizens of Hitchcock, Nebr.; the memorial of J. P. Lawrence and 21 other citizens of Riverdale, Nebr.; and the memorial of H. A. Lohman and other citizens of Hamilton County, Nebr., remonstrating against the commitment of the Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented petitions of the Methodist Episcopal Church of Holdrege; the Methodist Episcopal Church of Cedar Rapids; the Methodist Episcopal Church of Oakdale; the Methodist Episcopal Church of Scotia; the Presbyterian Church of Willowdale; the Presbyterian Church of Millerboro; the Presbyterian Church of Central City; the Methodist Episcopal Church of Kennard; the Parks United Presbyterian Church of Parks, and the Emmanuel Methodist Episcopal Church of Lincoln, all in the State of Nebraska, praying for the closing of the World's Columbian Exposition on Sunday, and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. PERKINS presented petitions of the Presbyterian churches of Waverly, Conway Springs, Protone, Clinton, Lawrence, Topeka, Eldorado, Axtell, Chetopa, and Wichita; of the Methodist Episcopal churches of Waverly, Udall, Chetopa, Ashland, Ottawa, and Richland, all in the State of Kansas, praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of Federation of Labor Unions of

Washington, D. C.; a petition of the Central Trades and Labor Union of Wyandotte County and Kansas City, Kans.; a petition of the Leavenworth Typographical Union No. 45, of Leavenworth, Kans.; and a petition of the Sunflower Typographical Union No. 157, of Kansas City, Kans., praying for the passage of House bill 257, constituting eight hours a day's work; which were referred to the Committee on Education and Labor.

Mr. WOLCOTT presented the memorial of E. C. Castle and other citizens of Delta, Colo., remonstrating against Congress committing the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. ALLEN presented a petition of citizens of Lincoln County, Wash., praying for the passage of the Washburn-Hatch anti-opium bill; which was referred to the Committee on the Judiciary.

He also presented a petition of the First Presbyterian Church of Fairhaven, Wash., praying for the closing of the World's Columbian Exposition on Sunday, and that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the memorial of Mrs. Fannie Winter and other members of the Seventh-Day Adventist Church of Orting, Wash., and the memorial of L. M. Love and sundry other citizens of Washington, remonstrating against Congress committing the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. ALDRICH presented a petition of citizens of East Providence, R. I., praying for the passage of Senate bill 251, for the free delivery of rural mails; which was referred to the Committee on Post-Offices and Post-Roads.

#### REPORTS OF COMMITTEES.

Mr. BERRY, from the Committee on Public Lands, to whom was referred the bill (H. R. 7688) to grant lot No. 1 in block No. 72, of the Hot Springs Reservation to the school district of the city of Hot Springs for school purposes, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 2801) to grant lot No. 1 in block No. 72 of the Hot Springs Reservation to school district of the city of Hot Springs for school purposes, reported adversely thereon; and the bill was postponed indefinitely.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 2118) restoring the name of Ellen De Witt Hatch to the pension rolls of the United States, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 290) granting an increase of pension to John S. Hall, reported it with an amendment, and submitted a report thereon.

Mr. DOLPH, from the Committee on Public Lands, to whom was referred the bill (S. 2949) granting the use of certain lands in the Hot Springs reservation, in the State of Arkansas, to the Barry Hospital, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 2998) for the relief of settlers upon certain lands in the States of North Dakota and South Dakota, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom the subject was referred, submitted a report, accompanied by a bill (S. 3131) for the relief of settlers upon certain lands in the States of North Dakota and South Dakota; which was read twice by its title.

Mr. SANDERS, from the Committee on Public Lands, to whom was referred the bill (S. 3071) reserving easements for common highways in the arid States and Territories; reported it with amendments.

Mr. ALLEN, from the Committee on Public Lands, to whom was referred the bill (S. 2417) relating to lands in Colorado lately occupied by the Uncompahgre and White River Indians, reported it with amendments.

Mr. ALLEN. I am also instructed by the Committee on Public Lands to report a proposed amendment to the bill (H. R. 7520) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes, seeking an increase in the appropriation for the survey of public lands of \$600,000. I move the reference of the proposed amendment to the Committee on Appropriations.

The motion was agreed to.

Mr. WILSON. By direction of the Committee on the Judiciary I report back adversely the bill (H. R. 7529) to a committee



appointment of clerks of the United States circuit and district courts of Mississippi City, in the State of Mississippi. I wish to state in connection with this report that the Senator from Mississippi [Mr. GEORGE] does not concur in the report but has requested me to have the bill placed upon the Calendar. Therefore I report it adversely, and ask that it be placed on the Calendar.

The VICE-PRESIDENT. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. WILSON, from the Committee on the Judiciary, to whom was referred the bill (S. 3011) to amend "An act to define the jurisdiction of the police court of the District of Columbia," approved March 3, 1891, reported it with amendments.

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 1738) to pension Mrs. Adelia S. Ferris;

A bill (S. 3060) granting a pension to Isabella W. Newkirk;

A bill (S. 3061) to pension Edith S. Read; and

A bill (H. R. 3587) for the relief of Jonathan Ramey, Mexican war veteran.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (S. 1786) granting a pension to Mrs. Jennie Gray, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

A bill (S. 1748) granting a pension to Mrs. Janet L. P. Taylor;

A bill (S. 2233) granting an increase of pension to James Dredge; and

A bill (S. 2178) granting an increase of pension to Warren Hall.

Mr. STANFORD, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 3068) to increase the appropriation for the public building at Lansing, Mich.; and

A bill (S. 1563) providing for the erection of a public building at the city of Battle Creek, Mich.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 215) to provide for the construction of a wagon road through the military reservation of Fort Canby, in the State of Washington, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the bill (S. 2238) to provide an all-night street-car service for the District of Columbia, reported it with amendments.

He also, from the Committee on Public Lands, to whom were referred the following bills, reported adversely thereon; and they were postponed indefinitely:

A bill (S. 2180) declaring the construction of an act entitled "An act to repeal timber-culture laws, and for other purposes," approved March 3, 1891; and

A bill (S. 1478) to restore to market public lands in the State of Michigan, Wisconsin, and Minnesota, and to provide for the disposition of land hereafter surveyed in said States.

He also, from the Committee on Public Lands, to whom was referred the bill (S. 2228) to declare lands containing phosphate deposits to be mineral lands and subject to disposal under the mining laws of the United States, reported it with an amendment.

Mr. PALMER, from the Committee on Pensions, to whom was referred the bill (S. 1040) granting an increase of pension to Andrew Franklin, alias Andrew McKee, reported it without amendment, and submitted a report thereon.

Mr. McPHERSON, from the Committee on Naval Affairs, submitted a report to accompany the bill (S. 2266) for the relief of Louis A. Yorke, heretofore reported by him.

Mr. PADDOCK, from the Committee on Pensions, to whom was referred the bill (S. 2846) granting a pension to Granville R. Turner, reported it without amendment, and submitted a report thereon.

#### BETSEY WORTHINGTON.

Mr. SAWYER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 5290) for the relief of Betsey Worthington, to report it back favorably without amendment, and to submit a report. I ask unanimous consent that the bill may be considered now. It proposes to increase the pension of the widow of a soldier of the war of 1812. She is 95 years old, very poor, and her health is such that she has to be nursed night and day.

The VICE-PRESIDENT. The bill will be read for information.

The Chief Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of \$30 per month, the name of Betsey Worthington, widow of Ransford Worthington, who was a member of the Massachusetts Militia and served in the war of 1812, said pension to be in lieu of the amount now drawn by her.

Mr. COCKRELL. Let the report be read.

The VICE-PRESIDENT. The report will be read.

The Secretary read the report, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 5290) for the relief of Betsey Worthington, have examined the same, and report:

The report on which this bill was passed by the House of Representatives is concurred in, and is as follows:

"The Committee on Pensions, to whom was referred the bill (H. R. 5290) for the relief of Betsey Worthington, have considered the same, and report:

"The claimant is the widow of Ransford Worthington, who was a private of Capt. Day's company of Massachusetts Militia in the war of 1812. He was a pensioner on account of said service until his death, which occurred October 16, 1878, and his widow (this claimant) was then placed on the pension roll. She receives \$12 per month.

"The testimony of Dr. Judson W. Hastings, of Agawam, Mass., shows that the claimant is 95 years old, and without any means of support except her pension; also, that on November 13, 1891, she suffered a fracture of left thigh and has since required the constant services of nurses day and night, being unable to move herself in bed without help.

"The doctor also testifies that the claimant has other physical troubles due to weakness and old age which add to the difficulty of caring for her, and that she is a worthy woman who gave two sons to the Union Army.

"The above testimony is fully corroborated under oath by Charles W. Hastings, postmaster of Agawam, Mass.

"The passage of the bill is recommended with an amendment fixing the rate of pension at \$25 per month, and showing that the same is to be allowed in lieu of the amount now drawn by her."

The bill is reported favorably with a recommendation that it do pass.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in the Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### REPORT OF COMMISSIONER OF LABOR.

Mr. MANDERSON. I am directed by the Committee on Printing to report back favorably, with an amendment in the nature of a substitute, the concurrent resolution for printing additional copies of the Seventh Annual Report of the Commissioner of Labor, I call the attention of the Senator from Missouri [Mr. COCKRELL] to this matter. I ask for the present consideration of the resolution.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution.

Mr. MANDERSON. I ask that the substitute may be read.

The CHIEF CLERK. As proposed to be amended:

*Resolved by the Senate (the House of Representatives concurring).* That there be printed 35,000 additional copies, in cloth binding, of the Seventh Annual Report of the Commissioner of Labor relating to the cost of producing textiles and glass in the United States and Europe, and the wages and cost of living of the persons employed in the textile and glass industries; 16,000 copies for the use of members of the House of Representatives, 8,000 copies for the use of members of the Senate, and 11,000 copies for the use of the Department of Labor.

The VICE-PRESIDENT. The question is on agreeing to the amendment as read.

The amendment was agreed to; and the resolution as amended was agreed to.

#### ORDNANCE AND FORTIFICATIONS REPORT.

Mr. MANDERSON, from the Committee on Printing, to whom was referred the following House concurrent resolution, reported it without amendment, and it was considered by unanimous consent, and agreed to:

*Resolved by the House of Representatives (the Senate concurring).* That there be printed 500 additional copies of the report of the Board of Ordnance and Fortifications for the use of the War Department.

#### OBE SUTHERLAND.

Mr. VEST submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 1379) to provide for a pension for Obe Sutherland, late a teamster of the Quartermaster's Department of the United States Volunteer Army, having in that matter and free conference have agreed to recommend and do recommend to their respective House as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows: In lieu of the amount proposed to be inserted, insert "thirty-five;" and the House agree to the same.

G. G. VEST,

GEO. L. SHOUP,

*Conferees on the part of the Senate.*

A. S. MARTIN,

H. W. SNOW,

*Conferees on the part of the House.*

The report was concurred in.

#### BILLS INTRODUCED.

Mr. PALMER introduced a bill (S. 2135) granting a pension to Mrs. Elizabeth Crowley; which was read twice by its title, and referred to the Committee on Pensions.



He also presented a petition of Council No. 62 of the American Defense Association, of Connecticut, praying for the passage of the bill to amend the naturalization laws; which was ordered to lie on the table.

He also presented the following petitions of Rocky Hill Grange, Patrons of Husbandry, of Connecticut:

Petition praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petition praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petition praying for the passage of House bill 325, defining lard and imposing a tax thereon—ordered to lie on the table.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads. Mr. MANDERSON presented a memorial of citizens of Hall County, Neb., remonstrating against the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

#### REPORT ON MENHADEN AND MACKEREL.

Mr. STOCKBRIDGE presented a letter from Marshall McDonald, United States Fish Commissioner, transmitting a report upon the natural history of the menhaden and mackerel, together with notes upon the fisheries; which was ordered to be printed for the use of the Senate.

#### REPORTS OF COMMITTEES.

Mr. VILAS, from the Committee on Claims, to whom was referred the bill (S. 1161) for the relief of Catherine Metz, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1148) for the relief of drafted men in Pendleton County, Ky., asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

He also, from the Committee on Indian Affairs, to whom was referred the bill (S. 702) for the relief of the Mo-kaw-ho-ko Band of Sae and Fox Indians of the Mississippi, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. HISCOCK, from the Committee on Foreign Relations, to whom was referred the bill (S. 2454) for the application of the accretions of the Caracas awards of 1868 to the new awards made in 1889 and 1890, reported it with amendments, and submitted a report thereon.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 804) to incorporate the Washington and Great Falls Electric Railway Company, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2904) to prevent the sale or delivery of ice within the District of Columbia on the Sabbath day, commonly known as Sunday, reported it with amendments, and submitted a report thereon.

Mr. SANDERS, from the Committee on Claims, to whom was referred the bill (S. 2527) to pay John Pope Hodnett for services rendered as counsel to the Government in the investigation into affairs of the District of Columbia, acting as such counsel by order of a resolution of the House of Representatives; also for acting as counsel for the workmen of the District of Columbia for fifteen years last past, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the Committee on Public Lands, reported an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. ALLEN, from the Committee on Claims, to whom was referred the bill (S. 1970) for the relief of Daniel C. Rodman and others, sureties on the bond of Ozius Morgan, reported it without amendment, and submitted a report thereon.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 1613) for the relief of Charles A. de Arnaud, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

Mr. SQUIRE, from the Committee on Coast Defenses, reported an amendment intended to be proposed by him to the fortification appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### BILLS INTRODUCED.

Mr. SANDERS introduced a bill (S. 3155) granting an honorable discharge to certain officers; which was read twice by its

title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. SHERMAN introduced a bill (S. 3156) to remove the charge of desertion from the military record of Thompson Hicks, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. WOLCOTT introduced a bill (S. 3157) to reimburse the State of Colorado for expenses incurred by said State in repelling a threatened invasion and raid by the Utes in 1888; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PALMER introduced a bill (S. 3158) to perfect the military record of Warren Alonzo Alden; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3159) for the relief of Nicholas G. Chesbrough; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McMILLAN introduced a bill (S. 3160) providing a pension for Mrs. Julia C. Sharpe; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PETTIGREW introduced a bill (S. 3161) granting a pension to Anna M. Craig; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 3162) granting a pension to Rev. J. M. Madding; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HISCOCK (by request) introduced a bill (S. 3163) for the relief of Caleb R. Turner; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 3164) granting a pension to Mary McCarthy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MANDERSON introduced a bill (S. 3165) to incorporate the Holstein-Friesian Cattle Association of America; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Agriculture and Forestry.

Mr. GALLINGER introduced a bill (S. 3166) for the relief of Betsy McGeorge; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 3167) for the relief of William L. Winans; which was read twice by its title, and referred to the Committee on Patents.

Mr. VILAS introduced a bill (S. 3168) for the relief of the legal representatives of William I. L. Nicodemus; which was read twice by its title, and referred to the Committee on Military Affairs.

#### AMENDMENTS TO BILLS.

Mr. CASEY submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. PLATT submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

#### PERSONAL EXPLANATION.

The PRESIDENT *pro tempore*. Is there further morning business?

Mr. HALE. If there is no further morning business I ask that the naval appropriation bill be laid before the Senate.

Mr. PETTIGREW. Mr. President—

The PRESIDENT *pro tempore*. Does the Senator from South Dakota rise to morning business?

Mr. PETTIGREW. I rise for the purpose of making a personal explanation in regard to a matter. It will take but a moment.

The PRESIDENT *pro tempore*. Does the Senator from Maine yield to the Senator from South Dakota?

Mr. HALE. Certainly.

Mr. PETTIGREW. I send to the desk and ask to have read a clipping from the Chicago Times of April 29.

The PRESIDENT *pro tempore*. The article referred to will be read by the Secretary.

The Chief Clerk read as follows:

A dispatch from Washington, published in the Chicago Times of April 29, 1892, contains the following:

"Mr. PETTIGREW went on a \$200,000 public bill and at Deadwood, S. D., in part of his method to obtain it he went to Gen. NEWBURY, of Chicago, who, on the Public Building Committee, and intimated that he would report the World's Fair bill favorably in the Senate if Mr. NEWBURY would not get the \$200,000 for the public building at Deadwood. Gen. NEWBURY examined the latest census reports and they showed that Deadwood was decreasing in population, consequently the Federal Government was not to make any such large disbursement. He would have no bill there, and at all and any condition."

It is reported that Mr. PETTIGREW will report the World's Fair bill to the Senate when it is ready if Gen. NEWBURY does not get the \$200,000 at Deadwood. If this should appear in the Chicago Times, it will rise in his place, recite the story as reported, and then declare the bill be reported by the person next to the chairman. This is all probably not

be pleasant for Mr. PETTIGREW, but it would give him a lesson that would need no repetition during the rest of his natural existence.

Mr. PETTIGREW. Mr. President, the article is untrue in every particular. If it did not reflect upon me as a representative and had only a personal bearing I should take no notice of it whatever, but as I am chairman of the Select Committee on the Quadro-Centennial I can not allow it to go unnoticed. I therefore addressed a letter to Representative NEWBERRY, calling his attention to the article, and I send his reply to the desk and ask that it be read.

The PRESIDENT *pro tempore*. The letter will be read.

The Chief Clerk read as follows:

HOUSE OF REPRESENTATIVES OF THE UNITED STATES  
Washington, D. C. May 13, 1892.

DEAR SENATOR: Your letter of May, quoting a dispatch from a Chicago paper of April 20, 1892, is before me, and had been noticed by me in the public prints. I am very glad indeed to say there is no foundation for the statement in fact or by inference. In your conversations with me regarding the Deadwood public building you have at no time made any improper efforts to obtain favorable action, neither did you at any time refer to the fact that you were chairman of the Quadro-Centennial Committee of the Senate.

Very respectfully,

WALTER C. NEWBERRY

Hon. R. F. PETTIGREW,

United States Senator.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 96) to authorize the loan of certain ensigns, flags, and signal numbers for the purpose of decorating the streets and buildings of Washington on the occasion of the Grand Army encampment in September, 1892.

#### NAVAL APPROPRIATION BILL.

Mr. HALE. I ask that the naval appropriation bill be proceeded with.

By unanimous consent, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7093) making appropriations for the naval service for the fiscal year ending June 30, 1893, and for other purposes, the pending question being on the amendment reported by the Committee on Appropriations to insert on page 41 as amended.

Mr. HALE. I think the Senator from Missouri [Mr. COCKRELL] has the floor.

The PRESIDENT *pro tempore*. The Senator from Missouri is entitled to the floor.

Mr. COCKRELL. Mr. President, in continuation of what I said yesterday evening, I desire to say now that on every occasion when a Democrat refers to the difficulties thrown in the way of the present Democratic House of Representatives in reducing the appropriations below the amount shown by the records of the billion-dollar Congress, the Fifty-first, immediately Republican Senators and the Republican press herald it to the world as a justification, extenuation, and mitigation of the action of the Fifty-first Congress.

In 1891, after the Fifty-first Congress had expired, I noticed there was quite a number of leading Democrats and leading newspapers showing great interest in the question of appropriations and predicting long in advance the amount the Democratic House would reduce the appropriations made by the Fifty-first Congress, and it was given out by these prophets that the Democratic House when it assembled would reduce the appropriations \$100,000,000. I am not certain that leaders who always predict to the enemy publicly in advance six months or a year what they intend to do are the wisest and safest leaders when the conflict comes. In these predictions they seem to have utterly ignored the laws enacted by the Fifty-first Congress, which laws the present Democratic House has no power to amend, repeal, or modify.

In this connection I desire to say further that the Democratic party has not controlled the administration of the General Government since the 4th of March, 1861, and cannot be legitimately held responsible for any legislation enacted in that time which it did not upon the record sanction and approve. The Republican party had absolute control of every branch of the Government until the 4th day of March, 1875, the beginning of the Forty-fourth Congress, and in that Congress the House of Representatives only was Democratic, the Senate and the President being Republican. In the Forty-fifth Congress, from March, 1877, to March, 1879, the House was still Democratic, but the President and the Senate were Republican. In the Forty-sixth Congress, from March 4, 1879, to March 4, 1881, the Senate and House, the Congress, were Democratic, and the President Republican. In the Forty-seventh Congress, from March 4, 1881, to March 4, 1883, the House and Senate and the President were all Republican again. In the Forty-eighth Congress, from 1883 to 1885, the House only was Democratic, the Senate and the President being Republican. In the Forty-ninth and Fiftieth Congresses,

from March 4, 1885, to March 4, 1889, the Executive and the House were Democratic, and the Senate was Republican; and in the Fifty-first Congress the Senate and the House and the President were all Republican. In the Fifty-second Congress we have a Democratic House, a Republican Senate, and a Republican Executive. So there rests upon the Democratic party no responsibility for the legislation enacted save only to the extent that the majority of the members of that party have voted for and sanctioned that legislation.

But a word in regard to the appropriations of the Fifty-first Congress. The appropriations are not always a test of expenditures. By an examination of the receipts and expenditures of the Government for a long series of years, it will be observed that the expenditures never come up to the amount of the appropriations. I want to call attention to this point, because I see how our very discernible and able Republican friends intend to shirk out of the responsibility of the billion-dollar appropriations of the last Congress in their statement of receipts and expenditures; and in connection with this I desire to call attention to the statement of the distinguished Senator from Iowa [Mr. ALLISON], that we are going to have a twenty-five-million-dollar surplus on the 30th day of June, 1892. We can have that, there is no doubt about it, if the executive department determines to have it. Now, I want to explain this.

In the receipts and expenditures of the Government which I hold in my hand, from 1856 to 1891, inclusive, I find that the expenditures for the fiscal year 1891 were only \$365,773,965.35, while the appropriations for that year were \$463,398,510.79. What is the difference between the appropriations as specified in the appropriation acts and the books and records of the Treasury Department showing the actual expenditures? I will explain it. In the expenditures of the Treasury Department no account is taken of all the postal revenues received by the Post-Office Department and expended by it without ever having been covered into the Treasury. That amount is at various times \$30,000,000 or \$60,000,000 per year. Another item that is not included in these expenditures here is the sinking fund. The expenditures of the millions for the sinking fund are not counted in these expenditures.

Another item that is not counted in these expenditures is the national-bank-note redemption fund. The Senate will recollect that some time ago we had in the Treasury Department \$54,000,000 as a national-bank-note redemption fund, but by the silver-billion-certificate law of July 11, 1890, this vast sum was covered into the Treasury as a surplus and thereafter counted as a surplus. The national-bank notes are now redeemed out of the surplus in the Treasury under a permanent annual appropriation, and what ever amount is paid in their redemption is not contained in these estimates of expenditures by fiscal years.

These expenditures have no reference whatever to appropriations, none at all. They are the actual amounts paid out by the Treasury Department during the period from the first day of July of one year to the 30th day of June of the next year, both inclusive. How can the present Treasury have its \$25,000,000 surplus on the 30th day of June next? It is a very easy matter, out of such appropriations as were made for the present fiscal year, 1892, of \$525,000,000, to delay, to postpone the completion of work ordered, the payment of sums appropriated, the expenditure of the money contemplated. It is a very easy matter in the Department to have a suspension of the consideration of items which, if adjusted, would take money out of the Treasury and have that labor expended on items which will not take it out. It is a very easy matter, with \$50,000 pension claims pending in the Pension Office to-day to be disposed of, that the clerks shall give precedence and preference to those under the law of June 27, 1890, none of which take any arrears.

It is very easy for these matters to be delayed and postponed, and if the Treasury Department and the executive officials wish for any reason to show a surplus in the Treasury of \$25,000,000 on the 30th of June they can so manipulate as to do it. They can not do it, however, if they pay out the \$25,000,000 for the 2 per cent bonds, the old 4 per cent bonds, which have been continued at 2 per cent, because that would exhaust the Treasury. This is the only way that a surplus can be shown in the Treasury at the close of the present fiscal year.

As to the appropriations of the Fifty-first Congress, I have never directly or indirectly apologized for or extenuated them. I have always said, and say now, that they were appalling to the country, that they were in excess of anything that had been appropriated in the whole history of the country. For example, the total appropriations of the Forty-third Congress were \$653,794,991.21; of the Forty-fourth Congress, \$595,597,832.28; of the Forty-fifth Congress, \$704,527,465.98; of the Forty-sixth Congress, \$727,537,614.22; of the Forty-seventh Congress, \$777,435,948.54; of the Forty-eighth Congress, \$655,269,402.33; of the Forty-ninth Congress, \$746,342,495.01; of the Fiftieth Congress, \$817,963,859.80; of the Fifty-first Congress, \$988,417,183.34, about one hun-

I was in Florida last Christmas, upon the coast, at Mosquito Inlet, where there have been a good many maritime disasters. I happened to have in my fishing boat with me a young fisherman, born and raised there, in the prime of life, who knew nothing except about that inlet and that coast. He knew every foot of it, and was as familiar with it as I am with the CONGRESSIONAL RECORD that is printed here from day to day, and more so. I asked him if he was a pilot. "Well, yes," he said; "I think I know every inch of this coast, and I could bring any vessel in here anywhere the darkest night that was ever known; but I can not get into the pilots' association." Said I, "It may be there is no vacancy." "Yes; there have been two up here at Jacksonville for two years, but I can not get in; I do not belong to the family; I am excluded." That thing is going on all over the country. I was last week down at the light-house 7 miles above Virginia Beach, talking with a signal officer, for we have a signal station there. Two of these pilot boats were in the offing. Twenty-six of them belong to Virginia, I believe, or twenty-six to Maryland and some to Virginia.

Mr. FRYE. There are twenty-six in Virginia.

Mr. VEST. There are twenty-six in Virginia. I asked the signal officer in regard to the regulations that govern them, and he said, "When a vessel is sighted and signaled by one of these boats from a port in one of the States then the fees go to that State organization; that when sighted by a pilot who belongs to another State and signaled, then the fees go to that association; but no matter whether the service is performed or not the money must be paid; and when the man protests he is told the State of Virginia, or North Carolina, or Maryland is a better judge of how to take care of your property than you are yourself."

Mr. President, this is the whole statement. If I consulted my personal affiliations and affinities I should certainly oppose this bill. No man has ever approached me except friends from the South who desire its defeat in the interest of some of these pilots, who are exceedingly active upon the other side of the question; but I can not see any escape from the proposition that in this instance we should not deviate from the plain course of duty, as I regard it: that duty which points out to me but one course in regard to public affairs, and that is that all of the people of this country shall stand alike before the law. It is impossible for me to see how I can oppose the bill with my convictions in regard to the matter.

Mr. MILLS obtained the floor.

Mr. BUTLER. Will the Senator from Texas permit me to offer an amendment?

Mr. MILLS. With pleasure.

Mr. BUTLER. Mr. President, I am glad to be afforded an opportunity to offer an amendment to the bill, which will give the Senator from Missouri [Mr. VEST] an opportunity to illustrate his regard for enlarging trade in this country. I offer an amendment to come in as section 3, and ask that it be considered.

The PRESIDENT *pro tempore*. The amendment will be reported.

The CHIEF CLERK. Add a new section as follows:

SEC. 3. That such parts of the navigation laws of the United States as prevent the purchase by American citizens of ships in foreign countries and the right of American registry and flying of the American flag be, and the same are hereby, repealed.

Mr. VEST. I have labored for that principle ever since I have been in the Senate, and I shall be very glad to vote for it.

Mr. MILLS. Mr. President, there are certain principles by which I always try to regulate my public utterances and public actions as a representative of my constituents. I have observed that the navigator who tries to keep his vessel in the channel, and who observes the buoys and light-houses along the coast, will carry his cargo and his vessel more safely into port than if he shuts his eyes, abandons his wheel, and leaves his ship to the mercy of wind and wave. The principle by which I govern my actions here is that defined by the great father and founder of the body to which I belong—that the General Government should be supported in the whole scope of its constitutional power as the sheet anchor of our peace at home and our safety abroad.

In the organization of our Government, the power to regulate commerce among the States is confided to the General Government, and this is a part of that regulation.

This system of pilotage was adopted in the early days of our Republic, and continued almost without complaint, because the burdens of this pilotage rested upon the great Issachar, who was patiently bending beneath the burdens and failing to make complaint against them. But within recent years a change has come over the spirit of the dreams of this country. In the progress of development of our industrial system and our civilization the railroad in a great measure has supplanted the sail vessel along the coast in the carrying business of the country.

When the sail vessel was the only carrier and had no competition then it could pay these pilotage fees, even to the extent of

\$1,000, as I understand was demanded once in Baltimore. But that was unloaded upon the consumer of the goods. The master of the vessel cared nothing for that. In recent years, however, in the sharp competition with the railroads of the country, he is forced to cut his charges for transportation down to the lowest farthing in order to keep in the business.

It is a general principle that the consumer pays all the charges on that which he consumes. I do not care where the article is produced, he has to pay the cost of producing it, the cost of insurance, and the cost of transportation from the producer to the consumer; he has to pay all taxes, whether Federal taxes or State taxes. But when the law fixing the charges is excessive upon one character of transportation in competition with another, that character of transportation has to pass out of existence or pay the burdens imposed from its own profits.

Suppose to carry a ton of freight from Boston to Charleston by coastwise steamers costs \$10 and \$5 to carry it by rail. The cost by the cheaper line of transportation fixes the price at which the article is sold in the Charleston market, and the carrier by sail has either to come down with his charges or leave the business.

There are two sides to this question, and we sometimes confound them. The consumer pays the tax, but sometimes the producer pays it, or loses his business. The injustice of this upon the commerce of the country, of all countries, is that it falls, like wrong of every character, the on wrongdoer as well as on his victim. We can not by high taxes prevent the transportation of commerce in order to injure the producer without injuring ourselves, too.

In the early days of the Republic, before we had even canals, the history of interior transportation shows that it cost on an average 20 cents per ton per mile to convey freight. When the Erie Canal was built the transportation charge was brought down to less than half that amount. When the other canals followed in the wake of that great work, making water lines from the great reservoirs of the lakes on the north down to the Ohio River on the south, freights were lowered all over the country. Then when the railroad system came freights still continued to come down. Twenty or twenty-five years ago they were about 3 cents per ton per mile in the United States, and during the last year, sir, they have come down to less than 1 cent per ton per mile. The railroads are constantly bringing down the freight charges of the country, and it is that system which is imperiling the success of the coastwise business.

Our shipbuilders in Maine, Massachusetts, and along the New England coast, so long as the burden was on the consumers did not care to unload. They were human. I would not have done it. Nobody else would have done it. The burden was on somebody else's shoulders. They did not care. They did not suffer the pain.

Now, the railroad charges have been put so much lower than heretofore that the vessels can not afford to pay these pilotage charges, and so they call upon the Government to remove these charges, so that they can continue in their business, and I am going to help the Government to do it, and I am going to do it because they are wrong. There should be no charge of this kind upon the commerce of the country. No government should attempt to sustain any mere occupation by its action when the parties engaged in that occupation are able to take care of themselves. I hold it to be one of those fundamental principles of which I was speaking a few moments ago, and so well expressed by Mr. Samuel J. Tilden, who wrote the English language so accurately, so forcibly, and so well, as defining the Jeffersonian creed for me in one sentence:

The General Government should never do for the State government what the State government can do for itself, and no government should do for the individual what he can do for himself.

That is where I stand, sir. If these vessels can not have their own pilots and take care of their own business, they will simply have to go out of the business, and try hotel-keeping or something else.

I propose to let them have their own pilots. I propose to take off this unjust burden from their shoulders and permit them to run their own vessels in competition with the railroads or in competition with other vessels, and if they can not succeed in that business, then there must be the "survival of the fittest." The Government can only injure the business by retaining its burdens in this manner. I agree with my friend from Maine [Mr. FRYE], and it is very rare that I have had the pleasure of agreeing with him; we have been serving together for about twenty years; I have always had a great admiration for him; he is a big, noble, brave-hearted man; more than that, I have loved him many years, and he knows it.

Mr. FRYE. I reciprocate.

Mr. MILLS. How much more now because of our change hands with him when he agrees with me and helps to protect the commerce of the country from unjust exactions against the prod-

nets of human labor in passing from the hand of the producer to the mouth of the consumer, which transit should be as free as the winds of heaven. I will vote with him, and then I will go further than that. But he will not follow me any further. He will stop right here on the road. I will vote to emancipate the whole commerce of this country. I will vote to let new ships come in here, but I will not vote to let them come in clandestinely and surreptitiously. I will vote that any citizen of the United States may go and buy a vessel wherever he pleases, because that is a natural right, and should be secured by what I understand to be a free Government, in accord with the general principles of that Declaration of Independence that we all read on the Fourth of July and forget the remainder of the year. That just government comes from the consent of the governed. This principle is to secure to the citizens—secure, not grant. Governments do not grant natural rights, but should secure to the citizen the enjoyment of those inalienable rights with which his Creator has endowed him.

There is where I stand.

I want the citizens of the United States to navigate these waters in vessels and go to all ports, and if they can beat anybody else in that business I want them to do so. I am willing to unload the citizens of Boston, Portland, Portsmouth, or anywhere else, North, South, East, or West. I am patriotic. My patriotism extends from the State of Texas to New England, clear up to the northern peak of Maine. I want to unload every citizen of the United States from every unjust burden which the Government has placed upon him.

I have a peculiar sort of fancy, Mr. President, for these people of New England. They were among the first American settlers of that great State from which I come. They came in the old adventurous days when we built ships and could go where we pleased. They sailed down the coast and around to Texas. They were a noble, brave-hearted, generous, adventurous people. They helped to build up our civilization. The first printed newspaper that was seen west of the Sabine River was edited by a Yankee from the State of Maine. That newspaper taught the principles of civil and religious liberty almost within sight of the battle smoke of the Alamo. Almost in the very presence of the armies of Mexico that little press appeared, following the army of Sam Houston, and teaching the principles of liberty as they were planted upon this continent, and those principles have grown, watered by the very blood of our common fathers.

Yes, I would relieve the people of Boston, the people of New England, anywhere, of any burdens upon their shipping. But this is one of the taxes that the consumer does not pay. The railroad comes in and prevents it. Otherwise he would. The railroad delivers freight to him more cheaply than he can get it by vessel, and hence the American vessel has it to pay. But it is an unjust tax, and I will help to unload it.

Mr. FRYE. Mr. President, I have been so anxious to take up the river and harbor bill that I shall not undertake to reply to any of the arguments that have been made touching this bill, but will move to lay the amendment offered by the Senator from South Carolina [Mr. BUTLER] on the table.

Mr. BUTLER. Before that is done I should like to make an observation or two in regard to it.

The PRESIDENT *pro tempore*. A motion to lay on the table is not debatable. Does the Senator from Maine withdraw his motion?

Mr. FRYE. I withdraw it.

Mr. BUTLER. Mr. President, we have had a sort of love feast here to-day between the Senator from Missouri [Mr. VEST], the Senator from Texas [Mr. MILLS], and the Senator from Maine [Mr. FRYE], which I have very much enjoyed. It has been refreshing. My object in introducing the amendment was to allow that love feast to continue. These distinguished Senators have agreed so well on this question of unburdening the commerce of the country and reading the Declaration of Independence to us again that I am in hopes that under the inspiration and motive of that lovely condition of affairs we may perhaps take off some other burdens at the same time. But I am inclined to think that when the Senator from Texas and the Senator from Maine come together at that point they will divide again.

A good deal has been said about monopoly, about the outrageous charges of these pilots, and the general iniquity of the whole system. I want to read briefly what some of the navigation laws of this country prohibit, from a book written by Mr. David A. Wells, who summarizes those laws in the following language:

1. No American citizen is allowed to import a foreign-built vessel, in the sense of purchasing, acquiring a registry or title to, or of using her as his own property, the only other absolute prohibitions of imports on the part of the United States being in respect to counterfeit money and of obscene publications or objects.

With the exception of counterfeit money and obscene publications or objects ships are the only other items of property that an American citizen can not purchase abroad.

2. An American vessel ceases to be such if owned in the smallest degree by any person naturalized in the United States who may, after acquiring such ownership, reside "for more than one year in the country in which he originated or more than two years in any foreign country, unless such person be a consul or other public agent of the United States."

3. If a native-born American citizen, for health, pleasure, or any other purpose, except as a consul of the United States or as a partner or agent in an exclusively American mercantile house, decides to reside "usually" in some foreign country, any American vessel of which he may be, in all or any part, owner at once loses its register and ceases to be entitled to the protection of the flag of the United States, even though the vessel may have been of American construction and have regularly paid taxes in the United States, and the owner himself has no thought of finally relinquishing his American citizenship.

4. Every citizen of the United States obtaining a register for an American vessel must make oath "that there is no subject or citizen of any foreign power or state directly or indirectly, by way of trust or confidence, or otherwise, interested in such vessel or in the profits thereof."

5. A foreigner may superintend an American factory, run an American railroad, be president of an American college, or hold a commission in the American Army, but he can not command or be an officer of a registered American vessel.

6. No foreign-built vessel, or vessel in any part owned by a subject of a foreign power, can enter a port of the United States and then go to another domestic port with any new cargo or with any part of her original cargo that has been once unloaded without having previously voyaged to and touched at some other port of some foreign country, under penalty of confiscation.

7. An American vessel once sold or transferred to a foreigner can never be brought back again and become American property, not even if the transfer has been the result of capture and condemnation by a foreign power in time of war.

8. A vessel under 30 tons can not be used to import anything at any seaport.

9. Goods, wares, and merchandise, the produce of countries east of the Cape of Good Hope, when imported from countries west of the Cape of Good Hope, are subject to a duty of 10 per cent in addition to the duties imposed on such articles when imported directly.

10. If a vessel of the United States becomes damaged on a foreign voyage, and is repaired in a foreign port, her owner or master must make entry of such repairs at a custom-house of the United States as an import and pay a duty on the same equal to one-half the cost of the foreign work or material, or 50 per cent ad valorem; and this law extends so far as to include boats that may be obtained at sea from a passing foreign vessel in order to assure the safety of the crew or passengers of the American vessel.

11. Foreign vessels losing rudder, stern-post, or breaking shaft, and arriving in the United States in distress, can not import others to replace these articles here without payment of the duty on the same.

12. If a citizen of the United States buys a vessel of foreign build which has been wrecked on our coast, takes her into port, repairs and renders her again serviceable and seaworthy, he can not make her American property, unless it is proved to the satisfaction of the Treasury Department that the repairs put upon such vessel are equal to three-fourths of the cost of the vessel when so repaired.

13. Every vessel belonging to the mercantile marine of the United States engaged in foreign trade—vessels employed in the fisheries excepted—must pay annually into the Federal Treasury a tonnage tax at the rate of 30 cents per ton.

Now, if the Senator from Maine desires to make his motion I have nothing further to say.

Mr. FRYE. I renew my motion to lay on the table the amendment of the Senator from South Carolina.

Mr. BUTLER. Upon that I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I have a general pair with the Senator from Pennsylvania [Mr. CAMERON]. I therefore withhold my vote. If he were present I should vote "nay."

Mr. PASCO (when the name of Mr. CALL was called). My colleague [Mr. CALL] is paired with the Senator from Massachusetts [Mr. HOAR]. My colleague is necessarily absent on account of business.

Mr. DOLPH (when his name was called). I am paired with the senior Senator from Mississippi [Mr. GEORGE]. I call the attention of his colleague [Mr. WALTHALL] to that fact, and ask if we can arrange for a transfer of pairs, as was done yesterday.

Mr. WALTHALL. That arrangement will be satisfactory to me.

Mr. DOLPH. I vote "yea."

Mr. HALE (when his name was called). I have a general pair with the Senator from North Carolina [Mr. RANSOM]. If it is agreeable to the Senator from Mississippi [Mr. WALTHALL], I will transfer my pair to the Senator from Rhode Island [Mr. DIXON], which will enable the Senator from Virginia and myself to vote.

Mr. WALTHALL. I will inform the Senator from Maine that I have already made an arrangement with the Senator from Oregon [Mr. DOLPH] for the transfer of my pair.

Mr. HALE. Then I shall not vote at present.

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL]. If the Senator from Maine [Mr. HALE] desires to transfer his pair, we can transfer our respective pairs and vote.

Mr. HALE. That may be done.

Mr. HARRIS. Then I vote "nay."

Mr. HALE. I will vote "yea."

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE]. Not knowing how he would vote if he were present, I withhold my vote.

Mr. McPHERSON (when his name was called). I am paired with the Senator from Delaware [Mr. HIGGINS], whom I do not see in his seat. Not knowing how he would vote, I withhold my vote.

The PRESIDENT *pro tempore* (when Mr. MANDERSON'S name was called). The occupant of the chair is paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. PROCTOR (when his name was called). My pair with the Senator from Florida [Mr. CALL] has been transferred to the Senator from Massachusetts [Mr. HOAR]. I therefore vote "yea."

Mr. QUAY (when his name was called). I have a general pair with the senior Senator from West Virginia [Mr. FAULKNER]. I therefore withhold my vote.

Mr. SHERMAN (when his name was called). I am paired with the Senator from Kentucky [Mr. CARLISLE]. By an exchange of pairs the Senator from Kentucky may stand paired with the Senator from Delaware [Mr. HIGGINS], and the Senator from New Jersey [Mr. McPHERSON] and I can vote, if that is agreeable.

Mr. McPHERSON. That is perfectly satisfactory to me.

Mr. SHERMAN. I vote "yea."

Mr. McPHERSON. I vote "yea."

Mr. SQUIRE (when his name was called). I am paired with the Senator from Virginia [Mr. DANIEL], who is necessarily absent.

Mr. STOCKBRIDGE (when his name was called). I am paired with the junior Senator from Maryland [Mr. GIBSON], but will vote if I find my vote necessary to make a quorum.

Mr. WARREN (when his name was called). I am paired with the junior Senator from Georgia [Mr. GORDON]. I will withhold my vote unless it is necessary to make a quorum. While I am on my feet I wish to announce the pair of my colleague [Mr. CAREY] with the Senator from South Carolina [Mr. IRBY].

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. I therefore withhold my vote; otherwise I should vote "yea."

The roll-call was concluded.

Mr. CULLOM. I have a pair with the Senator from Delaware [Mr. GRAY], who is absent, and I withhold my vote. If he were present I should vote "yea."

Mr. STOCKBRIDGE. I transfer my pair with the Senator from Maryland [Mr. GIBSON] to the Senator from California [Mr. STANFORD], so that the Senator from Maryland will stand paired with the Senator from California, and I will vote "yea."

Mr. SHERMAN. As the Senator from New Jersey [Mr. McPHERSON] votes the same way I do, I think it would not be right for us to make the change of pairs that was proposed a moment ago.

Mr. FRYE. I think it would be entirely right for the Senator from New Jersey to vote, for the Senator from Delaware [Mr. HIGGINS] told me he should vote for the bill right through.

Mr. McPHERSON. As the point has been raised, I think I would prefer to withdraw my vote under the circumstances.

Mr. SHERMAN. Then I withdraw my vote.

Mr. COCKRELL. Has the Senator from Iowa [Mr. ALLISON] voted?

The PRESIDENT *pro tempore*. He has not.

Mr. COCKRELL. I am paired with him. If present, I presume he would vote "yea," and I should vote "nay."

Mr. ALLEN. I am usually paired with the Senator from Tennessee [Mr. BATE]. Under the circumstances, I think I had better withhold my vote unless it is necessary to make a quorum.

Mr. FELTON. I am paired with the junior Senator from Ohio [Mr. BRICE].

Mr. SHERMAN. In order to make a quorum I am at liberty to vote, and I will vote "yea."

Mr. ALLEN. I vote "yea" to make a quorum.

Mr. McMILLAN. I will vote "yea" to make a quorum.

The result was announced—yeas 31, nays 13; as follows:

## YEAS—31.

Aldrich.	Dubois.	McMillan.	Sanders.
Allen.	Frye.	Mitchell.	Sawyer.
Blodgett.	Gallinger.	Paolock.	Sherman.
Casey.	Hale.	Peffer.	Stewart.
Chandler.	Hausbrough.	Pettigrew.	Stockbridge.
Davis.	Hawley.	Power.	Teller.
Dawes.	Hiscock.	Proctor.	Washburn.
Dolph.	Kyle.	Pugh.	

## NAYS—13.

Berry.	Kenna.	Pasco.	Vilas.
Coke.	Morgan.	Turpie.	Waithall.
Harris.	Palmer.	Vest.	White.
Jones, Ark.			

## NOT VOTING—43.

Allison.	Cullom.	Higgins.	Quay.
Bate.	Daniel.	Hill.	Ransom.
Blackburn.	Dixon.	Hoar.	Shoup.
Brice.	Faulkner.	Irby.	Squire.
Butler.	Felton.	Jones, Nev.	Stanford.
Call.	George.	McPherson.	Vance.
Cameron.	Gibson, La.	Manderson.	Voorhees.
Cary.	Gibson, Md.	Phelan.	Warren.
Carlisle.	Gordon.	McCall.	Wilson.
Cockrell.	Gorman.	Perkins.	Wheeler.
Colquitt.	Gray.	Phelan.	

So the amendment was laid on the table.

The PRESIDENT *pro tempore*. The bill is still in Committee of the Whole and open to amendment. If there be no further amendment as in Committee of the Whole the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## KLAMATH INDIAN LANDS.

Mr. PETTIGREW. I wish to call up and move the adoption of the conference report upon the bill (H. R. 38) to provide for the disposal and sale of lands known as the Klamath River Indian Reservation.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the conference report, which will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 38) to provide for the disposal and sale of lands known as the Klamath River Indian Reservation have met, and after full and free conference and agreed to recommend and do recommend to their respective Houses as follows:

That the amendment of the Senate be amended as follows:

On page 3, strike out the word "and," at the end of line 8, and strike out the word "provision," at the beginning of line 9.

Insert the word "stone" after the word "mineral," in line 9.

After the word "thereof," in line 21, insert the following:

"Provided, That lands settled up or improved, and now occupied by settlers in good faith by qualified persons under the land laws shall be exempt from such allotments unless one or more of said Indians have resided upon said tract in good faith for four months prior to the passage of this act."

R. E. PETTIGREW,

H. L. DAWES,

On the part of the Senate,

THOS. LYNCH,

JOHN L. WILSON,

On the part of the House.

Mr. COCKRELL. I should like to have the bill read as it will be when the amendments indicated in the conference report are adopted.

The PRESIDENT *pro tempore*. It will take time to prepare the bill in that form.

Mr. COCKRELL. The Senator from South Dakota can call it up at any time. In the meantime let the clerks prepare the bill so that it will show just how it will read as it has been agreed to in conference, and then we shall understand it.

Mr. HARRIS. I wish to make a suggestion to the Senate conference. That is a very singular conference report. It simply asserts that the amendment of the Senate be amended as follows. It does not follow the usual form in showing that the House recedes from its disagreement to the Senate amendment, and agrees to the same with an amendment. I do not know how material it may be, but I have never seen just such a conference report presented to either House of Congress before.

I suggest to the conference that I think it would be very much better to conform it to the usual form of a conference report, showing that the House recedes from its disagreement to the Senate amendment, and agrees to the same with an amendment. I shall make no motion about it, but it seems to me that it would be well to recommit it to the conference and have the report changed so as to conform to the usual form. The report does not show that the House has receded from its disagreement to the Senate amendment.

Mr. PETTIGREW. I will withdraw the conference report.

The PRESIDENT *pro tempore*. The Senator from South Dakota withdraws the conference report.

## SENATE CLERICAL FORCE.

Mr. ALDRICH. I ask unanimous consent to submit a series of resolutions, and I ask for their present consideration. If the resolutions lead to any discussion I shall not press them.

The resolutions were read, as follows:

*Resolved*, That the office of principal clerk of the Senate be abolished, and that the Secretary of the Senate be authorized and directed to appoint an additional clerk at an annual salary of \$2,000, to be paid out of the contingent fund of the Senate for the remainder of the fiscal year; and that the Committee on Appropriations be instructed to provide in their next appropriation bill for the annual pay of said clerk.

*Resolved*, That the Secretary of the Senate shall detail from his force a competent paying clerk, and that the entire clerical force of the Senate in the Secretary's office, including the Chief Clerk, be under the control and direction and subject to appointment and removal by the Secretary of the Senate.



The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolutions?

The resolutions were considered by unanimous consent, and agreed to.

#### RIVER AND HARBOR BILL.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the unfinished business, which is the bill (S. 2499) to provide for the punishment of violations of treaty rights of aliens.

Mr. FRYE. I ask that that be temporarily laid aside, and that the Senate proceed to the consideration of the river and harbor bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to the consideration of the bill (H. R. 7820) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which had been reported from the Committee on Commerce with amendments.

Mr. FRYE. I ask that the formal reading of the bill be dispensed with and that the amendments of the committee be acted upon as they are reached.

The PRESIDENT *pro tempore*. The request of the Senator from Maine will be agreed to, if there be no objection.

Mr. HALE. The same course is to be pursued as in the case of the regular appropriation bills?

The PRESIDENT *pro tempore*. The Chair hears no objection, and such course will be pursued.

Mr. McPHERSON. I sent to the desk this morning a motion that I intended to make touching the consideration of the river and harbor bill when it was called up. I should like to have that motion read.

Mr. FRYE. I have no objection, if the Senator desires that we shall take that course.

Mr. McPHERSON. I think it is infinitely better for the progress of the bill, and it will be much easier for the question to be understood before we proceed to its consideration.

Mr. FRYE. I understand that unanimous consent has been given, as is general in reference to appropriation bills, that the amendments of the Committee on Commerce shall be acted upon as they are reached in the reading of the bill.

The PRESIDENT *pro tempore*. Such has been the order of the Senate. The motion to recommit the river and harbor bill, referred to by the Senator from New Jersey, will be read by the Chief Clerk.

The Chief Clerk read as follows:

*Mr. J. That House of Representatives bill No. 7820, making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, be recommitted to the Committee on Commerce, with instruction to report the same back to the Senate with such amendments as will exclude from the bill all authorization for new contracts for materials and work, and proportionally reduce by 50 per cent the entire amount therein appropriated.*

Mr. McPHERSON. Mr. President, I have somewhere heard it said that the expenditures of the Government were in excess of its receipts and the Treasury is in a condition bordering on bankruptcy.

I have heard it stated upon this floor repeatedly in the last few days that owing to the legislation of a former Congress the expenditures of the Government to be provided for at this session were necessarily in excess of the appropriations in the first session of the fifty-first Congress, popularly known as the billion-dollar Congress. If all this be true, and I find no reason to doubt it, speaking for myself here and now, I declare myself unalterably opposed to the whole policy of the pending bill in that it continues the vicious system which will inevitably bind the Congress which follows this to still greater appropriations from the Treasury, and to meet which involves still greater taxes upon the people.

The river and harbor bill now pending has no precedent in the amount of money it appropriates and pledges in the legislation of this or any other country. The amount of money necessary to carry out its completed purpose is indeed frightful; and it is a source of infinite regret that it is to become a law without the approval of a body pledged to reduce the expenditures of the Government and lighten the burdens upon the people.

A Senator who sits near me, always careful and correct in his figures, hands me a statement giving the per capita expenditures of the Government in 1890 at \$2.20; in 1892 the per capita expenditures are \$9.09.

Turning to this bill I find direct appropriations of over twenty-two millions, and a authorization for new contracts for work and material of over thirty-three millions more, in all fifty-five millions.

Mr. FRYE. Looking over how many years will the Senate stay?

Mr. McPHERSON. It is no answer to say that because the money is not to be all expended this year it is therefore no lien

upon the Treasury. It is well known to every Senator, and to none better than the Senator from Maine [Mr. FRYE], that it is the practice of this Government in all its departments to make contracts whenever authorized to do so by Congress, and it is as well the practice of Congress as it is the duty of Congress to provide means for their faithful execution. Congress has the power to levy taxes and to spend money, and there is no fear it will not do both if this bill is passed.

I appeal to both sides of this Chamber to stop in this mad career to send this bill back to the committee with the instructions contained in my motion, which are to exclude from the bill all authorization of new contracts for material and work, which strikes out at once thirty-three millions, and to reduce the appropriations by 50 per cent, which will reduce the bill eleven millions more. This will leave eleven millions in the bill without changing in any particular the objects to which it is to be applied. This will give more money than can be judiciously expended before Congress will again meet, and if it shall then appear that more money is needed to protect improvements being made or for new work, it may then be given.

Of late years Congress is usually in session one-half the time of each Congressional term, and no great public improvement need suffer for proper attention by Congress. The policy into which we have drifted of making monster appropriations, covering a period of two years of expenditure and contracts for a still longer period is, in my opinion, wasteful and injudicious, as there can be no supervision of the work and no comparison of work with cost of same by the lawmaking power, a policy no intelligent experienced business man would think of adopting in his business for a single moment.

Mr. DOLPH. Mr. President—

Mr. FRYE. On moment.

Mr. DOLPH. I yield to the Senator from Maine.

Mr. FRYE. I simply wish to say that as in the progress of this bill whatever the Senator from New Jersey has said will be replied to, I do not desire to make any reply at the present time.

Mr. DOLPH. I move to lay the motion to recommit on the table.

The PRESIDENT *pro tempore*. The Senator from Oregon moves that the motion to recommit the bill be laid on the table.

Mr. McPHERSON. Upon that question I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BUTLER, when his name was called. I have a general pair with the Senator from Pennsylvania [Mr. CAMERON], but I am informed by his colleague that he would vote "yea" on this proposition and I vote "yea."

Mr. WALTHALL, when Mr. GEORGE'S name was called. My colleague [Mr. GEORGE] is paired on this question with the Senator from Rhode Island [Mr. PINCH].

Mr. HARRIS, when his name was called. I am paired with the Senator from Vermont [Mr. MONTAGUE]. If he were present I should vote "nay."

Mr. McMILLAN, when his name was called. I am paired with the Senator from North Carolina [Mr. VANCE]. I suggest to the Senator from Tennessee that we exchange pairs and vote.

Mr. HARRIS. That is satisfactory to me.

Mr. McMILLAN. I vote "yea."

The PRESIDENT *pro tempore*. When Mr. MANCHESTER'S name was called. The occupant of the chair is paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. PROCTOR, when his name was called. The same transfer, pairs holding good, I vote "yea."

Mr. QUAY, when his name was called. Being informed by his colleague that the junior Senator from West Virginia [Mr. FAULKNER], with whom I have a general pair, would vote in the affirmative on this question, I vote "yea."

Mr. SHERMAN, when his name was called. I am paired with the Senator from Kentucky [Mr. CARLISLE].

Mr. TURPIE, when his name was called. I am paired generally with the Senator from Minnesota [Mr. DAVIS]. If he were present I should vote "nay."

Mr. WARREN, when his name was called. I am paired with the junior Senator from Georgia [Mr. COMBES]. I wish to announce the pair of my colleague [Mr. CARY] with the Senator from South Carolina [Mr. LEE].

Mr. WILSON, when his name was called. I am paired with the Senator from Georgia [Mr. COMBES]. I am informed that he would vote "yea" on this proposition, and I therefore feel at liberty to vote "yea."

The roll call was concluded.

Mr. CULLOM. I am paired with the Senator from Delaware [Mr. GRAY]. If he were present I should vote "yea."

Mr. HARRIS. Under the agreement with the Senator from Michigan [Mr. McMILLAN] to transfer pairs, I transfer my pair



to the Senator from North Carolina [Mr. VANCE] and record my vote. I vote "nay."

Mr. SQUIRE. I am paired with the Senator from Virginia [Mr. DANIEL]. If he were present I should vote "yea."

The result was announced—yeas 42, nays 6: as follows:

## YEAS—42.

Aldrich,	Frye,	Mitchell,	Shoup,
Allen,	Gallinger,	Morgan,	Stewart,
Berry,	Gorman,	Pasco,	Stockbridge,
Butler,	Hale,	Peffer,	Teller,
Casby,	Hansbrough,	Perkins,	Vest,
Chandler,	Hawley,	Power,	Walthall,
Coke,	Hiscock,	Proctor,	White,
Dawes,	Jones, Ark.	Pugh,	Wilson,
Dolph,	Kenna,	Quay,	Wolcott,
Dubois,	McMillan,	Sanders,	
Felton,	Mills,	Sawyer,	

## NAYS—6.

Harris,	McPherson,	Palmer,	Vilas
Kyle,	Patlock,		

## NOT VOTING—39.

Alison,	Colquitt,	Gray,	Ransom,
Bate,	Cullum,	Higgins,	Sherman,
Blackburn,	Daniel,	Hill,	Squire,
Blodgett,	Davis,	Hoar,	Stanford,
Brice,	Dixon,	Irby,	Turpie,
Call,	Faulkner,	Jones, Nev.	Vance,
Cameron,	George,	Manderson,	Voorhees,
Caray,	Gibson, La.	Morrill,	Warren,
Carlisle,	Gibson, Md.	Pettigrew,	Washburn
Condrell,	Gordon,	Platt,	

So the motion to recommitt was laid on the table.

The PRESIDENT *pro tempore*. The bill will be read for action upon the amendments of the committee.

The Chief Clerk proceeded to read the bill.

The first amendment reported by the Committee on Commerce was, in section 1, on page 1, line 11, before the word "thousand," to strike out "six" and insert "twelve;" so as to read:

Improving harbor at Camden, Me.: Continuing improvement, \$12,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 2, in line 7, after the word "Maine," to strike out "Continuing" and insert "Completing;" and in line 8, after the word "improvement," to strike out "twenty" and insert "thirty;" so as to make the clause read:

Improving harbor at Portland, Me.: Completing improvement, \$30,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 2, line 12, before the word "thousand," to strike out "twenty" and insert "fifty;" so as to make the clause read:

For construction of breakwater from Mount Desert to Porcupine Island, Maine: Continuing improvement, \$50,000.

The amendment was agreed to.

The reading was continued to the bottom of page 2.

Mr. FRYE. I am instructed by the committee to move, on page 2, line 19, to strike out the words "one hundred and forty-five thousand dollars" and insert in lieu thereof "by deepening and widening the main channel to a depth of 27 feet and a width of 1,000 feet, \$300,000."

The PRESIDENT *pro tempore*. The amendment will be reported.

The CHIEF CLERK. On page 2, line 19, it is proposed to strike out the words "one hundred and forty-five thousand dollars" and insert:

By deepening and widening the main channel to a depth of 27 feet and a width of 1,000 feet, \$300,000.

So as to read:

Improving harbor at Boston, Mass.: Continuing improvement by deepening and widening the main channel to a depth of 27 feet and a width of 1,000 feet, \$300,000, of which \$10,000 may, in the discretion of the Secretary of War, be used in the further prosecution of the work in Nantasket Beach Channel, and \$25,000 in extending main ship channel from its termination at the southeast corner of Grant Junction wharf eastwardly towards Jeffreys Point.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 1, on page 4, in line 11, after the word "Massachusetts," to strike out "Continuing" and insert "Completing;" and in line 12, after the word "improvement," to strike out "ten" and insert "fourteen;" so as to make the clause read:

Improving harbor at Salem, Mass.: Completing improvement, \$14,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 4, line 16, after the word "Neshawana," to insert "completing improvement;" and in line 17, after the word "thousand," to insert "eight hundred;" so as to make the clause read:

Improving Caspich Channel, Massachusetts, between the islands of Cutchunk and Neshawana, completing improvement, \$1,800.

The amendment was agreed to.

The next amendment was, in section 1, after line 17, to insert: Improving harbor at Scituate, Mass.: Continuing improvement, \$10,000.

The amendment was agreed to.

The next amendment was, in section 1, after line 19, to insert: Improving harbor at Winthrop, Mass.: Continuing improvement, \$3,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 4, after line 21, to insert:

Improving harbor at Kingston, Mass., and the approach to the public wharves of said port and of North Plymouth, \$10,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 4, in line 25, after the words "Rhode Island," to strike out "continuing" and insert "completing;" and on page 5, line 1, after the word "improvement," to strike out "fifteen" and insert "twenty-four;" so as to make the clause read:

Improving harbor at Block Island, R. I.: Completing improvement, \$21,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 5, in line 5, after the word "improvement," to strike out "ten" and insert "twenty-five;" so as to make the clause read:

Improving harbor at Newport, R. I., including the removal of the spit at the south end of Goat Island: Continuing improvement, \$25,000.

The amendment was agreed to.

The reading of the bill was continued to line 14 on page 5.

Mr. FRYE. I am instructed by the committee to offer an amendment to the paragraph just read. After the word "construction," in line 7, I move to strike "one hundred" and insert "seventy-five;" and in line 12, after the words "one million and," to strike out "seventy-five" and insert "one hundred."

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 7, page 5, it is proposed to strike out "one hundred" and insert "seventy-five;" and in line 12, after the word "and," to strike out "seventy-five" and insert "one hundred;" so as to make the clause read:

Constructing harbor of refuge at Point Judith, R. I.: Continuing construction, \$75,000: *Provided*, That contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the present project of improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$1,100,000, exclusive of the amount herein and heretofore appropriated.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 1, on page 6, in line 8, after the word "improvement," to strike out "thirty" and insert "thirty-five;" so as to make the clause read:

Improving harbor of refuge at Duck Island, on Long Island Sound, Conn.: Continuing improvement, \$5,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 6, after line 14, to insert:

Improving harbor at Cos Cob and Mianus River, Conn.: Continuing improvement, \$7,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 6, in line 18, before the word "hundred," to strike out "three" and insert "two;" and after the word "hundred," to insert "and twenty-five;" so as to make the clause read:

Improving harbor at Buffalo, N. Y.: Continuing improvement, \$25,000.

Mr. PLATT. I do not know what the rule is, but my colleague desires to move an amendment to increase the amount for the harbor at New Haven.

Mr. FRYE. I have just stated to the Senate's colleagues that that would be in order after the committee amendments are completed.

The reading of the bill was continued to page 7, line 11.

Mr. FRYE. On page 7, in line 10, after the word "New York," I move to strike out the words "and Bay Ridge;" so as to read:

Improving Harlem Bay channel, New York: Continuing improvement, \$100,000, for distribution by allotment between the R. I. Hook and Gowanus Creek channels, at the discretion of the Secretary of War.

The amendment was agreed to.

Mr. FRYE. I am instructed by the committee to move the insertion of the amendment which I send to the desk.

The PRESIDENT *pro tempore*. The amendment will be read.

The CHIEF CLERK. On page 7, after line 11, insert:

Improving Bay Ridge Channel, New York: Harbor New York: Continuing improvement, by dredging out and opening a new channel from a point at its mouth with the Gowanus Creek Channel, and extending said channel southerly therefrom along and in face of the eastern Battery and the Battery point where the said Bay Ridge Channel, so to be opened, to a depth of 27 feet and a width of 1,000 feet, so to be opened, shall be of a uniform depth of 27 feet and a width of 1,000 feet at low water, \$200,000: *Provided*, That contracts may be entered into by the Secretary of War for such materials and work as may be necessary for the completion of the above project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$240,000, exclusive of the amount herein and heretofore appropriated.

The amendment was agreed to.

The reading of the bill was continued to line 22, on page 7.

Mr. FRYE. On page 7, line 22, I move to strike out "thirty," and insert "forty," so as to read:

Improving harbor at Oswego, N. Y.: Continuing improvement, \$10,000.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 1, on page 8, after line 23, to insert:

Improving Jamaica Bay, New York: Completing improvement in accordance with plan number 43 of Lieut. Col. Gillespie, Corps of Engineers, submitted December 16, 1890, \$9,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 9, line 5, after the word "improvement" to strike out "forty" and insert "twenty;" so as to make the clause read:

Improving harbor at Raritan Bay, New Jersey: Continuing improvement, \$20,000, one half of which, in the discretion of the Secretary of War, may be used in dredging bar between South Amboy and Great Boes Light.

Mr. FRYE. I am instructed by the committee to ask the Senate to disagree to that amendment.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is, Will the Senate agree to the amendment?

The amendment was rejected.

The reading of the bill was continued. The next amendment of the Committee on Commerce was, in section 1, on page 9, after line 11, to insert:

The material removed in improving the harbor of Philadelphia, Pennsylvania, and New Jersey, in accordance with the plan adopted by Congress in the act of September 19, 1890, under appropriations heretofore made, or any part of said material, may be deposited in any place or places approved by the engineer officer in charge of the work: *Provided*, That the full amount of material to be deposited and spread on League Island, as provided for under the existing contract, shall be so deposited and spread before the completion of the work covered by the contract; and all acts or parts of acts inconsistent or in conflict with this provision are hereby repealed.

The amendment was agreed to.

The next amendment was, in section 1, on page 9, in line 25, after the word "improvement," to strike out "fifty" and insert "one hundred;" so as to make the clause read:

Improving Delaware Breakwater, Delaware: Continuing improvement, \$100,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 10, in line 18, in the clause providing for "improving harbor at Cape Charles City, Va., after the word "provided," to strike out:

That no part of this sum shall be expended until the owners of the basin forming the harbor, and the channel or canal leading thereto, or connecting said harbor with Cherrystone Inlet, shall have executed a good and sufficient deed to the United States to said basin and the approach thereto, up to mean low-water mark; the said conveyance to be approved by the Attorney General of the United States and accepted on behalf of the United States by the Secretary of War, and to be in all respects equivalent to a dedication to the public; and until the owners of said basin shall have dedicated to public use, by proper deed or conveyance, a public landing upon and along the shore of the said basin, at some suitable and eligible point, to be approved by the Secretary of War, of not less than one acre in area, with a water frontage of not less than 200 feet, together with an approach to said landing from the nearest public highway of not less than 40 feet in width.

And insert:

That before any Government money shall be expended in the improvement of this harbor, or any of its approaches, the said New York, Philadelphia and Norfolk Railroad Company shall execute and file with the Secretary of War a paper satisfactory to said Secretary of War, giving to any and all vessels, upon any and all occasions, for all time to come, the right to enter and remain in said harbor, and transit business therein without charge, except legitimate, usual, and reasonable wharf charges.

Mr. FRYE. In line 12, before the words "New York," I move to strike out the word "said."

Mr. BUTLER. What amendment is that?

The PRESIDING OFFICER. In line 12, page 11, of the committee's amendment, to strike out the word "said."

Mr. FRYE. It is a mere verbal amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 1, on page 11, in line 23, after the word "improvement," to strike out "three" and insert "two;" so as to read:

Improving harbor at Charleston, including Sullivan Island and Mount Pleasant Shore, South Carolina: Continuing improvement, \$200,000.

Mr. BUTLER. May I inquire what the object of that amendment is? What is the reason for it?

Mr. FRYE. Simply this. The discussion in the Senate a day or two since showed that it was the duty of Congress to make no appropriations which were not necessary. In the opinion of the Committee on Commerce all of the appropriations which were made where contracts were provided for to complete could without any injury at all to the works or to the progress of the works be reduced. The consequence was that we reduced all of them alike 25 per cent.

Mr. BUTLER. All where contracts had been provided for?

Mr. FRYE. All where contracts were provided for.

Mr. BUTLER. I do not know that I have any right to make any objection to the course pursued, and yet I do not like to see that appropriation cut down.

Mr. CULLOM. It will not hinder the work a bit.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed and continued to page 12, line 5.

Mr. FRYE. On page 12, line 3, I move to insert "nine hundred and fifty-three," striking out "eight hundred and seventy-eight." This is rendered necessary by the amendment just made. It will then read, "not to exceed in the aggregate \$1,953,000."

The amendment was agreed to.

Mr. FRYE. Now, turning back, in line 23, page 11, I move to insert, after the word "hundred," the words "and twenty-five," making the amount \$225,000.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 11, line 23, after the word "hundred," insert the words "and twenty-five;" so as to read:

Improving harbor at Charleston, including Sullivan Island and Mount Pleasant Shore, South Carolina: Continuing improvement, \$225,000.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, in section 1, on page 12, in line 13, before the word "thousand," to strike out "one hundred and twelve" and insert "two hundred;" and after "thousand," to strike out "five hundred;" so as to make the clause read:

Improving Cumberland Sound, Georgia: Continuing improvement, \$240,000.

The amendment was agreed to.

The next amendment was, in section 1, on page 12, line 16, before the word "hundred," to strike out "four" and insert "three;" and after the word "hundred," to strike out "and twenty-five;" so as to make the clause read:

Improving harbor at Savannah, Ga.: Continuing improvement, \$300,000: *Provided*, That contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the present project of improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$2,791,000, exclusive of the amount herein and heretofore appropriated.

Mr. FRYE. In line 16, after the word "improvement" instead of "\$300,000" I move to insert "\$318,750;" so as to read:

Improving harbor at Savannah, Ga.: Continuing improvement, \$318,750.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was continued to line 23, page 12.

Mr. FRYE. In line 21, after the word "million," I move to strike out "seven hundred and ninety-two" and insert "eight hundred and ninety-eight thousand two hundred and twenty;" so as to make the proviso to the appropriation for improving the harbor at Savannah read:

*Provided*, That contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the present project of improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$98,200, exclusive of the amount herein and heretofore appropriated.

The amendment was agreed to.

The reading of the bill was continued. The next amendment of the Committee on Commerce was, in section 1, on page 13, in line 14, before the word "hundred," to strike out "three" and insert "two;" so as to make the clause read:

Improving harbor at Mobile, Ala.: Continuing improvement, \$250,000: *Provided*, That contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the present project of improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$1,034,800, exclusive of the amount herein and heretofore appropriated.

Mr. FRYE. I offer an amendment to that item.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 13, line 14, strike out "two hundred and fifty thousand," and insert in lieu thereof "two hundred and sixty-two thousand five hundred;" in lines 19 and 21 strike out "one million ninety-three thousand eight hundred," and insert in lieu thereof "one million one hundred and eighty-one thousand three hundred;" so as to make the clause read:

Improving harbor at Mobile, Ala.: Continuing improvement, \$272,500: *Provided*, That contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the present project of improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$1,181,000, exclusive of the amount herein and heretofore appropriated.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was continued to page 14, line 2.

rian Church of College Springs, and of the First Congregational Church of Sheldon, all in the State of Iowa, praying that the World's Columbian Exposition be closed on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. PADDOCK presented a memorial of the Epworth Methodist Episcopal Church of Lincoln, Neb., remonstrating against the opening of the World's Columbian Exposition on Sunday and the sale of intoxicating liquors thereat; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of J. H. Weaver and 75 other citizens of Wayne County, Neb., praying for the passage of the Washburn-Hatch antiopium bills; which was referred to the Committee on the Judiciary.

Mr. SHERMAN presented a memorial of 11 citizens of Licking County, Ohio, remonstrating against Congress taking any steps towards closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented petitions of sundry churches of Ohio, and a petition of citizens of Auburn, Ohio, praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the following petitions of Ruggles and Marion Granges, Patrons of Husbandry, of Ohio:

Petitions praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petitions praying for the passage of a bill to prevent the adulteration of foods and drugs—ordered to lie on the table.

Mr. DAWES presented a petition of citizens of Williamsburg, Mass., praying for the passage of legislation for the free delivery of mails in rural districts; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. COCKRELL. I desire to present proceedings of the Board of Trade of St. Joseph, Mo., at a special meeting in regard to the Torrey bankrupt bill, and also other indorsements of the bill from others, and interviews with leading citizens of St. Joe. I heretofore presented a memorial from a portion of the citizens of that city and members of the Board of Trade, remonstrating against that bill. I am requested to ask that this may be printed as a separate miscellaneous document.

The PRESIDENT *pro tempore*. The document referred to will be printed, and referred to the Committee on the Judiciary.

Mr. COCKRELL presented a petition of the Presbyterian Church of Avalon, Mo., praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented three petitions of the Methodist Episcopal Church of Montgomery City, Mo., praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. TURPIE presented a memorial of citizens of Hamilton County, Ind., remonstrating against the passage of any legislation closing the World's Columbian Exposition on Sunday and committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Shiloh Baptist Church of Rising Sun, Ind., praying for the closing of the World's Columbian Exposition on Sunday and the prohibition of the sale of intoxicating liquors thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. CULLOM presented sundry petitions collected by the National Woman's Christian Temperance Union of Illinois, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented petitions of the Methodist Episcopal churches of Martinsville, Minier, Bowen, Del Roy, Paloma, and Molino; of the United Presbyterian Church of Alexis; of the Baptist Church of Ontario; of the Presbyterian Church of Troy, all in the State of Illinois, praying for the closing of the World's Columbian Exposition on Sunday and the prohibition of the sale of intoxicating liquors thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. BLACKBURN presented a memorial of the Presbytery of Louisville, Ky., remonstrating against the passage of legislation substituting the licensed liquor traffic in Alaska; which was referred to the Committee on Territories.

Mr. PLATT presented a memorial of citizens of Torrington, Conn., remonstrating against the commitment of the Government to a union of church and state by the passage of any legislation closing the World's Columbian Exposition on Sunday;

which was referred to the Committee on the Quadro-Centennial (Select).

He also presented petitions of the Congregational churches of Old Saybrook, Thompson, Wolcott, and New Haven, in the State of Connecticut, praying for the closing of the World's Columbian Exposition on Sunday, and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. PASCO presented a petition of the First Presbyterian Church of Paola, Fla., praying for the closing of the World's Columbian Exposition on Sunday, and that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. VEST presented petitions of the First Methodist Episcopal Church and Bethel Chapel of Breckenridge; of the Methodist Protestant and Methodist Episcopal churches of Powersville, and of the Presbyterian Church of Avalon, all in the State of Missouri, praying for the closing of the World's Columbian Exposition on Sunday and the prohibition of the sale of intoxicating liquors thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. QUAY presented the following petitions of sundry religious congregations of Pennsylvania, praying that Congress make proper appropriations for the World's Columbian Exposition on condition that positive and definite guarantees are given that the Exposition shall be closed on Sundays and the sale of all intoxicating liquors will be prohibited thereat:

Petitions of the Presbyterian Church of Penfield, Pa.; of the Methodist Episcopal Church of Bethlehem, Pa.; of the Methodist Episcopal Church of Brookville, Pa.; of the Beacon Presbyterian Church of Kensington, Pa.; of the Regular Baptist Church of Conowingo, Pa.; of the Evangelical Lutheran Church of Nittany, Pa.; of the Trinity Lutheran Church of Milton, Pa.; of the Lutheran Evangelical Church of Dallastown, Pa.; of the Memorial Presbyterian Church of Philadelphia, Pa.; of the Haws Avenue Methodist Episcopal Church of Norristown, Pa.; of the English Evangelical Lutheran Church of Columbia, Pa.; of the Union Evangelical Lutheran Church of York, Pa.; of St. Peter's Zion and Eden Churches of Plum Creek charge, Augustaville, Pa.; of the First German Presbyterian Church of Altoona, Pa.; of the Union Centenary Church of Sharpsburg, Pa.; of the Crossroads Presbyterian Church of Florence, Pa.; of the Mount Pleasant Presbyterian Church of Raymilton, Pa.; of the First Methodist Episcopal Church of Shenandoah, Pa.; of the First Lutheran Church of Watsontown, Pa.

The petitions were referred to the Committee on the Quadro-Centennial (Select).

Mr. DICKENS presented a petition of the Boise City (Idaho) Typographical Union, No. 271, praying for the passage of House bill 257, constituting eight hours a day's work; which was referred to the Committee on Education and Labor.

Mr. PLATT presented petitions of sundry churches in Connecticut, collected by the National Woman's Christian Temperance Union of Connecticut, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. HARRIS presented sundry petitions collected by the National Christian Temperance Union of Tennessee, containing 319 representative indorsements, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. SAWYER presented a memorial of citizens of Stevens Point, Wis., and a memorial of citizens of Shawano County, Wis., remonstrating against the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. MANDERSON presented the following petitions of Trinity Grange, Patrons of Husbandry, of Nebraska:

Petition praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petition praying for the passage of House bill 597, defining land and imposing a tax thereon—ordered to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

#### REPORTS OF COMMITTEES.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (S. 1229) amending section 1202 of Revised Statutes of the United States, providing for the attendance of witnesses before a court-martial, reported it with an amendment.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the joint resolution (H. Res. 195)

extending the time in which certain street railroads, compelled by act of Congress approved August 6, 1890, to change their motive power from horse power to mechanical power, for one year, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2693) for the relief of John H. Crane, of the District of Columbia, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. FAULKNER, from the Committee on the District of Columbia, to whom was referred the bill (S. 2746) granting the right to sell burial sites in parts of certain streets in Washington City to the vestry of Washington parish for the benefit of the Congressional Cemetery, reported adversely thereon; and the bill was postponed in definitely.

He also, from the same committee, to whom was referred the bill (S. 2812) to provide for a change of grades and the opening of streets in that part of the District of Columbia lying outside of the city of Washington, bounded by Sixteenth street extended, Eighteenth street extended, Florida avenue, and Columbia road, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 2916) to amend an act entitled "An act to incorporate the Marine Mutual Relief Association of the District of Columbia," approved March 3, 1869, reported it with amendments, and submitted a report thereon.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred a petition of Augustus F. H. Hain, late a major and aide-de-camp in the military service of the United States, praying to be allowed an honorable discharge and one year's pay, reported adversely thereon, and asked that the committee be discharged from its further consideration; which was agreed to.

Mr. STOCKBRIDGE, from the Committee on Fisheries, to whom was referred the amendment submitted by Mr. TELLER on the 17th instant, intended to be proposed to the sundry civil appropriation bill, reported it and moved its reference to the Committee on Appropriations; which was agreed to.

He also, from the Committee on Fisheries, to whom was referred the bill (S. 381) to make the Commissioner of Fish and Fisheries an officer of the Department of Agriculture, and for other purposes, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom the subject was referred, submitted a report thereon, accompanied by a bill (S. 3178) for the transfer of the Bureau of the United States Geological Survey and the United States Commission of Fish and Fisheries to the Department of Agriculture; which was read twice by its title, and, on his motion, referred to the Committee on Agriculture and Forestry.

Mr. QUAY, from the Committee on the Library, to whom was referred the bill (S. 2799) to provide for the dedication of the statue erected to the memory of the Marquis Marie Jean Paul Roch Yves Gilbert Motier de Lafayette, a major-general in the Army of the United States, reported it without amendment, and submitted a report thereon.

Mr. WOLCOTT, from the Committee on Civil Service and Retrenchment, to whom was referred the joint resolution (S. R. 62) proposing an amendment to the Constitution concerning eligibility to the office of President, reported it with an amendment.

Mr. HAWLEY. I am instructed by the Committee on Military Affairs, to whom was referred the bill (S. 3123) to restore Lieut. Samuel Howard to his proper rank, to ask that the committee be excused from its further consideration, as it relates to an officer in the Revenue Marine, and that it be referred to the Committee on Commerce.

The report was agreed to.

Mr. HALE, from the Committee on Naval Affairs, to whom was referred the bill (S. 3138) for the relief of the sufferers by the wreck of the United States steamer Despatch on Assateague Shoals, Virginia, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred a petition of citizens of California, requesting the removal of the United States marine hospital from its present site to the eastern side of Angel Island on San Francisco Bay, asked to be discharged from its further consideration and that it be referred to the Committee on Commerce; which was agreed to.

Mr. HALE. I present on behalf of the minority of the Committee on Naval Affairs their views upon the bill (S. 67) to transfer the Revenue Cutter Service from the Treasury Department to the Navy Department, and ask that they be printed, to accompany the majority report.

The PRESIDENT *pro tempore*. The views of the minority will be printed with the report upon the bill.

Mr. WASHBURN, from the Committee on Commerce, to whom

was referred the bill (S. 155) to authorize the New York and New Jersey Bridge Companies to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey, submitted an adverse report thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 2626) to authorize the New York and New Jersey Bridge Companies to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey, reported adversely thereon.

Mr. VEST. The Senator from West Virginia [Mr. KENNA] is called away necessarily from the Senate and requested me to ask leave that he be permitted to file a minority report on that bill. Let the bill go upon the Calendar with the understanding that the minority report may be filed hereafter.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee, with leave to the minority to submit their views to accompany the report of the committee.

GEORGE W. JONES.

Mr. TURREL. I am directed by the Committee on Pensions, to whom was referred the bill (S. 312) granting a pension to George W. Jones, to report it favorably, with an amendment; and I will ask the courtesy of the Senate for the present consideration of the bill.

The claimant is George W. Jones. He served during the entire period of the Black Hawk war. He not only rendered great services, but, being a man at that time of large means, he erected a blockhouse and stockade on the frontier where he was then residing, which served as a refuge for white settlers and inhabitants of that section of the country. He is at present a resident of Dubuque, Iowa. He was formerly a member of this body, and was one of the first Senators chosen from that State. He is 88 years of age, and in greatly reduced circumstances. Both the Senators from Iowa are personally acquainted with him, and will second me in this request for the present consideration of the bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Pensions was in line 10, to fill the blank by inserting the word "twenty;" so as to make the bill read:

*Be it enacted, etc.* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of George W. Jones, of Dubuque, Iowa, on account of services as a drummer boy in the volunteer company of Capt. William Lynn, at St. Genevieve, Mo., in 1811; and also on account of services as aide-de-camp to Gen. Henry Dodge in the Black Hawk war, 1832, and pay him a pension of \$20 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. QUAY introduced a bill (S. 3179) authorizing the Secretary of War to cause a survey to be made for a ship canal from Philadelphia across New Jersey to New York Bay; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 3180) for the relief of Samuel Lodge; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3181) for the relief of Luster P. Chester and Free-land Chester, and Luster P. Chester and Free-land Chester, executors of Thomas P. Chester; which was read twice by its title, and referred to the Committee on Claims.

Mr. SANDERS introduced a bill (S. 3182) enlarging the operation of the homestead act; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. DAWES introduced a bill (S. 3183) to amend an act entitled "An act authorizing the Secretary of the Interior to accept the surrender of and cancel land patents to Indians in certain cases," approved October 19, 1888; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 3184) to provide for allotments to Indians on White Earth Reservation in Minnesota; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. HARRIS (by request) introduced a bill (S. 3185) for the relief of Isaac L. Musselman, of Tennessee; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PADDOCK introduced a bill (S. 3186) to amend an act entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established

under the provisions of an act of Congress approved July 2, 1862," approved August 30, 1890; which was read twice by its title, and referred to the Committee on Education and Labor.

Mr. PLATT introduced a bill (S. 3187) for the better protection of hotel-keepers, inn-keepers, lodging-house keepers, and boarding-house keepers in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. WASHBURN introduced a bill (S. 3188) to extend to Duluth, Minn., the privilege of immediate transportation of unappraised merchandise; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a joint resolution (S. R. 86) for the protection of those parties who have heretofore been allowed to make entries for lands within the former Mille Lac Indian Reservation, in Minnesota; which was read twice by its title, and referred to the Committee on Public Lands.

#### AMENDMENT TO A BILL.

Mr. HAWLEY submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### PORTRAIT OF HENRY WILSON.

Mr. DAWES submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Committee on the Library be instructed to inquire into the expediency of purchasing for the use of the Senate the portrait of Henry Wilson, late Vice-President of the United States, painted by the late L. M. D. Guillaume, and report by bill or otherwise.

#### RIVER AND HARBOR BILL.

The PRESIDENT *pro tempore*. Is there further morning business? If there be no further morning business, the Calendar under Rule VIII is in order.

Mr. FRYE. I ask that the river and harbor bill be proceeded with.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7829) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. PLATT. I wish to offer an amendment to the bill.

Mr. FRYE. If the Senator will withhold it one moment there are one or two more committee amendments to be acted upon.

Mr. PLATT. Certainly.

Mr. FRYE. On page 28, line 22, the committee agreed to an amendment which was accidentally left out. I move to strike out "continuing" and insert "to complete," and to strike out "fifteen thousand" and insert "eighteen thousand five hundred;" so as to read:

Improving narrows at Lake Champlain, New York: To complete improvement, \$18,500.

The amendment was agreed to.

Mr. FRYE. On page 42, line 10, I move to strike out the word "Vienna" and to insert "Columbus;" so as to read:

Improving Tombigbee River, from Fulton to Columbus: Continuing improvement, \$6,000.

The amendment was agreed to.

Mr. PLATT. I offer an amendment to the bill. I have explained it to the chairman of the committee and I think there will be no objection to it. Certainly they will have it within their power to alter it if it be necessary.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. On page 68, in lines 1, 2, and 3, strike out the following words:

Any port, roadstead, haven, harbor, harbor of refuge, or inclosure within the limits of any breakwater, or of.

Change the colon in line 4 to a comma, and add at the end of line 4:

Or to excavate or fill in, or change or alter the condition or capacity of, any port, roadstead, haven, harbor, harbor of refuge, or inclosure within the limits of any breakwater, in such manner as to obstruct or impair the navigation, anchorage, or commerce of said waters.

The amendment was agreed to.

Mr. WHITE. On page 13, line 24, before the word "thousand," I move to strike out "ten" and insert "twenty." It does not change in any way the amount of the appropriation. I understood the chairman of the committee to state yesterday that he saw no objection to it.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. On page 13, line 24, before the word "thousand," strike out "ten" and insert "twenty;" so as to read:

Improving mouth and passes of Calcasieu River, La.: Continuing improvement, \$100,000, of which \$20,000, or so much thereof as may be necessary, may, in the discretion of the Secretary of War, be used on the inner bars.

Mr. FRYE. As that makes no change in the amount of the

appropriation, if in the judgment of the Senator from Louisiana it ought to be done, no objection will be interposed by me.

The amendment was agreed to.

Mr. QUAY. I move to amend the bill on page 78, line 11, by striking out the words "dam at or near the mouth of the Beaver River, in Pennsylvania" and inserting "Falls of the Ohio, at Louisville, Ky." It is an enlargement of the general plan of survey.

Mr. FRYE. That is in the surveys, is it?

Mr. QUAY. It is in the surveys only; in the general clause for the surveys.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment was agreed to.

Mr. McMILLAN. On page 52, after line 9, I move to insert:

For the improvement of Grand River below Grand Rapids, in the State of Michigan, the sum of \$100,000.

This is a very important improvement in the State of Michigan.

Mr. FRYE. One moment, if the Senator will allow me. I think I shall be compelled to make a point of order, but I shall not make it until the Senator has concluded whatever he desires to say.

Mr. McMILLAN. I wish to say but very little, Mr. President. This river is 40 miles in length between Grand Rapids and Grand Haven, and it connects the city of Grand Rapids with Grand Haven. Last year the engineers were ordered by the Committee on Commerce to make a report as to the feasibility of opening a channel 10 feet wide from Grand Rapids to Grand Haven, but the report was not made in time to be placed in this bill. The engineers reported that for \$600,000 or \$700,000 this improvement could be made.

Grand Rapids, as almost everyone knows, is a great manufacturing center. There is more furniture manufactured there than in any other city in the country. Those manufacturers are very anxious to have access by water to Lake Michigan, and at an expense of \$600,000 or \$700,000 they can save at least \$250,000 a year in freights. The engineers reported in favor of making this appropriation but the report did not reach us until after the river and harbor bill was made up. Now, I should like to have an appropriation made for this purpose. The Engineer Department recommend \$100,000. I should like the committee to allow even a smaller amount than that. If they object to \$100,000 make it \$25,000, so as to start the work. Grand Rapids is a city of 90,000 people, a growing city—this is a very important river, and it seems to me as if the improvements ought to be made. That is all I wish to say at present.

Mr. FRYE. The amendment is not subject to a point of order. I remember now that the amendment was offered by the Senator from Michigan and was before the committee; but the committee had no opportunity to consider it. The Secretary of War had not returned the conclusions of the engineer in season for us to consider the matter.

I do not feel at liberty to assent to any further increase in this bill. The State of Michigan was represented in the other House by two members of the Committee on Rivers and Harbors, and it seemed to the Committee on Commerce of the Senate that almost everything had been done for Michigan that we were justified in doing. Yet the two Senators from Michigan, when I informed them that Michigan must be cut considerably, came before the committee, and the result of the operation of economy on my part was that they had the bill increased still further by some \$30,000 or \$40,000.

Under all the circumstances, the committee having had no opportunity to examine this question, as the Senator knows perfectly well, I do not feel that I can assent to the amendment which the Senator desires.

The PRESIDENT *pro tempore*. The Senator from Maine withdraws his point of order, the Chair understands.

Mr. McMILLAN. If the Senator will allow me, I will state that a report was called for last year in regard to this improvement but the report was delayed. Had it reach the other House in time, I have no doubt that the \$100,000 would have been put in the bill. As I said before, if the Senator will agree to make it \$25,000 so as to start this work, it will be satisfactory to these great manufacturing interests in Grand Rapids. They consider it a very important improvement and I am deluged with letters and telegrams and petitions urging that an appropriation be made. The people of that city think that after the engineer has made a favorable report it is too bad that the work can not be commenced.

Mr. FRYE. There is nothing personally that I would not do for the two Senators from Michigan, but a great many such requests have been made to me since the bill was passed upon by the committee, and I do not feel, without the authority of the committee, that I have any right to assent to the proposition.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Michigan.

The amendment was rejected.

Mr. HAWLEY. I also wish to make an attempt to amend the bill, though at the same time I know the pressure which is upon the committee. I move, on page 6, in line 11, before the word "thousand," to strike out "fifteen" and insert "twenty-five," so as to raise the appropriation for improving the harbor at New Haven, Conn., from \$15,000 to \$25,000.

It is in some respects a misfortune that we legislate upon this matter only once in two years, because \$15,000 looks large until we reflect that it only means \$7,500 a year.

The engineer's report and the Treasury estimates say that \$63,000 could be profitably used at this point. New Haven is the only natural harbor of any great size or consequence between a point near New York and New London on the east, a stretch of 77 miles. The commerce of that body of water is extraordinary. From the New Haven breakwater in one year about 134,000 vessels of various sorts were counted passing.

The Government is wisely expending a very large sum of money to make a splendid breakwater on the outer limits of that harbor, so that there will be an abundant harbor of refuge there, and that independent of the local necessities of the port of New Haven. When these vessels get within that breakwater, under stress of weather, as they easily can do, they want ground to move in and to anchor in. There must be some dredging there. If we can get means to perfect the dredging and establish satisfactory anchorage there, the better, the more use the costly breakwater will be.

I represent the commercial interests of New Haven, as I am led to think by distinguished citizens, in asking that the amount be made \$25,000, in order that there may be \$12,500 a year for this work.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In section 1, on page 6, line 11, before the word "thousand," it is proposed to strike out "fifteen" and insert "twenty-five," so as to read—

Improving harbor at New Haven, Conn., Continuing improvement, \$5,000.

Mr. FRYE. Mr. President, this appropriation is not made for work on the breakwater?

Mr. HAWLEY. No.

Mr. FRYE. The work on the breakwater will require \$16,000, as the Senator says, to complete it.

Mr. HAWLEY. No, no; I did not mean to be so understood.

Mr. FRYE. I so understood the Senator.

Mr. HAWLEY. No; a larger sum than that. I am speaking of the inner water. After the breakwater is finished there has got to be sufficient ground for vessels to move about and anchor within the inclosure of the breakwater.

Mr. FRYE. It takes \$63,000 to complete the harbor. I remember two years ago, when the river and harbor bill was under consideration, that from the engineers or someone we received information that it would take about \$7,500 a year to keep the harbor properly dredged, and two years ago we appropriated this same sum of \$15,000, when the bill carried at least \$25,000,000. Now, this bill only carries \$21,000,000, and we have appropriated the same amount of \$15,000. I have no doubt it is adequate for the purpose for which the appropriation is made, which is simply to continue the ordinary dredging out of the harbor.

Mr. HAWLEY. Well, I understand the extent of the pressure that is upon the chairman of the committee, but nevertheless I make the motion that the amount of \$25,000 be appropriated instead of \$15,000, because the engineers say that \$63,000 can be properly expended.

The PRESIDENT *pro tempore*. The question is on the amendment offered by the Senator from Connecticut [Mr. HAWLEY].

The amendment was rejected.

Mr. PUGH. I desire to move two amendments, to which I think there can be no objection, as they do not make any increase in the amount appropriated by the bill. On page 13, line 13, the improvement of harbor at Mobile, Ala., has been put under the contract system authorized by the bill. That makes it immaterial to that improvement whether the amount appropriated is \$200,000 or \$500,000, as the contract takes it out of the river and harbor bills to be passed hereafter.

There is another improvement in Alabama provided for on page 41, beginning in line 20:

Improving Black Warrior River, Alabama, from Tuscaloosa to Daniels Creek. Continuing improvement, \$150,000.

Mobile is deeply interested in the completion of that work to the extent of entering the Warrior coal fields. The engineer has estimated that for \$50,000 more the locks and dams can be constructed so as to allow transportation from those fields to Mobile. When that is accomplished, coal can be carried from those Warrior coal fields to Mobile at \$1.25 a ton, making that port the cheapest coal port in the world.

I ask, with a deduction of 25 per cent under the committee amendment, that the amount of \$262,500 be reduced to \$212,500, deducting \$50,000 from that amount, and that the \$50,000 be transferred and added to the appropriation for the construction of the locks and dams on the Warrior River above Tuscaloosa up to Daniels Creek.

My amendment is to strike out "sixty-two" and insert "twenty-two." That will make the amount \$212,500. That is the first amendment I offer.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. On page 13, line 11, before the word "thousand," it is proposed to strike out "sixty-two" and insert "twenty-two," so as to read:

Improving harbor at Mobile, Ala., Continuing improvement, \$122,500.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Alabama.

Mr. HALE. Mr. President—

Mr. PUGH. On page 41—

The PRESIDENT *pro tempore*. Does the Senator from Maine rise to this question?

Mr. HALE. I do not understand that the vote has yet been taken.

The PRESIDENT *pro tempore*. No, the Chair did not announce the result.

Mr. PUGH. Will the Senator from Maine allow me to complete my amendments before he proceeds?

Mr. HALE. What I wish to say is naturally suggested by the clause which the Senate is now considering. Therefore, I should prefer in what remarks I have to submit to go on at present on this proposition.

The PRESIDENT *pro tempore*. The question before the Senate is on the motion of the Senator from Alabama [Mr. PUGH] to amend by striking out "sixty-two" and inserting "twenty-two."

Mr. PUGH. A reduction of fifty thousand in that appropriation.

Mr. HALE. Mr. President, I want to call the attention of the Senate to one or two considerations touching this bill. This provision, as it comes from the House, provides \$350,000 for improving the harbor at Mobile, but it goes on and provides:

That contract may be entered into by the Secretary of War for such material and work as may be necessary to complete the present project of improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$1,000,000 exclusive of the amount herein and hereafter appropriated.

I have been looking over the bill, and I find provisions of this kind involving and carrying not only the appropriations which are limited in the bill, but obligations of the Government which can not be changed until the provisions are repealed, carrying immensely larger sums. I have a list here of the different items of this kind where appropriations in the bill amount to \$6,266,250, while the obligations imposed upon the Government for which we must appropriate hereafter, being bound hand and foot by provisions of the bill, such as the House of Representatives put in, upon this very item of Mobile, Ala., for \$32,815,357 besides.

The other day, Mr. President, in discussing the naval appropriation bill, where the Committee on Appropriations had only increased the House bill by \$70,000, Senators upon the other side, the Senators from Missouri and the Senator from Wisconsin [Mr. VILAS], speaking in the interests of economy, divided the statement that was made here by the Senator from Iowa [Mr. ALDRICH], that the bill only increased the appropriations for the present year \$700,000, claiming that if we passed the amendment as reported by the Senate committee it really added \$11,000,000, which must be appropriated for hereafter. The Senator from Wisconsin, the Senators from Missouri, and other Senators, I think, upon the other side, inveighed against this as being extravagance under the guise of not increasing the present appropriation bill. I did not deny that the bill carried these amounts as appropriations upon subsequent bills, but claimed that, representing the present condition of the Treasury, only \$700,000 was to be reckoned and would be called for from the revenues contributed by the people for the next fiscal year; but that was considered by these Senators as no answer whatever.

I call attention to the fact that I do not see any of these Senators rising in their seats and looking at the Senator from Wisconsin [Mr. VILAS], who appeared as the foremost advocate of economy upon that side, and declared that in the present condition of the Treasury these large appropriations were an outrage upon the taxpayers, and I find that, while the items on this bill are colossal compared with those which were upon the naval appropriation bill—that seat is vacant. I do not see either of the Senators from Missouri rising and objecting to these immense burdens which are being laid upon the Government by future contracts which we can not escape.

I discover something of what was alluded to the other day as masquerading as economists when the appropriation does not



sion the House take a recess until the evening for pension business.

The SPEAKER. The gentleman from Indian asks unanimous consent that the hour for the recess to-day be fixed at half past 5 o'clock instead of 5.

Mr. KILGORE. I object. I am willing that we shall run on until 6 o'clock if the evening session be dispensed with. But I am not willing that the afternoon session be extended if we are to come back here this evening at 8 o'clock.

#### MESSAGE FROM THE PRESIDENT.

A message from the President, by Mr. PRUDEN, one of his secretaries, announced that the President had approved and signed bills and joint resolutions of the following titles:

On May 20, 1892:

An act (H. R. 5444) to amend an act entitled "An act to incorporate the National Union Insurance Company of Washington," approved February 14, 1865:

An act (H. R. 6295) to punish false swearing before trial boards of the Metropolitan police force and fire department of the District of Columbia, and for other purposes; and

An act (H. R. 6788) to establish supports of entry and delivery at Superior, Wis., and at Ashland, Wis., in the Superior collection district of Michigan and Wisconsin.

On May 12, 1892:

Joint resolution (H. Res. 118) to suspend the issue of permits to erect dwelling houses in alleys in the District of Columbia;

An act (H. R. 5108) to establish a military post at or near the city of Helena, in Lewis and Clarke County, in the State of Montana;

An act (H. R. 250) to authorize the construction of a bridge across the Missouri River at De Witt, Carroll County, Mo., and to establish it as a post-road;

An act (H. R. 5354) to authorize the construction of a bridge across the Oage River, between the town of Warsaw and the mouth of Turkey Creek, in Benton County, Mo.;

An act (H. R. 804) to authorize a national bank at Chicago, Ill.; to establish a branch office upon the grounds of the World's Columbian Exposition;

On May 13, 1892:

An act (H. R. 7527) to authorize the construction of a telegraph line on the coast of Virginia from Cape Charles to Assateague Island, in aid of the preservation of life and property;

An act (H. R. 7818) to provide for certain of the most urgent deficiencies in the appropriations for the service of the Government for the fiscal year ending June 30, 1892, and for other purposes; and

An act (H. R. 1845) to amend an act entitled "An act relating to tax sales and taxes in the District of Columbia."

#### ENROLLED JOINT RESOLUTION.

Mr. WARWICK, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled joint resolution (H. Res. 96) to authorize the loan of certain ensigns, flags, and signal numbers for the purpose of decorating the streets and buildings of Washington on the occasion of the Grand Army Encampment in September, 1892; when the Speaker signed the same.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HARE, for ten days, on account of important business.

To Mr. CAPEHART, for ten days, on account of important business.

To Mr. COX of Tennessee, for ten days, on account of important business.

#### CHANGE OF REFERENCE.

On motion of Mr. CASTLE, by unanimous consent, the Committee on Rivers and Harbors was discharged from the further consideration of the bill (H. R. 223) to provide for the making of a survey and estimate for a canal from the St. Croix River to Lake Superior, and the same was referred to the Committee on Railways and Canals.

Mr. CAMPBELL. I move that the House now take a recess until 8 o'clock.

The SPEAKER. The gentleman from New York [Mr. CAMPBELL] moves that the House now take a recess until 8 o'clock p. m., the evening session to be devoted to the consideration of business under the special rule.

The motion was agreed to; and accordingly (at 4 o'clock and 55 minutes p. m.) the House took a recess until 8 o'clock p. m.

#### EVENING SESSION.

The recess having expired, the House at 8 o'clock p. m. was called to order by the Speaker.

#### ORDER OF BUSINESS.

Mr. MARTIN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole to consider bills on the Private Calendar under the rule.

The question was taken; and on a division (demanded by Mr. KILGORE) there were—ayes 37, noes 4.

Mr. KILGORE. I think we ought not to go to work until we get more members here, and I will have to insist on a quorum.

Mr. CAMPBELL. I suggest that we proceed to the consideration of business to which there is no objection, and if we reach bills to which the gentleman objects, then he can call for a quorum or make other objection.

The SPEAKER. The point of order being made that no quorum has voted, the Chair will appoint tellers.

Mr. KILGORE and Mr. MARTIN were appointed tellers.

The House again divided; and the tellers reported—ayes 41, noes 10.

Mr. KILGORE. There is not quite enough present yet; no quorum. [Laughter.]

Mr. COBB of Alabama. I move a call of the House.

The SPEAKER. The tellers will continue the count.

The count being concluded, the tellers reported—ayes 41, noes 10.

So, no further count being demanded, the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House, Mr. DOCKERY in the chair.

#### CHARLOTTE SNAVELY.

The CHAIRMAN. The Clerk will report the first bill upon the Calendar.

The Clerk read as follows:

A bill (H. R. 714) for the relief of Charlotte Snavely, of Mead, Holly Springs, Cumberland County, Pa.

Mr. MARTIN. In view of the fact that there is a substitute reported by the committee for this bill, I suggest that the substitute be read.

The CHAIRMAN. In the absence of objection that will be done.

The substitute was read at length.

Mr. COBB of Alabama. Let us have the report read.

The report (by Mr. KIBBS) was read at length.

The CHAIRMAN. The question is on the adoption of the substitute.

Mr. KILGORE. I am informed that this bill is one in which the gentleman from Pennsylvania [Mr. BELTZHOVER] is interested, and he requested that it should be laid aside without losing its place, if this is the bill to which I think he referred. It is impossible for him to be present to-night on account of sickness.

The CHAIRMAN. In the absence of objection the bill will be laid aside, and the Clerk will report the next pension bill on the Calendar.

#### JONATHAN KIMBALL.

The next business on the Calendar was the bill (H. R. 6038) for the relief of Jonathan Kimball.

The bill was read at length.

Mr. KILGORE. I do not know but that the bill just read is obnoxious to the point of order, from what I could gather of the reading.

Mr. RAINES. Let us have the report.

Mr. KILGORE. I am willing to have the report read subject, of course, to the point of order.

The CHAIRMAN. The Chair is informed that this bill was laid aside at the last meeting of the committee without prejudice, and if there be no objection that order will be made again to-night.

Mr. JOLLEY. Mr. Chairman, the same point of order was made heretofore and the Chair has ruled on it.

Mr. KILGORE. I think the Chair was mistaken in the ruling, but it is possible he may have reformed by this time. [Laughter.] I make the point of order again. I believe a demurrer is always in order in court, and I think the point of order may always be presented if it goes to the substance of the question, and the jurisdiction of the House over the subject-matter. I renew the point of order therefore, but will yield to any gentleman who wants to make a speech.

The CHAIRMAN. If the Chair remembers his decision on last Friday evening correctly, he ruled that the bill was in order, the effect of the language being to allow claimant arrears of pension. As the Chair now recollects it, that is the provision of the bill. The Chair thinks that the bill is in order, though of course it is a question for the committee to determine whether or not they desire to grant arrears of pensions.

Mr. LANE. Mr. Chairman, I move to lay the bill aside without prejudice, if the gentleman in charge of the bill is not here. I ask consent that it be laid aside.

The CHAIRMAN. The Chair hears no objection.

Mr. JOLLEY. Mr. Chairman, this same bill was laid aside in the same way two weeks ago. If there is any particular objection to the bill I would like to have it brought up now; if not, the bill ought to pass.

The CHAIRMAN. The gentleman from Illinois has asked that the bill be laid aside without prejudice. The Chair stated the request and heard no objection. If the gentleman states that he rose for the purpose of objecting, of course the Chair will recognize it.

Mr. JOLLEY. I did; but if the gentleman wants to lay it aside for consideration before the next meeting, I have no objection.

The CHAIRMAN. The bill will of course retain its place on the Calendar, and if there be no objection it will be laid aside for the present.

There was no objection, and it was so ordered.

CHARLES T. GARRARD.

The next business on the Calendar was the bill (H. R. 2932) for the relief of Charles T. Garrard.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion appearing on the records of the Adjutant-General United States Army against Charles T. Garrard, late quartermaster-sergeant Sixth Regiment United States Cavalry, and that a certificate of honorable discharge as of Sixth United States Cavalry be furnished said soldier.

The report (by Mr. BOWERS) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 2932) for the relief of Charles T. Garrard, have had the same under consideration and report.

The military record of this soldier shows that said Garrard enlisted October 23, 1861, in Troop K, Sixth Cavalry, served faithfully until February 10, 1864, when he was discharged by reason of reenlistment in the same troop the same date, and served faithfully until October 12, 1865, when he deserted, having served over four years and until long after the war was over; was in many battles and wounded severely at the battle of Winchester.

Many affidavits of comrades show him to have been a good soldier. He received a furlough for three days and overstaid his time two days, occasioned by an accident. For this he was arbitrarily and unjustly treated. In view of his long service, honorable wounds, good citizenship, and mitigating circumstances of his hasty and unlawful act committed while smarting under his unjust treatment, your committee are of the opinion that the relief should be granted, and recommend that the bill do pass.

Mr. LIVINGSTON. Will the gentleman in charge of the bill tell what that accident was that happened to this soldier?

Mr. DURBOROW. Mr. Chairman, I can inform the gentleman. As the report states, the soldier was granted a short leave of absence. Coming back, he was detained by a railroad accident which prevented his getting back to his command until two days after his leave expired. His commanding officer, a young lieutenant, came to him and abused him most shamefully, according to the testimony of a bystander, a member of the man's company. This so incensed the soldier that he retorted rather hotly, and for his words he was court-martialed. They had a trial about it, and during that the man picked up his things and walked off. He had been a good soldier. He has been a good citizen since the war, and he asks that Congress grant him this relief for the sake of his family and his children.

Mr. LIVINGSTON. The charge of desertion does not rest upon the two days' delay on account of the accident?

Mr. DURBOROW. Oh, no.

Mr. LIVINGSTON. It rests upon his picking up his things and leaving while the trial was in progress.

Mr. DURBOROW. That is about it. It was after the war was over. He served through the war. He was severely wounded. He has a fine record as a brave soldier, and having completed his service, it seems as though this little matter might be adjusted now.

Mr. LANE. I think the bill ought to be amended in the usual way, so as to provide that he shall receive no pay or emoluments on account of the passage of this bill.

Mr. DURBOROW. I accept that amendment. I supposed that was in the bill.

The CHAIRMAN. Will the gentleman state the amendment?

Mr. LANE. It should read:

*Provided, however,* That this bill shall carry no pay or emoluments.

Mr. DURBOROW. That is all right.

Mr. HULL. I think the usual form is that—

No pay arrearages or emoluments shall become due by the passage of this act.

That is the customary form.

Mr. DURBOROW. That is the customary form, and I accept that.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

And no pay, emoluments, or arrearages shall become due by the passage of this act.

The amendment was agreed to.

The CHAIRMAN. The question is, Shall the bill be laid aside with a favorable recommendation?

Mr. EVERETT. Mr. Chairman, if I understand the reading of that report, it acknowledges the desertion on the part of this soldier. It does seem that there is no crime in the catalogue

that a soldier can commit that will cut him off from the benefits of the pension laws. There has never been a meritorious case asking a pension in this House that I have not freely and willingly voted for; but when the attempt is made to put upon this country the deserters from the Army, I think that the limit in pensioning has been reached. It is asking entirely too much of the country.

We expect to pension the good soldiers, who were true and faithful and brave, who remained in their places, and I think the section from which I hail has proven that we are willing that those pensions should be given. But I have sat here and seen men placed on the pension rolls who I am satisfied were not deserving men. It seems that there is nothing that will cut one out. For one, I am opposed to pensioning any man who deserted from the ranks. I care not whether in the face of the enemy or not.

Mr. SCOTT. Will the gentleman permit me to ask him a question?

Mr. EVERETT. Yes.

Mr. SCOTT. If I understood the report and the explanation made by the gentleman from Illinois [Mr. DURBOROW], this bill is not for the purpose of pensioning the soldier, but for the purpose of removing a charge of desertion, that desertion having taken place after he had served through the entire war, and it occurred on account of some difficulty with an officer.

Mr. EVERETT. That is my understanding, and I want to say to you right here that if there were not a pension looming up in the dim distance that application never would have been made here to-night. It is for the purpose, and the sole purpose, of putting him and his family in line in order that they may draw a pension in the future. Think of it! One hundred and thirty-five million dollars a year now, and, according to the report of the Commissioner, 30,000 men going onto the pension rolls in addition every month; two and a half millions to keep up the places of desert at which soldiers are kept! That is all right; but I say that we ought to scrutinize these cases more carefully. I do not know when I have ever objected to voting for a pension to a person who I thought was a worthy subject, but when you come to pension your deserters you touch me in a tender spot.

I shall vote against it, and I hope other members of this House will do the same thing.

Mr. BRETZ. Mr. Chairman, I desire to send to the Clerk's desk a communication from the Grand Army of the Republic of Indiana, and have it read in connection with this matter.

The CHAIRMAN. The communication will be read.

The Clerk read as follows:

HEADQUARTERS DEPARTMENT OF INDIANA,  
GRAND ARMY OF THE REPUBLIC,  
Indianapolis, April 27, 1892.

DEAR SIR: The department of encampment of Indiana, Grand Army of the Republic, at its recent session at Fort Wayne, by a rising vote, unanimously resolved that we protest against the indiscriminate correction of records of deserters by Congress, and the placing on the rolls of the Army with honorable discharges those who deserted us in the hour of peril, unless on investigation satisfactory proof is given of error in records. I was directed to certify the same to you. I was also by vote of the encampment, directed to ask your support for the measure increasing the pensions of deaf soldiers.

I have the honor to be, very respectfully, yours,

IRVIN ROBBINS,  
Assistant Adjutant-General.

Hon. J. L. BRETZ, M. C.

Mr. TANSNEY. Mr. Chairman, the letter just read from the desk in the main meets with my hearty concurrence. I have not established for myself in this House a reputation for supporting indiscriminately measures for the removal of charges of desertion, nor of granting pensions. I have endeavored in the conduct of my duties here to be governed in the consideration of each case and each measure as it came up, as I would in the consideration of any other measures.

While I concur in the purpose of that letter which has been read, I would impress upon this committee, and upon the gentleman from Georgia [Mr. EVERETT], and upon my friend from Indiana [Mr. BRETZ], that in these measures for the relief of soldiers having the word "Desertion" recorded against them, that there are distinctions in those cases. For a man who abandoned his duty, who forgot his allegiance, who in the face of the enemy deserted, I have not now and never have had any sympathy or consideration; and no pressure or inducement could ever incline me to the support of a bill for the removal of that charge from such. But there are technical offenses of desertion as there are offenses merely technical in the violation of any criminal code.

If we could stop here and calmly consider this matter, robbed of this hateful word "desertion," and look coolly at the facts as presented in this report concerning the conduct of this soldier, I anticipate we would not look upon this as one of the cases that does not call for relief. Here was a soldier, according to this report, brave and true in the line of his duty until that duty

members of the Seventh-Day Adventist Church of Sodus, Mich., and the memorial of D. W. Milks and 32 other members of the Seventh-Day Adventist Church of Saginaw, Mich., remonstrating against the commitment of the Government to a union of religion and the state by the passage of any legislation closing of the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Cleon Grange, No. 633, Patrons of Husbandry, of Michigan, praying for the passage of legislation to prevent dealing in options or futures; which was referred to the Committee on the Judiciary.

Mr. COLQUITT. I present thirty-nine petitions, containing over 3,000 signatures, from various places in several States, largely from California, praying for the closing of the World's Columbian Exposition on Sunday. I move that the petitions be referred to the Select Committee on the Quadro-Centennial.

The motion was agreed to.

Mr. COLQUITT presented a petition of the Atlanta (Ga.) branch of the Journeymen Stonecutters' Association of North America, praying for the passage of legislation prohibiting the employment of convicts of any State on any Federal Government building; which was referred to the Committee on Education and Labor.

He also presented a memorial of M. A. Barret and other members of the Seventh-Day Adventist Church of Atlanta, Ga., remonstrating against the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. VEST presented the memorial of F. J. Hyde and other citizens of Diamond, Mo., and the memorial of N. Bennett and other citizens of Nodaway County, Mo., remonstrating against Congress committing the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Association of Congregational churches and ministers for the State of Missouri, remonstrating against the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. WARREN presented a petition of the Colorado Beet-Sugar Convention, praying that Congress shall cede, under proper restrictions, the Government arid lands to the various States and Territories within whose boundaries such lands are situated; which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also presented a petition of the Colorado State Beet-Sugar Convention, praying for the continuance of the bounty on sugars produced in the United States; which was referred to the Committee on Finance.

Mr. WARREN. I present a petition of the Wyoming Stock Growers' Association, and of the Chamber of Commerce of Salt Lake City, Utah, praying for the passage of the Torrey bankruptcy bill. I move that the petition, with the accompanying papers, be referred to the Committee on the Judiciary, and printed as a document.

The motion was agreed to.

Mr. PALMER presented petitions of the Methodist Episcopal churches of Minier, Paloma, Sunbeam, Batchtown, Barrington, and Vandalia; of the Congregational Church of Bainfield; of the Christian Church of Minier; and of 19 pastors of churches in Champaign and Urbana, all in the State of Illinois, praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PADDOCK presented the memorial of E. R. Henderson and 28 other members of the Seventh-Day Adventist Church of Washington County, Nebr., remonstrating against the commitment of the Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented memorials of the United Presbyterian Church of Majors; of the Saratoga Congregational Church of Omaha; of the Methodist Episcopal Church of Shelton, and of the Congregational Church of Creighton, all in the State of Nebraska, remonstrating against the opening of the World's Columbian Exposition on Sunday and the sale of intoxicating liquors thereat; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of John Gordon, pastor of the

Westminster Presbyterian Church of Omaha, Nebr., and the petition of the Young People's Society of Christian Endeavor of Biggsville, Ill., praying that the World's Columbian Exposition be closed on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the memorial of J. S. Ellis, of Mount Vernon, Ill., and 20 other citizens of Belleville, Ill., and the memorial of Gotthel Weinrich and 23 other citizens of Belleville, Ill., remonstrating against the passage of the Prosius-Wils n land bills and praying for the passage of the Paddock pure-food bill; which were referred to the Committee on Agriculture and Forestry.

He also presented the petition of A. B. Shaw and 100 other citizens of Crete, Nebr., praying for the adoption of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purposes; which was referred to the Committee on the Judiciary.

He also presented the petition of N. V. Harlan, J. E. Sedgwick, and other citizens of York, Nebr., praying for the passage of Senate bills 2824 and 2825, regulating rates of postage on second-class mail matter at letter-carrier offices; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the following petitions of Fox Creek, Lake View, and Clay Granges, Patrons of Husbandry, of Nebraska.

Petitions praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petitions praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary.

Petitions praying for the free delivery of mails in rural districts—to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. COCKRELL presented a petition of the Methodist Protestant and Methodist Episcopal churches of Beckenridge, Clinton, Missouri conference, and a petition of the Methodist Episcopal and Methodist Protestant churches of Powersville, in the State of Missouri, praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. MILLS presented the memorial of William Hoyt and other members of the Seventh-Day Adventist Church of Kingston, Tex., remonstrating against Congress committing the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. JONES of Arkansas presented the memorial of G. E. Norwood and other members of the Seventh-Day Adventist Church of Bentonville, Ark., remonstrating against Congress committing the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. CULLOM presented petitions of the Methodist Episcopal churches of Vandalia, Batchtown, and Barrington; of the Congregational Church of Brimfield, and of the Presbyterian Church of Blydenre, all in the State of Illinois, praying for the closing of the World's Columbian Exposition on Sunday, and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the memorial of W. E. Gunn and 24 other business men of East St. Louis, Ill.; and the petition of Francis Hock and 19 other business men of St. Clair County, Ill., remonstrating against the passage of the Wilson-Bacius land bills and praying for the passage of the Paddock pure-food bill; which was referred to the Committee on Agriculture and Forestry.

Mr. VILAS presented a memorial of W. H. Farrell and other citizens of Royalton, Wis., remonstrating against the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PASCO presented a petition of the Board of Trade of Jacksonville, Fla., praying that an appropriation be made for the purpose of the grand review of the navies of the world to be held as a part of the celebration of the four hundredth anniversary of the discovery of America; which was referred to the Committee on the Quadro-Centennial (Select).

#### REPORTS OF COMMITTEES.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 319) to amend the act

incorporating the Washington and Georgetown Railroad Company, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2863) for the relief of Mrs. Letitia S. Elliott;

A bill (S. 2695) for the relief of Patrick Cook;

A bill (S. 2642) to extend the time for the payment of unpaid taxes for the year 1891 and all previous years, and for the remission of the penalty;

A bill (S. 1961) relating to the office of the register of wills of the District of Columbia, and for other purposes; and

A bill (S. 1960) relating to the office of the recorder of deeds of the District of Columbia, and for other purposes.

Mr. COLEQUITT, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 5396) for the relief of W. H. Howard, reported it without amendment.

Mr. MORGAN, from the Committee on Public Lands, to whom was referred the joint resolution (S. R. 85) to correct a misnomer in the records of the General Land Office, and for other purposes, reported it without amendment.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 3117) relating to post traderships, reported it with amendments, and submitted a report thereon.

Mr. VEST. I am instructed by the Committee on Commerce, to whom was referred the bill (S. 3067) granting the right of way to the Kentucky and Indiana Bridge Company on and across the grounds of the Louisville and Portland Canal, the property of the Government of the United States, to report it adversely. I suppose the bill may go on the Calendar, as it was introduced by the Senator from Kentucky [Mr. BLACKBURN], who is not present.

The PRESIDING OFFICER. The Senator from Missouri asks that the bill be placed on the Calendar, although there is an adverse report. If there be no objection it will be so ordered.

#### COURTS IN SOUTH CAROLINA.

Mr. WILSON. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 2968) to provide for a May term of the district court of the United States for the eastern district of South Carolina, to report it favorably without amendment, and inasmuch as it is very brief and will require but a moment for its consideration, I ask unanimous consent that the bill may be considered at the present time.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### LANDS AT BOONVILLE, MO.

Mr. WALTHALL. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 3036) to confirm New Madrid location survey, No. 131, and to provide for the issue of a patent therefor, to report it favorably, with an amendment to the title, and to submit a written report thereon.

Mr. VEST. That is a bill which will excite no debate, and it is of very great importance to one of the cities of my State. It is a mere formal matter, reported favorably from the Interior Department and the Land Office and the Committee on Public Lands. It simply confirms a survey; and I ask the Senate to consider the bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. WALTHALL. There is an amendment to the title.

The title was amended so as to read: "A bill to confirm New Madrid location survey No. 2475, and to provide for the issue of a patent therefor."

The PRESIDING OFFICER. The Chair is inclined to think that the body of the bill ought to be amended so as to conform to the title.

Mr. WALTHALL. It is only the title that requires to be amended. One number has reference to the certificate of location and the other number has reference to the survey. The bill is right.

#### BILLS INTRODUCED.

Mr. VILAS (by request) introduced a bill (S. 3189) for the relief of Augusta Kratzenberg; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SAWYER introduced a bill (S. 3199) for the relief of John C. Peters, alias Peter L. Weber; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3194) granting a pension to Susan A. Russell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PADDOCK introduced a bill (S. 3192) to equalize to some extent the burdens imposed upon the people by an act entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 3193) for the advancement of the science of agriculture; which was read twice by its title.

Mr. PADDOCK. The bill should go to the Committee on Patents, and I will read the first paragraph of the measure to indicate that it should go there:

That any person who has invented or discovered any new and useful plant, fruit, or flower not known or used by others in this country, and not patented, etc.

The PRESIDING OFFICER. The bill will be referred to the Committee on Patents.

Mr. CHANDLER introduced a bill (S. 3194) for the relief of Jeronemus S. Underhill, of the city of New York; which was read twice by its title, and referred to the Committee on Claims.

#### AMENDMENTS TO BILLS.

Mr. WARREN submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. BUTLER submitted an amendment intended to be proposed by him to the bill (S. 2571) to amend section 19 of an act entitled "An act to regulate commerce," approved February 4, 1887; which was referred to the Committee on Interstate Commerce, and ordered to be printed.

#### FUNERAL OF SENATOR BARBOUR.

Mr. KENNA submitted the following resolution; which was read:

*Resolved*, That the expenses incurred by the select committee appointed to take order for the funeral of the late Senator Barbour be paid from the contingent fund of the Senate.

Mr. KENNA. I ask for the present consideration of the resolution.

Mr. SHERMAN. The law requires that it shall go to the Committee on Contingent Expenses. There is no objection to the resolution, of course, but a reference is required.

The PRESIDING OFFICER. Under the rule or law the resolution must be referred.

Mr. KENNA. Very well; let it take the regular course.

The PRESIDING OFFICER. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

#### WOOL AND WOOLEN GOODS.

Mr. VEST. I offer a resolution which I ask to have read and lie on the table. I shall call it up some other day.

The resolution was read, and ordered to lie on the table, as follows:

*Resolved*, That the Committee on Finance be discharged from the further consideration of the bill (H. R. 6067), being "An act to place wool on the free list and to reduce the duties on woolen goods," and that the same be reported back to the Senate for its action thereon.

#### REPORT ON NICARAGUAN CANAL.

Mr. MORGAN submitted the following resolution; which was referred to the Committee on Printing:

*Resolved*, That 10,000 copies of Miscellaneous Document No. 97 (Fifty-second Congress, first session), being the letter of the Secretary of War and the report of Maj. C. E. Dutton on the Nicaraguan Canal, be printed, of which 6,000 copies shall be for the use of the House and 4,000 for the use of the Senate.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 812) granting a pension to George W. Jones; and

A bill (S. 1975) for the protection of livery-stable keepers and other persons keeping horses at livery within the District of Columbia.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 711) to remove the charge of desertion now standing against Albert Keach.

The message further announced that the House had passed a bill (H. R. 5719) for the relief of Harriet W. Shacklett; in which it requested the concurrence of the Senate.

#### ENROLLED BILLS.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution:

A bill (H. R. 1528) to pension Samuel O. Fisher, of Lynn, Mass.;

A bill (H. R. 2073) granting a pension to Mrs. Jennie Y. Wade;

Petitions praying for the enactment of legislation for the encouragement of silk culture—referred to the Committee on Agriculture and Forestry.

Petitions praying for the enactment of legislation to prevent gambling in farm products—to the Committee on the Judiciary. Petition praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

Mr. FELTON presented a petition of the North Battle Grange, Patrons of Husbandry, of California, praying for the free delivery of rural mails: which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the memorial of W. G. Myers and other members of the Seventh-Day Adventist Church of Oakland, Cal., and the memorial of C. F. Eaton and other members of the Seventh-Day Adventist Church of Napa, Cal., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday: which were referred to the Committee on the Quadro-Centennial (Select).

#### REPORTS OF COMMITTEES.

Mr. TURPIE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2902) for the relief of David L. Truex;

A bill (H. R. 3838) to pension Elizabeth R. Crawford, widow of C. A. Crawford, soldier in Creek war of 1836;

A bill (H. R. 3202) to pension Nancy E. Renfro;

A bill (H. R. 5364) granting a pension to Mary Gatlin;

A bill (H. R. 4043) granting an increase of pension to William A. Birch; and

A bill (H. R. 5363) granting a pension to David C. Barrow.

Mr. TURPIE, from the Committee on Pensions, to whom was referred the bill (S. 317) granting an increase of pension to John M. Roberts, reported it with an amendment, and submitted a report thereon.

Mr. DAWES, from the Committee on Indian Affairs, to whom the subject was referred, reported a bill (S. 3195), granting to the Yuma Pumping Irrigation Company the right of way for two ditches across that part of the Yuma Indian Reservation lying in Arizona: which was read twice by its title.

He also, from the same committee, to whom was referred the bill (S. 3103) granting right of way to the Yuma Pumping Irrigation Company across the Yuma depot quartermaster's reservation in Arizona, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment:

A bill (S. 2292) to accept and ratify an agreement made with the confederated tribes and bands of Indians occupying the Yakima Reservation, in the State of Washington, for the extinguishment of their title to so much of said reservation as is required for the use of the Northern Pacific Railroad, and to make the necessary appropriations for carrying out the same;

A bill (S. 3183) to amend an act entitled "An act authorizing the Secretary of the Interior to accept the surrender of and cancel land patents to Indians in certain cases," approved October 19, 1888; and

A bill (S. 3184) to provide for allotments to Indians on White Earth Reservation, in Minnesota.

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1669) granting an increase of pension to Fordyce R. Melvin; and

A bill (H. R. 7281) granting a pension to William F. C. Nindemann, late of the Jeannette expedition to the Arctic Ocean.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 1445) for the relief of Kate P. Mitchell, daughter of Stephen Mitchell, late of Fifth Maine Battery;

A bill (H. R. 1276) to pension Adeline Alexander;

A bill (H. R. 2436) granting a pension to Bridget Maloy; and

A bill (H. R. 5602) granting a pension to Lucy Haskell, mother, by adoption, of John Haskell.

Mr. PALMER, from the Committee on Pensions, to whom was referred the following bills, reported them severally without amendment:

A bill (H. R. 2496) granting a pension to Noah Staley;

A bill (H. R. 5734) granting a pension to Eliza M. Boatright, the surviving widow of Alexander M. Boatright, who was a soldier in the Black Hawk war; and

A bill (H. R. 2713) in relation to the execution of declarations and other papers in pension claims.

Mr. VOORHEES. I am instructed by the Committee on Finance, to whom was referred the bill (S. 1525) directing the issue of duplicate United States bonds to Elijah P. Holleroft, guardian of Barton J. Parr, to report it without amendment. I shall ask leave to submit a written report hereafter to accompany the bill.

The VICE-PRESIDENT. The bill will be placed on the Calendar, and leave will be granted as requested.

Mr. MITCHELL. I am instructed by the Committee on Privileges and Elections to report back the joint resolution (S. R. 8.) proposing an amendment to the Constitution of the United States providing for the election of Senators by the votes of the qualified electors of the States, without recommendation as to merits but with the recommendation that the joint resolution be placed on the Calendar for consideration, and as the committee is divided in regard to this matter it is understood that each member of the committee, either conjointly with one or more of his fellows or by himself, shall within a reasonable time submit his views to be filed either in support of or against the proposed change in the Constitution.

The VICE-PRESIDENT. The joint resolution will be placed on the Calendar, and leave will be granted as stated.

Mr. VEST, from the Committee on the Judiciary, to whom was referred the bill (S. 419) fixing the compensation of United States marshals and deputies, and for other purposes, reported it with an amendment.

He also, from the same committee, to whom the subject was referred, submitted a report, accompanied by a bill (S. 3196) fixing the compensation of clerks of the circuit and district courts of the United States, and for other purposes; which was read twice by its title.

Mr. VEST. There are certain reports from the Attorney-General's office accompanying these bills, and I move that the ordinary number of copies be printed for the use of the Senate.

The motion was agreed to.

Mr. PETTIGREW, from the Select Committee on the Quadro-Centennial, to whom was referred the joint resolution (S. R. 83) authorizing and directing the President to proclaim a general holiday commemorating the four hundredth anniversary of the discovery of America, on the 12th day of October, 1892, reported it with amendments, and submitted a report thereon.

Mr. SHOUP, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3123) to pension Andrew J. Jones for services in the Indian wars; and

A bill (S. 533) granting an increase of pension to Mrs. Helen A. De Russy, widow of the late Gen. René E. De Russy.

Mr. SHOUP, from the Committee on Pensions, to whom were referred the following bills, reported them each without amendment, and submitted reports thereon:

A bill (H. R. 4488) granting a pension to James A. Davis; and

A bill (H. R. 5383) to increase the pension of Aaron V. Hamilton, late a member of Fremont's battalion, Mexican war.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 4779) granting a pension to Annie M. Greene, reported it with an amendment, and submitted a report thereon.

#### MARY JEWETT TELFORD.

Mr. PALMER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 5921) granting a pension to Mary Jewett Telford, an army nurse, to report it favorably without amendment, and to ask for its immediate consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension rolls the name of Mary Jewett Telford (formerly Mary Jewett), now a resident of Denver, Colo., at the rate of \$12 per month, on account of disability resulting from disease contracted while serving as a hospital nurse during the war of the rebellion.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### GEOLOGICAL SURVEY.

Mr. POWER. I am directed by the Committee to Examine the Several Branches of the Civil Service, to whom was referred the resolution submitted April 27, 1892, in reference to the Geological Survey, to report it with amendments, and have it referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE-PRESIDENT. The resolution will be read.



The CHIEF CLERK. As proposed to be amended:

Whereas, at a meeting of representative citizens of Montana, known as the State Irrigation Convention, held in the city of Helena on the 7th, 8th, and 9th of January last, for the purpose of considering measures and policies beneficial to that Commonwealth, and designed to aid in the settlement and development of the lands and resources within the same, the following resolutions were adopted, to wit:

*Resolved*, That it is the sense of this convention that our Senators and Representative in Congress be requested to implore and, if possible, secure large appropriations for public surveys in Montana, this State having at present but one-fifth of its land surveyed, 70,000,000 acres being yet unsurveyed.

*Resolved*, That we believe it will best subserve the interests of this State if no appropriation whatever be made to be expended under the direction of the Government Geological Survey, for the State of Montana; and

Whereas complaints have been made and heard through the press and through organized public bodies from all of the Western States in which the largest portion of the remaining public domain is located, at the small areas of public lands that are now annually surveyed, thus hindering the progress of settlement and the security of titles; and

Whereas a growing opposition is manifested everywhere in the same region to the large annual appropriations that have been made, and are still proposed, for the carrying on of the United States topographical surveys, which, in the communities most seriously affected, are regarded as injurious to the efficiency of the system of public land surveys, as retarding such surveys; and which are also strenuously opposed as extravagant in expenditure, wasteful in management, and without suitable beneficial results to the people directly affected or the country at large; Therefore,

*Be it resolved*, That the Committee to Audit and Control the Contingent Expenses of the Senate be, and are hereby, directed to make a full investigation into the relations of said Geological Survey Office and the topographical survey under it, to the public lands, the necessity for the existence of two such systems in the same areas, their character, survey, and development, and as to the processes, personnel, and expenditures of the same, with power to employ a stenographer and to send for persons and papers and to administer oaths, reporting the results to the Senate, at as early a day as possible, with such recommendations as may be deemed suitable.

Mr. HARRIS. Should not the resolution require the Committee on Public Lands to make the investigation suggested?

Mr. POWER. It has already been to the Committee to Examine the Several Branches of the Civil Service and we want to have it referred now to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. HARRIS. Still, if the committee to which it is referred is required to make the investigation, as I understand the resolution as read from the desk to require, it certainly is going to the wrong committee. It ought to go to the Committee on Public Lands to make such an investigation.

Mr. POWER. It can be reported back from the Committee to Audit and Control the Contingent Expenses of the Senate and then referred to the Committee on Public Lands.

Mr. PADDOCK. What is the subject of the investigation, may I inquire?

Mr. HARRIS. It relates to surveys of public land. Let the resolution be read again.

The VICE-PRESIDENT. The resolution will be again read as proposed to be amended.

The Chief Clerk read the resolution.

Mr. HARRIS. I suggest to amend the resolution by striking out "the Committee to Audit and Control the Contingent Expenses of the Senate" and inserting "the Committee on Public Lands," and then refer the resolution to the Committee to Audit and Control, because they will have to act upon it as it involves an expense payable out of the contingent fund.

Mr. POWER. All right; I accept that.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. In lieu of inserting the words "the Committee to Audit and Control the Contingent Expenses of the Senate" insert the words "the Committee on Public Lands."

The amendment was agreed to.

The VICE-PRESIDENT. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

MRS. FANNY N. BELGER.

Mr. VILAS. I am instructed by the Committee on Pensions, to whom was referred the bill (S. 2647) for the relief of Mrs. Fanny N. Belger, to report it with an amendment fixing the rate of pension proposed at \$50. The committee are unanimous in respect to this bill. The case is one of very deserving merit. The beneficiary has reached an advanced age and is in feeble health, and I ask for the immediate consideration of the bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the committee was, in line 6, before the word "dollars," to strike out "twenty-five" and insert "fifty;" and in line 7, after the word "husband," to insert "December 10, 1894;" so as to make the bill read:

*Be it enacted*, etc., That the Secretary of the Interior be, and is hereby, directed to place the name of Mrs. Fanny N. Belger, widow of Col. James Belger, on the pension rolls, and that she be paid a pension of \$50 per month, to date from the death of her said husband, December 10, 1894.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## BILLS INTRODUCED.

Mr. PEPPER introduced a bill (S. 3197) to provide for the purchase of a site and the erection of a public building thereon at Emporia, in the State of Kansas; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. McMILLAN introduced a bill (S. 3198) for the construction of a public building at Adrian, Mich.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. MITCHELL introduced a bill (S. 3199) for the relief of Carrie E. T. Knox; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. DAWES introduced a bill (S. 3200) for the relief of Charles Gould, who enlisted in the Navy to serve in the Mexican war; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SANDERS introduced a bill (S. 3201) to provide for holding terms of court for the district of Montana; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. COKE introduced a bill (S. 3202) re-conveying to the original grantors the title to certain lands in the State of Louisiana conveyed by them to the United States; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. McMILLAN introduced a joint resolution (S. R. 87) to authorize the Chief of Engineers, United States Army, to take possession of certain property of the United States in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

## AMENDMENTS TO BILLS.

Mr. PASCO submitted an amendment intended to be proposed by him to the agricultural appropriation bill; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

Mr. PETTIGREW submitted an amendment intended to be proposed by him to the agricultural appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. TURPINE submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Claims.

## REPORT OF MONETARY COMMISSION.

Mr. STEWART submitted the following concurrent resolution; which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed 50,000 copies of the report of the Monetary Commission created under the joint resolution of August 15, 1876, being Senate Report No. 703, second session Forty-fourth Congress; 20,000 for the use of the Senate and 30,000 for the use of the House of Representatives.

## HISTORY OF PORTSMOUTH (N. H.) NAVY-YARD.

Mr. HALE. At the request of the Senate from New Hampshire [Mr. CHANDLER], who has been called away from the Senate, I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

*Resolved*, That there be printed and bound with the history of the Portsmouth navy-yard the plans of the yard made in 1890 and in 1898, showing the buildings and other improvements finished or proposed at those dates.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. COCKRELL. Let it be read again. What is the resolution?

Mr. HALE. I will tell the Senator. We have provided for the printing of a certain work upon the Portsmouth navy-yard. This is a resolution providing that there shall be printed with that certain maps and charts of the yard.

Mr. HARRIS. Should not the resolution go to the Committee on Printing?

Mr. HALE. It will add nothing of any account to the expense. It is not of magnitude enough to go to the Committee on Printing under the rule.

The VICE-PRESIDENT. The resolution refers to two small maps.

Mr. COCKRELL. Oh, yes; that is all right.

The resolution was considered by unanimous consent, and agreed to.

## CITIZENS' BANK OF LOUISIANA.

Mr. HALE. The Senator from New Hampshire [Mr. CHANDLER], who has just been called from the Senate by a dispatch announcing the serious illness of a member of his family, asked me to enter a motion to reconsider the vote by which the Senate yesterday passed the bill S. 145 to authorize the Court of Claims to hear and determine the claim of the Citizens' Bank of Louisiana, etc. I enter that motion now.

The VICE-PRESIDENT. The motion will be entered.

Mr. HALE. If the bill has gone to the other House, I ask that a message be sent recalling it.



The VICE-PRESIDENT. That order will be made in the absence of objection.

MRS. CLARA MORRIS.

Mr. PEPPER. Some time during the early part of the session a bill was presented for the relief of Mrs. Clara Morris. It was referred to the Committee on Claims. By direction of the committee I had the honor of reporting the bill adversely. I have just received a letter from the claimant asking permission to withdraw the papers in the case from the files of the Senate. In her name I now make the request.

Mr. COCKRELL. That will be done subject to the rule of the Senate.

The VICE-PRESIDENT. Leave will be granted subject to the rule of the Senate.

Mr. PEPPER. What is the rule?

Mr. COCKRELL. To leave copies when the case has been reported adversely.

Mr. PADDOCK. It is a standing rule.

The VICE-PRESIDENT. Copies are left when a case has been reported adversely.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills and joint resolutions: in which it requested the concurrence of the Senate:

A bill (H. R. 7931) to provide for semiannual statements by foreign corporations doing business in the District of Columbia;

A bill (H. R. 7720) to authorize the construction of a bridge across the Savannah River;

A bill (H. R. 8125) to provide for the regulation of the equipment and operation of street-railroad lines with the District of Columbia by the Commissioners of said District;

A bill (H. R. 8295) to authorize the Glen Echo Railroad Company to cross the Washington Aqueduct;

A joint resolution (H. Res. 121) relating to the Memorial Association of the District of Columbia; and

A joint resolution (H. Res. 132) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of May, 1892, on the 28th day of said month.

The message also announced that the House had passed the following bills:

A bill (S. 661) for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto;

A bill (S. 2460) to repeal the license tax of \$25 per year now imposed upon produce-dealers in the markets of the District of Columbia; and

A bill (S. 2613) to amend sections 2807 and 2881 of the Revised Statutes.

#### TENNESSEE RIVER BRIDGE AT CLIFTON, TENN.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed, and the first bill on the Calendar under Rule VIII will be proceeded with.

The bill (H. R. 7092) to authorize building a bridge over the Tennessee River was announced as first in order on the Calendar, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Commerce with amendments.

The first amendment was, in section 1, line 11, after the word "county," to insert "in the State of Tennessee;" in line 12, after "point," to strike out "which" and insert "as;" and in the same line, after "May," to strike out the words "deem more acceptable" and insert the word "determine;" so as to make the section read:

That the St. Louis and Birmingham Railway Company, a corporation created and organized under the laws of the State of Tennessee, be, and is hereby, authorized to construct and maintain for the purpose of running railway trains, also for passage of all kinds of road vehicles, wagons, carts, and conveyances for passengers, and for foot passengers, if said railroad company may desire to do so, a bridge over the Tennessee River, at a point on said river known as Clifton, in Wayne County, in the State of Tennessee, or within 5 miles either above or below said point, as said company may determine.

The amendment was agreed to.

The next amendment was, in section 2, line 6, before the word "transportation," to strike out "the," and in line 9, after the word "telegraph," to insert "and telephone;" so as to make the section read:

That any bridge built under this act and subject to its limitations shall be a lawful structure and shall be recognized and known as a post route, upon which no higher charge shall be made for the transmission over the same of the mails, troops, and the munitions of war of the United States passing over said bridge than the rate per mile paid for transportation over the railroad leading to said bridge; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and it shall enjoy the rights and privileges of other post roads in the United States.

The amendment was agreed to.

The next amendment was, in section 3, line 5, after the word "clear," to insert "at low-water mark;" so as to read:

That the bridge built under this act shall be constructed as a pivot draw-bridge, with a draw over the main channel of the river at an accessible and best navigable point, and with spans not less than 100 feet in length in the clear at low-water mark on each side of the channel or pivot pier of the draw, and said span shall not be less than 14 feet above extreme high water mark, measuring to the lowest part of the super-trunnion of the bridge, and the pier of said bridge shall be parallel to and the bridge itself at right angles to the current of the river at the average stage of water where said bridge may be erected.

The amendment was agreed to.

The next amendment was, in section 3, line 13, after the word "clear," to insert "at low-water mark;" so as to make the proviso read:

*Provided also,* That in said bridge there shall be one span of not less than 300 feet in length in the clear at low-water mark, that said draw shall be opened promptly by said company, upon reasonable signal, for the passage of boats or vessels; and said corporation shall maintain at its own expense, from sunset to sunrise, such light- or other signals as the Light House Board shall prescribe.

The amendment was agreed to.

The next amendment was, in section 4, line 14, before the word "Tennessee," to insert "the State of;" so as to read:

And in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, caused or alleged to be caused by said bridge, the case shall be brought in the district court of the United States of the State of Tennessee, in which any portion of said obstruction or bridge may be located.

The amendment was agreed to.

The next amendment was, in section 6, line 6, after the word "owner," to insert "or owners;" so as to make the section read:

That all railroad companies desiring the use of any bridge constructed under this act shall have and be entitled to equal rights and privileges relative to the passage of railway trains or cars over the same and over the approaches thereto upon payment of reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad companies, or any one of them, desiring such use shall fail to agree upon the sum or sums to be paid, and upon rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall be decided by the Secretary of War upon a hearing of the allegations and proof of the parties.

The amendment was agreed to.

The next amendment was, in section 7, line 14, before the word "cents," to strike out "sixty" and insert "fifty," and in line 17, before the word "each," to strike out "2 cents" and insert "1 cent;" so as to make the section read:

That it shall not be obligatory on said company in constructing said railroad bridge to so construct the same for the passage of road vehicles or foot passengers, but may, as in this act provided, construct the same only as a railroad bridge if said company so decides; but in case the said bridge is constructed for the passage of common road vehicles and foot passengers, said company shall have no right to charge tolls on the same for a longer period than fifteen years, and then the same for such travel shall be free. But in charging tolls, no charge shall be in excess of the amounts here stated, to wit: Footmen, 5 cents each; single horse conveyance, including conveyances for people, 20 cents each; double horse conveyances 30 cents, four-horse conveyances, drawn by horses or oxen, 50 cents; horses with riders, 10 cents; horses and cattle loose or led, 6 cents each; sheep and hogs, 1 cent each; turkeys, 1 cent each.

The amendment was agreed to.

The next amendment was, in section 8, line 6, after the word "year," to strike out the words "from the passage of this act, and it becoming a law;" and in line 8, after the word "from," to strike out the words "that time" and insert "date hereof;" so as to make the section read:

That the right to alter, amend, or repeal this act is hereby expressly reserved, without any liability of the United States for damages on account of the alterations, amendments, or repeal of this act. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed in three years from date hereof.

The amendment was agreed to.

Mr. ALLISON. There are a good many amendments made to that bill. I should like to hear it read as amended.

Mr. BATE. I believe all those amendments came from the committee.

The VICE-PRESIDENT. They were all reported from the Committee on Commerce. Does the Senator from Iowa desire to have the bill read as amended?

Mr. ALLISON. I shall not press the request, although there are a good many small amendments, and I should like to know their effect on the bill.

The VICE-PRESIDENT. They are mostly verbal amendments.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

#### PUBLIC BUILDING AT OWOSSO, MICH.

The bill (S. 300) for the construction of a public building at Owosso, Mich., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Build-

ings and grounds with an amendment, in line 13, before the word "thousand," to strike out "sixty" and insert "fifty" and in line 14, before the word "thousand," to strike out "sixty" and insert "fifty," so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide a site and place to be erected thereon a suitable, commodious, and substantial building, including in proof vaults, heating and ventilating apparatus, elevators, and approaches, for the use of the accommodation of the United States post-office and other Government offices in the city of Owosso and State of Michigan; the cost of the site and building, including in proof vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed the sum of \$50,000, which said sum of \$50,000 is hereby appropriated for said purpose out of any moneys in the United States Treasury not otherwise appropriated, upon the following provisions:

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### ADJUSTMENT OF LAND GRANTS.

The bill (S. 1774) to enable the Secretary of the Interior to carry out the provisions of certain laws was announced as next in order.

Mr. COCKRELL. Let that bill be passed over without prejudice.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

#### ISHAM T. OWEN.

The bill (S. 2386) for the relief of Isham T. Owen, of Missouri, was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, at the end of the bill to insert "and after such payment the Secretary of the Treasury shall report his action in the premises to the governor of the State of California" so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to examine the claim of Isham T. Owen, of Marion County, Mo., for the payment of two California Indian war bonds issued by the State of California in payment of the expenses by her incurred in the suppression of Indian hostilities in that State prior to January 1, 1854, payment of which was assumed and authorized to be made by Congress under its act approved August 5, 1854 (10 United States Statutes, 582 and 583), as modified by the act of Congress of August 18, 1856 (11 United States Statutes, 90), which bonds were owned and lost by said Owen, and if he be satisfied that said bonds have never been paid by or presented to the United States, that he be, and he is hereby, authorized to audit said claim, and upon the finding with said Secretary of a bond sufficient in the opinion of said Secretary to indemnify the United States against all possible loss in these premises to pay said bonds, with interest up to September 1, 1856, said payment to be made out of the unexpended balance of the appropriation made by Congress under said acts, which is hereby reappropriated for such purpose, and after such payment the Secretary of the Treasury shall report his action in the premises to the governor of the State of California.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PURCHASE OF PORTRAIT OF GEN. G. H. THOMAS.

The bill (S. 681) to authorize the purchase of Lawrie's picture of Gen. George H. Thomas was announced as next in order.

Mr. HALE. I ask that that bill may be passed over without prejudice.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

#### LEAVE OF ABSENCE TO EMPLOYEES IN BUREAU OF ENGRAVING AND PRINTING.

The bill (S. 1768) to allow thirty days' leave of absence to employees in the Bureau of Engraving and Printing was considered as in Committee of the Whole.

The bill was reported from the Committee on Education and Labor, after recommendation, with an amendment, to strike out all after the enacting clause and insert:

That the employees of the Bureau of Engraving and Printing, in the course of their work, shall be allowed a leave of absence with pay, not exceeding thirty days, which shall be in any one year, and such regulated sick leave shall be taken time in the absence of the President with the approval of the Secretary of the Treasury, may prescribe and designate. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the employees of the Bureau of Engraving and Printing, in the course of their work, shall be allowed a leave of absence with pay, not exceeding thirty days, which shall be in any one year, and such regulated sick leave shall be taken time in the absence of the President with the approval of the Secretary of the Treasury, may prescribe and designate.

The VICE-PRESIDENT. The amendment will be passed over as agreed to, if there be no objection.

Mr. COCKRELL. There was some question in regard to that bill. I think it was once before the Senate and was recommended. The point is in regard to—

Mr. PEPPER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Missouri yield to the Senator from Kansas?

Mr. COCKRELL. I yield.

Mr. PEPPER. I was going to suggest that, in the absence of the Senator from Wyoming [Mr. CARY], who has been interested in this bill, perhaps it had better be passed over until his return.

Mr. COCKRELL. Let it be passed over until it properly comes. The VICE-PRESIDENT. The bill will be passed over without prejudice. The amendment reported by the committee will be regarded as still open.

#### RIGHT OF WAY ACROSS FOND DU LAC INDIAN RESERVATION.

The bill (S. 2765) granting to the Duluth and Winnipeg Railroad Company a right of way across the Fond du Lac Indian Reservation was considered as in Committee of the Whole.

The bill was reported from the Committee on Indian Affairs with an amendment, in section 2, line 14, after the word "reservation," to strike out "as" and insert "to the location of said road and;" so as to read:

But a right of way of any land, natural or artificial, or any other thing, to any part of the right of way here provided for and parts thereof, made upon actual survey for the definite location of such right of way, shall have been approved by the Secretary of the Interior, and the compensation and shall have been made, and the cost of the Indian reservation to the location of such right of way, to the amount of such compensation shall have been entered on the public accounts of the United States.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT OAKLAND, CAL.

Mr. STANFORD. I ask the Senate to consider at this time the bill (S. 1211) to provide for the purchase of a site for and the erection of a public building at Oakland, in the State of California, here to be passed over without prejudice.

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill.

Mr. STANFORD. Mr. President, Oak and is a place of about 50,000 inhabitants. The collections at the post-office there last year amounted to \$83,206.51, and the net revenue to \$37,172.92. The public building accommodations there at the present time are entirely inefficient. Oakland is a very prosperous and growing city, and is really very much in need of a new post-office.

I think the amount as reported by the committee is not too much, and property in the neighborhood of where the lot is located is very valuable and worth a good deal of money. If the opinion of the land tract, as stated in the report, the amount named is required to construct a proper building.

This bill has been heretofore reported favorably and passed the Senate a year ago but failed to receive action in the other House.

Mr. COCKRELL. While I am not going to object to the passage of this bill, I propose to take \$300,000 out of the Treasury, and the Treasury can not stand that drain for this purpose. There is no absolute necessity for this building, no public urgency compelling it, and, in my judgment, the condition of the Treasury does not justify Congress in making the appropriation of this amount for a public building at that place. I simply desire to have recorded on the record that I vote against the passage of this bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC BUILDING AT SAN DIEGO, CAL.

Mr. STANFORD. I now ask for the consideration of the bill (S. 1212) to provide for the erection of a public building at San Diego, Cal.

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill.

Mr. STANFORD. The building provided for by the bill is to accommodate the customs, the custom-house, a military post, and an international office, and it will be but a short time before the constantly increasing business at San Diego will make it necessary to have United States courts there. That is the statement in the report made by the House committee. The building is very badly needed not only for a post-office, which now gives an annual net revenue of \$2,000, but the erection of a building is very much needed for a custom-house there, and also for the collection of internal revenue. There are sea and land accommodations there and only such as San Diego and San Pedro are regarded as a village of two or three thousand people. The place is constantly increasing, and this increase has been particularly great during the past few years. It promises to become a large city.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HAWLEY presented a memorial of the West Suffield Congregational Church of Connecticut, remonstrating against the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

#### REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 641) to adjust the pensions of those who have lost limbs or the use of them, or have additional disabilities, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2794) to pension soldiers and sailors for disabilities received in addition to loss of a leg or an arm, reported adversely thereon, and the bill was postponed indefinitely.

Mr. WHITE, from the Committee on Public Lands, to whom was referred the bill (S. 1710) to authorize the Rio Grande, Mexico and Pacific Railroad Company to purchase certain land, reported it with an amendment, and submitted a report thereon.

Mr. VILAS, from the Committee on Claims, to whom was referred the bill (S. 2502) to reimburse the State of Kentucky for arms, ordnance, and ordnance stores issued to volunteers and militia organizations and United States ordnance officers, and used in aiding to suppress the rebellion against the United States, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

He also, from the Committee on Claims, to whom was referred the bill (S. 1664) for the relief of Lester Noble, reported it with amendments, and submitted a report thereon.

Mr. DAVIS, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2979) for the relief of Edward Dorsey, late Company C, First United States Colored Troops; and

A bill (S. 3160) providing a pension for Mrs. Julia C. Sharpe.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (H. R. 5377) granting a pension to Mary Isabella Hutchison, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 1465) for the relief of Frank J. Burrows, reported it without amendment, and submitted a report thereon.

Mr. SQUIRE, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2996) providing for the erection of a public building at Muscatine, Iowa; and

A bill (S. 677) for the erection of a public building at Muncie, State of Indiana.

Mr. SQUIRE, from the Committee on Public Buildings and Grounds, to whom was referred an amendment submitted by Mr. HAWLEY on the 26th instant, intended to be proposed to the sundry civil appropriation bill, reported it favorably, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 457) for the relief of the assignees or legal representatives of John Roach, deceased, to pay balance due on the United States steamer Dolphin, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 29) for the relief of Wetmore & Bro., of St. Louis, Mo., reported it without amendment, and submitted a report thereon.

Mr. MITCHELL. I am instructed by the Committee on Post-Offices and Post-Roads to report back adversely the bill (S. 2834) to amend section 3893 of the Revised Statutes of the United States, and for other purposes, and to submit a report thereon, and move the indefinite postponement of the bill. It is a bill proposing an amendment to the law excluding obscene literature from the mails. The reason for the adverse report is mainly that in the judgment of the committee the legislation now on the statute book is ample for the purpose intended.

The VICE-PRESIDENT. The bill will be indefinitely postponed.

Mr. VOORHEES, from the Committee on Finance, submitted a report to accompany the bill (S. 1525) directing the issue of duplicate United States bonds to Elijah P. Holleroft, guardian of Burton J. Parr, heretofore reported by him.

#### PEACE CONFERENCE AT CHICAGO.

Mr. SHERMAN. I am directed by the Committee on Foreign Relations to report back the joint resolution (S. R. 34) to provide for a peace conference in the city of Chicago in 1893, and also a resolution and several petitions from important bodies of the United States praying for the same object, and to ask that the committee be discharged from their further consideration on the ground that this object, which every one desires, is more likely to be accomplished by the action of the world's congress auxiliary to the World's Columbian Exposition of 1893. Upon this subject I will ask to have printed a letter from the Secretary of State, together with certain schedules and programmes, which I send to the desk.

The VICE-PRESIDENT. The Committee on Foreign Relations will be discharged from the further consideration of the joint resolution and the petitions.

Mr. SHERMAN. I ask that the letter, in the nature of a report, and the accompanying documents, be printed.

The VICE-PRESIDENT. Shall the joint resolution be referred to the Select Committee on the Quadro-Centennial?

Mr. SHERMAN. It is not necessary that it should have any further reference? As the letters and papers show, it is already provided for in the action of the auxiliary congress, as it is called, of the Columbian Exposition. I ask that the papers be published for the information of the Senate.

The VICE-PRESIDENT. The joint resolution and the petitions will lie on the table, and the accompanying papers will be printed.

#### BILLS INTRODUCED.

Mr. DAVIS introduced a bill (S. 3203) granting a pension to Daniel Whalen; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3204) granting a pension to A. K. Maynard; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DAWES (by request) introduced a bill (S. 3205) to authorize the building of permanent bridges with fixed spans across the Harlem River, New York; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PETTIGREW introduced a bill (S. 3206) to dispose of that portion of the Fort Randall military reservation which lies in the State of South Dakota; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. STANFORD introduced a bill (S. 3207) for the relief of Emily Murdock, administratrix; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DIXON introduced a bill (S. 3208) for the relief of Hannah L. M. Frye; which was read twice by its title, and referred to the Committee on Patents.

Mr. PERKINS introduced a bill (S. 3209) granting a pension to S. W. Johnston; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BUTLER introduced a bill (S. 3210) for the relief of the Rev. E. T. Walker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. WOLCOTT introduced a bill (S. 3211) to authorize the establishment of an academy and gallery of art in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CAMERON (for Mr. QUAY) introduced a bill (S. 3212) to authorize the Philadelphia and Camden Elevated Bridge Company to erect a bridge over the river Delaware at Philadelphia for general purposes and as a postroad; which was read twice by its title, and referred to the Committee on Commerce.

Mr. McMILLAN introduced a joint resolution (S. R. 88) to authorize the postmaster of the city of Washington to construct and maintain a platform in the alley in square 454; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

#### AMENDMENTS TO BILLS.

Mr. TELLER submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Privileges and Elections, and ordered to be printed.

Mr. JONES of Arkansas submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### JUDGMENTS IN INDIAN DEPREDAATION CASES.

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent and agreed to:

*Resolved*, That the Attorney-General be directed to transmit to the Senate a list of the judgments rendered in the Court of Claims in Indian depredation cases.

from the 1st of June, 1892, together with a statement of the date when each was rendered, in whose favor rendered, and the amount in each case, and of the total amount of claims now pending in said court and not determined, which have heretofore been examined, approved, and allowed by the Secretary of the Interior, or under his direction.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. T. O. Taylor, its Chief Clerk, returned to the Senate, in compliance with its request, the bill (S. 145) to authorize the Court of Claims to hear and determine the claim of the Citizens' Bank of Louisiana, etc.

The message also announced that the House had passed the bill (S. 1646) making Laredo, Tex., a subject of entry.

The message further announced that the House had passed the bill (S. 1307) to provide a permanent system of highways in that part of the District of Columbia lying outside of cities, with amendments in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 1923) granting an honorable discharge to William W. Wedgwood; and

A bill (H. R. 7092) to authorize building a bridge over Tennessee River.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 8275) to authorize the Glen Echo Railroad Company to cross the Washington Aqueduct; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HARRIS, Mr. RICHARDSON, and Mr. POST managers at the conference on the part of the House.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. 915) for the relief of the heirs of Noah Noble, deceased; and

A bill (H. R. 8367) regulating the delivery and sale of ice within the District of Columbia on the Sabbath day, commonly known as Sunday.

#### ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 711) to remove the charge of desertion now standing against Albert Keach; and it was thereupon signed by the Vice President.

#### PORTSMOUTH (N. H.) DRY DOCK.

THE VICE-PRESIDENT. If there is no further morning business that order is closed, and the Calendar, under Rule VII, is in order. The first bill on the Calendar will be stated.

The bill (S. 1772) for the construction of a wooden dry dock at the United States Navy-Yard, Portsmouth, N. H., was announced as first in order on the Calendar.

Mr. COCKRELL. Let that bill be passed over for the present.

THE VICE-PRESIDENT. Without prejudice?

Mr. COCKRELL. Yes, sir.

THE VICE-PRESIDENT. The bill will be passed over.

#### THE FINANCIAL SYSTEM.

The next business on the Calendar was the resolutions submitted by Mr. MORGAN, directing the Committee on Finance to make examination and report to the Senate certain information in relation to currency and coinage.

Mr. MORGAN. On that I ask for the yeas and nays.

THE VICE-PRESIDENT. The question is on agreeing to the resolutions, on which the Senator from Alabama demands the yeas and nays.

Mr. ALLISON and Mr. SHERMAN. Let the resolutions be read.

THE VICE-PRESIDENT. The resolutions will be again stated.

The CHIEF CLERK. Resolutions by Mr. MORGAN, directing the Committee on Finance to make examination and report to the Senate certain information in relation to currency and coinage.

THE VICE-PRESIDENT. Is the demand for the yeas and nays seconded?

The yeas and nays were ordered.

Mr. CULLOM. I hope the resolutions will be read. We do not know what they are.

THE VICE-PRESIDENT. The resolutions will be read at length.

The Chief Clerk read the resolutions submitted by Mr. Morgan March 31, 1892, and the supplemental resolution submitted by him April 5, 1892, as follows:

Resolved, That the Committee on Finance is directed to make examination, and report to the Senate as soon as practicable—

First, What has been the effect on the price of silver bullion, of the provisions

of the act of July 11, 1890, directing the purchase of silver bullion and the issue of Treasury notes thereon, and whether the said act has in any manner contributed to promote or sustain the established policy of the United States to maintain the two metals, gold and silver, on a parity with each other upon the present legal ratio, or such ratio as may be provided by law, as declared in section 2 of said act.

Second, Whether the issue of Treasury notes as provided in said act has been and will be a sufficient provision of law for maintaining "the two metals on a parity with each other upon the present legal ratio," or whether any and what further legislation is necessary to provide a new ratio between gold and silver to keep them on a parity with each other.

Third, Whether the Treasury notes that have been issued under the first section of said act of July 11, 1890, have at any time, or at any place, been at a discount in exchange for gold or silver coin, and whether, in the judgment of said committee they are likely to be at such discount, if said act shall remain permanently in full force and operation. And further, whether said Treasury notes furnish to the people a safe and sound legal-tender currency, as good for their purposes as gold coin or silver coin; and further, whether said Treasury notes have at any time, since the date of the act of July 11, 1890, taken the place in our national currency of large sums of gold coin that were sent to Europe for speculative purposes, and whether the presence of those Treasury notes in our volume of currency, during the absence of such large sums of gold, did not save our people and our Government from a danger of financial crisis and threatened bankruptcy.

Fourth, Whether the coining or issue of any dollar of gold or silver is now authorized by the laws of the United States, and, if so, under what law is such coinage permitted; and further, whether it is a safe and sound system to authorize the printing and issue of paper dollars, and to forbid the coinage of gold and silver dollars.

Fifth, Whether it is just to the people who are compelled to use the subsidiary coins of the United States in their daily business, and to receive them in payment for labor, and also to use them in payment for food, medicine, clothing, and shelter, that such coins should contain less pure silver than the full legal-tender silver dollar in which their owners and bankers have the right to collect their debts from them.

Sixth, That said committee ascertain and report to the Senate, as nearly as they may, the proportion of the silver coin and gold coin that is in a ready circulation in Great Britain and the European states; in Russia, China, and Japan; in India, Turkey, and Egypt; and in Australasia, Canada, the United States, and each of the other commercial states on this hemisphere, and in Hawaii, and the West Indian Islands.

Resolved further, That inasmuch as great anxiety exists among the industrial classes of the United States as to the causes of the depression of prices and the paralysis of markets for their productions, and as their sufferings are severe, that said committee shall proceed promptly to inform the Senate upon the matters submitted to them under the foregoing resolutions, except the sixth, and, as to that resolution, they shall have authority to send for persons and papers, if they shall see fit.

Resolved, That the Committee on Finance is instructed to prepare and report to the Senate an act supplementary to the act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes, approved July 11, 1890, which shall provide for the coinage of gold and silver bullion on equal terms as to each metal and for the issue of Treasury notes in denominations not to exceed \$500, and upon the terms and conditions prescribed in said act, upon all gold and silver bullion that the United States shall acquire by purchase, and that any depositor who shall deposit in the Treasury gold or silver bullion in quantities of not less than \$100 in value, the product of mines in the United States, which has not been previously coined, shall, at his option, receive in exchange therefor the same at the mint value of such bullion.

Mr. MORRILL. Mr. President, much of this information I suppose might be easily obtained, and there is so much of it that might require a long time that I fear my life will not be long enough to get through with it. I therefore would ask the Senator from Alabama who introduced the resolutions whether he would have any objection to have them referred to the Committee on Finance, that we may examine them first before acting upon them.

Mr. MORGAN. Mr. President, the resolutions are resolutions of the Senate to instruct that committee what to do, and I do not suppose that they would like to have a matter of that sort referred to them in the first place. The Senate has an independent judgment about this matter which I desire to have expressed. It is a salverve to me, well and good. The resolutions contemplate that the Committee on Finance shall not only respond to these resolutions of inquiry in the manner in which they are stated, but also shall report a supplemental bill. The resolutions in fact, by right to the front the question of the coinage of silver, and of course I do not wish to have that referred to that committee where I know it will simply meet its death. I know, of course, if the resolutions get in a that way, I shall hear no more of them until after the Democratic Convention at Chicago, and then I am afraid my Democratic brethren will not feel so much interest in them as they do now, and I want them defeated. It is a demand by those Senators here who believe that the finances of the country are in a very crippled condition for relief in behalf of the laboring, tolling millions of this land, and when our Senate takes its stand, I demand to know what I wish to know. Hence it is that I have asked for the yeas and nays upon agreeing to the resolutions.

I am perfectly willing, without having consultation, I would, with other gentlemen who feel as I do about these resolutions, to name a day, a very early day, for the discussion of these subjects. I am willing also on that day to limit debate to four hours. I am willing also to limit each Senator's right to debate this subject to thirty minutes, so that not more than eight speeches can be made on either side of it, and let the Senate then take up the subject and vote upon it, and let the country understand what we are upon this question. If the subject of the free coinage of

means that he is not only in favor of national coinage, but opposed to international coinage, or anything looking to it?

Mr. STEWART. Yes; I am opposed to sending gold men to Europe to connive with other gold men and fix some machinery whereby silver shall be entirely demonetized.

Mr. HIGGINS. Is the Senator opposed to sending silver men there?

Mr. STEWART. I am opposed to an international conference until some of those who will be represented at such conference have expressed in an authoritative way that they will rehabilitate silver on some terms. The United States has not done it. It is said that this conference is to have no power except to advise. Should we submit to a conference with the gold manipulators of Europe? Should we ask them to arrange a programme under which silver can not be used as money? There is no evidence that they have any other purpose.

I am opposed to an international conference unless it is on the basis that the parties engaged intend in good faith to rehabilitate silver, and until some expression of that kind is authoritatively made it is a mere makeshift and a fraud. We have had two conferences, one in 1878 and one in 1881, and they both answered the end designed, to delay. This conference is for delay. This conference is to bridge over. This conference is to distract the minds of the American people from the subject. This is a Morgan for an election both in England and the United States. They have a campaign in England. All the manufacturers of that great Empire have petitioned Parliament to give relief by the free coinage of silver. They have got to throw dust in the eyes of their people. The Administration has got to deceive men here, and both parties are afraid of this issue. They are afraid to allow the people to speak on this issue. Hence this is a Morgan for the coming election. That is all there is of it.

Do you think that the speech of the Senator from Ohio will help this conference when he gives out that free coinage would quintuple the production of silver, flood the world, make it more plentiful than lead? All these arguments are made for the purpose of showing that silver is not fit for use as money. What are the facts, with all the stuffing of statistics, and I think they have been stuffed, because they are naturally stuffed? I do not say that they are materially stuffed in this country, but when you take the reports from Mexico and South America of what those having mines for sale report of their production, they must necessarily be exaggerated. With all the exaggeration we only have about \$130,000,000 of silver reported for the whole world. Here we have unprotected paper to the amount of more than \$800,000,000, that is, paper which has neither gold nor silver behind it. Before you could reach a metallic basis, dollar for dollar, we would exhaust twice the silver obtainable.

The reason why I do not care for an international coinage is because we would not get enough even on the ratio of 16 or 15 to 1 to supply our wants. It is a mistake to say that the Treasury notes issued under the act of 1890 are secured by bullion, dollar for dollar. That is not true. These notes are secured by coin, dollar for dollar. They are redeemable in gold or silver coin, dollar for dollar, at the option of the United States. It was the question whether we would have bullion redemption here. We fought that question for months and defeated the Administration. There is no bullion redemption. There is no security behind any one of these notes but a silver dollar, and the Secretary of the Treasury is required to coin sufficient of these silver dollars to provide for redemption, and he must coin them at the coin value and not otherwise; not the market value.

The United States is still speculating. It has made about \$80,000,000 now out of the miner by the difference between the purchase price and the coin value of silver. I repeat, there is no security behind these notes but coin dollars. Furthermore, I say to those people who are fancying that they are on a sound basis that they are on the brink of a silver standard under existing law. Not a silver standard with silver rehabilitated, but a degraded silver standard. Our greenbacks, our national bank notes, our silver certificates, and our silver coin amount in round numbers to but \$1,000,000,000. All these classes of money are receivable for public dues.

As I said before, there are only \$118,000,000 behind this vast mass, this \$1,000,000,000. Every month and every week the amount of gold going into the Treasury is less and less. How are we going to get gold to sustain this vast fabric on the gold basis? There will be little gold in the Treasury in a very short time, particularly if the gold advocates continue to disparage silver.

The United States is not in a position to disparage silver. It has \$500,000,000 of silver and silver certificates circulating among the people, and it is the duty of the Government to protect it. This is the greatest silver-producing country in the world, and it is the duty of the Government to foster the industry. We

need money more than any other country, borrowing it from wherever we can, and it is our duty to coin our own money. If we would coin what silver we need there would be none left if the production of all the world for the next thirty years. We can take the 130,000,000 or 140,000,000 ounces per annum and put \$500,000,000 or \$600,000,000 behind this unprotected paper and increase our circulation with the growth of population. If we undertake to do that the product of silver is inadequate. The only difficulty is the want of a sufficient supply.

But the proposition, from the remarks of the Senator from Ohio, seems to be to call an international conference to demonetize silver and not to remonetize it. I hope no conference will be held for such a purpose. I predict here and now that the conference will result like those that have preceded, if not more disastrously. It may recommend something that we will have to meet, and something very injurious. The way is to pass a free-coinage bill and make an unlimited demand for silver in this country. That would put silver at par. But you say we can not sustain it, and that Europe will help us break it.

How can she do it? If the silver dollar depreciates, if the two part company, what will be the result? Suppose the silver dollar should go down 10 per cent, could the European nations send their silver coin here to be received into such cheap dollars? Why do they not send it to India and have it recoined there? The balance of trade has been against France and in favor of India for the last eighteen years to the extent of an average of \$35,000,000 a year. She does not send any silver to India to be coined. India has free coinage. If we can not put silver to par there is no danger of Europe sending it here. They will not send it here any more than they would send it to India. If we do put it to par and maintain it there then everybody is willing that the silver shall come.

I hope the resolutions will pass. I would prefer a direct bill, but I should like to see an expression right here before the nominating conventions, and see how many silver men we have, and how many men are satisfied with an international conference to change the ratio and destroy silver, for that seems to be the design of the gold advocates, if we may judge from the remarks of their representative, the Senator from Ohio.

Mr. MORGAN. Mr. President, on the 10th day of December, 1891, the Senator from Nevada [Mr. STEWART] introduced a bill, and sent it to the Committee on Finance, which provides for the free coinage of gold and silver bullion, and for other purposes. The committee took that bill under consideration, and they reported it back adversely through their chairman [Mr. MORRILL] on the 9th of February, 1892. That bill brought before that committee the whole consideration of the subject of the free coinage of silver, so that the committee have had ample opportunity to consider this question, and the complaint the Senator from Ohio puts up this morning, that we would force them to the consideration of a new subject, I think is hardly tenable. Not that committee only, but every member of the Senate has thought this subject over and made up his opinion about it very maturely. No subject that has ever come before this body has been so thoroughly and completely and exhaustively debated as the question of finance, including the question of the free coinage of silver and the ratio between silver and gold.

After the committee made that report and the case went upon the Calendar as an adverse report, it was well known to the committee that we could not debate the question here upon a motion to take up and consider that bill. We thought that it was the duty of the friends of silver, and being from a State which had committed itself in every way that it could to the free coinage of silver, I thought it was my duty, humble as I may be, to bring forward, if I could, the discussion of this question in the Senate.

The Senator underrates my views about this matter and does not do me very full justice when he supposes that I introduced these resolutions for the cheap purpose of trying to find out the opinions of certain gentlemen on both sides of this Chamber who are ostensible candidates for the Presidency. I trust that while I have the honor of representing a sovereign State here I shall have higher duties to perform than to commit myself to the fortunes of any individual whatsoever in either of the parties for the Presidency of the United States, for after all Presidents will come and Presidents will go, and this country will go on forever, I hope. It will make very little difference with us perhaps thirty years after this date who has been President, nominated in June and elected in November of 1892.

The condition of the people of my own State, of the Southern States, of the Western States, and of the laboring people in all the States of this Union, not only attracted my attention, but commanded my most sincere devotion to such study as I was able to bestow upon the subject to see if any method could be devised out of the wisdom of the Senate and through debate by which we could relieve against what I consider to be a very un-

fortunate and lamentable condition. I therefore brought in the first of this series of resolutions with a view of trying to elicit debate. I brought it in the form of instructions to the Committee on Finance, so that they would be compelled to do something, so that they could not lock their doors against inquiry and against all access and come in here simply with adverse reports and get the benefit of the rule of the Senate which excludes us from debating questions on a motion to take them up. I wanted the Senate to express its opinions, and to express them as they have this morning, that it is the duty of that committee to lay before this body in some form or other a measure substantially restoring the coinage of silver as it was in 1873.

By the way, the Senator from Ohio [Mr. SHERMAN] has given utterance recently and on frequent occasions to the very solemn enunciation that there was not a man in the world more in favor of the free coinage of silver than he, if it could be done upon such terms as he thought were beneficial to the country.

Mr. SHERMAN. At its market value.

Mr. MORGAN. At a market value. And yet in 1873 there was no man in the world more opposed to the free coinage of silver than the Senator from Ohio was when he headed the march for its utter destruction. He does not forget that.

Mr. SHERMAN. Now, Mr. President—

Mr. MORGAN. What has brought that tremendous conversion upon the mind of the Senator from Ohio?

The VICE-PRESIDENT. Does the Senator from Alabama yield?

Mr. SHERMAN. Mr. President—

Mr. MORGAN. Let me say, before I yield to the Senator from Ohio, that he is in my mind, and in the minds of many Senators, and in the minds of many of the people of the United States to-day, whether willing or unwilling, a candidate for the Presidency of the United States; and the Senator does well when he makes friends of what he conceives to be "the mammon of unrighteousness" in getting up here and making pledges of his private wishes for the equal and free coinage of gold and silver when it was his hand that struck silver to death.

Mr. SHERMAN. Now, Mr. President, I will not take advantage of my friend's weakness to try and divert him from the matter we have in hand by introducing a matter totally disconnected with this proposition. I wish now to say sincerely—I think the Senator from Alabama knows it—that the demonetization of silver in 1873 was not participated in by me more than by any other member of either House of Congress.

The silver dollar had not been in existence as a coin for circulation for years. There was at that time neither silver nor gold in circulation. A bill prepared in the Treasury Department was sent here, a heavy, loggy bill, which continued for three years pending in this body, and on the only vote that was ever taken upon that bill by yeas and nays I voted against it. I had not the slightest care or interest in its passage. It was changed at one time and the trade dollar was put in. The Senator from Nevada [Mr. STEWART], who was here and helped, voted whenever I did the same way. All that story has been repeated over and over again. It is on the records, and I do not enlarge upon it here. Therefore, when the Senator says I am responsible for the demonetization of silver in 1873, he does what I think is gross injustice, and I think he ought to know it by this time, because he has heard it talked of so much here.

Mr. MORGAN. Mr. President, I am willing to give the Senator from Ohio in his expected campaign the benefit of this explanation, if it will do him any good. I do not think it will.

Mr. SHERMAN. That does not go.

Mr. MORGAN. I think the people will regard him as the head of the column, having been chairman of the Committee on Finance at that time, as the Senator was. The history of this matter has been gone over very often, and there is a man now sleeping in his grave in Kentucky who made statements in the presence of the Senator from Ohio here upon that question which were placed in the RECORD; and for the purpose of getting him a little more conspicuously before the country I took upon myself the perhaps unwelcome task at the moment of rereading to the Senate of the United States in a later debate and after he was in his grave all that he said.

The evidence presented by the then Senator from Kentucky convinced my mind, I think it convinced the minds of the people of the United States generally, that the Senator from Ohio had a greater responsibility for the destruction of silver in 1873 than he now seems disposed to admit. I applaud that feeling in the Senator's heart which causes him to try to rectify the wrongs that he has done to the people of the United States, but if he were speaking with manliness to us on this side of the Chamber and to the friends of silver to-day, and had reflected for a moment how elegantly and beautifully manly it would be in him to come out and put some distinctive measure into operation that would restore the people of the United States to the constitu-

tional rights of which they were bereft by him in 1873, I could admire him even more than I do; and yet I admire him very much.

The VICE-PRESIDENT. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business.

The SECRETARY. A bill (S. 2109) to provide for the punishment of violations of treaty rights of aliens.

Mr. MORGAN. I understood that the unanimous consent which was given in this Chamber this morning extended to the pending resolutions until the subject was disposed of.

Mr. HAWLEY. That was not mentioned. I say it was not; the Senator from Missouri asked consent to waive the five-minute rule, but said nothing about the pending order at 2 o'clock.

Mr. MORGAN. I had nothing to do with it except to give my assent to it. I had the understanding of course that the subject was taken up by the Senate by unanimous consent to be proceeded with until it should be exhausted.

Mr. SHERMAN. Even if that was the understanding—I did not so understand it—it would not supersede the unfinished business at 2 o'clock. The Senator from Delaware [Mr. GRAY] has the floor at this time.

Mr. MORGAN. Unanimous consent supersedes everything.

Mr. GRAY. As I understood it, the unanimous consent was that the debate, then under Rule VIII, should be proceeded with without the limitation of the five-minute rule.

The VICE-PRESIDENT. That was the understanding of the Chair.

Mr. COCKRELL. That was all.

Mr. MORGAN. I submit to any explanation. The Senator who made the request says he had in mind only the limitation of the rule.

Mr. COCKRELL. That was all; only to set aside the five-minute rule.

Mr. MORGAN. Now, unless the Senator from Delaware has some particular reason for going on with his remarks—

Mr. GRAY. Of course.

Mr. MORGAN. The Senator desires then, of course, to use his advantage in favor of his friends to cut us off at this moment. I give notice that as soon as the Senator's speech is finished I shall move to take up the resolutions.

Mr. GRAY. Mr. President, I have certainly no desire to use any advantage adverse to the Senator from Alabama. The Senator from Alabama occupied the floor at considerable length yesterday on the matter which I now wish to address myself to.

#### HOUSE BILLS REFERRED.

The bill (H. R. 915) for the relief of the heirs of Noah Noble, deceased, was read twice by its title, and referred to the Committee on Claims.

The bill (H. R. 8357) regulating the delivery and sale of ice within the District of Columbia on the Sabbath day, commonly known as Sunday, was read twice by its title, and referred to the Committee on the District of Columbia.

#### DISTRICT IMPROVEMENTS.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1367) to provide a permanent system of highways in that part of the District of Columbia lying outside of cities.

Mr. HARRIS. I move that the Senate nonconcur in the amendments of the House, and request a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. HARRIS, Mr. McMILLAN, and Mr. PERKINS were appointed.

#### GLEN ECHO RAILROAD COMPANY.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 8275) to authorize the Glen Echo Railroad Company to cross the Washington Aqueduct, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

On motion of Mr. McMILLAN, it was

*Resolved*, That the Senate insist on its amendment to the said bill, disagree to be the House of Representatives, and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon.

By unanimous consent, it was

*ordered*, That the conferees on the part of the Senate be appointed by the Vice-President.

The VICE-PRESIDENT appointed Mr. HARRIS, Mr. McMILLAN, and Mr. GALLINGER.

Mr. HARRIS. I think the amendment wholly immaterial, but it is an amendment proposed by the Senator from Maryland [Mr. GORMAN]. This is purely a Maryland road, and I ask that



Mr. VOORHEES. That makes a different question.

Mr. MORGAN. The Senator from Alabama [Mr. PUGH] presented this question with absolute certainty, that the question is whether we shall empower the Federal judges to try men in such cases.

Mr. VOORHEES. According to State laws?

Mr. MORGAN. Yes, according to State laws.

Mr. BUTLER. Adopting them in full?

Mr. MORGAN. Adopting them in full. Now, if there is any better State-rights doctrine than that for the administration of the Government of the United States I do not know what it is.

Mr. VOORHEES. This is a sort of divided trust the Senator is now speaking of. The division is caused by the fact that the bill before us seems to trust the legislative capacity and security for the purpose of the States but not its judicial officers to administer its own laws. I think the bill gets worse to my mind than it was before. But if the Senator is willing now I will move that we adjourn until to-morrow morning, so that we may look into this matter a little further.

Mr. MORGAN. All right.

The PRESIDING OFFICER. The question is on the motion of the Senator from Indiana that the Senate do now adjourn.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Thursday, May 26, 1892, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, May 25, 1892.

The House met at 11 o'clock a. m., and was called to order by the Speaker.

Prayer by the Rev. J. T. WIGHTMAN, of Washington, D. C.

The Journal of the proceedings of yesterday was read and approved.

### PRINTING AND BINDING FOR THE STATE DEPARTMENT.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State in relation to the necessity existing for an immediate appropriation for printing and binding for the Department of State for the current fiscal year; ordered to be printed and referred to the Committee on Appropriations.

### BRIDGE OVER THE TENNESSEE RIVER.

The bill (H. R. 7092) to authorize the building of a bridge over the Tennessee River was laid before the House with Senate amendments.

Mr. PATTERSON of Tennessee. Mr. Speaker, the Senate amendments to that bill are only verbal, and I move that they be concurred in.

The SPEAKER. It is in order to act upon them. This is a House bill with Senate amendments, and the bill carries no appropriation. The amendments will be reported.

The amendments were read at length.

Mr. BURROWS. Mr. Speaker, I understand this is simply a bridge bill.

The SPEAKER. Yes; a House bill with Senate amendments.

Mr. PATTERSON of Tennessee. I move to concur in the Senate amendments.

The question being taken,

Mr. BAILEY demanded a division.

The House divided; and there were—ayes 101, noes none.

Mr. BAILEY. No quorum.

Mr. HOLMAN. I hope the gentleman from Tennessee [Mr. PATTERSON] will withdraw that bill and let it lie on the table.

Mr. PATTERSON of Tennessee. I will agree to that.

Mr. HOLMAN. I call for the regular order.

The SPEAKER. This is the regular order.

Mr. HOLMAN. There are several other bills of this character, as I understand.

Mr. BAILEY. We might just as well act on this bill, for I will not permit any other to pass until a quorum appears.

The SPEAKER. The Chair will appoint as tellers the gentleman from Tennessee [Mr. PATTERSON] and the gentleman from Texas [Mr. BAILEY].

The House again divided; and the tellers reported—ayes 170, noes none.

Mr. BAILEY. I withdraw the point.

So the amendments of the Senate were concurred in.

### GLEN ECHO RAILROAD COMPANY.

The bill (H. R. 8295) to authorize the Glen Echo Railroad Company to cross the Washington Aqueduct was laid before the House with Senate amendments.

Mr. HEARD. By direction of the committee, I move that the House nonconcur in the Senate amendments and that a committee of conference be ordered. I do that for the mutual accommodation and benefit of the Government and the railroad company.

The Senate proposes that the Aqueduct shall be crossed at a right angle. If the railroad crosses at a right angle it will occupy more of the Government ground after the Aqueduct is crossed than if it cross at a different angle. What we desire is that it shall cross at such angle as may be fixed by the Government engineers in charge. We have agreed on that.

The SPEAKER. The gentleman from Missouri [Mr. HEARD] moves to nonconcur in the amendments of the Senate and to ask for a conference.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Mr. HEARD, Mr. RICHARDSON, and Mr. POST.

### WILLIAM W. WEDGWOOD.

The bill (H. R. 1923) granting an honorable discharge to William W. Wedgwood was laid before the House with Senate amendments.

Mr. PERKINS. I move that the House concur in the Senate amendments.

The amendments were read at length.

Mr. HOLMAN. What is this bill?

The SPEAKER. The title has been read.

Mr. HOLMAN. There is so much confusion in the Hall that it was impossible to hear.

The SPEAKER. The Clerk will report the title again.

The title of the bill was again read.

The SPEAKER. This is a House bill with Senate amendments, and the gentleman from Iowa [Mr. PERKINS] moves to concur in the Senate amendments.

The motion was agreed to.

### RETURN OF BILL TO SENATE.

The SPEAKER. The Chair will submit to the House the following request of the Senate.

The Clerk read as follows:

*Ordered*, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 145) "to authorize the Court of Claims to hear and determine the claim of the Citizens' Bank of Louisiana, etc."

The SPEAKER. Without objection, the request of the Senate will be complied with, and this bill will be returned to that body. There was no objection, and it was so ordered.

### SENATE BILLS REFERRED.

The SPEAKER laid before the House the following Senate bills; which were severally read a first and second time, referred to the committees indicated below, and ordered to be printed:

A bill (S. 41) for the relief of E. B. Crozier, executrix of the last will of Dr. C. W. Crozier, of Tennessee—to the Committee on Claims.

A bill (S. 300) for the construction of a public building at Owosso, Mich.—to the Committee on Public Buildings and Grounds.

A bill (S. 512) for the relief of Benjamin F. Campbell, late second lieutenant of the Eighteenth Pennsylvania Cavalry—to the Committee on Military Affairs.

A bill (S. 1212) to provide for the construction of a public building at San Diego, Cal.—to the Committee on Public Buildings and Grounds.

A bill (S. 1214) to provide for the purchase of a site for and the erection of a public building at Oakland, in the State of California—to the Committee on Public Buildings and Grounds.

A bill (S. 1959) donating 20 acres of land from the Fort Sidney military reservation, on the northeast corner thereof, to the city of Sidney, Neb., for cemetery purposes—to the Committee on Military Affairs.

A bill (S. 2221) for the relief of Mary J. Norman—to the Committee on Private Land Claims.

A bill (S. 2386) for the relief of Isham T. Owen, of Missouri—to the Committee on War Claims.

A bill (S. 2647) for the relief of Mrs. Fanny N. Beld—to the Committee on Invalid Pensions.

A bill (S. 2667) to provide for the detail of an assistant to the Chief of the Bureau of Navigation in the Navy Department—to the Committee on Naval Affairs.

A bill (S. 2765) granting to the Duluth and Winnipeg Railroad Company a right of way across the Fond du Lac Indian Reservation—to the Committee on Indian Affairs.

A joint resolution (S. R. 70) directing payment of the unpaid balance of an appropriation made for the payment of the expenses of the constitutional convention of the State of Illinois—to the Committee on Appropriations.

## ORDER OF BUSINESS.

Mr. PICKLER. I desire to ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

Mr. McMILLIN. In order to go on with the appropriation bills I demand the regular order.

Mr. PICKLER. We had no recognitions on this side yesterday, and you had five on that side.

Mr. McMILLIN. The trouble is if we get into this thing it is hard to get out of it.

Mr. PICKLER. You had five recognitions on that side yesterday and we had none; and I think you ought to allow us to have some recognitions on this side.

The SPEAKER. The gentleman from Tennessee demands the regular order, which is the call of committees for reports.

The committees were called for reports.

## SALE OF NAVY-YARD LANDS AT BROOKLYN.

Mr. GEISSENHAINER, from the Committee on Naval Affairs, reported back with amendments the bill (H. R. 8769) to provide for the sale of navy-yard lands in the city of Brooklyn; which was referred to the Committee of the Whole House on the state of the Union, and, with accompanying report, ordered to be printed.

## ENGINEER CORPS OF THE NAVY.

Mr. McALEER, from the Committee on Naval Affairs, reported back favorably the bill (S. 139) terminating the reduction in the numbers of the Engineer Corps of the Navy; which was referred to the House Calendar, and ordered to be printed.

## SETTLEMENT ON AGRICULTURAL LANDS BEFORE SURVEY.

Mr. McRAE, from the Committee on Public Lands, reported back with an amendment the bill (H. R. 7028) to protect settlement rights where two or more persons settle upon the same subdivision of agricultural public lands before survey thereof; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

The call of the select and standing committees was completed.

## LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:  
To Mr. BAKER, for fifteen days, on account of important business.

To Mr. ELLIOTT, for two weeks, on account of sickness.

## ORDER OF BUSINESS.

Mr. HOLMAN. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of general appropriation bills.

The motion was agreed to.

## SUNDRY CIVIL APPROPRIATION BILL.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. LESTER of Georgia in the chair.

The CHAIRMAN. The Clerk will read the next paragraph.

The Clerk read as follows:

Government exhibit: For the selection, purchase, preparation, transportation, installation, care and custody, and arrangement of such articles as the heads of the several Executive Departments, the Smithsonian Institution, and National Museum, and the United States Fish Commission may decide shall be embraced in the Government exhibit, and such additional articles as the President may designate for said Exposition, and for the employment of proper persons as officers and assistants to the board of control and management of the Government exhibit, appointed by the President, of which not exceeding \$5,000 may be expended by said Board for clerical services, \$300,500; *Provided*, That all expenditures for the purposes and from the appropriation specified herein shall be subject to the approval of the said Board of Control and Management and of the Secretary of the Treasury, as now provided by law.

Mr. COGSWELL. I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

On page 29, at end of line 5, insert:

"Authority is hereby granted for the payment of \$750 to St. Julien B. Dapray, for special and legal services rendered the board of control and management, Government exhibit, World's Columbian Exposition, to be held at Chicago, Ill., 1892-93, from moneys hereby appropriated."

Mr. McMILLIN. I reserve the point of order upon that.

Mr. COGSWELL. I do not understand, Mr. Chairman—

The CHAIRMAN. The gentleman from Tennessee will state his point of order.

Mr. McMILLIN. It changes existing law, and does not retrench expenditures.

Mr. COGSWELL. Mr. Chairman, I do not understand that this amendment increases the expenditures, but only allots of the appropriation—

Mr. McMILLIN. I rise to a question of order. There is so much confusion that I can not hear what the gentleman from Massachusetts says.

Mr. COGSWELL. That point of order is better than your other.

The provision only authorizes the Commission, out of whatever money it has, to pay this bill for services which have been rendered the Commission, which bill they approve, and it is the only way in which this party can be paid for these services. I do not understand there is any objection to it on the part of the committee. I do not think it is subject to the point of order, for when the appropriation is made it is only saying that out of the sum appropriated to the Commission so much shall be allowed to pay this bill.

Mr. DOCKERY. I would like to hear the amendment read again.

Mr. HOLMAN. Let it be read again, so we may understand it.

The amendment was again reported.

Mr. HOLMAN. That subject has not been before the Committee on Appropriations, and there is no information on the subject, I think. I do not know whether it is subject to the point of order or not.

Mr. McMILLIN. Mr. Chairman, I think it is subject to the point of order, for the reasons, first, that there is no authority of law for the payment of this money. It requires an enactment to authorize it, therefore it is a change of existing law. In addition to that, I am informed that this gentleman is an officer of the Government, and there is a law prohibiting the payment of more than one salary to any one person in the employ of the Government; and on the double ground, if the latter is true, as I understand it is, it is subject to the point of order. It will not be claimed by the gentleman from Massachusetts that without this enactment the officers in charge of that fund could pay it. Therefore, to enact it is to change existing law, and it does not retrench expenditures as it shows on its face.

Mr. HOPKINS of Illinois. I wish to ask the gentleman from Tennessee [Mr. McMILLIN] whether it is not true that this diverts the money from the purposes contemplated in the bill to a specific purpose, and is in that respect new legislation?

Mr. McMILLIN. Unquestionably.

Mr. COGSWELL. The gentleman from Illinois assumes certain facts and then puts the case to the gentleman from Tennessee upon that basis and gets the answer he expects. Upon that statement, if correct, I might agree with both the gentleman; but this is not a diversion of the funds to another purpose. It is to pay for services which the Commission requested this man to perform, which he has performed, and for which his bill has been approved by the Commission.

Mr. McMILLIN. Will the gentleman point to the existing law which authorizes this payment?

Mr. COGSWELL. I suppose that in making an appropriation for the World's Columbian Commission, we could say that of the amount appropriated, so much should be used to pay for any particular service therein named. It is part and parcel of the act of appropriating.

Mr. McMILLIN. Is this gentleman an officer of the Government?

Mr. COGSWELL. I think he is connected with the Supervising Architect's Office.

Mr. McMILLIN. Is there not already a law which prevents him from receiving more than one salary or compensation from the Government in more than one way without a specific enactment authorizing it?

Mr. COGSWELL. If that is so, he can not get this and he ought not to; but the Comptroller will decide that question and not myself.

Mr. HOPKINS of Illinois. Mr. Chairman, what I say is not so much in opposition to paying this official for services alleged to have been rendered, but my point is this, that in the bill as it is presented by the committee a general appropriation is made, and the gentleman from Massachusetts seeks to divert one part of that money thus appropriated for general purposes to a specific purpose not contemplated in the general bill. Therefore, I maintain that this is new legislation, and that the point of order made by the gentleman from Tennessee is well taken.

Mr. HOLMAN. Mr. Chairman, I understand—and the gentleman from Massachusetts will correct me if I make a mistake—I understand that this claim has been before the proper accounting officers of the Treasury, and that payment has been refused upon the ground that there is no law authorizing such an expenditure.

Mr. COGSWELL. I do not know about that; but if the gentleman states that it is so I accept his statement.

The CHAIRMAN. The Chair is satisfied that there is no law authorizing this specific appropriation, and the point of order is therefore sustained.

Mr. HOUK of Ohio. Mr. Chairman, I offer the amendment which I send to the desk.

The CHAIRMAN. The gentleman from Ohio may have the floor.

Mr. PATTISON of Ohio. It seems to me Mr. Chairman that there has not been a more important question before the House this session than the one now before the committee, and from the statement made by the chairman of the committee and the gentlemen from Pennsylvania [Mr. WILLIAM A. STONE], it seems to me that it is not only our right but also our duty to state our feeling and judgment upon this subject before this appropriation is made and we should do it now. If there are persons preparing to make exhibits at the World's Exposition with the idea of getting seven days instead of six, then they have the right to know it, and they have the right to know it now.

On the other hand, the people of this great country—and I do not only include the Christian people—the members of the Christian churches, which were in 1890 in round numbers nearly twenty-two millions, and which are increasing at the rate of over a million per year—but all the people—have a right to know whether or not the Exposition is going to be open or closed on Sunday; and we as representatives of the people have the right and it is our duty to say whether or not this Exposition is to be opened or closed on Sunday. The United States is a peculiar country. The Sabbath of our country is a peculiar Sabbath. It is known as the American Sabbath all over the wide world; and if there is to be a World's Fair maintained and originated in this great country of ours it is due to the people we represent that we should take advantage of this opportunity and say to the people of the United States that this World's Exposition shall not be open on Sunday, but that the American Sabbath shall be respected.

All the Christian churches of every name and denomination are a unit in favor of closing the Fair on Sunday. Not only these, but a very large proportion of all the people of the United States, without regard to party, sect, or creed, are a unit in demanding that the Sabbath day shall not be desecrated by opening the gates of this great Exposition on the Sabbath day.

The Sabbath day is recognized in some way by every civilized nation of the world, but the Sabbath, as we understand it, is peculiar to the United States alone, and hence we can very properly call it the American Sabbath. To us the Sabbath day was a part of our very being. It came with the Mayflower; it came with almost every band of Pilgrims; it was the corner stone of every State.

It was in the web and woof of every State constitution, its spirit permeates every article of the Confederation of States, and when the Constitution was adopted the American Sabbath was as firmly established in the hearts of the American people as was the spirit of liberty itself, and we but voice the sentiment of the many millions of Christian people and also of at least nine-tenths of the American people in all sections of the country when we declare in favor of the American Sabbath, and by our votes say that the World's Fair shall not be open on the Sabbath day. [Cries of "Vote!" "Vote!"]

Mr. HOPKINS of Illinois. What would the gentleman do with those people who have Saturday for their Sabbath?

Mr. PATTISON of Ohio. There are very few of those, and while they venerate the religious ideas of their own people, they respect American institutions.

Mr. HOPKINS of Illinois. But their conscientious scruples are as sacred to them as those who desire the doors to be closed on Sunday.

Mr. PATTISON of Ohio. Certainly, and as such they are entitled to consideration.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. WILLIAM A. STONE] moved a substitute for the pending amendment, an amendment which the Clerk will read.

Mr. McMILLIN. I rise to a point of order. The proposition first is upon the amendment to the text. The committee have the right to perfect the text before the substitute is acted upon.

The CHAIRMAN. The gentleman from Tennessee is correct. The Chair understood that that was accepted.

Mr. McMILLIN. I did not know that it was acted upon.

The CHAIRMAN. Was the Chair mistaken? The understanding of the Chair was that it was accepted. The Chair would ask the gentleman from South Carolina [Mr. JOHNSTONE] whether the amendment of the gentleman from Mississippi was accepted?

Mr. JOHNSTONE of South Carolina. It was accepted in this form—

The CHAIRMAN. Then the question is upon the amendment of the gentleman from Mississippi to the amendment of the gentleman from South Carolina.

Mr. JOHNSTONE of South Carolina. The Chair is mistaken. My amendment is the first one—*Provided*.

The CHAIRMAN. The Chair understands that.

Mr. JOHNSTONE of South Carolina. And the amendment of the gentleman from Mississippi was *Provided further*.

The CHAIRMAN. The Chair simply asked whether it had been accepted. The question, therefore, is upon the amendment of the gentleman from Mississippi, which will be read.

The amendment was read, as follows:

*Provided further*, That in no event shall the exhibit to be made by the Government be open to the public on Sunday.

Mr. O'FERRALL. Let us have the whole paragraph read.

The Clerk read as follows:

*Provided*, That no part of the amount of this appropriation shall be available unless the doors of the Exposition shall be closed on Sunday. *Provided further*, That in no event shall the exhibit to be made by the Government be open to the public on Sunday.

The CHAIRMAN. The question is on the amendment of the gentleman from Mississippi [Mr. HOOKER] to the amendment offered by the gentleman from South Carolina [Mr. JOHNSTONE].

The question was taken; and there were—ayes 197, noes 51.

S. the amendment to the amendment was adopted.

The CHAIRMAN. The question now is upon the amendment of the gentleman from South Carolina as amended.

A MEMBER. I ask that the amendment as amended be read.

The amendment of Mr. JOHNSTONE of South Carolina as amended was read, as follows:

*Provided*, That no part of the amount herein appropriated shall be available unless the doors of the Exposition shall be closed on Sunday.

*Provided further*, That in no event shall the exhibit made by the Government be open to the public on Sunday.

Mr. PAYNTER. Mr. Chairman, is it in order to offer a substitute?

The CHAIRMAN. There is one substitute already pending.

Mr. HOOKER of Mississippi. Mr. Chairman, let the Clerk read the substitute that is pending.

The Clerk read the substitute, as follows:

That before any money appropriated by the Government is paid, the managers of the Columbian Exposition shall pass and file with the Secretary of the Treasury a resolution and agreement to close the Exposition on Sunday.

Mr. PAYNTER. Mr. Chairman, is it in order to offer an amendment to that substitute?

The CHAIRMAN. That would be in order.

Mr. HOLMAN. Mr. Chairman, a parliamentary inquiry. Is this last proposition offered as a substitute for the first?

The CHAIRMAN. Yes; the proposition of the gentleman from Pennsylvania was offered as a substitute, and now the gentleman from Kentucky [Mr. PAYNTER] offers an amendment—

Mr. PAYNTER. I offer it as an amendment to the substitute.

The CHAIRMAN. The gentleman from Kentucky offers an amendment to the substitute, which the Clerk will read.

The Clerk read as follows:

*Provided*, That the building or buildings containing the Government exhibit shall not be open to visitors on Sunday.

Mr. JOHNSTONE of South Carolina. But, Mr. Chairman, under that provision the money goes, and there is no power in the provision to enforce itself.

The CHAIRMAN. The gentleman from Kentucky proposes to add this as an amendment to the proposition of the gentleman from South Carolina.

The question was taken on the amendment of Mr. PAYNTER; and the Chairman declared that it was rejected.

Mr. BUCHANAN of New Jersey. Mr. Chairman, I rise to a point of order. That same proposition has been already voted down.

A MEMBER. Well, now it has been voted down again.

Mr. ATKINSON. Mr. Chairman, I offer an amendment to the substitute of my colleague from Pennsylvania.

The amendment was read, as follows:

*Provided*, That no part of this appropriation shall be available until the Board of Managers of the World's Columbian Exposition shall give satisfactory assurances that no intoxicating liquor shall be sold on the grounds of said Exposition.

The question was taken on the amendment of Mr. ATKINSON; and the Chairman declared that the news seemed to have it.

Mr. ATKINSON. I call for a division.

The committee divided; and there were—ayes 89, noes 76.

Mr. TAYLOR of Illinois. I demand tellers.

The question was taken on ordering tellers, and 27 members voted in the affirmative.

Mr. BUTLER and Mr. TAYLOR of Illinois. No quorum, Mr. Chairman.

The CHAIRMAN. The point of no quorum is made, and the Chair will appoint tellers.

Mr. BUCHANAN of New Jersey. It does not require a quorum to order tellers.

The CHAIRMAN. The tellers are appointed on the amendment of the gentleman from Pennsylvania. The Chair appoints to act as tellers the gentleman from Pennsylvania [Mr. ATKINSON] and the gentleman from Iowa [Mr. BUTLER].

The committee divided; and the tellers reported—ayes 57, noes 80.

So the amendment was adopted.

Mr. HOLMAN. I move that the committee rise.

Mr. COGSWELL. I ask the gentleman to withhold that motion for a moment in order that I may ask unanimous consent that my colleague, Mr. MORSE, who is absent sick and who I very much fear will never return to his labors here, may have leave to print in the RECORD a few remarks upon this question of closing the Exposition on Sunday.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

Mr. OWENS. I object.

Mr. HOLMAN. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. LESTER of Georgia reported that the Committee of the Whole on the state of the Union, having had under consideration the sundry civil appropriation bill, had come to no resolution thereon.

#### ENROLLED BILLS SIGNED.

Mr. WARWICK, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills of the following titles: when the Speaker signed the same:

A bill (S. 812) granting a pension to George W. Jones;

A bill (S. 1975) for the protection of livery-stable keepers and persons keeping horses at livery stables within the District of Columbia;

A bill (H. R. 1923) granting an honorable discharge to William W. Wedgwood;

A bill (H. R. 5021) granting a pension to Mary Jewett Telford, an army nurse; and

A bill (H. R. 7365) to authorize the Illinois and Iowa Railway and Terminal Company to build a bridge across the Mississippi River at Moline, Ill.

#### MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, by Mr. PRUDEN, one of his secretaries, informed the House that the President had approved and signed bills of the following titles: On May 23, 1892:

An act (H. R. 7369) authorizing the construction of a wagon and motor bridge over the Missouri River at St. Charles, Mo.; and

An act (H. R. 507) to provide for a term of the United States circuit and district courts of Evanston, Wyo.

On May 25, 1892:

An act (H. R. 6658) to vacate that part of Madison street, Georgetown, west of Back street, and extend Y street in Barleith, in the District of Columbia;

An act (H. R. 5209) for the relief of Betsy Worthington;

An act (H. R. 4288) authorizing the payment of the pension of Edward S. Smith, accrued at the date of his death, to his mother, Catherine;

An act (H. R. 724) granting a pension to Jane Shierry; and

An act (H. R. 4533) for the relief of holders of drawback certificates issued under an act of Congress approved June 2, 1890.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had insisted upon its amendments to the bill (H. R. 8295) to authorize the Glen Echo Railroad Company to cross the Washington Aqueduct, disagreed to by the House; had agreed to the conference asked by the House on the disagreeing votes of the two Houses, and had appointed Mr. McMILLAN, Mr. GALLINGER, and Mr. GORMAN as the conferees on the part of the Senate.

It also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 1397) to provide a permanent system of highways in that part of the District of Columbia lying outside of cities, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HARRIS, Mr. McMILLAN, and Mr. PERKINS as the conferees on the part of the Senate.

It also announced that the Senate had passed the following concurrent resolution: in which concurrence of the House was requested:

*Resolved by the Senate (the House of Representatives concurring). That there be printed in addition to the usual number of the report of the National Academy of Sciences for 1891 2,000 copies, 500 for the use of the Senate, 1,000 for the use of the House, and 500 for use of the Academy of Sciences of the memoirs which accompany the report of 1891 2,500 copies, 500 for the Senate, 1,000 for the House of Representatives, and 1,000 for distribution by the Academy of Sciences. The concurrent resolution of March 11 on that subject is hereby repealed.*

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. STOCKDALE, indefinitely, after Monday next, on account of important business.

To Mr. PICKLER, for two weeks, on account of important business.

To Mr. SHIVELY, for ten days, on account of important business.

To Mr. HARTER, for eleven days, on account of important business.

#### LEAVE TO PRINT.

Mr. COGSWELL. The gentleman from Ohio [Mr. OWENS] withdraws his objection to the request I made a few minutes ago in Committee of the Whole. I now renew the request that my colleague, Mr. MORSE, who has been absent sick for a long time, and I fear will not be able to return to this House again, may have leave to print in the RECORD remarks in regard to the closing of the World's Fair on the Lord's day.

There being no objection, leave was granted.

#### PATENTS.

Mr. BUCHANAN of New Jersey, by unanimous consent, reported back with amendments, from the Committee on Patents, the bill (H. R. 601) revising and amending the statutes relating to patents: which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### BONDS HELD FOR REDEMPTION PURPOSES.

Mr. DOCKERY. Mr. Speaker, the gentleman from New Jersey [Mr. BUCHANAN] withdraws the objection which he made yesterday afternoon to the adoption of the resolution offered by me calling on the Judiciary Committee for its construction in certain respects of the redemption act of January 14, 1875, and also for other information. I ask that the resolution be now adopted. It was read in full last evening.

There being no objection, the House proceeded to the consideration of the following resolution: which was adopted:

*Resolved*, That the Committee on the Judiciary be and is hereby directed to inquire and report to the House, in addition to the matters heretofore referred to the same by House resolution adopted February 23, 1892, whether under the act entitled "An act to provide for the redemption of specie payments," approved January 14, 1875, and the acts amendatory thereof, any bonds were sold for redemption purposes, and, also, the amounts realized from such sales, the amount of surplus revenues in the Treasury each year since the passage of said act, or available for redemption purposes, and if any, whether the same was or should have been first used therefor: the amount of legal-tender notes redeemed each year under the provisions of said act; whether the same or any portion thereof were redeemed from the proceeds of the sale of bonds or from the surplus revenues in the Treasury; whether such redemption fund, if any, under said act must be maintained by the Secretary of the Treasury by the sale of bonds or the transfer of surplus revenues in the Treasury at the time of its depletion; and whether, if same is depleted or reduced by redemptions and the amount so used restored from the surplus in the Treasury, said sum so taken from said surplus revenue and added to said redemption fund is thereafter subject to use for any other than redemption purposes.

And then, on motion of Mr. HOLMAN at 5 o'clock and 30 minutes p. m., the House adjourned.

#### REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. McALEER, from the Committee on Naval Affairs: A bill (H. R. 6631) for the relief of Commander Oscar C. Badger, United States Navy. (Report No. 1483.)

By Mr. SMITH of Illinois, from the Committee on Claims: A bill (H. R. 4954) for the relief of New York, Lake Erie and Western Railroad Company. (Report No. 1484.)

By Mr. COBB of Missouri, from the Committee on War Claims: A bill (H. R. 4296) for the relief of the heirs of James Taylor, deceased. (Report No. 1487.)

By Mr. WINN, from the Committee on War Claims: A bill (H. R. 3237) for the relief of the legal representatives of the estate of William H. H. Brooks. (Report No. 1488.)

By Mr. CLANCY, from the same committee: A bill (H. R. 6319) for the relief of the heirs of James Murphy, deceased, and William P. Buckmaster. (Report No. 1489.)

A bill (H. R. 4495) for the relief of Thomas Stock. (Report No. 1490.)

By Mr. PAGE of Rhode Island, from the Committee on Claims: A bill (S. 1692) for the relief of Dwight Hall. (Report No. 1492.)

A bill (S. 234) for the relief of the National New Haven Bank of the State of Connecticut. (Report No. 1493.)

#### ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table, as follows:

By Mr. COBB of Missouri, from the Committee on War Claims: A bill (H. R. 3517) for the relief of William H. Tarley. (Report No. 1486.)

Also, petition of members of the Congregational Church of Bedford, Mich., for closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. O'FERRALL: Protest of James K. Heff and 57 other citizens of Page County, Va., against closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. O'NEILL of Missouri: Petition in favor of closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. OUTHWAITE: Petition of the South Congregational Church of Columbus, Ohio, against appropriation for the World's Fair unless it be closed on Sunday and the sale of liquor be prohibited—to the Select Committee on the Columbian Exposition.

By Mr. PENDLETON: Five petitions as follows: One from Harrison County, W. Va.; two from Wetzel County, W. Va.; one from Marshall County, W. Va., and one from Lyles County, W. Va., all against the Brosius lard bill and for the Paddock pure-food bill—to the Committee on Ways and Means.

By Mr. PERKINS: Three petitions as follows: One from the Methodist Episcopal Church at Merrill, Iowa; one from the Methodist Episcopal Church at Early, Iowa, and one from Presbyterian churches at Plymouth and Merrill, Iowa, all in favor of closing the World's Fair on Sunday and against the sale of liquor on the grounds—to the Select Committee on the Columbian Exposition.

By Mr. RAINES: Petition for adoption of the metric system of weights and measures—to the Committee on Coinage, Weights, and Measures.

By Mr. RICHARDSON: Petition of Presbyterians of Lincoln County, Tenn., for closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. SHELL: Petition of Longtown Alliance, Fairfield County, S. C., against the Brosius lard bill and for the Paddock pure-food bill—to the Committee on Agriculture.

Also, petition of citizens of Glen Springs, S. C., against the Brosius lard bill and for the Paddock pure-food bill—to the Committee on Agriculture.

By Mr. SPERRY: Petition against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. SPRINGER: Petition of members of the Seventh-Day Adventist Church of Springfield, Ill., against closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of N. B. Richards and J. C. Martin, in favor of the Paddock pure-food bill—to the Committee on Agriculture.

By Mr. CHARLES W. STONE: Petition of Mount Pleasant Presbyterian Church of Ryndilton, Pa., in favor of closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. TAYLOR of Illinois: Petition against closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition for marking battle lines at Gettysburg—to the Committee on Military Affairs.

By Mr. VAN HORN: Petition of the New York State Sabbath Committee, asking that the World's Fair be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WARWICK: Papers to accompany House bill granting pension to Mrs. Linda Hunt, an army nurse—to the Committee on Invalid Pensions.

By Mr. WOLVERTON: Resolution of the Lutheran congregation at Bloomsburg, Pa., opposed to the opening of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

## SENATE.

FRIDAY, May 27, 1892.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

### ADJOURNMENT OVER DECORATION DAY.

Mr. HALE. I move that when the Senate adjourn to-day it be to meet on Tuesday next.

The motion was agreed to.

### EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, recommending that the appropriation in the House bill for the maintenance of the United States quarantine stations during the coming fiscal year be raised from \$50,000 to \$80,000; which was referred to the Committee on Appropriations, and ordered to be printed.

### COURT OF CLAIMS REPORT.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law in the French spoliation claim of Alexander Proudhon, administrator of John Proudhon, deceased, relating to the ship *Eliza*, which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

### PETITIONS AND MEMORIALS.

Mr. PEPPER presented the memorial of Joseph Dill and other citizens of Washington County, Kans., and the memorial of the Lyon County (Kans.) Alliance and Industrial Union, remonstrating against the passage of the Wilson-Brosius bills and praying for the passage of the Paddock pure-food bill; which were referred to the Committee on Agriculture and Forestry.

Mr. WILSON presented petitions of the Methodist Episcopal churches of Floyd, Forest City, Bloomfield, and Allison; of the Congregational churches of Allison and Belmont, and of the First Baptist Church of Afton, all in the State of Iowa, praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of 84 citizens of Sibley, Iowa, remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. STOCKBRIDGE presented petitions of the Methodist Episcopal Church of Vermontville, of the Congregational Church of Bedford, and of the Michigan Congregational Association, all in the State of Michigan, praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. COCKRELL presented the petition of the United Presbyterian Church of Cuba, Mo., praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. BATE presented the memorial of J. D. Copeland and 76 other members of the Seventh-Day Adventist Church of Leach, Tenn., and the memorial of L. E. Eskew and 70 other members of the Seventh-Day Adventist Church of Carroll County, Tenn., remonstrating against a commitment of the United States Government to a union of religion and state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. VILAS presented the petition of the South Side Christian Endeavor Society of Stevens Point, Wis., praying for the closing of the World's Columbian Exposition on Sunday, and that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. KYLE presented the memorial of George A. Wheeler and other members of the Seventh-Day Adventist Church of Vilas, S. Dak., remonstrating against the passage of any legislation closing the World's Columbian Exposition on Sunday or committing the United States Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. TIERIE presented a petition of the Business Men's Association of Evansville, Ind., praying that an appropriation be made for the improvement of the Kanawha River; which was referred to the Committee on Commerce.

He also presented a memorial of the Methodist Preachers' Association of Haughville, Ind., remonstrating against the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the United Presbyterian Congregation of Rushville, Ind., praying that no appropriation be granted in aid of the World's Columbian Exposition except upon condition that it be closed on Sunday and that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. RANSOM presented petitions of the Meeklenburg Presbytery; of the Methodist Episcopal Church of Henderson; of the faculty and students of the A. and M. College; and of the Sunday-school workers of Wilmington, all in the State of North Carolina, praying that the World's Columbian Exposition be closed on Sunday, and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Produce Exchange of Wil-

minington, N. C., praying for a better system of lights upon the many exposed points along Cape Fear River from Wilmington to Cape Canaveral; which was referred to the Committee on Commerce.

He also presented a memorial of the Wilmington (N. C.) Chamber of Commerce, remonstrating against the passage of Senate bill 1755, relative to marine incursions; which was referred to the Committee on Commerce.

Mr. PARSONS presented a petition of the Baptist and Presbyterian churches of Winter Haven, Fla., praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. DAWES presented the petition of Smith & Wesson and other citizens of Springfield, Mass., interested in Patent Office business, representing the urgent necessity of the whole Patent Office building being devoted to the needs of the Patent Office, and praying that the General Land Office may be removed therefrom; which was referred to the Committee on Patents.

Mr. PROCTOR presented the following petitions of Harvest Home Grange, Patrons of Husbandry, of Vermont:

Petition praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petition praying for the passage of a bill to prevent the adulteration of food and drugs—referred to lie on the table.

Petition praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Mr. SHERMAN presented a petition of 24 firms doing business in Cincinnati, Ohio, praying for an investigation into the merits of the scheme of Capt. John Cowdon for lowering the bed of the Mississippi River and thereby preventing overflows; which was referred to the Committee on Commerce.

He also presented a petition of the Ohio State Association of Mexican War Veterans, praying for the erection of a suitable monument in honor of Zachary Taylor; which was referred to the Committee on the Library.

He also presented petitions numerously signed by citizens of Ohio, praying for the closing of the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 41 students of the Agricultural College of the Ohio State University, at Columbus, Ohio, praying for the passage of the Paddock pure-food bill; which was referred to the Committee on the Judiciary.

Mr. CAMERON presented the petition of C. B. Dixon and 36 other citizens of Frankford, Pa.; the petition of J. E. Brown and 37 other citizens of Dunkard, Pa.; the petition of W. C. Crow and 19 other citizens of Morris Roads, Pa.; and the petition of B. F. Titus and 131 other citizens of Point Marion, Pa., praying for the adoption of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any secularian purpose; which were referred to the Committee on the Judiciary.

He also presented memorials of the Presbyterian churches of Frankford, McKeesport, Knoxville, and Redstone; of the Lutheran churches of Pikeland, Harrisburg, and Marklesburg; and of the Reformed Church of Dushore, all in the State of Pennsylvania, praying that the World's Columbian Exposition be closed on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. PADDOCK presented a memorial of the National Religious Liberty Association of Washington, D. C., remonstrating against the passage of the so-called McMillan bill prohibiting the delivery and sale of ice within the District of Columbia on Sunday; which was referred to the Committee on the District of Columbia.

He also presented petitions of the Methodist Episcopal churches of Gandy and Garfield and of the South Platte Conference Evangelical Lutheran Synod, representing 720 members, in the State of Nebraska, praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. PERKINS presented petitions of the Methodist Episcopal Church of Webster, of the Congregational Church of Kinsley, and of the Presbyterian Church of Cawker City, all in the State of Kansas, praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the memorial of J. Dorcas and other members of the Seventh-Day Adventist Church of Holton, Kans., re-

monstrating against Congress committing the United States Government to a union of religion and the State by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. SAWYER presented petitions of 1,485 citizens of Wisconsin, praying for the passage of legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of members of the Seventh-Day Adventist Church of Loyol, Wis., remonstrating against the passage of any legislation closing the World's Columbian Exposition on Sunday, or committing the United States Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. TELLER presented a petition of citizens of Denver, Colo., and a petition of various religious societies representing 600 citizens of Central City, Colo., praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. HIGGINS presented a petition of Midland Grange, Patrons of Husbandry, of Georgetown, Del., praying for the passage of the Washburn-Hatch antioption bills; which was referred to the Committee on the Judiciary.

He also presented a petition of the Wilmington (Del.) Board of Trade, praying that an appropriation be made for a display of the navies of the world at the four hundredth anniversary of the discovery of America; which was referred to the Committee on the Quadro-Centennial (Select).

#### FINANCIAL STATEMENTS.

Mr. COCKRELL. On the 25th instant I presented to the Senate a table prepared by the Director of the Mint in regard to the stock of money in the aggregate and per capita in the principal countries of the world and it was printed as Miscellaneous Document No. 164. I submitted the document to the Director, Mr. Leach, and he has made numerous corrections in it, bringing it down to this date. The reply that he sent to me did not quite bring it down to the present date. The changes do not alter the aggregate to any considerable amount, but it is much more absolutely accurate than the one that was printed. I ask that the print in the Record, on page 4673, may be corrected according to the amended table, and that Miscellaneous Document No. 164 be withdrawn—that is, the tabular part of it—and the corrected table substituted for it.

The VICE-PRESIDENT. The statement will be corrected in the Record.

Mr. COCKRELL. And an order made to reprint Miscellaneous Document No. 164, with the figures corrected.

The VICE-PRESIDENT. It will be so ordered.

#### REPORTS OF COMMITTEES.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 897) regulating the delivery and sale of ice within the District of Columbia on the Sabbath day, commonly known as Sunday, reported it with amendments.

Mr. VELAS, from the Committee on Claims, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to, and the bills were postponed indefinitely:

A bill (S. 659) for the relief of the legal representatives of William Johnson, Joseph Torrey, and Thomas Blackwell, respectively; and

A bill (S. 980) for the relief of the legal representatives of John Baptiste Ashe.

Mr. SANDERS, from the Committee on Claims, to whom was referred the bill (S. 88) for the relief of William Somerville, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1790) for the relief of Thomas Antisell, reported it with an amendment, and submitted a report thereon.

Mr. WILSON, from the Committee on the Judiciary, to whom was referred the bill (S. 1923) to amend section 860 of the Revised Statutes of the United States, reported it with amendments.

Mr. VEST. I am instructed by the Committee on Commerce, to whom was referred the bill (S. 1473) to authorize the Missouri River Power Company of Montana to construct a dam across the Missouri River, to report it with an amendment. I move that an order be made for printing the papers accompanying the bill.

The motion was agreed to.

#### PAY OF EMPLOYEES.

Mr. ALLISON. The Committee on Appropriations instruct me to report back without amendment the joint resolution (H. Res. 132) to pay the officers and employees of the Senate and



tion, without any appointment to army service, but moved by his kindly feeling for the young men who were leaving home at the call of the Government, determined to march with "the boys" and care for them and the regiment to the best of his ability.

From the determined character of the man he accomplished wonders in his service as wagon-master for the regiment in its early campaigns in Virginia.

When the Sioux Indians in our State in August, 1862, counting upon the defenseless condition of our frontier settlements because of the absence of our soldiers in the South, began a war of indiscriminate slaughter upon men, women, and children on our then Western frontier, this patriotic and tireless man, Northrup, quickly raised a company of mounted men and moved to the defense of Fort Ridgely, then occupied by the Superintendent of Indian Affairs, in charge of a large sum of Government money for payment of Indian annuities, with many citizens who for protection had sought the post upon the sudden outbreak of the red devils; he with others relieved the fort.

I have no doubt that in all these services he was called upon to expend his own money, for when he had it he used it freely, and such services as he rendered required money and there was none among our people.

He is now far advanced in years and a generous people should gratefully remember his service and place him above want in the few years that are left him.

Very respectfully,  
Hon. C. K. DAVIS,  
United States Senator.

ALEX. RAMSEY.

ST. PAUL, November 2, 1891.

DEAR SIR: In a general way I am somewhat conversant with the doings of Anson Northrup during the civil and Indian wars, and was at the time satisfied of the great service he rendered. I have known him for nearly fifty years. His patriotism and energy have been his predominant characteristics. If anything was to be done he never waited for particulars nor to study consequences. For many years I was intimately acquainted with him during the early settlement of the West, and know that he was always to the front, and from reliable sources I know he was, during our troubles, where his services could be the most useful. He is now old, decrepit, and poor. If a man was ever entitled to the consideration of the Government it is he. The great mistake he made was not waiting for a written commission, but without which no army mission was ever more faithfully executed than his.

Truly, yours,

HENRY M. RICE.

Hon. C. K. DAVIS,  
United States Senator.

ST. PAUL, MINN., December 23, 1891.

MY DEAR SIR: Having learned that my old friend, Anson Northrup, was making some appeal to Congress for relief in his old age, I take pleasure in adding my mite of assistance in his behalf. I have been shown two letters addressed to you upon the subject, one from Judge William Lochren, of date October 16, 1891, and one from Governor Ramsey, of November 5, 1891, and have read them both carefully.

Of course I can say nothing about the services of Mr. Northrup in connection with the First Regiment, which are detailed in such an interesting manner by Judge Lochren, but you know as well as I do that it is useless to attempt to add anything to what the judge says. I fully concur in all that both he and Governor Ramsey say as to the valuable services rendered by Mr. Northrup during the Indian troubles in 1862. He was among the very first to relieve Fort Ridgely, arriving there with his company on the 27th of August, which fact I mention in my narrative of the Indian war, on page 736 of the second edition of the State war book. Mr. Northrup is now very old and very poor, and incapable of supporting himself. Among the thousands of pensions that are being granted for military services I know of none that could be more worthily bestowed than in the case under consideration.

Trusting that you will do all in your power, as I know you will, in Mr. Northrup's behalf, I remain,

Very truly,

CHAS. E. FLANAGAN.

Hon. C. K. DAVIS,  
United States Senator, Washington, D. C.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### LEGAL REPRESENTATIVES OF GEORGE K. OTIS.

Mr. SAWYER. On the 24th of February I entered a motion to reconsider the vote by which the Senate passed the bill (S. 469) for the relief of the legal representatives of George K. Otis, deceased. I now wish to have the vote reconsidered. I will state to the Senate that there is a typographical error in the bill. In describing a mail route it is given as "1681," when it should be "1671." I simply wish to change the number. It is a mistake in the print. The bill was originally printed right.

The VICE-PRESIDENT. The Senator from Wisconsin moves to reconsider the vote by which the bill indicated by him was ordered to a third reading and passed.

The motion to reconsider was agreed to.

Mr. HARRIS. When was the bill passed?

Mr. SAWYER. The bill was passed in February, and there was a mistake in the mail route described. I wish to move an amendment so as to insert the right number.

The VICE-PRESIDENT. The bill was passed February 24.

Mr. HARRIS. It has probably gone to the other House and it will have to be returned.

Mr. SAWYER. No; the bill is in possession of the Senate.

The VICE-PRESIDENT. The amendment moved by the Senator from Wisconsin will be stated.

The CHIEF CLERK. Amend by striking out, in line 8, "eighty-one" and inserting the word "seventy-one," so as to read "route 1671."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, and was read the third time, and passed.

#### SALARIES OF RAILWAY POSTAL CLERKS.

The bill (S. 2504) to reclassify and prescribe the salaries of railway postal clerks was considered as in Committee of the Whole.

Mr. COCKRELL. Let the report be read in that case.

The VICE-PRESIDENT. The report will be read.

The Secretary read the following report, submitted by Mr. McMILLAN, from the Committee on Post-Offices and Post-Roads, April 5, 1892.

This is a bill to classify and prescribe the salaries of railway postal clerks. The following statement shows the rates of compensation under existing law, and the proposed changes as provided in this bill.

#### Compensation per annum.

	Existing law.	This bill.
First class	\$800	\$800
Second class	600	1,000
Third class	1,000	1,200
Fourth class	1,200	1,300
Fifth class	1,400	1,500
Sixth class		1,600
Seventh class		1,800

The bill adds a sixth and seventh class, at a compensation, respectively, of \$1,600 and \$1,800, and provides that the Postmaster-General, in fixing the salaries of clerks in different classes, may grade the salaries of the same class with due regard to the amount of work, the number of hours employed, and the responsibility incurred. It also provides that clerks of class seven may be detailed as chiefs of divisions and clerks of class six may be detailed chief clerks of two or more lines under prescribed restrictions. These changes have the approval of the Postmaster-General, and the present Second Assistant Postmaster-General, who was for many years Superintendent of the Railway Mail Service, very strongly recommends this reclassification.

The life of a postal-railway clerk carries with it many risks, and from the nature of the employment a great deal of pride and ambition is developed among these custodians of the United States mails. As the importance of this class of employment increases, there ensues a progressive requirement for reorganization, and it is essential that men who have gone through all the details and responsibilities of transportation should be encouraged by advancement in their rates of compensation, which they justly earn in the regular line of promotion. They are, beyond all question, men of intellectual and physical ability, and the character of their service ranks among the highest under the Government.

It is believed that the reorganization proposed by this bill will raise the service to a higher plane than is demanded by the growth of the mails, and that it will contribute to the general good. The increased cost of the organization would be in the neighborhood of \$55,000 per annum.

The bill is reported favorably with a recommendation that it do pass.

The bill was reported to the Senate without amendment.

Mr. COCKRELL. I should like to ask the Senator reporting this bill why there is such an additional increase as proposed in classes 6 and 7? Class 5 is increased \$100, and then two new classes are made running up to sixteen hundred and eighteen hundred dollars, respectively. Is not that rather a big jump? This is a thing a considerable amount to the drain on a depleted and exhausted Treasury.

Mr. McMILLAN. Mr. President, the service seems to demand that these salaries be increased. Besides, the class of men who are required to do this work, which is very onerous, have to do it at very great risk to their lives. The service demands a good quality of men, and they receive small salaries.

Mr. COCKRELL. There is no question about that.

Mr. McMILLAN. The service is now underpaid, and I think the enactment of this bill will give us better service. I think \$1,800 a year is not too much to pay a man who does this kind of work. It is only a few, however, who will receive that amount. The service is to be graded. The lowest service is \$800, and it is to be graded from that up to \$1,800.

Mr. COCKRELL. Under the existing law the salaries range at \$800, \$900, \$1,000, \$1,200, and \$1,400. Under this bill the salaries start at \$800 and then skip \$900; there is no \$900 class under this bill. The first class then is \$800, then \$1,000, \$1,200, \$1,300, \$1,500, \$1,600, and \$1,800. The highest salary under the present law is \$1,400.

It strikes me that, notwithstanding these officers are of a meritorious class and some increase of salary might be justified and some increase of the classes, yet we must look at the fact of an exhausted Treasury and the appropriations demanded by law, which will take every dollar of revenue if not more. There is no disguising it. Everybody knows that fact. Now, why shall we, unless there is an existing law requiring it, increase the strain upon the Treasury and force in the end some method of increasing the revenues of the Government? The necessity stares us squarely in the face. I know that the Treasury can be so manipulated that there will be a surplus apparently on the 30th day of June, but it will be because the appropriations made by the last Congress which ought to have been paid out of the resources and the revenues of this fiscal year have been postponed and will be dumped upon the Treasury, and the Treasury exhausted during the coming fiscal year 1893. That will be the inevitable result of this condition of affairs, and we may just as well look at it squarely.

I say I know the Secretary of the Treasury can by manipulation, by postponing the expenditure of appropriations made by the last Congress, delaying payments, and procrastinating business, have a surplus on the 30th day of June; but, then, those appropriations are already made, they are liabilities already created, they must be met, and they will be met out of the revenues of the fiscal year 1892, and the revenues of that year will be exhausted and a deficit left. That is unavoidable, and if you keep on passing such bills no power on earth can prevent it, because we are not increasing the revenues.

I acknowledge the worth and merit of these employes of the Government; I should like to see them rewarded fairly and justly, but when we have not the money to pay and we are not providing any increased taxation or increased revenues, why shall we place this strain upon the Treasury? I see no necessity for it. Therefore I must move that the three last items, "\$1,500, \$1,600, and \$1,800," be stricken out, and in lieu of them insert "\$1,400, \$1,500, and \$1,600," instead. That makes an increase of two grades with a corresponding increase of \$200 a year, and makes two classes with \$100 and \$200 salaries, respectively, higher than now exist by law. That is a considerable promotion and a considerable increase. It makes two classes with that increased salary, and two classes, the sixth and seventh, with \$1,500 and \$1,600, while the highest class now is \$1,400.

Mr. McHILLAN. In answer to the statement of the Senator from Missouri, I would say that this matter was very carefully considered by the Committee on Post-Offices and Post-Roads, and that the increase is recommended by the Post-Office Department.

This is a comparatively new service, and the \$1,800 allowed to the highest class is a very small salary to pay for the service called for. We are paying in the different Departments in Washington to-day from \$800 up to \$1,800 for service which has no particular risk about it, while these men take their lives in their hands every time they get on mail trains, especially on those trains running at the rate of 40 and 50 miles an hour.

I think the service demands that the pay should be increased, and I think that the recommendation made by the committee and the Postmaster-General should be followed.

Mr. SAWYER. I hope the amendment of the Senator from Missouri will not be adopted. We considered this subject very carefully in committee. There is no service which is so poorly compensated as the service we are exacting of these railway postal clerks. The Post-Office Department will earn its revenue if you give it the opportunity, and if it is to increase its revenue it must have better men to take charge of these divisions.

I hope the bill will pass as reported by the committee. As I have said, we spent a great deal of time over it.

Mr. COCKRELL. Does the Senator think the bill ought to pass when there is no money to pay the salaries provided by law?

Mr. SAWYER. If you give it a chance, the Post-Office Department will earn its own money.

Mr. COCKRELL. It does not earn enough to pay expenses. Does the Senator think we ought to do this when we have not the money to pay it?

Mr. SAWYER. The Post-Office Department, if you give it the proper facilities, will earn the money itself to pay for it.

Mr. COCKRELL. They never have done it yet.

The VICE-PRESIDENT. The amendment proposed by the Senator from Missouri will be stated.

The CHIEF CLERK. In section 1, line 10, after the word "thousand," it is proposed to strike out "five" and insert "four;" in line 11, after the word "thousand," to strike out "six" and insert "five;" and in line 12, after the word "thousand," to strike out "eight" and insert "six;" so as to read:

Fifth class, not exceeding \$1,000; sixth class, not exceeding \$1,500; seventh class, not exceeding \$1,600.

The VICE-PRESIDENT. The question is on the amendment. The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH H. WELTY.

The bill (S. 1186) granting a pension to Joseph H. Welty was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph H. Welty, late of Company I, Second Regiment of Iowa Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEROY ROOT.

The bill (S. 1536) to increase the pension of Leroy Root was considered as in Committee of the Whole. It proposes to increase the pension of Leroy Root, late private, Company D, First Michigan Engineers and Mechanics, to \$30 per month from October 3, 1890.

Mr. COCKRELL. I move, in line 6, after the word "month," to strike out "said increase" to date from October 3, A. D. 1890.

Mr. PADDOCK. There is no objection to that amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ABASHA RISK.

The bill (S. 1008) granting a pension to Abasha Risk was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 5, before the word "dollars," to strike out "fifty-two" and insert "eighteen;" and in the same line after the word "month," to insert "the same to be paid in lieu of any pension or future claim for pension;" so as to make the bill read:

*Be it enacted, etc.* That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, at the rate of \$18 per month, the same to be paid in lieu of any pension or future claim for pension, subject to the provisions and limitations of the pension laws, the name of Abasha Risk, of St. John, Kans., late private in Company A, One hundred and twenty-third Regiment Indiana Volunteers.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the time, and passed.

EL RENO, OKLA.

The bill (S. 2839) for the relief of the town of El Reno, Okla., was announced as next in order on the Calendar.

Mr. WALTHALL. Let that bill go over.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

JOSEPHINE L. OFFLEY.

The bill (S. 1691) granting a pension to Josephine Q. Offley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Josephine," to strike out the initial "Q" and insert "J;" and in line 5, before the word "dollars," to strike out "one hundred" and insert "forty;" so as to make the bill read:

*Be it enacted, etc.* That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Josephine L. Offley, widow of Robert H. Offley, late colonel of the Tenth United States Infantry, at the rate of \$40 per month, in lieu of the pension to which she is now entitled by law.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Josephine L. Offley."

JAMES HARVEY DENNIS.

The bill (S. 597) to carry out the findings of the Court of Claims in the case of James Harvey Dennis was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in line 5, before the word "thousand," to strike out "twenty-nine" and insert "twenty-five," so as to make the bill read:

*Be it enacted, etc.* That the Secretary of the Treasury be and he is hereby, directed to pay to the personal representative of James Harvey Dennis, deceased, the sum of \$25,638, being the sum found by the Court of Claims to be due him by reason of certain contracts for the improvement of the Tennessee River.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE A. BARNES.

The bill (S. 223) for the relief of George A. Barnes was considered as in Committee of the Whole. It provides for the payment to George A. Barnes, late surety on the bond of Joseph Cushman, receiver of public moneys at Olympia, Wash., \$7,447, wrongfully collected from him as such surety and covered into the Treasury of the United States.

Mr. COCKRELL. Let the report be read in that case.

The VICE-PRESIDENT. The report will be read.

The Secretary read the following report, submitted by Mr. ALLEN April 6, 1892:

The Committee on Claims, to whom was referred the bill (S. 223) for the relief of George A. Barnes, respectfully state that, upon application to the Treasury Department for information, the following communication was received:

TREASURY DEPARTMENT, FIRST COMPTROLLER'S OFFICE.  
Washington, D. C., April 1, 1890.  
SIR: Replying to your letter of March 27, 1890, regarding George A. Barnes

bill 1861, for the relief of George A. Barnes, late surety on the bond of Joseph Cushman, receiver of public moneys at Olympia, Wash., and requesting to be advised of the status of his case as appears from the records of this office, I have the honor to inform you as follows:

"In said Cushman's account as receiver for the quarter ending December 31, 1861, under bond of September 13, 1861, he admitted a balance due the United States of \$19.25. This office examined his account, found the same to be correct, and certified the balance of \$19.25 due the United States per report No. 18698, on April 26, 1862.

"In Mr. Cushman's next account, under bond of January 23, 1862, he erroneously brought forward the balance due the United States of \$19.25 under his 1861 bond, and improperly credited the United States with the same. Subsequently Mr. Cushman deposited the item of \$19.25, and the amount was covered into the Treasury June 30, 1863, by warrant No. 11, and said amount was by the accounting officers erroneously credited to Mr. Cushman's account under his 1862 bond, where he was then a debtor, and suit was pending for the recovery of the money due.

"In March, 1866, suit was instituted against Mr. Cushman and the sureties on his 1861 bond for the recovery of the balance of \$19.25 standing against him on the books of the Treasury. Judgment was rendered for \$19.25 principal, interest \$27.53, and costs \$7.70, aggregating \$54.48, which last-named sum was paid by one of his sureties, George A. Barnes, and has been covered into the Treasury to the credit of miscellaneous receipts, or moneys unappropriated.

"Mr. Cushman having paid the balance of \$19.25 due the United States under his 1861 bond, as stated above, it thus appears that no legal liability attached to Mr. George A. Barnes as surety on the aforementioned bond, and that the amount of \$54.48, as stated in your bill, was wrongfully collected from him as such surety and covered into the Treasury.

"Respectfully, yours,

"A. C. MATTHEWS,

Comptroller.

"D. A. G.

"By J. R. GARRISON,

Deputy Comptroller.

"Hon. JOHN B. ALLEN,

United States Senate, Washington, D. C."

From which it clearly appears that Mr. Barnes is entitled to the relief prayed.

The committee therefore recommend that the bill do pass.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### WILLIAM H. RHETT.

The bill (S. 2114) for the relief of William H. Rhett was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in line 6, before the word "dollars," to strike out "eighty" and insert "eighty-eight," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William H. Rhett, of Helena, Mont., out of any money in the Treasury not otherwise appropriated, the sum of \$288, same being due him by the United States for mileage and per diem while serving as a member of the Legislature of the Territory of Idaho.

The amendment was agreed to.

Mr. COCKRELL. Let the report be read in that case, omitting the exhibits.

The VICE-PRESIDENT. The report will be read, omitting the exhibits.

The Secretary read the following report, submitted by Mr. VILAS April 6, 1892:

The Committee on Claims, to whom was referred the bill (S. 2114) for the relief of William H. Rhett, respectfully report:

The petitioner, William H. Rhett, and George M. Shearer were candidates for the county of Idaho, in the then Territory of Idaho, for representative to the Legislature at the election held in November, 1874, and the canvassing board gave Shearer the certificate. The Legislature assembled on the 7th of December, 1874, and the claimant, Rhett, contested the seat successfully, so that on the 16th of December, the tenth day of the session, he was seated in place of Shearer. The house of representatives, however, by a resolution passed on that day, declared Shearer entitled to the mileage and ten days per diem allowed by law, and the Territorial secretary paid such mileage and per diem to Shearer accordingly, and withheld the amount from the claimant, Rhett.

Not only according to the general usage of legislative bodies in such cases, but according to the settled instruction to Territorial secretaries by the Treasury Department, Mr. Rhett was entitled to the per diem from the beginning of the session, and to his mileage, as was also Mr. Shearer entitled to what he received. The Territorial secretary made the mistake of supposing that he could not pay two for the same service.

The subjoined letter from the First Comptroller of the Treasury, addressed to the subcommittee who had the bill particularly under consideration, shows the facts of the case to be in all respects in accordance with the statements of the claimant's memorial, and that he is clearly entitled to the sum of \$288, the same amount which was paid to Shearer, being \$224 for mileage and \$60 for per diem, according to the circular letter of instructions to Territorial secretaries issued from the First Comptroller's office in the Treasury Department, and accompanying the Comptroller's letter, of which the material extracts are also appended to this report. To correct the bill amend by inserting the word "eight," after "eighty," in sixth line, is necessary.

Your committee recommend the passage of the bill after amendment as aforesaid.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### RESIDUARY LEGATEES OF MARK DAVIS.

The bill (S. 708) for the relief of the residuary legatees of Mark Davis, deceased, was considered as in Committee of the Whole.

The preamble recites that it is shown that the military authorities of the United States in command of the city of New Orleans on the 23d of February, 1863, demanded and received at the city from the agent of Mark Davis, a loyal citizen of the United States then residing at Petersburg, Va., certain personal property, consisting in part of fifty-five promissory notes, of the amount and value in the aggregate, without interest and

deducting certain indorsements thereon, of \$27,383.38, and legal currency to the amount of \$275.50, and also demanded and received possession of certain real estate belonging to Mark Davis, and subsequently collected certain rents for the use and occupation of the same, all of which personal property and real estate were duly receipted for by the officer receiving the same; and that Mark Davis has since died, leaving a will wherein certain parties are constituted residuary legatees of his estate.

The bill therefore proposes to direct the Secretary of the Treasury to pay to the personal representative of Mark Davis, deceased, for the use of his residuary legatees named in his last will and testament, or their heirs or assigns, \$21,828.33, that being the amount and value of the promissory notes and cash so taken. But the payment of this amount is to be received as full acquittance and discharge of all claim or demand against the United States growing out of or in any way connected with the taking, whether of the personal property or real estate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

#### DISTRICT POLICE COURT.

Mr. WILSON. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 3011) to amend "An act to define the jurisdiction of the police court of the District of Columbia," approved March 3, 1891. It is important for the public interests here and the proper administration of the law within the District that that bill should be promptly passed. I do not think it will take any time.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on the Judiciary with amendments. The first amendment was, in section 1, line 6, after the word "act," to strike out "following after the word 'jury,' in the fifth line of said section;" and in line 8, after the word "following," to insert:

SEC. 2. That prosecutions in the police court shall be on information by the proper prosecuting officer. In all prosecutions within the jurisdiction of said court in which, according to the Constitution of the United States, the accused would be entitled to a jury trial, the trial shall be by jury.

So as to make the section read:

That an act entitled "An act to define the jurisdiction of the police court of the District of Columbia," approved March 3, 1891, be amended as follows: Strike out all of section 2 of said act, and in lieu thereof insert the following:

"SEC. 2. That prosecutions in the police court shall be on information by the proper prosecuting officer. In all prosecutions within the jurisdiction of said court in which, according to the Constitution of the United States, the accused would be entitled to a jury trial, the trial shall be by jury, unless the accused shall in open court expressly waive such trial by jury and request to be tried by the judge, in which case the trial shall be by such judge, and the judgment and sentence shall have the same force and effect in all respects as if the same had been entered and pronounced upon the verdict of a jury. In all cases where the accused would not by force of the Constitution of the United States be entitled to a trial by jury, the trial shall be by the court without a jury, unless in such of said last-named cases wherein the fine or penalty may be \$50 or more, or imprisonment as punishment for the offense may be thirty days or more, the accused shall demand a trial by jury, in which case the trial shall be by jury. In all cases where the said court shall impose a fine it may, in default of the payment of the fine imposed, commit the defendant for such a term as the court thinks right and proper, not to exceed one year."

The amendment was agreed to.

The next amendment was, in section 2, line 4, after the words "SEC. 1060," to strike out "He" and insert "The clerk;" so as to make the section read:

SEC. 2. That section 1060 of the Revised Statutes relating to the District of Columbia be, and the same is hereby, amended so that said section shall read:

"SEC. 1060. The clerk and the deputy clerks, and such other officers of the court as may be assigned by the judges of the court for that purpose, shall have the power to administer oaths and affirmations."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### TRUSTEES OF ISAAC R. TRIMBLE.

The bill (S. 2260) for the relief of the trustees of Isaac R. Trimble was considered as in Committee of the Whole. It proposes to refer to the Court of Claims the claim of the trustees of Isaac R. Trimble against the United States for the construction and use by the War Department of Howe's patent truss in the bridge over the Potomac River. Jurisdiction is conferred on that court to proceed as a court of equity, and to report the findings therein to Congress at an early day.

Mr. COCKRELL. I notice in this report, in an extract from the Barracks and Quarters Branch, Quartermaster-General's Office, April 25, 1873, that there is an account stated:

Case of I. R. Trimble, for patent fees on Howe truss spans in Long Bridge over Potomac River, erected under the supervision of Gen. McCullum, 1861, as per items enumerated..... \$1,545.21  
Interest to February, 1873, twelve years..... 2,545.92

Total..... 4,091.13

That would indicate that the question of interest had been considered by the Committee on Military Affairs. I am sure it was not considered and is not in the bill. If the Court of Claims should allow interest in making their report to Congress I have no doubt that Congress would strike out any provision allowing interest, as it has done in all similar cases. This bill simply reserves the claim of the trustees to the Court of Claims, and the court are to report their findings to Congress at an early day. So the question of interest will still be left with Congress; and this bill does not require the Court of Claims to find interest upon the claim. If it did I should vote against the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BUILDINGS ALONG ALLEYS IN WASHINGTON.

The bill (H. R. 5419) to prevent the building of houses along certain alleys in the city of Washington, and for other purposes, was announced as next in order on the Calendar.

Mr. KENNA. Mr. President, that bill is in charge of the Senator from Colorado [Mr. WOLCOTT], and in his necessary absence the Senator from Michigan [Mr. McMILLAN], the chairman of the Committee on the District of Columbia, and I have just agreed, and I hope it will suit the convenience of the Senate, that the bill shall go over for the present without prejudice.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

#### RESUBDIVISION OF SQUARE 673 IN WASHINGTON.

The joint resolution (S. R. 47) authorizing the resubdivision of square 673 in the city of Washington was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PRACTICE OF MEDICINE IN THE DISTRICT.

The bill (S. 2868) to regulate the practice of medicine in the District of Columbia was considered as in Committee of the Whole.

Mr. COCKRELL. Section 9 provides:

That a proper office for the use of the medical examining boards provided for in this act shall be furnished by the Commissioners of the District of Columbia.

Section 11 provides:

That the fees received by each of said boards of medical examiners shall be first used to defray necessary expenses, and such surplus as shall remain may be distributed equally among the members as compensation for their services, but otherwise they shall receive no compensation whatever.

Now, the Commissioners of the District of Columbia have no building here; they are occupying a rented building, and if they furnish an office for this purpose, they will have to rent it. I move to insert in line 3, of section 11, after the word "expenses," the words "including office rent."

Mr. GALLINGER. That will be very satisfactory to the committee. I think there is no objection to that amendment.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. In section 11, line 3, after the word "expenses," it is proposed to insert "including office rent."

The amendment was agreed to.

Mr. GALLINGER. Under those circumstances the Senator from Missouri would strike out section 9, would he not?

Mr. COCKRELL. No, leave section 9 in, because the District of Columbia Commissioners will rent the building and furnish it to the examiners, but they will pay out of the fees the rent and then the surplus will go to them.

Mr. GALLINGER. As I understand it, that is probably correct.

Mr. COCKRELL. I have been requested by some one of the medical profession—I am not sufficiently well versed in it to determine exactly the title it should be given—to offer some amendments, and I hope they will be acceptable. I will explain them all before they are separately acted upon. I move, in line 3 of section 1, after the word "two," to insert "or more" so as to read:

That there shall be for the District of Columbia two or more separate boards of medical examiners, etc.

Then, after the word "Columbia," in line 7, I move to insert "and one representing the vivopathic system adopted by the Society of the White Cross University of Science as incorporated by virtue of act of Congress of May 5, 1870."

Then I have one or two other little amendments to offer, so as to include this particular school of medicine in the number of those who can have a medical board.

I have another amendment in line 13, after the word "society," to insert "college, or university;" in the same line to strike out "school" and insert "system," and before the word "may," at the end of line 14, to insert "now is or;" so as to read:

Now is or hereafter may be incorporated by any act of Congress in the District of Columbia.

I do not know that there can be any objection to these amendments.

Mr. GALLINGER. Mr. President, I am disposed, as a member of the committee reporting this bill, to take a very liberal view, and to cover, so far as possible, every school of medicine which ought to be recognized, and yet there are difficulties especially in the way of adopting the second amendment proposed by the Senator from Missouri.

The bill starts out with the idea that the two medical societies already incorporated by Congress shall have recognition, and that when any future medical school becomes incorporated it likewise shall have the same rights and privileges.

We have passed through the Senate a bill incorporating the Eclectic Medical Society, and if that should pass the House and become a law, the Eclectic Medical Society could ask for and under this bill would have a board of medical examiners.

The Senator from Missouri asks that we include an association called the Vivopathic Association, which claims to have a charter from Congress—I have not looked at it very carefully to know whether it is really incorporated or not—but it is composed of a few estimable gentlemen, I have no doubt. The man who is at the head of it presented a little bottle of elixir and a package of powder to the committee, telling the committee that if they mixed those two ingredients and took a dose now and then they never would die, they could not die, and indeed he left some of it in the committee room with the assurance that if I wanted to live forever all I had to do was to mix those ingredients in equal quantities and occasionally indulge in them, and my life was assured for all time to come.

I have no doubt the man is a well-meaning man, but he does not represent anybody but himself; he is a theorist, and it strikes me that it will be ridiculous in adopting a measure to regulate the practice of medicine, which needs regulation and which almost every State in the Union has already done, to recognize possibly a school that consists of two or three well-meaning but rather erratic gentlemen. I should be opposed to that amendment, and I think the Senator from Missouri will scarcely press it upon the Senate.

Mr. President, concerning this entire bill, I will say that it has been a very difficult matter to construct a bill which would meet the necessities of the occasion, and this bill is not satisfactory to the medical fraternity of the city of Washington. I had two drafts presented to me as a subcommittee of the Committee on the District of Columbia, and I found great objection to both of them in the minds of individual members of the profession, and to some extent of the profession at large. I took upon myself, having some little knowledge of medical matters, to rewrite the entire bill and I present it in this form for the consideration of Congress.

I have now in my desk some amendments proposed by some of the leading physicians in Washington who complain that, inasmuch as we recognize societies, they are excluded from becoming members of these examining boards; that they are not members of these societies, do not care to become members, and possibly could not become members if they desired. Then, I have had a request from distinguished medical gentlemen here to hold up this bill until the two leading schools could get together and propose certain amendments; but inasmuch as they were here before the committee and presented a bill, which the committee considered, I hardly think it necessary to delay action on this bill for the purpose of reopening the entire case.

My own individual feeling is that this is a very good bill. It is broad; it is liberal; it is just; it will harm nobody. It will do some good, and I think it ought to pass substantially as reported by the committee.

I trust, therefore, that the distinguished Senator from Missouri, who is always good natured and who always wants to do the right thing, will not press his amendments, which, I think, would endanger the passage of the bill and certainly would destroy its leading features and make it of very little account to the profession.

Mr. COCKRELL. I am very glad to have the explanation made by the distinguished Senator from New Hampshire, who is also a distinguished member of the medical profession. He knows much more about this question than the rest of us.

I was simply requested to present these amendments, not knowing that they had been submitted to the committee and not now remembering who requested me to present them, and I thought I ought to suggest them. I knew the Senator from New Hampshire would know whether they were appropriate or not.

If this vivopathic society is trying to keep all the people living forever, I think we had better not recognize it. The country would become too populous after awhile, and we should not all be able to make a living. [Laughter.]

The PRESIDING OFFICER (Mr. PADDOCK in the chair). Does the Senator from Missouri withdraw his amendments?

Mr. COCKRELL. I do not withdraw the amendments. If

By Mr. ELLIS: A bill (H. R. 9032) for the relief of H. Oberdorfer—to the Committee on War Claims.

By Mr. FUNSTON: A bill (H. R. 9033) to grant a pension to George W. Deseamus—to the Committee on Invalid Pensions.

By Mr. HARTER: A bill (H. R. 9031) granting an honorable discharge to John Schell—to the Committee on Military Affairs.

By Mr. HARRIES: A bill (H. R. 9035) for the relief of Thomas C. Armstrong—to the Committee on Military Affairs.

By Mr. HERMANN: A bill (H. R. 9036) for the relief of Francis M. Simpson for services in the late war—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: A bill (H. R. 9037) for the relief of the estate of Leander C. McLellan—to the Committee on War Claims.

By Mr. MEREDITH: bill (H. R. 9038) for the relief of L. S. Strauss—to the Committee on War Claims.

Also, a bill (H. R. 9039) to increase the pension of Armsted T. Mills, a veteran of the Mexican war—to the Committee on Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANDREW: Petition of 24 citizens of Massachusetts, owning extensive property in the State of Florida, for scientific investigation of diseases of the orange and other fruit trees—to the Committee on Agriculture.

Also, petition of William Rotch, of Boston, that on and after July 1, 1893, the metric system of weights and measures be used in United States custom-houses—to the Committee on Coinage, Weights, and Measures.

By Mr. BLOUNT: Papers in claim of Hugh V. Washington—to the Committee on Claims.

By Mr. BURROWS: Petition for closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. BYRNS: Petition of members of Grand Army of Republic Post No. 311, of Jefferson County, Mo., praying for the passage of a bill to properly mark the battle lines of Gettysburg—to the Committee on Military Affairs.

Also, petition of citizens of Perry County, Mo., against the passage of the Brosius lard bill, H. R. 395, and praying for the enactment of a general pure-food law—to the Committee on Agriculture.

Also, protest of citizens of St. Genevieve County, Mo., against the Brosius lard bill, and for a general pure-food law—to the Committee on Agriculture.

By Mr. CABLE: Petition of the United Presbyterian Church of Sunbeam, Ill., in favor of the Sunday closing of the World's Fair, temperance, and purity of art at the same—to the Select Committee on the Columbian Exposition.

Also, 4 petitions against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. CHIPMAN: Memorial of the Michigan Congregational Association, against Sunday opening of the World's Fair and against the sale of intoxicating liquor on the grounds—to the Select Committee on the Columbian Exposition.

By Mr. COOLIDGE: Petition of the Young People's Society of Christian Endeavor of the North Congregational Church of Amherst, Mass., in relation to closing the World's Fair on Sunday and for prohibition of the sale of liquor on the grounds—to the Select Committee on the Columbian Exposition.

By Mr. COOPER: Petition of 25 citizens of Carp, Owen County, Ind., praying for the passage of the anti-option bill—to the Committee on Agriculture.

By Mr. CUMMINGS: Petition for a system of metric weights and measures—to the Committee on Coinage, Weights, and Measures.

By Mr. DINGLEY: Petition of members of the Seventh-Day Adventist Church of Damariscotta, Lincoln County, Me., asking that the World's Fair be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. DONOVAN: Petition of the Baptist Church of Plumbs Cross Roads, Ohio, against opening the World's Fair on Sunday and against the sale of liquor on the grounds—to the Select Committee on the Columbian Exposition.

By Mr. ELLIS: Proof to accompany the claim of H. Oberdorfer, for property taken during the late war—to the Committee on War Claims.

By Mr. ENGLISH: Petition for adoption of the metric system of weights and measures—to the Committee on Coinage, Weights, and Measures.

By Mr. ENLOE: Papers in the claim of Daniel Cupples, administrator of Wilson Cupples—to the Committee on War Claims.

By Mr. EPES: Papers in the claim of Maj. Woodson—to the Committee on War Claims.

By Mr. FYAN: Petition of citizens of Barry County, Mo., and citizens of Newton County, Mo., against the passage of the Brosius lard bill (H. R. 395) and praying for the enactment of a general pure-food law—to the Committee on Agriculture.

By Mr. GORMAN: Petition of 18 church societies and 167 citizens of the Second Congressional district of Michigan, asking that the Columbian Exposition be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HERMANN: Protest from Wallawa County, Oregon, against closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, two protests, one from Portland, Oregon, and one from Union County, Oregon, against closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HOOKER of New York: Petition for 1-cent postage—to the Committee on the Post-Office and Post-Roads.

Also, petition for closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HOUK of Ohio: Petition of the Presbyterian Church of Dayton Presbytery, against Sunday opening of the World's Fair—300 members—to the Select Committee on the Columbian Exposition.

By Mr. HOUK of Tennessee: Petition for marking battle lines at Gettysburg—to the Committee on Military Affairs.

Also, petition against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. MELLIKEN: Petition asking pension for Luther Sanborn, jr.—to the Committee on Invalid Pensions.

By Mr. O'DONNELL: Petition of the Michigan Congregational Association, representing 325 churches, with a membership of 25,000, protesting against opening the World's Fair on Sunday and the sale of liquors on the grounds—to the Select Committee on the Columbian Exposition.

Also, petition of Vermontville Methodist Episcopal Church, upon the same subject—to the Select Committee on the Columbian Exposition.

By Mr. O'NEILL of Missouri: Petition of Pilots' Society, Mississippi and Ohio Rivers, requesting amendment to certain steamboat laws which apply to inspection service—to the Committee on Interstate and Foreign Commerce.

By Mr. PATTISON of Ohio: Petition of members of Mount Zion and Mount Calvary Churches, Highland County, Ohio, asking that the World's Fair be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. PAYNTER: Petition of Andrew Han-shaw, late of Company F, Thirty-ninth Regiment Kentucky Infantry, for removal of the charge of desertion—to the Committee on Military Affairs.

Also, petition of sundry citizens of Lawrence County, Ky., asking that the pension of Allen P. Hows be raised from \$24 to \$50 per month—to the Committee on Invalid Pensions.

By Mr. PERKINS: Petition of 86 citizens of Sibley, Iowa, against any action with reference to the closing of the World's Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. POST: Petition of Blyton Grange, Fulton County, Ill., in favor of the pure-lard bill, for the encouragement of silk culture, and for legislation to prohibit contracts discrediting legal-tender currency—to the Committee on Agriculture.

By Mr. SMITH of Illinois: Papers to accompany House bill 4235, for relief of the city of Cairo, Ill.—to the Committee on Claims.

By Mr. STACKHOUSE: Petition of McRae Alliance, No. 1046, of Marlborough County, S. C., against the Brosius lard bill and for the Paddock pure-food bill—to the Committee on Ways and Means.

By Mr. STEWARD of Illinois: Petition of William T. Hibbern and 13 members of the Seventh-Day Adventist Church of Sheridan, Ill., against closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. STONE of Kentucky: Petition of Ellen Kamp, John M. Howlett, David M. Williams, William R. Boice, William P. Hendricks, Thomas B. Armstrong, John L. Barry, Robert Air & Co., B. F. Robinson, Richmond P. Homer, James C. Glenn, J. W. Holmes, J. T. Miller, John Barle, John A. Allen, Killian Allgairs, Seth Bedshaw, James Bartam, S. Beam, J. H. Barclay, D. Talbott, P. Talbott, C. C. Bliss, estate of J. Biggerstaff, J. Blackwell, Baptist Church of Flemingsburg, Ky., and William S. Ayers, all asking that their claims be referred to the Court of Claims—to the Committee on War Claims.

By Mr. VINCENT A. TAYLOR: Petition of members of Strongsville Grange, No. 1324, of Ohio, asking for the passage



of a law to prevent gambling in farm products, and in favor of the pure-food bill—to the Committee on Agriculture.

Also, petition of members of the Christian Union of Young People's Societies of Huron County, Ohio, asking Congress to make no appropriation for the World's Fair except upon condition that the Exposition be closed on Sunday and that no liquors be sold on the grounds—to the Select Committee on the Columbian Exposition.

By Mr. TERRY (by request): Petition of W. L. Griffins and others of Franklin County, Ark., against committing the Government to a course of religious legislation by act to close the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. TOWNSEND: Petition of the Woman's Christian Temperance Union of Colorado, to pass the bill to prohibit opening of any exposition on Sunday where appropriations of the United States are expended—to the Select Committee on the Columbian Exposition.

Also, resolutions of Senior and Junior League of Methodist Church, Young People's Society of Christian Endeavor of the Presbyterian Church, and many other citizens of Central City, Colo., in favor of appropriation of \$5,000,000 to the World's Fair on condition that the Fair be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WEADOCK: Petition of John Larkin, mayor of Middlesex, Mich., and others for the passage of House bill 8925—to the Committee on Invalid Pensions.

By Mr. WIKK: Petition of J. W. Hewett and 50 others of Greene County, Ill., against committing the United States Government to a union of church and state by act to close the World's Fair on Sunday, or in any other way committing Government to a course of religious legislation—to the Select Committee on the Columbian Exposition.

By Mr. WILLIAMS of Massachusetts: Petition of D. Fitzgerald, of Brookline, Mass., that on and after July 1, 1893, the metric system of weights be used in the customs service—to the Committee on Coinage, Weights, and Measures.

By Mr. WILLIAMS of North Carolina: Petition of citizens of Burlington, N. C., against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WRIGHT: Petition of citizens of Rome, Pa., against closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

## HOUSE OF REPRESENTATIVES.

SATURDAY, May 28, 1892.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. WILLIAM H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read.

### ADJOURNMENT OVER DECORATION DAY.

Mr. McMILLIN. Mr. Speaker, I move that when the House adjourn to-day it adjourn to meet on Tuesday next.

The motion was agreed to.

### LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. FORNEY, from the Committee on Appropriations, reported a bill (H. R. 9040) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year 1893; which was read twice, referred to the Committee of the Whole on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. DINGLEY. Mr. Speaker, it is understood that all points of order are reserved.

### CHINESE EXCLUSION ACT.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, inviting attention to the necessity for an appropriation for the enforcement of the act approved May 5, entitled "An act to prohibit the coming of Chinese persons into the United States;" which was referred to the Committee on Appropriations, and ordered to be printed.

### PAY OF BAILIFFS, UNITED STATES COURTS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a copy of a communication from the Attorney-General, submitting for an appropriation a voucher of expenses incurred under the appropriation for pay of bailiffs, etc., United States courts, for the fiscal year ending June 30, 1891; which was referred to the Committee on Appropriations, and ordered to be printed.

### POSTAL SERVICE INCIDENT TO COLUMBIAN EXPOSITION.

The SPEAKER also laid before the House a letter from the

Secretary of the Treasury, transmitting an estimate of appropriation submitted by the Postmaster-General for the postal service incident to the World's Columbian Exposition for the fiscal years 1893 and 1894; which was referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

### L. A. BARKER VS. THE UNITED STATES.

The SPEAKER also laid before the House a communication from the Court of Claims, transmitting a copy of the findings of the court in the case of L. A. Barker, deceased, against the United States; which was referred to the Committee on War Claims, and ordered to be printed.

### JOHN WARREN.

The SPEAKER also laid before the House a bill (H. R. 4489) for the relief of John Warren, with an amendment of the Senate thereto.

Mr. ROCKWELL. Mr. Speaker, I move that the House concur in the Senate amendment.

The SPEAKER. The Clerk will report the amendment.

The amendment was read, as follows:

In line 2, strike out all after "to," down to and including "service," line 6, and insert: "Revoke and set aside so much of Special Orders numbered 245, War Department, Adjutant-General's Office, Washington, September 17, 1892, as dishonorably discharged Capt. John Warren, Sixty-third New York Volunteers, the service of the United States, and grant him an honorable discharge from the service as of date September 17, 1892."

The amendment was agreed to.

The SPEAKER. The Chair laid before the House several Senate bills, and the titles having been once printed in the RECORD, if there be no objection the Chair will have the bills referred without the titles being again read.

There was no objection, and it was so ordered.

A bill (S. 223) for the relief of George A. Barnes—to the Committee on Claims.

A bill (S. 1008) granting a pension to Abasha Risk—to the Committee on Invalid Pensions.

A bill (S. 1186) granting a pension to Joseph H. Weltey—to the Committee on Invalid Pensions.

A bill (S. 1254) granting a pension to Anson Northrup—to the Committee on Invalid Pensions.

A bill (S. 1536) to increase the pension of L. Roy Root—to the Committee on Invalid Pensions.

A bill (S. 1639) granting a pension to Josephine I. Offley—to the Committee on Invalid Pensions.

A bill (S. 1743) for the relief of the legal representatives of William D. Wilson, deceased—to the Committee on War Claims.

A bill (S. 1962) granting an honorable discharge to William Pierce—to the Committee on Military Affairs.

A bill (S. 1887) for the relief of Samuel Collins—to the Committee on Claims.

A bill (S. 2114) for the relief of William H. Rhett—to the Committee on Claims.

A bill (S. 2230) for the relief of the trustees of Isaac R. Trimble—to the Committee on Claims.

A bill (S. 2407) for the relief of the legal representative or representatives of Franklin S. Whiting, deceased—to the Committee on War Claims.

A bill (S. 2604) to reclassify and prescribe the salaries of railway postal clerks—to the Committee on the Post-Office and Post-Roads.

A bill (S. 2612) granting a pension to Tendoy, chief of the Banocks, Shoshones, and Sheep-eaters tribe of Indians—to the Committee on Pensions.

A bill (S. 2778) granting a pension to Anna B. Barnard—to the Committee on Invalid Pensions.

A bill (S. 3011) to amend "An act to define the jurisdiction of the police court of the District of Columbia," approved March 3, 1891—to the Committee on the Judiciary.

A joint resolution (H. Res. 47) authorizing the resubdivision of square 673, in the city of Washington—to the Committee on the District of Columbia.

### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. COX of New York, for five days, on account of important business.

To Mr. PAYNE, indefinitely, on account of important business.

To Mr. CURTIS, for one day, on account of important business.

### ESTATE OF JOHN W. WHITFIELD.

Mr. SAYERS. Mr. Speaker, I ask unanimous consent that the Senate bill (S. 242) for the relief of the estate of John W. Whitfield, late register of the land office in the Delaware land district of Kansas, be taken from the Private Calendar and put upon its passage.

The bill was read, as follows:

*Be it enacted, etc.* That the suit now pending in the circuit court of the



lumbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented petitions of the United Presbyterian Church of Rushville; of the Evangelical Lutheran Church of La Grange; of the Bethel Methodist Episcopal Church, of Scott County; of Rev. D. A. Tucker, of Millhouse; of the Shiloh Baptist Church, of Rising Sun; of the Methodist Preachers' Association of Haughville; of the South Street Baptist Church, of Indianapolis, and of the Lost Creek Baptist Church, of Lost Creek, all in the State of Indiana, praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. McPHERSON presented a petition of the International Rock Plaster Company of Broadway, New York, signed by H. T. Lilliendahl, secretary, praying that the metric system of weights and measures be used exclusively in the customs service; which was referred to the Committee on Finance.

He also presented a memorial of the American Sabbath Tract Society of Plainfield, N. J., representing the Seventh-Day Baptists of the United States, remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Second Presbyterian Church of Mendham, N. J., praying for the closing of the World's Columbian Exposition on Sunday, and that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HISCOCK. I present a petition signed by citizens of New York City praying that the appropriate committee be directed to inquire into the system of naturalization in New York City to the end that some remedial legislation may be devised and enacted in reference thereto. The petition is numerously signed by very prominent citizens of that city. I move that it be referred to the Committee on Immigration.

The motion was agreed to.

Mr. ALLEN presented a petition of ex-soldiers and sailors of Meade Post, No. 9, Grand Army of the Republic, of Washington and Alaska Territory, praying for the passage of the Quay-Wheeler bills relative to marking the battle lines at Gettysburg, Pa.; which was ordered to lie on the table.

He also presented a memorial of citizens of Clarke County, Wash., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PERKINS presented petitions of the Congregational Church of Wabaunsee; of the First Presbyterian Church of Columbus; of the First Presbyterian Church of Hays City; of the Congregational and Methodist Episcopal churches of Paxico, and of sundry citizens of Sterling, all in the State of Kansas, praying for the closing of the World's Columbian Exposition on Sunday, and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the memorial of Jesse Hiatt and other members of the Seventh-Day Adventist Church of Independence, Kans., and the memorial of P. Scholl (Catholic priest) and sundry other citizens of Independence, Kans., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. COCKRELL presented a petition of the Methodist Episcopal Church of Union Chapel, Mo., praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. SHERMAN presented a petition of 22 citizens of Delaware County, Ohio, praying for the passage of the Washburn-Hatch anti-emption bills; which was referred to the Committee on the Judiciary.

He also presented a petition of the American Medical Association of Cincinnati, Ohio, praying for the passage of the joint resolution authorizing the President to extend an invitation to the various governments of the American continents to participate in a Pan-American medical congress; which was ordered to lie on the table.

He also presented memorials of sundry churches in Ohio, remonstrating against the opening of the World's Columbian Exposition on Sunday and the sale of intoxicating liquors thereat; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of 15 citizens of Knox County, Ohio, remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PADDOCK presented the petition of W. N. Van Orsdale and other citizens, of Livingston County, N. Y., praying for the passage of the Washburn-Hatch anti-emption bills; which was referred to the Committee on the Judiciary.

He also presented a petition of the First Presbyterian Church of St. Edwards, Nebr., and a petition of the United Presbyterian Church of Sumnerfield, Kans., praying that the World's Columbian Exposition be closed on Sunday, and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. ALLISON presented petitions of the Merrill and Plymouth Presbyterian churches of Iowa; of the Methodist Episcopal Church of Elberon; of the Young People's Society of Frazer; of the Methodist Episcopal Church of Kirkville; of the First Presbyterian Church of Afton; of the Methodist Episcopal churches of Solon, Early, and Wall Lake; of the Baptist Church of Livermore; of the First Methodist Episcopal Church of Merrill; of the Methodist Episcopal Church of Pringham; of the United Presbyterian Church of Elvira, and of the Presbyterian Church of Newton, all in the State of Iowa, praying for the closing of the World's Columbian Exposition on Sunday, and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. MANDERSON presented a petition of citizens of Pleasant Valley, Nebr., praying for the passage of the Washburn-Hatch anti-emption bills; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Friend, Nebr., praying for the adoption of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

He also presented memorials of Edward Weston and 83 other members of the Seventh-Day Adventist Church of Lincoln County; of citizens of Franklin, and of 5 members of the Seventh-Day Adventist Church of Lutes, all in the State of Nebraska, remonstrating against the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented petitions of the Methodist Episcopal churches of Lincoln, Gaudy, Garfield, Omaha, and Shelton; of the Congregational churches of Fremont, Curtis, and Creighton; of the Presbyterian churches of York, Shelton, and Majors; of the South Platte Conference of the Evangelical Lutheran Synod, and of sundry citizens of Minden, all in the State of Nebraska, praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the following petitions of Harmony and Pleasant Valley Granges, Patrons of Husbandry, of Nebraska:

Petitions praying for the enactment of legislation for the encouragement of silk culture—ordered to lie on the table.

Petitions praying for the enactment of legislation to prevent gambling in farm products—referred to the Committee on the Judiciary.

Petitions praying for the passage of House bill 395, defining lard and imposing a tax thereon—ordered to lie on the table.

Petitions praying for the passage of a bill to prevent the adulteration of food and drugs—ordered to lie on the table.

Petitions praying for the free delivery of mails in rural districts—referred to the Committee on Post-Offices and Post-Roads.

Petitions praying for the passage of a bill making certain issues of money full legal tender in payment of all debts—to the Committee on Finance.

#### REPORTS OF COMMITTEES.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the bill (S. 2878) to enable the Ottawa Indians, the Indiana Miami Indians, and the Western Miami Indians to bring suit in the Court of Claims for settlement of claims against the United States, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 2869) to provide for the reservation of certain timber lands upon the Siletz Indian Reservation for the benefit of the Indians, reported it with an amendment.

Mr. PETTIGREW, from the Committee on Indian Affairs, to

whom was referred the bill (S. 2657) granting right of way to the Watertown, Sioux City and Duluth Company, through the Sisseton and Wapeton Indian Reservation, reported it with an amendment, and submitted a report thereon.

Mr. VILAS, from the Committee on Indian Affairs, to whom was referred the bill (S. 413) granting to the Midland Pacific Railroad Company the right of way through the Crow Creek Indian Reservation, in the State of South Dakota, reported it with amendments, and submitted a report thereon.

Mr. PADDOCK, from the Committee on Public Lands, to whom was referred the bill (S. 2331) to provide for the survey and transfer of that part of the Fort Randall military reservation, in the State of Nebraska, to said State for school purposes, reported it with an amendment.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 3225) for the relief of the Kentucky and Indiana Bridge Company, reported it without amendment.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 3113) to remove the charge of desertion standing against John W. Wacker, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3015) providing for the retirement of wagon masters, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

#### WASHINGTON POST-OFFICE PLATFORM.

Mr. McMILLAN. I am directed by the Committee on the District of Columbia, to whom was referred the joint resolution (S. R. 88) to authorize the postmaster of the city of Washington to construct and maintain a platform in the alley in square 454, to report it without amendment, and to ask for its immediate consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. FAULKNER introduced a bill (S. 3226) granting a pension to Thomas Dean; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 3227) granting a pension to Levi C. Faight; which was read twice by its title.

Mr. COCKRELL. In connection with the bill I desire to file the affidavits of Messrs. T. J. and J. J. Gideon, a certificate of Dr. C. C. Clements, and a letter from the Pension Office. I move that the bill be referred, with the accompanying papers, to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 3228) granting a pension to Typo S. Williams; which was read twice by its title.

Mr. COCKRELL. In connection with the bill I desire to present the affidavits of Thomas Hale, a comrade, and of Drs. A. W. Parrish and J. A. Wilson, and the military record of this soldier, who is 87 years old; and I call especially the attention of the Committee on Pensions to the case.

The PRESIDENT *pro tempore*. The bill, with the accompanying papers, will be referred to the Committee on Pensions.

Mr. PETTIGREW introduced a bill (S. 3229) to authorize the assignment of Sioux half-breed scrip, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

#### AMENDMENTS TO BILLS.

Mr. KYLE submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PADDOCK submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

#### RECIPROCITY WITH HAITI, COLOMBIA, AND VENEZUELA.

Mr. TURPIE submitted the following resolution, which was read:

*Resolved*, That the Secretary of State, if not incompatible with the public interests, be requested to transmit to the Senate copies of the dispatches and correspondence between the Government of the United States and the governments of Haiti, Colombia, and Venezuela in relation to the reciprocity offered to those countries prior to the date of the President's proclamations in the premises of 16th March last.

Mr. TURPIE. I ask that the resolution lie on the table for the present, and I give notice that I shall ask the courtesy of the Senate on Thursday next, after the conclusion of the business of the morning hour, to submit some remarks very briefly upon the subject-matter of the resolution.

The PRESIDENT *pro tempore*. The resolution will lie on the table for the present.

#### WIDTH OF SUBURBAN STREETS.

Mr. McMILLAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Whereas the act entitled "An act to regulate the subdivision of land within the District of Columbia," approved August 27, 1888, authorizes and directs the Commissioners of the District of Columbia to make and publish such general orders as may be necessary to regulate the platting and subdividing of all lands and grounds in the District of Columbia; and

Whereas the general orders made and published by the said Commissioners on December 6, 1888, provide that "streets not in alignment with the streets of Washington shall be not less than 90 feet in width," and also that no minor street in a square shall be less than 60 feet in width; and

Whereas a bill has passed both Houses of Congress providing that streets hereafter laid out shall not be less than 90 feet in width; and

Whereas the map of Stellwagen & Wolf (trustees) subdivision of the school-zen Park, near Washington in the District of Columbia, surveyed April, 1892, and bearing the approval of the District Commissioners, shows Hancock street, McClellan street, and Stenben street, each with a width of but 60 feet; and

Whereas the map of Stellwagen & Edmonston (trustees) addition to Le Droit Park and Washington, D. C., approved by the Commissioners of the District of Columbia November 11, 1891, shows Thomas street and Seaton street (both minor streets) with a width of but 50 feet; and

Whereas the platting of such narrow streets is seemingly in direct violation of the act of August 27, 1888, and the general orders made thereunder, and further, is calculated to entail large expenses hereafter when the streets shall be widened, to make them conform to the established width of streets of the District; Therefore,

*Be it resolved*, That the Commissioners of the District of Columbia be, and they hereby are, directed to report to the Senate forthwith, first, by what authority and for what reasons they approved the above-mentioned platting; secondly, whether they have approved other plats not made in conformity to the general orders of December 6, 1888; and, thirdly, what steps, if any, can be taken, in cases of such approval, to cause the plats to be amended so as to conform to the general orders of the Commissioners.

#### REPRINTING OF PENSION BILL AND REPORT.

Mr. GALLINGER. I ask that an order be made for reprinting the bill (S. 641) to adjust pensions to those who have lost limbs or the use of them, and the report thereon, the usual issue having been exhausted and calls being quite frequent for copies.

The PRESIDENT *pro tempore*. The Senator from New Hampshire asks the consent of the Senate that the bill and report to which he alludes be reprinted for the use of the Senate. Is there objection? The Chair hears none, and it is so ordered.

#### LENNES A. JACKSON.

The PRESIDENT *pro tempore*. Is there further morning business? If not, the Calendar under Rule VII being in order, the first bill on the Calendar will be stated.

The bill (S. 2680) for the relief of Lennes A. Jackson was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to appropriate \$270 to refund in full to Lennes A. Jackson the amount paid to James L. Stone, collector of customs, Detroit, Mich., which amount was stolen from the vaults of the Coldwater National Bank at Coldwater, Mich., March 2, 1892.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### MEXICAN GULF, PACIFIC AND PUGET SOUND RAILROAD.

The bill (S. 2022) granting the right of way to the Mexican Gulf, Pacific and Puget Sound Railroad Company over and through the public lands of the United States in the States of Florida, Alabama, Mississippi, and Tennessee, and granting the right of way to said railroad company over and through the United States naval and military reservations near Pensacola, in the State of Florida, was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments.

The first amendment was, in section 1, line 9, after the word "naval" to strike out the words, "reservation be, and is hereby, granted to the Mexican Gulf, Pacific and Puget Sound Railroad Company, a corporation organized under the laws of the States of Florida and Alabama," and insert "and military reservations;" so as to read:

That the Mexican Gulf, Pacific and Puget Sound Railroad Company, company organized under the laws of the States of Florida and Alabama is hereby granted the right of way, 100 feet in width, through the lands belonging to the United States in the States of Florida, Alabama, Mississippi and Tennessee, and through the reservations lying near Pensacola in the State of Florida, known as the naval and military reservations.

The amendment agreed to.

The next amendment was, in section 1, line 16, after the word "materials," to strike out "along and on" and insert "within;" in line 17, after the word "States," to strike out "as can or could be used" and insert "except said naval and military reservations, as may be necessary;" so as to read:

The said The Mexican Gulf, Pacific and Puget Sound Railroad Company is hereby granted also the privilege and authority to use the timber, gravel, stone, and all such materials within the said right of way through lands belonging to the United States, except said naval and military reservations, as

tary reform of 1871-73. It is only a question of time when Germany will sell her thalers, so as to make her monetary system as completely gold monometallic as England's, which she is imitating.

Austria-Hungary, which has by law the silver standard, but actually an irredeemable paper currency, is actively agitating the resumption of specie payments on the gold standard. She can not resume on the silver standard for the reason that her silver coins are, even now, less valuable than the paper currency. There are about 166,000,000 silver florins in the bank of Austria-Hungary, and according to public prints, the intention is to sell 60,000,000 (about \$25,000,000) of these in order to procure gold.

The Italian Government has some 41,000,000 lire (or francs) in Bourbonnais, about \$8,500,000, which are looking for a market.

Romania only a few months since sold some 25,000,000 lei (or francs)—about \$5,000,000—of full legal-tender silver coins at a ridiculously low price—about \$1.06 an ounce—and has 22,000,000 or about \$4,400,000 more, which it is anxious to dispose of.

It has been publicly stated that only recently agents of the Netherlands were trying to dispose of its stock of silver through New York bankers.

Again, the Belgian press has recently been urging the Government of that country to sell the Belgian francs, about \$20,000,000, in the vaults of the Bank of France, which would have to be redeemed in gold if the Latin Union were terminated.

I shall show the Senate in a moment that the people of France and of England especially are deeply interested in the success of that negotiation.

It has sometimes been said that as we have maintained this large mass of silver and \$1,200,000,000 or \$1,300,000,000 of paper money at par with coin, much of it based upon silver, we could therefore maintain the whole mass of silver of the world in coin. It does not follow. Every measure that has led to the success of our financial system heretofore has been tentative, and it has been proven before it was adopted. If there is any doubt about any of them it is only in that law miscalled the Sherman law, which has yet to be tested by the judgment and experience of more time than has yet transpired.

I have here a paper showing the assets and liabilities of the United States of America:

*Statement of the assets and liabilities of the Treasury of the United States.*

ASSETS.		
<b>Gold.</b>		
Coin	\$193,136,562.98	
Bars	78,227,630.86	
	<hr/>	\$271,354,193.84
<b>Silver.</b>		
Dollars	356,276,476.00	
Subsidiary coin	14,457,304.51	
Bars	71,947,002.52	
	<hr/>	442,680,783.03
<b>Paper.</b>		
Legal-tender notes (old issue)	25,722,458.84	
Legal-tender notes (act. July 14, 1890)	13,582,346.62	
Gold certificates	17,973,540.00	
Silver certificates	3,980,299.00	
Currency certificates	3,730,000.00	
National bank notes	5,187,250.82	
	<hr/>	70,175,895.28
<b>Other.</b>		
Bonds, interest and coupons paid	4,002,036.69	
Minor coin and fractional currency	474,405.10	
Deposits in national bank depositories		
General account	13,097,581.63	
Disbursing officers' balances	3,739,158.89	
	<hr/>	21,313,183.31
<b>Aggregate</b>		<hr/> 895,524,055.46
LIABILITIES.		
Gold certificates	175,356,729.00	
Silver certificates	330,766,002.00	
Currency certificates	37,680,000.00	
Legal-tender notes of 1890	96,728,000.00	
	<hr/>	640,530,731.00
Five per cent fund for redemption of national bank notes	6,116,235.76	
Outstanding checks and drafts	3,938,433.67	
Disbursing officers' balances	23,346,081.96	
Agency accounts, etc.	3,863,391.90	
	<hr/>	37,266,142.69
Gold reserve	100,000,000.00	
Net balance	27,727,181.77	
	<hr/>	127,727,181.77
<b>Aggregate</b>		<hr/> 867,796,915.46

TREASURY OF THE UNITED STATES,  
Washington, D. C., May 25, 1892.

It shows a great variety of assets and a great variety of liabilities, and a surplus consisting of \$127,727,181.77, all told. Of that \$100,000,000 is in gold specially set aside for a specific purpose. There is in addition to that \$27,727,000 in the nature of surplus revenue. Does any man believe that upon that basis of \$127,000,000 we can maintain the parity between silver and gold, taking all the silver of the world in view? Does any man dream of such a thing? If so, how idle is that dream. Better build upon the airy phantoms that float above us. Finance is the hard logic of facts. If you create a doubt, if you arouse a suspicion that we can not maintain our present system, you may bring serious disaster upon us.

This very threat of the free coinage of silver, in my judgment,

is doing more now to disturb the business of our country than anything else. It is caused by the very possibility that we shall undertake this more than herculean task. It is a task that only the Almighty God could execute. The idea of basing our financial operations upon this basis of \$127,000,000, \$100,000,000 already pledged, is the wildest scheme of the imagination. The only ultimate outcome of it can be a single standard of silver based upon the market value of 371½ grains of silver. I feel that in every fiber of my body, feeling as I do a deep interest in the maintenance of our financial system, and knowing, so far as a man can know about anything that is in the future, that it is utterly impossible to maintain our system upon such a basis.

How can we meet it? Shall we sell bonds for gold? The very effort of our doing so would probably impair our credit and deprive us of all our hopes on account of our high position among the nations of the world. Shall we sell the silver on hand? We have \$400,000,000 in the Treasury. Our people will not readily take it as money. With all the efforts that have been made by Congress there are only fifty or sixty million dollars of silver in circulation. The balance is there in vaults, in cellars, as the security for the payment of the various forms of paper money. Dare you sell that silver? I wanted to provide in the law of 1890 for the disposition of that silver in certain cases, but the conferees would not agree to it, and now to attempt to sell that silver in a falling market would only be adding misery to ruin. I do not like to talk about these things, but it is my duty to state my own opinions. They may be all wrong.

Mr. TELLER. I wish to ask the Senator a question. He says we have \$400,000,000 of silver. That statement would go out as if the Government owns \$400,000,000 of silver. Does the Senator mean to make that statement?

Mr. SHERMAN. It is in our Treasury, the property of the Government, and our Treasury notes are outstanding against it.

Mr. TELLER. Will the Senator tell me who owns that silver, whether it is the Treasury of the United States or the people of the United States who hold the certificates?

Mr. SHERMAN. We hold in the Treasury of the United States \$413,000,000 of coined silver. We hold of subsidiary silver \$77,000,000. So I was nearly \$100,000,000 within the mark. I do not want to say anything about this. We have got this vast mass, and we can not sell it; we dare not sell it?

Mr. TELLER. Will the Senator assert here that the Government has any right to sell the silver dollars; that if there was a law authorizing it the Government would sell the silver dollars, when it is a trustee and holds the money in trust?

Mr. SHERMAN. There is no doubt the Government will hold that coined money for the payment of these notes outstanding, but it has bullion in its keeping that it dare not sell; and it owes for it. That is affecting the money market.

Mr. TELLER. Has it a right to sell a dollar?

Mr. SHERMAN. It has a right to sell the bullion to pay the notes, but there is no law providing for its sale.

Mr. TELLER. Then it has not any right to sell it.

Mr. SHERMAN. Suppose, for instance, that these Treasury notes outstanding should come to the Treasury for payment, would you take the gold in the Treasury to pay them?

Mr. JONES of Nevada. The Government of the United States has no right to sell bullion.

Mr. SHERMAN. The very moment you attempt to force the silver dollar into the hands of the people you would find at once the gap, the dangerous gap, between silver and gold.

Mr. MORGAN. Will the Senator allow me?

Mr. TELLER. Will the Senator—

The PRESIDING OFFICER. Does the Senator from Ohio yield?

Mr. SHERMAN. I guess not. I presume I had better wind up.

Mr. MORGAN. If the Senator will allow me to ask him—

Mr. MORRILL. The Senator from Ohio has been speaking now for nearly two hours and a half.

Mr. SHERMAN. I am not at all tired. I can go on if I do not tire the Senate.

Mr. PUGH. For three hours and a half?

Mr. MORRILL. Not for two hours and a half.

Mr. PUGH. Yes; two and a half?

Mr. SHERMAN. I do not want to keep the rest here if Senators desire to adjourn, but I do not ask an adjournment for myself.

Mr. MORRILL. I do not think there are many young men here now who want to speak longer than two hours and a half. It would be a strain upon a man as young as myself. [Laughter.] I therefore move, if the Senator will yield—

Mr. SHERMAN. If there is a desire for an adjournment, I will yield to the Senator from Vermont.

Mr. MORGAN. I hope the Senator from Vermont will not

press that motion until I have had an opportunity to ask the Senator from Ohio a question of fact.

Mr. SHERMAN. There will be plenty of time to-morrow.

Mr. MORGAN. I desire to know it now, if the Senator will allow me; that is, has anyone—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Alabama?

Mr. SHERMAN. I have yielded to the Senator from Vermont.

Mr. MORRILL. I therefore move that the bill be laid aside until to-morrow—

Mr. SHERMAN. Let us just adjourn; that is all.

Mr. MORRILL. I move that the Senate adjourn.

Mr. COCKRELL. I suggest to the Senator to move an executive session.

Mr. MORRILL. I will move an executive session at the request of the Senator from Missouri.

Mr. McMILLAN. Mr. President—

The PRESIDING OFFICER. Will the Senator from Vermont withdraw the motion until the Senator from Michigan can present a conference report?

Mr. MORRILL. Certainly.

#### GLEN ECHO RAILROAD.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8295) to authorize the Glen Echo Railroad Company to cross the Washington Aqueduct, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to the House act, and agree to the same with amendments as follows: In line 6, after the word "crossing," insert the words "over the paved portion of the said Conduit road shall be made at right angles with the said road, and," also after the words "in writing," in line 11, insert the sentence, "At no point on the line of said Glen Echo Railroad, except at the crossing aforesaid, or of any extension of said railroad, under whatever name, shall the inner rail be less than 50 feet from the middle of the paved portion of the Conduit road," and that the House agree to the same.

JAMES McMILLAN,  
J. H. GALLINGER,  
A. P. GORMAN,  
*Managers on the part of the Senate.*  
JNO. T. HEARD,  
JAMES D. RICHARDSON,  
P. S. POST,  
*Managers on the part of the House of Representatives.*

The report was concurred in.

Mr. MORRILL. I learn that there is no executive business pressing, and I therefore move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, June 1, 1892, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

TUESDAY, May 31, 1892.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. WILLIAM H. MILBURN, D. D.

The Journal of the proceedings of Saturday was read and approved.

#### EMPLOYÉS, DEPARTMENT OF JUSTICE.

The SPEAKER laid before the House a letter from the Attorney-General, submitting for consideration, in connection with the estimates for appropriations for the use of the Department of Justice for the fiscal year 1893, a list of employes in addition to those appointed by the President and confirmed by the Senate; which was referred to the Committee on Appropriations, and ordered to be printed.

#### ADDITIONAL SPACE FOR TREASURY EMPLOYÉS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, inviting attention to the urgent necessity for immediate action toward providing additional space for certain officials and employes of the Treasury Department; which was referred to the Committee on Appropriations, and ordered to be printed.

#### PRACTICE OF MEDICINE IN THE DISTRICT OF COLUMBIA.

The SPEAKER also laid before the House an act (S. 2868) to regulate the practice of medicine in the District of Columbia; which was read twice, and referred to the Committee on the District of Columbia.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. BRICKNIDGE of Kentucky, for six days.

To Mr. BAILEY, for ten days, on account of sickness.

To Mr. OUTHWAITE, indefinitely, on account of attendance at West Point examination.

To Mr. HULL, for ten days, to attend session of Board of Visitors at West Point.

To Mr. CRAIN of Texas, for fifteen days, on account of important business.

#### ESTATE OF JOHN W. WHITEFIELD.

Mr. McMILLIN. Mr. Speaker, at the session on Saturday last the gentleman from Texas [Mr. SAYERS] asked and obtained unanimous consent for the consideration of a Senate bill, but the matter was not disposed of, and it would properly come up this morning. I ask unanimous consent that it go over until to-morrow morning, preserving the same rights that it would have if called up to-day.

Mr. BURROWS. What is the matter?

The SPEAKER. The gentleman from Texas [Mr. SAYERS] asked unanimous consent on Saturday for the consideration of a Senate bill and the consent was given, but no quorum appearing it went over until to-day, and the gentleman from Tennessee [Mr. McMILLIN] now asks unanimous consent that it go over until to-morrow morning.

Mr. LANHAM. And I suggest, Mr. Speaker, that it go over retaining its present status.

Mr. McMILLIN. I included that in my request.

There was no objection, and it was so ordered.

#### ORDER OF BUSINESS.

Mr. McMILLIN. Now, Mr. Speaker, in order to reach the appropriation bills as soon as possible, I ask for the regular order.

The SPEAKER. The regular order is the call of committees for reports.

#### INTRUDERS UPON THE FIVE CIVILIZED TRIBES.

Mr. ENGLISH, from the Committee on Indian Affairs, reported, as a substitute for the bill (H. R. 6799) to punish intruders on either of the five civilized tribes, a bill (H. R. 9053) to punish trespassers on the lands of either of the five civilized tribes; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

The original bill (H. R. 6799) was laid on the table.

#### PENSIONS AND OTHER CLAIMS.

Mr. SNOW, from the Committee on Pensions, reported back with a favorable recommendation a bill (H. R. 6881) to expedite the prosecution of pensions and other claims arising out of the military and naval service of the United States of America; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### ORDER OF BUSINESS.

The call of committees having been completed.

Mr. HENDERSON of North Carolina. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of general appropriation bills.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole. Mr. BUCHANAN of Virginia in the Chair.

#### POST-OFFICE APPROPRIATION BILL.

The CHAIRMAN. The House is now in Committee of the Whole for the further consideration of the Post-Office appropriation bill.

Mr. HENDERSON of North Carolina. Mr. Chairman, before the bill is read by paragraphs I ask unanimous consent for the correction of a typographical error in the bill. On page 4, line 24, the word "millions" should be "thousands," and I ask unanimous consent that the correction be made.

There was no objection, and it was so ordered.

Mr. HENDERSON of North Carolina. Now, Mr. Chairman, I ask that the bill be read by paragraphs.

The Clerk read as follows:

#### OFFICE OF THE FIRST ASSISTANT POSTMASTER-GENERAL.

For compensation to postmasters, \$15,500,000.

Mr. LOUD. Mr. Chairman, I offer the amendment which I send to the desk.

The amendment was read, as follows:

Amend page 1, lines 12 and 13, after "millions" strike out "two hundred and fifty thousand" and insert "three hundred and sixty-five thousand."

Mr. LOUD. Mr. Chairman, I do not see that there is any disposition on this side of the House to delay in any measure the

Res. 121) relating to the Memorial Association of the District of Columbia, to report it favorably, without amendment. I ask for the consideration of the joint resolution now, if there be no objection.

Mr. COCKRELL. Let it be read for information.

The Chief Clerk read the joint resolution.

Mr. PERKINS. I will state that this is an honorary organization, that these gentlemen serve without pay, and that it involves no expense to the District government or the United States Government.

Mr. BLACKBURN. What is the purpose of it?

Mr. PERKINS. It is a memorial association, as recited in the joint resolution.

Mr. McPHERSON. What are the purposes of the organization?

Mr. PERKINS. As I understand from their charter, and according to the information given to our committee, it is a memorial association organized here and chartered. These gentlemen serve without pay, either from the Government of the United States or the District government. They have been already incorporated but want the authority granted by an act to the President of the United States as well as to the President of the Senate and the Speaker of the House to designate the gentlemen who are to serve in the future.

Mr. GRAY. It is a memorial of what, may I ask the Senator from Kansas?

Mr. PERKINS. It is a memorial association growing out of the late war, I understand.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the joint resolution?

Mr. PERKINS. It is a joint resolution from the other House. It has already passed that body, and the Committee on the District of Columbia directed me to report it favorably here.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. ALLISON. Let it be read at length.

The PRESIDENT *pro tempore*. The joint resolution will be again read.

The Chief Clerk read the joint resolution.

Mr. PERKINS. I am advised that there are some errors in the spelling of the names, and I ask that the matter may be deferred until I can get the correct data.

The PRESIDENT *pro tempore*. The errors having been noticed at the desk, the original joint resolution as it came from the other House has been sent for, and when it is received the Chair will call the attention of the Senator from Kansas to the measure.

Mr. PERKINS. That may give the correct names.

Mr. PERKINS subsequently said: Mr. President, I ask unanimous consent that the Senate resume the consideration of the joint resolution (H. Res. 121) relating to the Memorial Association of the District of Columbia, which was temporarily laid aside during the morning hour.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution.

Mr. PERKINS. Mr. President, I am satisfied upon an examination of the original bill that the mistakes which were found in the printed copy exist also in the original bill. For that reason I move to amend the bill in line 7 by changing the name "Hauffman" to "Kaufmann," in line 8 by changing the name "Gardner G. Hubbard" to "Gardiner G. Hubbard," and in line 10 by changing the name "Tennis S. Hamlin" to "Tennis S. Hamlin."

The PRESIDENT *pro tempore*. The amendments will be agreed to in the absence of objection. The Chair hears no objection.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

#### FAILED NATIONAL BANKS.

Mr. MORRILL, from the Committee on Finance, to whom was referred the resolution submitted by Mr. CHANDLER on the 9th of May, 1892, providing for the appointment of a committee to investigate the failure of the Maverick National Bank of Boston, Mass., reported it with an amendment, to strike out all after the word "resolved" and insert:

That a committee of five Senators be appointed to inquire whether the existing provisions of the laws relative to national banks and the customary proceedings under said laws in cases of failures of such banks furnish sufficient protection to the depositors and other creditors and to the stockholders of such failed banks; said committee to report by bill or otherwise, and to have power in pursuing its inquiry to investigate any recent failures of such banks and any violations of law and inequalities happening in connection therewith; and said committee, or a majority thereof, to have authority to administer oaths to witnesses and take testimony in Washington or else-

where, according to its discretion, during the present session or the recess of Congress; to send for persons and papers, and to employ a stenographer and an expert; the expenses of the investigation to be paid from the contingent fund of the Senate.

Mr. CHANDLER. I ask that the resolution just reported by the Senator from Vermont be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT *pro tempore*. That order will be made if there be no objection. The Chair hears none.

#### BILLS INTRODUCED.

Mr. DAWES (by request) introduced a bill (S. 3230) for the relief of James Grace; which was read twice by its title, and referred to the Committee on Claims.

Mr. BLACKBURN introduced a bill (S. 3231) for the relief of Mrs. E. S. Golladay and J. W. Bowling; which was read twice by its title, and referred to the Committee on Claims.

Mr. FAULKNER introduced a bill (S. 3232) for the relief of Mrs. Mary Scott, of Richmond, Henrico County, Va.; which was read twice by its title, and referred to the Committee on Claims.

Mr. MITCHELL introduced a bill (S. 3233) for the relief of Charles M. Blake; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DAVIS (by request) introduced a bill (S. 3234) extending the benefits of the act of June 27, 1890, to certain persons; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PADDOCK introduced a bill (S. 3235) to provide for the establishment, protection, and administration of public forest reservations, and for other purposes; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

#### JOHN BAPTISTE ASHO.

Mr. HARRIS. I have just ascertained that on the 27th of May the bill (S. 980) for the relief of the legal representatives of John Baptiste Asho was adversely reported and indefinitely postponed. I ask unanimous consent that the vote by which it was indefinitely postponed and the report agreed to be reconsidered, and that the bill be placed, with the adverse report, upon the Calendar.

The PRESIDENT *pro tempore*. It will be so ordered if there be no objection. The Chair hears none, and the bill, with the adverse report, will be placed on the Calendar.

#### HEARINGS BEFORE COMMITTEE ON INDIAN AFFAIRS.

Mr. JONES of Arkansas submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Indian Affairs be authorized to employ a stenographer to report the hearings before said committee or a subcommittee thereof in regard to the Stockbridge and Muncie Indians, and that the compensation of said stenographer be paid out of the contingent fund of the Senate.

#### WITHDRAWAL OF PAPERS.

On motion of Mr. GALLINGER, it was

*Ordered*, That the papers in the claim of Jeremiah Atkins be withdrawn from the files, subject to the rules of the Senate.

#### FLOWER-MARKET BUILDING IN WASHINGTON.

The PRESIDENT *pro tempore*. Is there further morning business? If there is no further morning business, the Calendar under Rule VII is in order, and the first bill on the Calendar will be announced.

Mr. WOLCOTT. I ask unanimous consent, as I am going away, that the Senate take up for consideration Senate bill 2157, which was passed over the other day at the suggestion of the Senator from Ohio [Mr. SHERMAN]. It is the bill permitting the construction of a flower market in the city of Washington. I beg leave to say that we all misled the Senate, most unwittingly, the other day when the bill was up.

The space to be occupied is not the space upon the north side of the Avenue, nor is it the long parallelogram in front of the market, nor is it the triangular piece of ground where the statue of Gen. Rawlins stands, but farther still to the west, in front of what the Senate may know by name as the Bijou Theater, there is a small irregular tract of ground with an abandoned or never-used fountain, the ground being much deserted and neglected. It is a small, irregular piece of ground, larger to the west, tapering as it comes to the east, and this building, a picture of which I exhibited to the Senate the other day, is designed to exactly fill that space. This construction cuts off from view only Harris's Bijou Theater. I take it that anybody who desires to find that institution will still be able to find it in spite of the erection of the flower market. It will greatly beautify the space there, and by the selection of this site every objection which was even suggested the other day is removed. I ask unanimous consent that the bill may be put upon its passage.

Mr. COCKRELL. What is the Order of Business on the Calendar?



The PRESIDENT *pro tempore*. No. 535. The bill having been passed over without prejudice, it is entitled to consideration, if there be no objection.

Mr. WOLCOTT. The Senator from Missouri will remember that it is the bill which was considered the other day.

Mr. COCKRELL. I remember. I only wanted to get the Order of Business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2457) to provide for the erection of a building for a flower market in the city of Washington, in the District of Columbia.

The PRESIDENT *pro tempore*. The bill has been read at length as in Committee of the Whole. If there be no amendment to the bill it will be reported to the Senate.

The bill was reported to the Senate without amendment.

Mr. VEST. Mr. President, it is with the very greatest reluctance that I ever antagonize the views of my friend from Colorado, but after this matter was under discussion the other day I took occasion to look at the proposed site of this building, and I am constrained to state my opinion that the building ought not to be erected at that point, however much architectural beauty there may be about it. I saw the plan of the proposed building as exhibited in the Senate the other day, but it will still, it seems to me, beyond question, injure that street greatly and it must be considered to be out of place.

I shall make no opposition in regard to the purpose of the building. I appreciate fully the object which the Senator has in view, and I shall say nothing in that regard; but as a member of the Committee on Public Buildings and Grounds, in the absence of the chairman of that committee, I consider it my duty to make this statement to the Senate.

Mr. WOLCOTT. May I interrupt the Senator from Missouri for a moment in order to ask him if he understood the statement I made as to where the building is to be located? It is not north of the avenue. It is on the other side of Ninth street. It is on the other side of the triangle where the Rawlins statue is. It is a little piece of ground directly in front of the Bijou Theater, the other side of it being occupied by a little narrow street running in front of that building.

Mr. VEST. Exactly. I examined the site in company with a friend, another Senator, who called my attention to it. I am satisfied that the Senate upon examination would come to the conclusion that it would not be right to put this building there. In the first place, although I can hardly discuss the question unless Senators could understand the location, it is too prominent a locality. It is right upon Pennsylvania avenue, in the business portion of the city. It seems to me that a building devoted to this purpose ought to be in some place less conspicuous and less connected with the mercantile pursuits of the city.

But as I said, I can hardly make an argument about it unless Senators could see the site, when I am satisfied they would agree with me. I say this with very great reluctance because I appreciate fully the object my friend from Colorado has in view and I sympathize with him to a large extent, but I do not think this building ought to be put at that place.

Mr. WOLCOTT. I understand the Senator does not object to the present consideration of the bill.

Mr. VEST. I do not.

Mr. WOLCOTT. I desire to say only one word. The building is proposed to be put in this location for two reasons. First, because the building itself is to be an object of beauty. It will be a great attraction to visitors to Washington, and it will be a source of great delight to those of us who stay here. The other reason why it is proposed to be put there is in order that those going to market may buy their flowers in a place near by the market, although they will not be compelled to find the flower stalls in among the butcher shops and the green-grocer stalls. For those reasons it seemed to us that the building would be in the best possible situation.

I desire to say further that this tract of ground is neglected, deserted. The fountain is not used; it is all in decay; and I believe sincerely that the erection of this building will add very much to the attractiveness of that tract of ground.

Mr. VEST. I will simply say, without going into any elaborate discussion of places where the public buildings should be located in the District of Columbia, that these little squares, triangular or otherwise, in the city of Washington are to me among its most attractive features. It has been said by some one, I do not remember his name, that they are the breathing places of an urban population. Take away the parks, especially the smaller parks, in the city of Washington, and you will take away its greatest beauty.

It is true that this little reservation or triangular piece of ground is not in the highest state of preservation—and I am sorry to say that that is the case with a large number of the smaller parks in the city of Washington—but the erection of a

building there would destroy it as a park. If put up in the style and upon the plan which was exhibited here by the Senator from Colorado, although I of course am disposed to think the gaudy coloring added a good deal to the appearance of it as seen on paper, still if the building, no matter how beautiful architecturally, is put there it must be in a great contrast to the surrounding business houses, and above all it would destroy the open space there which adds to the beauty of Pennsylvania avenue, making it the most beautiful street possibly in the world.

If I were disposed to go into this matter *in extenso* I would say that my idea has been, in my service upon the Committee on Public Buildings and Grounds, for years that the public buildings ought to be put upon the other side of the avenue. While serving on the subcommittee that located the city post-office I acted upon that idea, and I have never regretted it. I am satisfied every time I pass along the present site that the committee and Congress were right in making that location. For us now to put this building by itself, isolated from other public buildings, upon one of these small reservations on the other side of the avenue, in the business part of the city, would seem to me entirely inappropriate. It would seem to me that if we wanted to put up a building for flowers, it should be put in some more retired place, if I may use the expression, and not in the busy mart and hum of commerce, even if it is upon the way to market.

I am constrained to say this with great reluctance, because, to be perfectly frank about it, my great and kindly feeling for the Senator from Colorado constrains me to a large extent, and then I know that behind it, greatly to his credit, are some of the most refined and attractive ladies in the city of Washington, and I always antagonize their wishes with great reluctance.

Mr. VOORHEES. Will the Senator from Colorado explain to me the relation of this ground to the park where the statue of Gen. Rawlins stands?

Mr. WOLCOTT. With pleasure. The ground is directly back of the statue. The statue of Gen. Rawlins occupies a triangle, with the front of the triangle towards us as we are here. The base of the triangle is Ninth street. The other side of Ninth street appears as if it were cut through what was originally a larger triangle. The Rawlins statue is this side of Ninth street. There is a parallelogram there larger at the west than at the east, extending on the whole, we will say, 150 or 125 feet on a little street which has no name, in front of the Bijou Theater. It is perhaps a hundred feet or less on Ninth street, a small piece of ground in which there is an ugly little fountain erected, which, I understand, is piped, but has never been used.

Mr. COCKRELL. It has been there for many years.

Mr. WOLCOTT. Under this bill, I will say to the Senator from Indiana, the grass plot north of the avenue will still stand, and the triangle where the Rawlins statue stands will continue to be a green spot. It still leaves the long tract of ground in front of the market covered with green and trees.

Mr. VOORHEES. Another question. Will the Senator please state the size and dimensions of the proposed building?

Mr. WOLCOTT. I have the plans.

Mr. VOORHEES. I mean just in a general way.

Mr. WOLCOTT. My impression is that it is to be about 100 by 50 feet.

Mr. VOORHEES. A large building.

Mr. WOLCOTT. I would say to the Senator from Indiana that it is a low building, and, not only that, but it is an open building, and has an open court surrounded by Moorish architecture, through which the exhibition of flowers can be seen from the street, so that it is really a green spot beautified, with the addition of a very handsome clock tower.

Mr. VOORHEES. This is not a matter in which I propose to antagonize the Senator from Colorado [Mr. WOLCOTT], but I do thoroughly sympathize with the views expressed by the Senator from Missouri [Mr. VEST].

The locality has an objection which has been perhaps foreshadowed by the Senator from Missouri, though not expressly stated. A palace of flowers, a place of flowers, ought to be in a bright locality. This is not a bright locality; it has not bright surroundings. The property interests, the property belongings, and the very atmosphere there are of a class that do not assimilate in my mind with a flower garden, a place of flowers. It is near the shambles, as one of the gifted Senators in my rear suggests, it is near where they butcher lambs and calves, haul pork to market, and sell cabbages, and sometimes decayed vegetation salutes the atmosphere there with anything but an agreeable odor. Taken altogether, the surroundings are not aesthetic. The Senator from Missouri would have said these things, because he is more aesthetic than I am, but for his forbearance toward the Senator from Colorado, in which I fully share. I fully share the expressions of the Senator from Missouri of kindness, of friendship, and of admiration of the Senator from Colorado, who, perhaps, is a better judge of aesthetic surroundings than we are; but to my mind a



market place, where sausages are hung up and the quarters of beeves and hogs are hauled in, is not the place where I would establish a flower garden.

In fact, Mr. President, it always seemed to me the sun did not shine quite as brightly down there as it did elsewhere. It seemed to me that there was a sort of eclipse of beauty and of brightness of the town where life is taken, even where it is taken to support the lives of the rest of us.

I would place this flower garden, or palace of flowers, or whatever you may choose to call it, up higher, at some place back on the lifts and heights of this beautiful city. I would place it where it would have splendid social surroundings, instead of these dismal accompaniments I have spoken of. At the same time, having said these things, I will not seriously antagonize the Senator from Colorado, if it be in the mind of the Senate to place this building where the Senator has indicated. I felt, while the Senator from Missouri was talking, a little stronger in the line of the remarks than he was going himself. It is about the last place where I would fix a work of this kind.

Mr. WOLCOTT. Just a word, and then I trust the measure may be voted upon.

The trouble with the present locality of the flower market is this: We have more flowers in Washington than in almost any other city in the United States, and we have them for more months in the year. They are now offered for sale among the sausages and cabbages and other articles exposed for sale in the market, and the persons holding stalls in the market at first very much antagonized this measure, because they said hundreds of people came to Center Market to get flowers, and that this brought them business.

We therefore endeavored to get the flower market in such a place that it should not injure their business, and the very purpose the Senator from Indiana seeks to accomplish is to be accomplished by this measure. We are going to improve and beautify what has been an unpleasant part of Washington. We are going to make it brighter and more beautiful. The building suggested is almost entirely open. It will be an object of beauty, and the flowers may be seen to far greater advantage than the green which is now in the triangular space can be seen, and the general effect will be to improve the property on the south side of the avenue.

Mr. FAULKNER. I did not know that the bill had been taken up. I do not propose to make any remarks upon it. I thought it was a question of consideration which was before the Senate. I simply desire to state that I opposed this bill in the Committee on the District of Columbia, and I shall content myself with simply voting against it in the Senate.

I do not think that the revenues of the District or of the United States are in a condition at this time to appropriate one-half of this fund from the revenues of the General Government and one-half from the revenues of the District for the purpose of building up a flower market. I also object to the location of the building as provided for in this bill.

Mr. COCKRELL. Mr. President, I am opposed to this bill for two reasons, and desire simply to enter on record the fact that I shall vote against it, without myself calling for the yeas and nays.

In the first place, I do not like the location proposed, and, in the next place, it is not a matter of necessity, it is not a work of necessity, and the condition of the Treasury does not justify an expenditure of this kind.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. COKE. I call for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. HAWLEY. I will say that when the bill was up the other day both the Senator from Colorado and myself mistook the location. I adhere to the belief I expressed on that occasion, that we never ought to put one of these buildings upon any of the open spaces reserved for parks, circles, or squares. If there is to be a trespass upon that general regulation anywhere, this is the least objectionable I know of. I doubt whether all the Senators now understand where the location is, unless they have been to the ground to look at it. I do not think it would mar the street. I do not think there is anything in the objection which has been made that it is near the business quarter of the city. It will come in very harmoniously with the general location in connection with the market if a proper sort of building is put up.

I will put upon file my objection to the architecture of the building in one respect. One of the prime rules of architecture is first secure your use and then house it, adding something of ornamentation according to your means. The proposed clock tower running up to a considerable height, with no opening in the dead walls of it, is of no mortal use. It is not as high as

many of the buildings around there, it will not be a conspicuous or a useful thing as a clock tower, and in my judgment it will mar the general effect of the otherwise very agreeable Moorish plan of the building. There is a shut-up and a high dead wall, perhaps 50 feet, with a clock tower of no use in the world, and to cost probably 25 per cent of the cost of the building; but that is a matter, I suppose, within the discretion of the Commissioners of the District of Columbia.

The PRESIDENT *pro tempore*. The question is on the passage of the bill, on which the yeas and nays have been ordered. The Secretary proceeded to call the roll.

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TERPHE].

Mr. FAULKNER (when his name was called). I am paired with the junior Senator from Pennsylvania [Mr. QUAY]. If he were present I should vote "nay."

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. PUGH (when his name was called). The Senator from Massachusetts [Mr. HOAR] is paired with the Senator from Florida [Mr. CALL]. I announce my pair with the Senator from Vermont [Mr. PROCTOR].

Mr. STOCKBRIDGE (when his name was called). I am paired generally with the Senator from Maryland [Mr. GIBSON], but I understand he favors this proposition, and therefore I vote "yea."

The roll call having been concluded, the result was announced—yeas 35, nays 12; as follows:

## YEAS—35.

Allen,	Dubois,	Jones, Ark.	Power,
Allison,	Felton,	McPherson,	Sanders,
Blackburn,	Gallinger,	Manderson,	Sawyer,
Blodgett,	Gorman,	Mitchell,	Stewart,
Brace,	Gray,	Morgan,	Stockbridge,
Chandler,	Harris,	Morrill,	Teller,
Cullom,	Higgins,	Paddock,	Vilas,
Dawes,	Hill,	Perkins,	Wolcott,
Dixon,	Hiscock,	Pettigrew,	

## NAYS—12.

Bate,	Coke,	Kyle,	Vest,
Berry,	Colquitt,	Mills,	Voorhees,
Cockrell,	Froy,	Palmer,	Walthall,

## NOT VOTING—41.

Abrieh,	Frye,	Kenna,	Squire,
Butler,	George,	McMillan,	Stanford,
Call,	Gibson, La.	Pasco,	Turpie,
Cameron,	Gibson, Md.	Peffer,	Vance,
Carey,	Gordon,	Platt,	Warren,
Carlisle,	Hale,	Proctor,	Washington,
Casey,	Hansbrough,	Pugh,	White,
Daniel,	Hawley,	Quay,	Wilson,
Davis,	Hoar,	Ransom,	
Dolph,	Hunt,	Sherman,	
Faulkner,	Jones, Nev.	Shoup,	

So the bill was passed.

## FOUR HUNDRETH ANNIVERSARY OF THE DISCOVERY OF AMERICA.

Mr. PETTIGREW. I ask unanimous consent that Senate joint resolution 83 may be considered at this time.

The PRESIDENT *pro tempore*. The joint resolution referred to by the Senator from South Dakota will be stated by title.

The CHIEF CLERK. A joint resolution (S. R. 83) authorizing and directing the President to proclaim a general holiday, commemorating the four hundredth anniversary of the discovery of America, on the 12th day of October, 1492.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the joint resolution?

Mr. COCKRELL. Let it be read at length for information.

The PRESIDENT *pro tempore*. The joint resolution will be read at length.

The Chief Clerk read the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported from the Select Committee on the Quadro-Centennial with amendments, in line 5, before the word "four," to strike out "this" and insert "the;" and in line 8, after the word "assembly," to strike out "which may impress them anew with the intellectual, moral, and social developments made possible by the act of Columbus;" so as to make the joint resolution read:

*Resolved, etc.* That the President of the United States be authorized and directed to issue a proclamation recommending to the people the observance in all their localities of the four hundredth anniversary of the discovery of America by public demonstrations and by suitable exercises in their schools and other places of assembly.

The amendments were agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was rejected.  
The PRESIDENT *pro tempore*. The first bill on the Calendar will be reported.

#### MARKING BATTLE LINES AT GETTYSBURG.

The bill, S. 2916 for marking the lines of battle and positions of troops of the Army of Northern Virginia at Gettysburg, Pa., and for other purposes, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### CAPITOL, NORTH O STREET AND SOUTH WASHINGTON RAILWAY COMPANY.

The bill, S. 2852 to change the name of the Capitol, North O Street and South Washington Railway Company, and for other purposes, was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with an amendment to strike out sections 2, 3, and 4, as follows:

SEC. 2. That the said railway company is hereby authorized to extend its line by laying a single track, and running its cars thereon, on the following streets in the city of Washington, namely: West along P street from Eleventh street to Iowa Circle, thence northerly around said circle to Thirteenth street, thence northerly along Thirteenth street to Q street, thence west along Q street to Nineteenth street, thence south along Nineteenth street to Dupont Circle, thence southeasterly around said circle to P street, and thence east along said P street to intersect, with the necessary curves, its present line on Eleventh street.

SEC. 3. That unless said extension shall be completed within two years after the passage and approval of this act, all rights granted hereunder shall cease and be void. That said company is hereby authorized to operate its cars on said extension by horse, cable, electric, or other power: *Provided*, That the tracks of said extension shall be laid under the direction of the Commissioners of the District of Columbia, with the latest pattern of grooved rails: *And provided further*, That nothing herein contained shall authorize the use of overhead wires.

SEC. 4. That to enable said railway company to construct and equip the extension of its road, as herein provided for, it is hereby authorized to increase its capital stock not to exceed \$100,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to change the name of the Capitol, North O Street and South Washington Railway Company."

#### OF LANDS IN CHICKASAW CESSION, MISSISSIPPI.

The bill (S. 2885) to authorize the Legislature of the State of Mississippi to sell or lease the lands heretofore appropriated for the use of schools within the Chickasaw cession, and to ratify and approve the sales already made, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, and read the third time.

Mr. PERKINS. I should like to ask the Senator from Mississippi to whom these lands belong now?

Mr. WALTHALL. I will make this explanation of the bill, Mr. President. In 1852 Congress passed a law authorizing the State of Mississippi to sell certain lands previously donated to that State for school purposes, and to apply the interest on the proceeds of the sales to the support of common schools in the district of country where the land is situated. There was a provision in that law requiring that the consent of the inhabitants in the townships and districts where the land lies should first be had. The sales were made for full value, and the interest on the proceeds of the sales has been faithfully applied, but no record can be found of the consent of the inhabitants, which makes a technical defect in the paper title of the purchasers. The Legislature of Mississippi at its last session, in order to have this technical defect cured, memorialized Congress to pass an act in the form of this bill.

The bill has been referred to the Commissioner of Public Lands and has met his approval. It has also received the approval of the Secretary of the Interior, and it has received the unanimous approval of the Committee on Public Lands.

The lands belong now, I will say in answer to the question of the Senator from Kansas [Mr. PERKINS], to the purchasers at the sales referred to.

Mr. PERKINS. So that the effect, if the Senator will permit the inquiry, is to ratify or confirm titles already existing.

Mr. WALTHALL. That is the whole purpose of the bill—simply to remove a technical defect in the titles.

Mr. DAWES. The Indians, as I understand the Senator, have no title to this land acquired by the United States from the Indians?

Mr. WALTHALL. None in the world. I will ask, in con-

nection with the bill, that the report of the Committee on Public Lands may be printed in the RECORD, and also a communication from the Secretary of the Interior, which has been received since the report was prepared.

The PRESIDENT *pro tempore*. The Senator from Mississippi asks that the report accompanying the bill and the communication to which he refers may be printed in the RECORD. Is there objection? The Chair hears none.

The papers referred to are as follows:

Mr. WALTHALL, from the Committee on Public Lands, submitted the following report (to accompany S. 2885):

The Committee on Public Lands, to whom was referred the bill (S. 2885) to authorize the Legislature of the State of Mississippi to sell or lease the lands heretofore appropriated to the use of schools within the Chickasaw cession, and to ratify and approve the sales already made, having considered the same, report as follows:

The Legislature of Mississippi, at its last session, memorialized Congress for the passage of an act, in the form of this bill, ratifying the sale of school lands heretofore appropriated for the support of schools in the Chickasaw cession in said State, and authorizing the State hereafter to make disposal of such lands, without the consent of the inhabitants previously had and obtained, as required by an act of Congress passed May 19, 1852. The memorial is appended hereto.

In response to a request for an expression by the Commissioner of the General Land Office of his views upon the bill he made a report in which after setting out the bill in full, he says:

"In reference to the subject, I have to report that Congress, at an early period, in providing for the sale of public lands in Mississippi reserved the sections numbered 16 for school purposes, and by act of May 19, 1852 (10 Stat. 6), authorized the State to sell and convey in fee simple, or lease for a term of years, all or any part of the lands theretofore reserved for school purposes. It appears, however, that that act provided that the said lands should not be sold or leased without the consent of the inhabitants of the township or district of country for which they were originally reserved. Some of these lands were, by acts of Congress of July 4, 1836 (5 Stat., 116), and June 13, 1842 (5 Stat., 490), reserved for the use of schools within the territory ceded by the Chickasaws. In the preamble of said bill (2885) it is recited that as regards the lands reserved for schools in the said territory no evidence of such consent on the part of the inhabitants of the district of country comprised within the Chickasaw cession can now be found; that the school lands in question have been sold and the proceeds held by the State as a sacred trust for schools within the Chickasaw cession, with the acquiescence of the people interested.

"The passage of the bill is urged by a memorial from the Legislature of Mississippi, in which the same facts are stated that are recited in the preamble of the bill—(*Congressional Record*, April 12, 1892, page 3410).

"The provision in the act of 1852 that the consent of the inhabitants should be procured before the lands could be disposed of for the benefit of the school fund is unusual, no such provision being found in the laws making grants of lands for school purposes in the States generally to which such grants have been made.

"The object of the bill appears to be the quieting of titles to the lands reserved by said acts of 1836 and 1842, for the benefit of schools in the territory covered by the Chickasaw cession and sold by the State under the said act of 1852, and I see no reason why it should not become a law."

The act of May 19, 1852, referred to by the Commissioner, authorizing the State to sell the lands theretofore reserved for school purposes, also authorized the investment of the money arising from said sales "for the use and support of schools within the several townships and districts of country for which they were originally reserved and set apart, and for no other use or purpose whatsoever."

The interest upon the fund arising from the disposition of these lands is paid regularly and distributed among the counties entitled thereto for the support of schools therein. This is provided for in the constitution of the State. (Section 212.)

The titles of persons who bought these lands under authority of the Legislature at their full value and paid the purchase-money and made valuable improvements thereon are under clouds because the "consent of the inhabitants" required by the act of 1852 can not, after the lapse of so many years, be established, nor does there seem to have been any express legislation on that subject by the State.

The inhabitants whose consent was required to be had have raised no objection, so far as known, to the titles of the purchasers, if indeed they are in condition to do so, since they get the benefit of the fund distributed to their counties and districts.

In the present state of the law there seems no reason to apprehend any interference with the purchasers through the court, but they are embarrassed by the imperfection in their titles when they undertake to dispose of their lands, for which they have paid full value.

Your committee therefore recommends the passage of the bill.

*A memorial of the Legislature of the State of Mississippi to the Senate and House of Representatives of the United States, on the subject of the lands heretofore appropriated for the support of schools within the Chickasaw cession, in said State.*

Whereas Congress, by act of May 19, 1852 (10 Stat., 6), did authorize the Legislature of the State of Mississippi "to sell and convey in fee simple, or lease for a term of years," as the said Legislature might deem best, "all or any part of the" lands heretofore reserved and appropriated by Congress for the "use of schools within said State," "with the consent of the inhabitants of such township or district, to be obtained in such manner as the Legislature of said State may by law direct;" and

Whereas many sales of such lands have been made under authority of the Legislature of said State, at their full value, the purchase money paid, and valuable improvements made thereon; and

Whereas no evidence of such consent on the part of the inhabitants of the district of country comprised within the Chickasaw cession can now be found; and

Whereas said district of country comprises many counties and parts of counties, townships, and parts of townships, making it a matter of great difficulty to obtain the consent of the inhabitants thereof to any measure, and

Whereas the proceeds of such sales have always been held by the State as a sacred trust for the schools within the said Chickasaw cession, and are now so held; and the said schools have always received the full benefit of the interest thereon, and the people of said district of country, by so receiving and using said proceeds for many years without raising any question as to the entire validity of said sales of land have indicated their approval of the same:

This memorial of the Legislature of the State of Mississippi respectfully

authority to administer oaths to witnesses and take testimony in Washington or elsewhere, according to its discretion, during the present session or the recess of Congress; to send for persons and papers, and to employ a stenographer and an expert; the expenses of the investigation to be paid from the contingent fund of the Senate.

By unanimous consent the Senate proceeded to consider the resolution.

Mr. GRAY. There are some of us who did not understand the resolution. I should like to have it stated again.

The PRESIDING OFFICER. The resolution will be again read.

The Secretary read the resolution.

Mr. GRAY. May I ask if that is reported from the Finance Committee?

Mr. JONES of Nevada. It is a resolution reported by the Finance Committee, the passage of which was recommended by that committee.

The PRESIDING OFFICER. The Chair will state that the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, having first been reported by the Committee on Finance.

Mr. JONES of Nevada. And it is now reported from the Committee on Contingent Expenses, having previously been reported favorably by the Committee on Finance.

Mr. GRAY. I understand it now. It carries some expense with it.

Mr. JONES of Nevada. It simply provides for an expenditure from the contingent fund.

The PRESIDING OFFICER. The question is on the adoption of the resolution.

The resolution was agreed to.

The PRESIDING OFFICER. The Chair will announce as the committee provided for by the resolution the Senator from New Hampshire [Mr. CHANDLER], the Senator from Delaware [Mr. HARRIS], the Senator from Kansas [Mr. PEPPER], the Senator from Tennessee [Mr. HARRIS], and the Senator from New Jersey [Mr. McPHERSON].

#### HEARINGS BEFORE COMMITTEE ON INDIAN AFFAIRS.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution submitted by Mr. JONES of Arkansas, June 1, 1892, reported it without amendment, and it was considered by unanimous consent, and agreed to:

*Resolved*, That the Committee on Indian Affairs be authorized to employ a stenographer to report the hearings before said committee or a subcommittee thereof in regard to the Stockbridge and Munsee Indians, and that the compensation of said stenographer be paid out of the contingent fund of the Senate.

#### STENOGRAPHER FOR APPROPRIATIONS COMMITTEE.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. ALISON May 27, 1892, reported it without amendment; and the resolution was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the Committee on Appropriations be, and is hereby, authorized to employ a stenographer from time to time as may be necessary to report such testimony as may be taken by said committee or its subcommittees in connection with appropriation bills, and to have the same printed for its use; and that such stenographer be paid out of the contingent fund of the Senate.

#### HEARINGS BEFORE COMMITTEE ON TERRITORIES.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. PLATT April 13, 1892, reported it without amendment; and the resolution was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the stenographer employed to report the hearing before the Committee on Territories in relation to the bill (S. 1962) to incorporate the Yellowstone Park Company be paid from the contingent fund of the Senate.

#### HEARINGS ON CHEROKEE AGREEMENT.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. PLATT April 19, 1892, reported it without amendment; and the resolution was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the Committee on Indian Affairs, or any subcommittee thereof, have power to employ a stenographer to report hearings in connection with Senate bill 2870, "to ratify and confirm an agreement with the Cherokee Nation of Indians of the Indian Territory, to make appropriation for carrying out the same, and for other purposes;" and upon the relations existing between the United States and the five civilized tribes of Indians. Said committee, or subcommittee, shall have power to send for persons and papers; and the expenses incurred by such hearings shall be paid out of the contingent fund of the Senate, upon vouchers properly approved by the chairman of said committee.

#### INDIANS ON COLVILLE RESERVATION.

Mr. MANDERSON. I rise to a privileged question. I sub-

mit a conference report, which I ask may be considered at this time.

The PRESIDING OFFICER. The report will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. 7575) entitled "An act to ratify and confirm an agreement with the Indians residing on the Colville Reservation, in the State of Washington, with certain modifications, and make appropriations to carry into effect the same," having met, after full and free conference have agreed to recommend and to be amended to their respective Houses as follows:

The House agrees to the amendment of the Senate with an amendment, as follows: Insert after section 7, and as a part thereof as follows: "Which said sum shall be reimbursable from the proceeds of the lands when sold, as hereinafter provided;" and the Senate agrees to the same, and the House agrees to the Senate amendment of the title, so that it shall read as follows:

"An act to provide for the opening of a part of the Colville Reservation in the State of Washington, and for other purposes."

CHARLES F. MANDERSON,

WM. F. VILAS,

H. L. DAWES,

*Conference on the part of the Senate.*

JNO. L. WILSON,

H. H. ROCKWELL,

S. W. PEEL,

*Conference on the part of the House.*

The PRESIDING OFFICER. The question is on concurring in the report of the conference committee.

The report was concurred in.

#### INTERNATIONAL GEOLOGICAL CONGRESS.

Mr. MANDERSON. I am directed by the Committee on Printing to report favorably, with amendments, a House concurrent resolution in relation to the International Geological Congress, and ask for its present consideration.

By unanimous consent, the Senate proceeded to consider the resolution, as follows:

*Resolved by the House of Representatives, (H. Res. 100, 1892), That there be printed by the Government Printing Office, 3,000 copies of the proceedings and transactions of the International Geological Congress, held in Washington, D. C., August 25 to September 2, 1891, and that they be delivered to the officers of the said congress for the use of its members. The printing to be done on the requisition and with the approval of the Secretary of State.*

Mr. COCKRELL. I should like to hear what are the amendments proposed by the committee.

Mr. MANDERSON. I will suggest the necessary amendments, which propose to add to the 3,000 copies to be printed 900 more, 300 of which shall be for the Senate and 600 for the House of Representatives. It was thought by the committee that there should be a few of these for distribution by members of Congress, or at least for their own use.

Mr. COCKRELL. That will do.

Mr. MANDERSON. In line 1 of the resolution after the word "thousand," I move to insert "900" so as to make the number of copies 3,900; in line 7, after the date "1891," I move to insert "of which number 600 shall be for the House of Representatives and 300 for the Senate;" and in line 8, after the word "and," to strike out "that they," and insert in lieu thereof "3,000 copies shall;" so as to read "3,000 copies shall be delivered to the officers of the said Congress for the use of its members."

The amendments were agreed to.

The resolution as amended was concurred in.

Mr. MANDERSON. I am directed by the Committee on Printing to report adversely a Senate concurrent resolution of like import with the one just adopted, which I ask may be indefinitely postponed.

The PRESIDING OFFICER. The resolution referred to, being adversely reported, will be indefinitely postponed in the absence of objection.

#### EXECUTIVE SESSION.

Mr. PLATT. I now renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 3 o'clock and 55 minutes p. m.) the Senate adjourned until Monday, June 6, 1892, at 12 o'clock m.

#### CONCILIATIONS.

*Executive nominations confirmed by the Senate, June 2, 1892.*

#### SECRETARY OF ARIZONA.

Nathan A. Morford, of Phoenix, Ariz., to be secretary of Arizona.

#### PROMOTIONS IN THE ARMY.

*Quartermaster Department.*

First Lieut. Oscar P. Long, Fifth Infantry, to be assistant quartermaster, with the rank of captain.

## HOUSE OF REPRESENTATIVES.

THURSDAY, June 2, 1892.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

## SENATE BILLS REFERRED.

The SPEAKER. The Chair lays before the House several Senate bills. The titles of these bills having been already printed in the RECORD, if there be no objection they will be referred without again reading the titles.

There was no objection, and it was so ordered.

The bills are as follows:

A bill (S. 2022) granting the right of way to the Mexican Gulf, Pacific and Puget Sound Railroad Company over and through the public lands of the United States in the States of Florida, Alabama, Mississippi, and Tennessee, and granting the right of way to said railroad company over and through the United States naval and military reservations near Pensacola, in the State of Florida—to the Committee on Public Lands.

A bill (S. 2541) to construct a road to the national cemetery at Dover, Tenn.—to the Committee on Military Affairs.

A bill (S. 876) for the relief of the citizens of the States of Oregon, Idaho, and Washington who served with the United States troops in the war against the Nez Percés and Bannock and Shoshone Indians, and for the relief of the heirs of those killed in such service, and for other purposes—to the Committee on Pensions.

A bill (S. 1232) removing charge of desertion against Lucius W. Hayford, Worcester, Vt.—to the Committee on Military Affairs.

A bill (S. 654) for the relief of Henry Lane—to the Committee on Military Affairs.

A bill (S. 2801) for the erection of a public building at the city of Jamestown, N. Y.—to the Committee on Public Buildings and Grounds.

A bill (S. 1760) to provide for the erection of a public building in the city of Fort Madison, Iowa—to the Committee on Public Buildings and Grounds.

A bill (S. 1768) to allow thirty days' leave of absence to employees in the Bureau of Engraving and Printing—to the Committee on Expenditures in the Treasury Department.

A bill (S. 2775) authorizing the construction of a bridge across the Kansas River—to the Committee on Interstate and Foreign Commerce.

A bill (S. 1772) for the construction of a wooden dry dock at the United States navy-yard, Portsmouth, N. H.—to the Committee on Naval Affairs.

A bill (S. 2809) for the erection of a public building at the city of Dunkirk, N. Y.—to the Committee on Public Buildings and Grounds.

A bill (S. 1370) for the relief of the legal representatives of Mrs. Adeline Shirley—to the Committee on War Claims.

A bill (S. 2715) authorizing the employment of mail collectors at free-delivery offices—to the Committee on the Post-Office and Post-Roads.

A bill (S. 2951) directing the Interstate Commerce Commission to ascertain and report to Congress annually certain information in respect to the adoption by common carriers engaged in interstate commerce of a uniform system of automatic couplers on freight cars, and for other purposes—to the Committee on Interstate and Foreign Commerce.

A bill (S. 1424) for the relief of the Atlantic Works of Boston, Mass.—to the Committee on Military Affairs.

A bill (S. 2882) for the relief of John M. Davis—to the Committee on Military Affairs.

A bill (S. 1600) to provide for the completion and repair of quarters, barracks, and stables at Fort Washakie and McKinney, Wyo.—to the Committee on Military Affairs.

A bill (S. 364) for the relief of Barker, Williams, and others—to the Committee on Claims.

A bill (S. 898) to furnish Gettysburg Battlefield Memorial Association, at Gettysburg, Pa., with specimens of arms, accoutrements, etc., used by the armies in the battle of Gettysburg, for exhibition and preservation at the Gettysburg Museum—to the Committee on Military Affairs.

A bill (S. 597) to carry out the findings of the Court of Claims in the case of James Harvey Dennis—to the Committee on Claims.

A bill (S. 2680) for the relief of Lennes A. Jackson—to the Committee on Claims.

A bill (S. 334) to authorize the Secretary of the Interior to fulfill certain treaty stipulations with the Chippewa Indians of

Lake Superior and the Mississippi, and making appropriation for the same—to the Committee on Indian Affairs.

A bill (S. 64) for the relief of John A. Lynch—to the Committee on War Claims.

A bill (S. 826) for the relief of the sufferers by the wreck of the United States steamer Tallapoosa—to the Committee on Claims.

A joint resolution (S. R. 88) to authorize the postmaster of the city of Washington to construct and maintain a platform in the alley in square 454—to the Committee on the District of Columbia.

A bill (S. 653) for the relief of Charles W. Cronk—to the Committee on War Claims.

A bill (S. 1445) for the relief of Adolph von Haake—to the Committee on War Claims.

A bill (S. 2457) to provide for the erection of a building for a flower market in the city of Washington, in the District of Columbia—to the Committee on the District of Columbia.

A bill (S. 2852) to change the name of the Capitol, North O Street, and South Washington Railway Company—to the Committee on the District of Columbia.

A bill (S. 2949) to authorize Admiral George Brown, Capt. George C. Remey, Lieut. George S. Dyer, Medical Inspector George W. Wood, Ensign George P. Blow, and Mr. Frank Lavie, United States Navy, to accept certain decorations from the Government of Hawaii—to the Committee on Naval Affairs.

A bill (S. 2981) for the relief of the Citadel Academy of Charleston, S. C.—to the Committee on Claims.

A bill (S. 2990) for the relief of George W. McKinney—to the Committee on Military Affairs.

A bill (S. 2519) authorizing the Secretary of the Treasury to sell certain lands in the city of Springfield and Commonwealth of Massachusetts—to the Committee on the Judiciary.

A bill (S. 2885) to authorize the Legislature of the State of Mississippi to sell or lease the lands heretofore appropriated to the use of schools within the Chickasaw cession and to ratify and approve the sales already made—to the Committee on Education.

A bill (S. 2914) for marking the lines of battle and positions of troops of the Army of Northern Virginia at Gettysburg, Pa., and for other purposes—to the Committee on Military Affairs.

A joint resolution (S. R. 76) to authorize the President to invite certain governments to send delegates to the Pan-American Medical Congress—to the Committee on Foreign Affairs.

A joint resolution (S. R. 83) authorizing and directing the President to proclaim a general holiday commemorating the four hundredth anniversary of the discovery of America on the 12th day of October, 1492—to the Select Committee on the Columbian Exposition.

## MEMORIAL ASSOCIATION, DISTRICT OF COLUMBIA.

The SPEAKER laid before the House a joint resolution (H. Res. 121) relating to the Memorial Association of the District of Columbia with amendments to the Senate thereto.

Mr. LANHAM. Mr. Speaker, in the absence of the gentleman from South Carolina [Mr. HEMPHILL] I ask unanimous consent that that bill be retained on the Speaker's table for the present.

There was no objection, and it was so ordered.

## AMERICAN REGISTER FOR STEAMER FOXHALL.

The SPEAKER also laid before the House the bill (S. 153) to provide American registers for the steamers Foxhall and S. Oteri, of New Orleans, La.

Mr. MEYER. Mr. Speaker, I ask unanimous consent for the present consideration of this Senate bill.

The SPEAKER. The bill will be read, after which the Chair will ask if there be objection.

The bill was read, as follows:

*Be it enacted, etc.* That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built steamer Foxhall, of New Orleans, La., purchased and owned by Lawrence C. Fallon, an American citizen, and repaired by him, to be registered as a vessel of the United States.

SEC. 2. That the Secretary of the Treasury be, and hereby is, authorized and directed to authorize and direct the inspection of said steam vessel, steam boilers, steam pipes, and the appurtenances of said boilers, and cause to be granted the proper and usual certificates issued to steam vessels of the merchant marine, without reference to the fact that said steam boilers, steam pipes, and appurtenances were not constructed pursuant to the laws of the United States and were not constructed of iron stamped pursuant to said laws, and the test to be applied to the inspection of said boilers, steam pipes, and appurtenances will be the same in all respects as to strength and safety as are required in the inspection of boilers constructed in the United States for marine purposes, save the fact that said boilers, steam pipes, and appurtenances not being constructed pursuant to the requirements of the laws of the United States, and are of unstamped iron, shall not be an obstacle to the granting of the usual certificate if said boilers, steam pipes, and appurtenances are found to be of sufficient strength and safety.

Amend the title so as to read: "A bill to provide an American register for the steamer Foxhall, of New Orleans, La."

Mr. LOUD. Mr. Speaker, reserving the right to object I

be taken up in his absence, because I said sufficient to him to make him believe that it would not be.

Mr. HENDERSON of Iowa. I have no doubt he will be here to-night or to-morrow.

Mr. BRECKINRIDGE of Kentucky. And I notified the gentleman from Vermont [Mr. GROUT] this morning that the gentleman from South Carolina [Mr. HEMPHILL] thought he probably would take the whole day for the consideration of District business, and that I probably would not take up this bill this afternoon. It is now half past 3 o'clock, and I do not desire to lose the whole afternoon.

Mr. HENDERSON of Iowa. My friend from Kentucky knows that the gentleman who is to be the conferee is the one who has paid special attention to the details of the bill, and that is the situation in regard to the gentleman from Massachusetts [Mr. COGSWELL].

Mr. BRECKINRIDGE of Kentucky. If the gentleman from Massachusetts [Mr. COGSWELL] was here this afternoon I would not be willing to continue it any longer.

Mr. HEARD. You might let the bill be read.

Mr. BRECKINRIDGE of Kentucky. Can we agree upon this: That the first reading of the bill should be dispensed with, and that we go along with it under the five-minute rule with the understanding that whenever the gentleman from Massachusetts [Mr. COGSWELL] comes, if he has any amendments he desires to offer, he shall have the privilege of returning to that particular part of the bill and offer his amendments?

Mr. HENDERSON of Iowa. The gentleman from Vermont is not here, and is not aware that it is to be taken up, and I do not know but what each of these gentlemen may desire to make some observations by way of general debate on this bill. I would prefer that it should go over until to-morrow.

Mr. BRECKINRIDGE of Kentucky. I propose, then, Mr. Chairman, that the first reading of the bill should be dispensed with.

Mr. DINGLEY. There is no objection to that.

Mr. HENDERSON of Iowa. That is all right.

The CHAIRMAN. The gentleman from Kentucky asks that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. BRYAN. Mr. Chairman, I wish to ask the gentleman from Kentucky [Mr. BRECKINRIDGE] whether it is intended by this to antagonize the tariff bill to-morrow?

Mr. BRECKINRIDGE of Kentucky. I will say to the gentleman from Nebraska what I have already said to the gentleman from Indiana [Mr. SHIVELY] in charge of the tariff bill, that I am willing that that question shall be determined by the Speaker of the House. I stated to the gentleman that whatever the Speaker desired to have done about that matter I would conform to.

Mr. BRYAN. Mr. Chairman, I see that Mr. SHIVELY is present, and can speak for himself.

Mr. SHIVELY. Mr. Chairman, it was my purpose to call up the tariff bill to-morrow; and while I wish to accommodate the gentlemen of the Appropriations Committee, I can hardly see my way clear to yielding them the floor to-morrow. How much time does the gentleman from Kentucky expect to occupy with this appropriation bill?

Mr. HEARD. Every member of the House is interested in getting rid of these appropriation bills.

Mr. BRECKINRIDGE of Kentucky. Mr. Chairman, in answer to the inquiry of the gentleman from Indiana as to how much time will be required for the consideration of the fortification appropriation bill, I will say that I see no reason why it should not be considered and disposed of in two or three hours. It is a short bill; there is nothing in it that requires any extended discussion. So far as I am concerned in the management of the bill I shall do all that I can to prevent it from being made a text for general political discussions, and I do not anticipate that the gentlemen of the minority will desire to use it for that purpose, because in the preparation of the bill such considerations have been carefully excluded and there has been no indications of any such discussion in the subcommittee.

Mr. HENDERSON of Iowa. Mr. Chairman, I will simply say this. I was confined to my house when this bill was considered by the full committee, so it is the only appropriation bill that I have no knowledge of from the general discussions in the full committee, and for that reason I am the more anxious that the rule which has usually obtained at times when national conventions have been held shall prevail. There is usually a tacit understanding at such times that bills shall not be brought up in the absence of the gentlemen having special charge of them. I know that Gen. COGSWELL feels a great interest in this bill, and desires to be present when it is considered, and I certainly am not aware of any disposition on our side to bring into con-

sideration of this bill the discussion of any extraneous matters. I have had no intimation of any such purpose.

Mr. DINGLEY. I certainly have had no intimation of anything of the kind.

Mr. SHIVELY. How soon does the gentleman from Kentucky think he can get through with this bill?

Mr. BRECKINRIDGE of Kentucky. I think we ought to dispose of it by 2 o'clock to-morrow.

Mr. SHIVELY. Do I understand the gentlemen of the minority to say that the gentleman from Massachusetts [Mr. COGSWELL] will be here to-morrow?

Mr. HENDERSON of Iowa. I think he will be here to-morrow.

Mr. BRECKINRIDGE of Kentucky. I notified the gentleman from Vermont [Mr. GROUT], his colleague on the committee, that in any case I would insist upon taking up this bill to-morrow.

Mr. DINGLEY. As one member of the minority I will say that if the gentleman from Vermont [Mr. GROUT] is present to-morrow we will ask for no further delay in the consideration of this bill.

Mr. SHIVELY. Mr. Speaker, in view of the disposition manifested here to expedite the consideration of this appropriation bill so as to dispose of it in two or three hours, I will not object to the arrangement suggested.

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with. There was no objection, and it was so ordered.

Mr. BRECKINRIDGE of Kentucky. Mr. Chairman, I give notice that immediately after the reading of the Journal to-morrow I shall call for the regular order, so that there may be no delay in proceeding with the consideration of this bill. I now move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the Chair, Mr. MCCREARY, from the Committee of the Whole House on the state of the Union, reported that they had had under consideration a bill (H. R. 8533), the fortifications appropriation bill, and had come to no resolution thereon.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted, as follows: To Mr. BOATNER, for ten days, on account of important business.

To Mr. PEARSON, for three days, on account of important business.

To Mr. STORER, for ten days, on account of sickness.

To Mr. OATES, for Tuesday, the 14th instant.

To Mr. FITHIAN, for ten days, on account of important business.

#### CRUELTY TO CHILDREN AND ANIMALS IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL. Mr. Speaker, I call up the bill (S. 1714) to prevent cruelty to children or animals in the District of Columbia, and for other purposes.

The bill was read, as follows:

*Be it enacted, etc.*, That the police court of the District of Columbia shall have jurisdiction in all cases arising under the act of February 13, 1885, entitled "An act for the protection of children in the District of Columbia and for other purposes," subject to appeal to the supreme court of the District, according to the provisions of section 1 of chapter 536, 26 Statutes at Large, entitled "An act to define the jurisdiction of the police court of the District of Columbia;" and the same witness fees shall be allowed in the prosecution of all cases of cruelty to children or animals in the District of Columbia as are allowed in other cases by section 818 of the Revised Statutes of the United States; but no officer or member of the Humane Society shall be entitled to any fee as a witness in any such case.

SEC. 2. That the Commissioners of the District of Columbia are authorized, in their discretion, to detail from time to time one or more members of the metropolitan police force to aid the Washington Humane Society in the enforcement of laws relating to cruelty to animals as well as of the laws relating to cruelty to children.

SEC. 3. That section 12 of the act of August 23, 1871, entitled "An act for the prevention of cruelty to animals in the District of Columbia," is amended to read as follows: "That in this act the words 'animals' or 'animal' shall be held to include all living and sentient creatures (human beings excepted), and the words 'owner,' 'persons,' and 'whoever' shall be held to include corporations and incorporated companies as well as individuals."

SEC. 4. That a person being the owner or possessor or having charge or custody of a maimed, diseased, disabled, or infirm animal who abandons such animal, or leaves it to lie in the street, or road, or public place more than three hours after he receives notice that it is left disabled, is guilty of a misdemeanor punishable by a fine of not less than \$10 nor more than \$250, or by imprisonment in jail not more than one year, or both. Any agent or officer of the Washington Humane Society may lawfully destroy, or cause to be destroyed, any animal found abandoned and not properly cared for, appearing, in the judgment of two reputable citizens called by him to view the same in his presence, to be glandered, injured, or diseased past recovery for any useful purpose. When any person arrested is at the time of such arrest in charge of any animal or of any vehicle drawn by any animal or containing any animal, any agent of said society may take charge of such animal and such vehicle and its contents and deposit the same in a place of safe custody or deliver the same into the possession of the police authorities, who shall assume the custody thereof, and all necessary expenses incurred in taking charge of such property shall be a lien thereon.

SEC. 5. That whoever cuts the solid part of the tail of any horse in the operation known as docking, and whoever shall cause the same to be done or



assist in doing such cutting (unless the same is proved to be of benefit to the horse), shall, upon conviction thereof, be punished by imprisonment in the jail not exceeding one year or fine of not less than \$100 nor more than \$250.

Sec. 6. That any person who sets on foot, instigates, promotes, carries on, or does any act, as assistant, umpire, or principal, or attends or in any way engages in the furtherance any fight between cocks, fowls, or other birds, or dogs, bulls, bears, or other animals, premeditated by any persons owning or having custody of such birds or animals, is guilty of a misdemeanor, punishable by a fine of not more than \$50 or by imprisonment in jail not more than one year, or both.

The bill was ordered to a third reading: and was accordingly read the third time, and passed.

Mr. HEMPILL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. HEMPILL. Mr. Speaker, I have no further bills to present to the House to-day.

Mr. KILGORE. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is the call of committees under the second morning hour. The call rests with the Committee on Military Affairs.

Mr. McRAE. The Committee on Public Lands was passed without prejudice, and I ask that that committee be now called.

#### INTERNATIONAL GEOLOGICAL CONGRESS.

Mr. RICHARDSON. I ask the gentleman from Arkansas to yield to me for a moment. I wish the House to concur in a Senate amendment in regard to a matter of printing which will not occupy more than a moment.

Mr. McRAE. I will yield if it does not take any time.

Mr. RICHARDSON. If it does I will withdraw it.

Mr. Speaker, a few days ago the House passed a concurrent resolution to print the proceedings of the International Geological Congress. That resolution went to the Senate, where it was amended so as to provide for 900 additional copies, 600 for the use of the House and 300 for the use of the Senate. I ask that the amendment of the Senate be concurred in.

There being no objection, the House proceeded to the consideration of the concurrent resolution to print proceedings of the International Geological Congress of 1892.

The amendments of the Senate were read as follows:

In line 4, after "thousand," insert "900."

In line 7, after "1891," insert "of which number 600 shall be for the use of the House of Representatives, and 300 for the Senate."

In line 8, strike out "that they" and insert "3,000 copies shall."

The amendments were concurred in.

#### ORDER OF BUSINESS.

The SPEAKER. The regular order is the call of the committees in what is known as the second morning hour. The call rests with the Committee on Military Affairs, but the gentleman from Arkansas [Mr. McRAE] asks that the Committee on Public Lands, which was passed without prejudice, be now called.

There was no objection.

#### REGISTERS AND RECEIVERS IN WASHINGTON.

Mr. McRAE. I call up the bill (H. R. 493) to amend section 2238 of the Revised Statutes of the United States, relating to fees of registers and receivers.

The bill was read, as follows:

*Be it enacted, etc.*, That paragraph 12 of section 2238 of the Revised Statutes of the United States be, and the same is hereby, amended by striking out the word "Washington."

Mr. McRAE. Mr. Speaker, I scarcely need say anything in reference to this measure. It provides for a reduction of the fees at the land offices in the State of Washington. The land officers there are now entitled to double fees; this bill seeks to reduce the fees to the same standard as in other States.

Mr. TAYLOR of Illinois. If there is a report I would like to hear it read.

The SPEAKER. It can be read in the time of the gentleman from Illinois.

The report (by Mr. CLARK of Wyoming) was read, as follows:

The Committee on the Public Lands, having had under consideration the bill (H. R. 493) to amend the laws relating to the fees of registers and receivers, report as follows:

Under the twelfth paragraph of section 2238 of the Revised Statutes of the United States it is provided that in land offices in certain Territories, including the present State of Washington, the fees of registers and receivers shall be 50 per cent higher than the general schedule. At the time of the enactment of said section making this distinction there was a necessity for the higher rate in the localities named, but the business of these offices in the State of Washington has so largely increased that this necessity no longer exists, and your committee recommend the passage of this bill, which simply strikes out the word "Washington."

The bill was ordered to a third reading, read the third time, and passed.

On motion of Mr. McRAE, a motion to reconsider the last vote was laid on the table.

#### PUBLIC RESERVATION, HOT SPRINGS, ARK.

Mr. McRAE. I call up the bill (S. 2597) to include lot No. 53, in block 89, at Hot Springs, Ark., in the public reservation at that place.

The bill was read, as follows:

*Be it enacted, etc.*, That lot No. 53, in block 89, of the town of Hot Springs, in the State of Arkansas, as surveyed and laid out according to an act of Congress approved March 3, 1877, under the direction and supervision of the Hot Springs commission, be, and the same is hereby, reserved from sale, and the same is hereby declared to be a part of the permanent public reservation at Hot Springs, and that it shall be subject to the same laws, rules, and regulations that apply to said permanent reservation as now defined.

Mr. PAYNE. I ask for the reading of the report.

The report (by Mr. McRAE) was read, as follows:

The Committee on the Public Lands, to whom was referred the bill (S. 2597) to include lot No. 53, in block 89, at Hot Springs, Ark., in the public reservation at that place, have had the same under consideration, and report the same back with the recommendation that it pass, and that bill H. R. 7314 be laid on the table.

Mr. PAYNE. That report scarcely gives the information we desire. Perhaps the chairman of the committee [Mr. McRAE] will give us some explanation on this subject.

Mr. McRAE. My colleague, Mr. TERRY, will explain the matter.

Mr. TERRY. Mr. Speaker, this bill was introduced in the Senate by one of the Senators from Arkansas. Its object is that a certain lot be included in the permanent reservation at Hot Springs, instead of being left subject to sale. The lot being situated on the side of the mountain, and rather inaccessible for building purposes, it is supposed it would be of more value to the public reservation than it could possibly be for purposes of sale. It will bring almost nothing if sold as compared with its value to the permanent reservation.

Mr. PAYNE. Does it adjoin the public reservation?

Mr. TERRY. It does, as I understand.

The bill was ordered to a third reading, read the third time, and passed.

On motion of Mr. McRAE, a motion to reconsider the last vote was laid on the table.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the bill (S. 317) granting an increase of pension to John M. Roberts; in which concurrence of the House was requested.

#### ENTRIES OF BUILDING-STONE LANDS.

Mr. McRAE. I call up the bill (S. 1273) to authorize the entry of lands chiefly valuable for building stone under the placer mining laws.

The bill was read, as follows:

*Be it enacted, etc.*, That any person authorized to enter lands under the mining laws of the United States may enter lands that are chiefly valuable for building stone under the provisions of the law in relation to placer mineral claims. *Provided*, That lands reserved for the benefit of the public schools or donated to any State shall not be subject to entry under this act; *Provided further*, That this act shall not be construed to repeal or in any way modify or affect the act of June 3, 1878, in relation to the sale of timber and stone lands in the States of California, Nevada, Oregon, and Washington.

The amendments reported by the committee were read, as follows:

At the end of the bill strike out the following: "*Provided further*, That this act shall not be construed to repeal or in any way modify or affect the act of June 3, 1878, in relation to the sale of timber and stone lands in the States of California, Nevada, Oregon, and Washington."

Add the following as new sections:

Sec. 2. That an act entitled "An act for the sale of timber lands in the States of California, Oregon, Nevada, and Washington Territory," approved June 3, 1878, be, and the same is hereby, amended by striking out the words "States of California, Oregon, Nevada, and Washington Territory," where the same occur in the second and third lines of said act, and insert in lieu thereof the words "public-land States," the purpose of this act being to make said act of June 3, 1878, applicable to all the public-land States.

Sec. 3. That nothing in this act shall be construed to repeal section 24 of the act entitled "An act to repeal timber-culture laws, and for other purposes," approved March 3, 1881.

The amendments were agreed to.

The bill as amended was ordered to a third reading, read the third time, and passed.

On motion of Mr. McRAE, a motion to reconsider the last vote was laid on the table.

Mr. McRAE. Would it be in order, Mr. Speaker, at this time to ask a conference with the Senate on that bill?

The SPEAKER. It would not, except by unanimous consent. There is no disagreement as yet between the two Houses.

Mr. McRAE. I ask that the bill H. R. 6656, which is on the same subject, may be ordered to lie on the table.

The SPEAKER. That order will be made in the absence of objection.

#### SETTLEMENT RIGHTS ON AGRICULTURAL LANDS.

Mr. McRAE. I call up the bill (H. R. 7028) to protect settle-



bill, is in harmony with the natural laws and institutions which surround and should govern us. I happen to be one of those peculiar individuals who believe in the everlasting efficacy of the laws of nature. I believe the nearer we approach to and obey those laws, whether in our capacity as individuals or in our collective capacity as a nation, the nearer we will be right.

Why do I say this? Simply because I know that nature has made fewer mistakes than men. Nature has committed fewer blunders than political parties, and when it comes to a contest between a well-ascertained law of nature and a resolution in a political platform, I unhesitatingly endorse the one and condemn the other. [Applause.]

Now, let us pursue this line of argument one or two steps further. Look at this world in which we are living with its vast oceans and continents, not separated by impassable barriers, but each united with all the others.

Behold your valleys and rivers, your forests and plains, your mountains stored full of a thousand useful minerals, with a capacity of the soil to produce in endless variety and wonderful profusion all the grasses and fibers, fruits, and grains essential to man's well-being, with climatic conditions admirably suited to every locality. These things indicate to me, nay, not merely indicate, but overwhelmingly prove, that this earth upon which we live is not an accident, but has been prepared especially for man's habitation. We find that man has been endowed not only with the social instincts and moral perceptions which enable him to utilize and enjoy the companionship of his fellows, but in addition to these primary qualities he has been further equipped with the mental capacity to analyze and determine the various conditions which constitute his environment.

This being undeniably true, I hold it to be man's supreme duty to always work in harmony with and never in antagonism to those natural laws by virtue of which our existence as social beings is rendered possible and enjoyable. Let me pursue this line of thought one more step. During the geological eras—that is, during the periods of the world's natural history, when order was being evolved out of chaos, when the oceans and continents were separated and each assigned to its permanent resting place, when the soils were being ground up and deposited, when climatic conditions were being fixed, in short, when this earth was generally taking on its present shape, we find that all countries were not made alike. No particular country or section was so arranged as to be able to become entirely independent of every other.

Without intending to be the least irreverent, I want to say that when this earth was created the creator thereof did not have the Republican platform to guide him or he would have made it altogether different. [Applause.] He should so have arranged it (with the guidance of the platform) that every country, whether large or small, could be perfectly independent, self-sustaining, and thus would we all have become rich. But we find the world modeled upon a different plan. A dependency one upon the other, and an interdependency existing among all, is the plan that was adopted. We find, for instance, that countries like the greater part of Russia, a large part of Canada, Minnesota, Wisconsin, and the Dakotas have received a soil and a climate admirably suited for the raising of wheat, and a large surplus of this valuable cereal is the result of these natural conditions.

When we go south of this wheat belt into Kansas, Iowa, Illinois, Missouri, we find the soil and climate exactly suited to the raising of those grasses and grains which enable us to make cheap meat. A surplus of meat products is here the result of natural conditions. But while we have meat in abundance and to the north of us they have wheat in superabundance, neither locality is able to raise a pound of cotton, except under highly artificial conditions, which from an economic standpoint would be out of the question. To the south of us, however, the people are enabled, primarily because of soil and climate, to raise a large part of the world's supply of cotton.

Still further south the people, because of natural conditions, are enabled to raise rice, sugar cane, and all the semitropical fruits. Then when we leave the confines of our own country and look across thousands of miles of an expanse of ocean into the Flowery Kingdom, we find that the people of China, because of natural conditions, are enabled to enrich the world's commerce with their tea and silks and other remarkable productions.

When you go to Brazil the same holds true of coffee, while still other parts of the earth yield up to the world's commerce their spices, their fruits, their oils, their woods, and their drugs, which can grow and mature only under the fierce rays of a tropical sun. Now, when you have thus looked around about you and have taken a hasty and a very incomplete inventory of all these natural blessings, and when you discern in the physical configuration of the globe how the oceans and the rivers are so arranged as to permit an easy exchange of all these various products and

commodities, these natural blessings, between different and distant countries; then when, last of all, you take into consideration man's appetites, their wants and their necessities, wherever they may be located, whether south or north, or in intermediate regions—when you have done all that, then let me tell you that for the philosophical mind, for the mind that is free from party prejudice, for the mind that is determined to seek after the truth and willing to embrace it when discovered—for such a mind there is but one conclusion to reach, and that is that when God Almighty created this earth he created it in such a way and fashioned it in such a shape, and he made man's conditions such as not only to permit but actually to compel men and nations to trade with one another. [Applause.]

Why, when you look round about you and behold how everything has been arranged upon so magnificent a scale, how admirably all these conditions have been adjusted—to say nothing at all of revealed religion, with which I am not dealing—these things to which I have called attention are enough to fill every mind with unqualified admiration for the Creator, to fill every heart with thankfulness and praise, and to overwhelm every soul with all the sentiments of an eternal love and a never-dying gratitude. [Applause.] Now, I believe that civilized man the world over has now reached that point in the development of a superior civilization when the commercial policy of every country should be adjusted in harmony with and not in antagonism to the natural law. [Applause.] A law which, if obeyed, will make of every ocean an open public highway, and of every river an unobstructed thoroughfare, and eventually link together in a common bond all the nations of the earth and in an indestructible brotherhood all the races of men.

But the commercial policy fastened upon our country by the Republican party makes fierce war upon all these noble ideas and lofty principles, it seeks to tear down all these natural conditions and institutions, and to ignore all these natural laws, and to set up in their place a creed and a code pitifully narrow and contemptibly selfish [applause], a code and a creed which carried to its logical conclusion would build around about us a wall through which no man could go and over which no being could leap.

The clock admonishes me that my time has long since been exhausted, and were I not encouraged by the excellent attention with which I am honored I should certainly stop. [Cries of "Go on!" "Go on!"] When you and I as Democrats advocate a free trade, a freer commerce, are we advocating that which in principle is wrong and in effect injurious? What is commerce? Is it not true that it has always been in all ages of the world's history the most powerful of all our civilizing agencies? Has it not been the most conspicuous factor in the transformation of barbarian hordes into civilized communities and states?

Commerce has always been the forerunner and must forever continue to be the handmaid of Christianity. Commerce will penetrate and dispel the darkness of heathen lands, and diffuse in its stead the exhilarating sunshine of peace, progress, and prosperity. Commerce will distribute the surplus, the superabundance of our country among the needy, the destitute of other lands, thus avoiding want and preventing famine. Commerce will pick up the waste materials, the refuse products of sections that are highly favored, transform these into articles of value and wealth by transporting them to other sections which are less favored. Between men of distant climes and widely separated regions commerce equalizes the bounty and blessings of nature, tears down man's prejudice, builds up his manhood, teaches him that every other man is his brother, thus emphasizing that eternal truth that God hath made of one blood all the nations. [Applause.] Is there a man among you all who would cast a vote or raise his voice against a blessing so gloriously rich, against a beneficence so nearly universal?

Think of it! Commerce ascending and descending every river, traversing every valley and plain, reaching to the very heart of every desert, braving the storms, riding the mad waves and plowing the deep waters of every ocean, among the simooms of the far south, amidst the waterspouts of the equator, even upon the perpetual ice fields in the far, far north, upon all the water, upon every land, this never-tiring, ever-busy agent is at work furnishing your necessities, supplying your wants, augmenting your knowledge, and increasing your wealth. [Applause.] Remember that the expansion, the extension of commerce and man's civilization have always gone hand in hand.

If you promote the one, you encourage the other. If you injure the one, you necessarily retard the other. Annihilate commerce, and let me tell you, the clock of time would reverse its life; your decay and degeneration would be marked more rapidly than was ever your growth and your progress. We should always remember that from his primeval condition of barbarism to his present state of civilization man has advanced with slow and hesitating steps. He long abused his faculties by mistrusting his neigh-

bers and having his brethren who happened to inhabit a foreign land. Thus man succeeded throughout ages in maintaining his isolation, his exclusiveness, and also his feebleness.

Man has grown strong and capable just in the proportion that he has torn down and leaped over his primitive environments, and nothing in all this wide world has been of such valuable service to man in these his transitory stages from barbarism to civilized life as commercial intercourse with his fellow-man and brother. [Applause.] When, then, you, my Democratic friends, cast your votes for a freer commerce, for freer trade, you have the satisfaction of knowing that you are working in harmony with nature's laws; and I am happy to be able to state in conclusion that your action upon this question is also in harmony with the spirit of the times. [Prolonged applause on the Democratic side.]

Mr. SHIVELY. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BLOUNT, chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill H. R. 8033, and had come to no resolution thereon.

#### ORDER OF BUSINESS.

Mr. McMILLIN. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. Pending that motion, the Chair will lay before the House some personal requests of members.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. CAUSEY, for ten days, on account of important business.

To Mr. TRACEY, for ten days, on account of important business.

To Mr. AMERMAN, indefinitely, on account of important business.

To Mr. RUSK, for ten days, on account of important business.

To Mr. COMPTON, for ten days, on account of important business.

To Mr. BACON, indefinitely, on account of important business.

To Mr. COWLES, indefinitely, on account of sickness.

To Mr. WIKE, for two weeks from Friday, June 17, 1892, on account of important business.

To Mr. PAGE of Rhode Island, for ten days from June 17, on account of important business.

To Mr. FELLOWS, for two weeks, on account of important business.

#### CHANGE OF REFERENCE.

Mr. FITCH. Mr. Speaker, I ask unanimous consent for a change of reference of the bill which I send to the Clerk's desk.

The Clerk read as follows:

A bill (S. 1594) for the relief of David Dealy and Moses Younklin.

The SPEAKER. The Committee on Private Land Claims asks to be discharged from the further consideration of this bill, and that it be referred to the Committee on Public Lands. Without objection that order will be made.

There was no objection.

#### REPORTS OF COMMITTEES.

The following reports of committees were handed in at the Clerk's desk, referred to their appropriate Calendars, and otherwise disposed of, as indicated below:

#### PATENTS FOR LANDS.

Mr. LYNCH, from the Committee on Indian Affairs, reported back, in the nature of a substitute for House bill 6076, the bill (S. 2049) authorizing the Secretary of the Interior to carry into effect certain recommendations of the Mission Indian Commission and to issue patents for certain lands; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

House bill 6076 was laid on the table.

#### ENCOURAGEMENT TO AMERICAN SHIPBUILDING.

Mr. FOWLER, from the Committee on Merchant Marine and Fisheries, reported back favorably the bill (H. R. 8818) to encourage American shipbuilding; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### DEDICATION OF STATUE TO THE MARQUIS DE LAFAYETTE.

Mr. CUMMINGS, from the Committee on the Library, reported back favorably the bill (H. R. 7721) to provide for the dedication of the statue to the Marquis de Lafayette; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### SPECIMENS OF ARMS, ETC., FOR GETTYSBURG BATTLEFIELD MEMORIAL ASSOCIATION.

Mr. NEWBERRY, from the Committee on Military Affairs, reported back favorably the bill (S. 898) to furnish the Gettysburg Memorial Association, at Gettysburg, Pa., with specimens of arms, accoutrements, etc., used by the armies in the battle of Gettysburg, for exhibition and preservation at the Gettysburg Museum; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### MILITARY POST AT FORT WAYNE, MICH.

Mr. NEWBERRY, also from the same committee, reported back favorably the bill (S. 985) to provide for the enlargement of the military post at Fort Wayne, Mich.; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### BRIDGE ACROSS THE ST. LAWRENCE RIVER.

Mr. GEARY, from the Committee on Interstate and Foreign Commerce, reported back favorably the bill (H. R. 9065) for the construction and maintenance of a bridge across the St. Lawrence River; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### EULOGIES ON HON. EPHRAIM K. WILSON.

Mr. PAGE of Maryland. Mr. Speaker, I ask that the order heretofore made setting apart the 18th instant as the day on which eulogies should be pronounced on the late Senator Wilson of Maryland be vacated and that the 25th be substituted therefor.

The SPEAKER. The gentleman from Maryland asks unanimous consent that the order heretofore made assigning the afternoon of the 18th instant for the purpose of delivering eulogies on the late Senator Wilson of Maryland, be postponed until the same hour on the 25th instant. Without objection that order will be made.

There was no objection.

The motion of Mr. McMILLIN was then agreed to; and accordingly (at 5 o'clock and 16 minutes p. m.) the House adjourned.

#### REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. STONE of Kentucky, from the Committee on War Claims:

A bill (H. R. 5512) for the relief of Sarah E. B. Smith. (Report No. 1647.)

A bill (S. 708) for the relief of the residuary legatees of Mark Davis, deceased. (Report No. 1636.)

By Mr. SCOTT, from the Committee on War Claims: A bill (H. R. 6618) for the relief of the owners and occupants of Camp Tyler, in Cook County, Ill. (Report No. 1637.)

By Mr. STONE of Kentucky, from the same committee: A bill (H. R. 9217) for the relief of James A. Cook. (Report No. 1638.)

By Mr. HENDERSON of North Carolina, from the Committee on Pensions: A bill (S. 1708) for the relief of Mrs. Sarah J. Waggoner. (Report No. 1639.)

By Mr. PAGE of Rhode Island, from the Committee on Claims: A bill (S. 130) for the relief of Maj. William M. Maynard, a paymaster in the United States Army. (Report No. 1640.)

By Mr. PAGE of Maryland, from the Committee on Naval Affairs: A bill (S. 204) in relation to the pay of Rear-Admiral James E. Jouett, retired. (Report No. 1641.)

By Mr. BUTLER, from the Committee on Invalid Pensions.

A bill (H. R. 2808) granting a pension to Sarah L. Pangborn, widow of Asa Tobias. (Report No. 1645.)

A bill (H. R. 2809) granting a pension to Electa Ann Stewart. (Report No. 1646.)

#### BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills of the following titles were introduced and severally referred as follows:

By Mr. DAVIS: A bill (H. R. 9221) to protect the lawful moneys of the United States against discriminations by contracts—to the Committee on the Judiciary.

By Mr. JOHNSON of Ohio: A bill (H. R. 9222) providing for the election of Representatives by proportional representation—to the Select Committee on Election of President and Vice-President and Representatives in Congress.

By Mr. CULBERSON: A bill (H. R. 9223) for the continuance of the publication of the Revised Statutes—to the Committee on Revision of the Laws.

Donovan, reported it with amendments and submitted a report thereon.

Mr. PADDOCK, from the Committee on Public Lands, to whom was referred the bill (S. 3098) to amend an act entitled "An act for the relief of W. H. Tibbits," approved August 8, 1888, submitted a favorable report.

Mr. HANSBROUGH from the Committee on the District of Columbia, submitted a report to accompany the bill (S. 2845) regulating the sale of distilled and fermented liquors in the District of Columbia, heretofore reported by him.

Mr. STOCKBRIDGE, from the Committee on Fisheries, to whom was referred the amendment submitted by Mr. MORRILL on the 7th instant, intended to be proposed to the sundry civil appropriation bill concerning the fish cultural station in Vermont, reported it favorably and moved its reference to the Committee on Appropriations; which was agreed to.

Mr. SAWYER from the Committee on Post-Offices and Post-Roads, to whom was referred an amendment submitted by Mr. CAREY June 15, to the sundry civil appropriation bill, reported it without amendment and submitted a report thereon; and moved its reference to the Committee on Appropriations and that it be printed; which was agreed to.

#### OHIO RIVER BRIDGE.

Mr. WASHBURN. From the Committee on Commerce I report back the bill (H. R. 8861) for the relief of the Kentucky and Indiana Bridge Company, and I ask unanimous consent that the Senate consider it at the present time. I will state that a bill precisely the same was reported from the committee by the Senator from Missouri [Mr. VEST], and I now desire to substitute this bill for the one first reported.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the House bill?

Mr. COCKRELL. Does the Senator say that there is a Senate bill like it?

Mr. WASHBURN. It is identical.

Mr. COCKRELL. What is its number on the Calendar?

The PRESIDENT *pro tempore*. No. 806.

Mr. HARRIS. Let the bill be read for information.

The Secretary read House bill 8861, as follows:

*Be it enacted, etc.*, That the Kentucky and Indiana Bridge Company, a corporation created by and existing under the laws of the Commonwealth of Kentucky, be, and it hereby is, authorized to occupy and acquire title to so much of the land of the Louisville and Portland Canal, the property of the United States, as is now occupied by the south abutment of the said Kentucky and Indiana bridge and the contiguous trestles in the approach thereto, on the payment to the United States by the said bridge company of the fair value of such specified tract, to be determined by a agreement between the said Kentucky and Indiana Bridge Company and the Secretary of War.

The PRESIDENT *pro tempore*. Is there objection to the consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT *pro tempore*. The bill (S. 3225) for the relief of the Kentucky and Indiana Bridge Company will be indefinitely postponed, if there be no objection. It is indefinitely postponed.

#### BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 3276) granting a pension to Mrs. Zipporah Eells Gooch; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3277) granting a pension to Rebecca E. Kutz; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 3278) granting a pension to Peter Dalot; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. STOCKBRIDGE introduced a bill (S. 3279) for the relief of R. Connable & Sons; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. HANSBROUGH introduced a bill (S. 3281) to amend section 7 of "An act to repeal timber-culture laws, and for other purposes," approved March 3, 1891; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. WASHBURN (by request) introduced a bill (S. 3282) to authorize the construction of a bridge over the St. Louis River between the States of Wisconsin and Minnesota; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PERKINS introduced a bill (S. 3283) providing that no electric-light or telephone company shall maintain overhead wires in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. GEORGE introduced a bill (S. 3284) for the relief of the

heirs of Abel Walker, deceased; which was read twice by its title, and referred to the Committee on Claims.

#### SALMON FISHERIES OF ALASKA.

Mr. PLATT introduced a bill (S. 3280) to provide for the enforcement of the provisions of the act of Congress for the protection of the salmon fisheries of Alaska, approved March 2, 1889; which was read twice by its title.

Mr. PLATT. I present a communication from the Commissioner of Fish and Fisheries, which I move be referred, with the bill, to the Committee on Fisheries.

The motion was agreed to.

Mr. PLATT. I should like at this time and in this connection to submit an amendment to be referred to the Committee on Fisheries, and I should like to say a few words in relation to the proposed amendment.

It is an amendment to the sundry civil appropriation bill proposing to appoint a special agent of the Treasury Department with power to enforce the present laws relating to the protection of the salmon fisheries of Alaska, and appropriating \$8,000 for that purpose. I ask that it be referred to the Committee on Fisheries in order that they may report it favorably for reference to the Committee on Appropriations, and I desire to say one word with regard to the importance of this amendment.

The salmon fisheries of Alaska are very much more important than the seal fisheries of Alaska. The business last year produced about 700,000 cases of canned salmon, about 32,000,000 pounds, of a value of between \$3,000,000 and \$3,500,000 of the product. There is actually nothing being done to preserve the salmon fisheries of Alaska, and in five years' time they will be practically destroyed. The salmon requires about four years after it is hatched to grow sufficiently to return to the stream where it is hatched. As they return, every salmon that returns to the stream is now being caught out.

Mr. COCKRELL. Do the smaller and younger ones return with the older ones?

Mr. PLATT. The salmon does not return to the stream to spawn until four or five years.

Mr. COCKRELL. But when it does return do the younger ones go with it?

Mr. PLATT. No; but those that are old enough to spawn return to the streams, and they are the ones that are caught for canning purposes. Barriades and dams have been erected on the streams, so that it is utterly impossible for the salmon to reach the headwaters of the stream where it is necessary for them to deposit their spawn. I think it safe to say that in five years' time, as the business is now conducted, there will not be salmon enough left in Alaska to make the business at all profitable. In other words, it will be practically destroyed.

While the Government is expending any amount of money to protect the seal fisheries, it does nothing to protect the salmon fisheries. There is a law for the prevention of barriades and the punishment of persons who erect barriades, and the collector of the port of Sitka has had instructions to enforce these laws, but there is no appropriation for it. I ask in this amendment that a special Treasury agent may be appointed with enough to pay his per diem and his expenses to enforce what laws we have.

I shall in due time, I hope, propose some additional law for the regulation and protection and preservation of the salmon fisheries of Alaska.

Mr. DOLPH. I desire to supplement what was said by the Senator from Connecticut with a single word. It is true that the salmon fisheries of Alaska are more valuable than the seal fisheries, and they are in imminent danger of being destroyed. I saw last year with my own eyes dams built across and nets stretched across the small inlets and fresh-water streams up which the salmon were accustomed to go, which entirely prevented them from reaching their spawning ground; and I saw thousands upon thousands of salmon that had been taken by nets and other appliances and were not canned, but thrown back, dead, floating upon the waters of the various inlets in Alaska. It is very important that something should be done to protect the salmon.

Mr. ALLEN. The Senator from Connecticut has not overstated the seriousness of this matter. Anyone who has observed the destructive system of salmon fishing in the last few years along the Columbia River knows that that valuable fish is destined to early extinction unless something is done to prevent the wanton waste and destruction that characterize the present system of fishing. Already on the tributary streams of the Columbia River where salmon were abundant years ago they have almost disappeared. Even with such police regulations as the States have been able to enforce thus far, a very serious destruction is going on with the salmon fisheries there. If the same wanton course is pursued in Alaska, which I am convinced is the case and in a much more aggravated degree, it will soon

be too late to afford relief. It seems to me that action can not be taken any too soon on this important matter.

The PRESIDENT *pro tempore*. The proposed amendment will be printed, and referred to the Committee on Fisheries.

Mr. STOCKBRIDGE, from the Committee on Fisheries, subsequently reported the amendment favorably, and it was referred to the Committee on Appropriations, and ordered to be printed.

#### AMENDMENTS TO BILLS.

Mr. MANDERSON submitted an amendment intended to be proposed by him to the sundry civil appropriation bill: which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. MITCHELL submitted an amendment intended to be proposed by him to the deficiency appropriation bill: which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. McMILLAN submitted an amendment intended to be proposed by him to the sundry civil appropriation bill: which was referred to the Committee on the District of Columbia, and ordered to be printed.

#### WITHDRAWAL OF PAPERS.

Mr. HUNTON. I ask for the adoption of the following order: *ordered*, That Mrs. Kate L. Roy have leave to withdraw her papers from the files of the Senate.

The PRESIDENT *pro tempore*. The order will be granted, if there be no objection.

Mr. HARRIS. Subject to the condition imposed by the rule. The PRESIDENT *pro tempore*. Subject to the rule.

#### GEORGE W. WHITE.

Mr. PEPPER. Would it be in order to call up a bill on the Calendar?

The PRESIDENT *pro tempore*. It would be, subject to the unanimous consent of the Senate.

Mr. PEPPER. I ask unanimous consent to call up a bill which I am satisfied will elicit no discussion and can be passed very readily. It is the bill (H. R. 3767) granting an increase of pension to George W. White.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. COCKRELL. Let it be read for information.

The PRESIDENT *pro tempore*. The bill will be read at length.

The Secretary read the bill; and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of George W. White, late a member of Company B, Gray's battalion, Arkansas Volunteers, in the Mexican war, and to pay him a pension at the rate of \$20 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### LEAVE OF ABSENCE.

The PRESIDENT *pro tempore*. If there is no further morning business the Calendar under Rule VIII is in order.

Mr. MORRILL. Mr. President, I am compelled to ask of the Senate an indefinite leave of absence after Tuesday next.

The PRESIDENT *pro tempore*. The Senator from Vermont asks leave of absence from the Senate indefinitely after Tuesday of next week. Is there objection to the request? The Chair hears none, and it is granted.

#### FREE COINAGE.

Mr. MORRILL. I suppose that the bill of the Senator from Nevada [Mr. STEWART] is under consideration.

The PRESIDENT *pro tempore*. The bill will be laid before the Senate.

The SECRETARY. A bill (S. 51) to provide for the free coinage of gold and silver bullion, and for other purposes.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Illinois [Mr. PALMER], to strike out all of the bill after the first section.

Mr. MORRILL. Mr. President, we have had some examples of the repetition of speeches in the silver debate during the present session with little recognizable difference of argument or language; and therefore, not assuming that the subject was wholly exhausted by any previous remarks of mine, and that they only need to be repeated a little louder, I shall not dull the ears of the Senate with loudness, and with as little as possible of what Shakespeare called "damnable iteration."

The free-coinage resolution which opened this debate was evidently pushed by the distinguished Senator from Alabama with some comic hopefulness that the Senatorial Democratic candidates for the Presidency would remain in the Senate to have

their votes counted, and not seek by flight outside into the boom-proof smoking room to escape from all harm. But the skilled marksman from Alabama must have been sadly disappointed, as I was, that he did not wing a single Presidential bird, and he was apparently not unwilling that the brave Senator from Nevada, "nothing loath," should jump on board of the rudderless free-coinage craft as the pilot to steer it on its perilous voyage. Surely no pilot from any Northern State east of the Mississippi could be found with a greater contempt of danger.

The accidental absence of Republican Senators and the failure of prominent Democratic members to respond at the roll call brought the question before us, but no friend of sound money on a real and just basis for the actual use of both gold and silver need be apprehensive about the most extended discussion nor about the final result.

Evidently the free-coinage prescription that has been prepared in Nevada for our monetary ills appears to be—

Take the hair, it is well written  
Of the dog by which you're bitten.

It will be seen that it is proposed to cure the plague of a great redundancy of American silver on the homoeopathic theory of *similia similibus curantur*, not, however, by the orthodox diluted infinitesimal dose, but by a larger heroic dose, to include not only all of our own silver product, but also that of the world at large. When I am told by men, sane upon all other subjects, that the United States alone could safely assume, notwithstanding its present impaired digestive organs, the risk of unlimited silver coinage of the bullion of all mankind, I am forced to admit, as much as I am wont to admire glittering Fourth-of-July jaunty jingoism, that I believe the United States would suffer an inglorious surfeit, and it would turn out that we had been only used, like the cat in the fable, to pull the chestnuts out of the fire merely to save the paws of monkeys abroad from being burned, while depreciated silver here would still be depreciated silver.

It has been heretofore supposed that there was one point upon which all Senators were agreed, and that was as to the expediency and necessity of "an international bimetallic agreement." I confess that was and is my strongest hope of deliverance from monometallism. A joint resolution was introduced by the learned Senator from Colorado [Mr. TELLER] early in January last, and after reference to the Finance Committee, was promptly and unanimously reported with satisfactory amendment. The disclosure recently made in the Senate by the conspicuous leader of free-silver coinage from Nevada is, that an "international bimetallic agreement" is no longer to be sought after, or even tolerated, but to be dismissed with contempt. Even the author of the joint resolution can no longer be reckoned among its supporters. The rabbi of the recent prosilver convention, which assembled here to boom free coinage and dictate what should and what should not be done, issued their edict against any international attempt at an agreement, as well as against any change of the present ratio, by which silver should be maintained on a parity with gold. They do not want it. If any proof were wanting before, this inclusively shows that the design is to thrust upon our country at once, if possible, the silver standard of all legal-tender money.

There never has been a time more auspicious for the solution of the silver problem than the present. All the leading European nations have accepted our invitation for an international monetary conference. With a President beyond all question earnestly in favor of bimetalism, we have an ample guaranty that persons would be selected on our part to conduct the international agreement with efficiency and with fidelity to every interest of the country. India, the most populous and profitable outlying possession of Great Britain, with its extensive industrial interests, disastrously handicapped by the free coinage of silver, sells its products without any augmentation of price for depreciated silver, and collects all of its revenue in silver, which has to be used at the rate of \$3 to pay \$2 of its enormous indebtedness to England. India is therefore now in precisely the same helpless and pitiful predicament in which the United States would be found whenever it attempts alone to relieve the universal depreciation of silver by free coinage—a job that no other enlightened nation could be induced to assume the risk. England, hitherto standing aloof from bimetalism, is now compelled to listen to the supplicants of India, and no longer withhold favor to all international agreements. Other nations of Europe will follow her example. For the first time in twenty years an agreement in favor of bimetalism no longer appears impossible.

And yet if free coinage of silver were to be established here precedent to any international agreement, there is not a single nation in Europe that would give the subject farther consideration. They would all gladly leave to us and to India the possession of the great white elephant.

When the partisans of free coinage of silver talk about bimetal-

of mails in rural districts—to the Committee on Post-Offices and Post-Roads.

A petition praying for legislation to prevent the adulteration of food and drugs—ordered to lie on the table.

Mr. FRYE presented petitions of 37 parents, teachers, and physicians of Houltin, Me.; of 53 parents, teachers, and physicians of Plymouth, Me.; of 31 parents, teachers, and physicians of Linneus, Me.; of 56 parents and teachers of Corinna, Me.; and of 48 parents, teachers, and physicians of Rockland, Me., praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which were referred to the Committee on Epidemic Diseases.

Mr. GALLINGER presented the petition of C. W. Knowles and 63 other citizens of Belmont, N. H., praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which was referred to the Committee on Epidemic Diseases.

He also presented the petition of W. H. Crawford and 22 other citizens of Jefferson, N. H., praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which was referred to the Committee on Epidemic Diseases.

Mr. HARRIS. Recognizing, as I do, the right of petition, I present the memorial of John Cowden upon the subject of the improvement of the Mississippi River. It is very brief. While I am not in sympathy with his method, I move that the memorial be printed as a document, and that it be referred to the Committee on Commerce.

The motion was agreed to.

Mr. HARRIS presented a petition of the United Presbyterian Church of Lincoln County, Tenn., praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. TELLER presented the memorial of J. L. Bond and 85 other citizens of Boulder, Colo., and the memorial of R. W. Farnsworth and 59 other members of the Seventh-Day Adventist Church of Boulder, Colo., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. VEST presented the memorial of Nancy I. Wilson and other citizens of Hunnewell, Mo., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Brown Tobacco Company of Montgomery City, Mo., praying for the repeal of the free-leaf section of the present tariff law; which was referred to the Committee on Finance.

He also presented the petition of Mrs. S. Knight and other citizens of Kansas City, Mo., praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which was referred to the Committee on Epidemic Diseases.

He also presented the petition of Steele & Walker, wholesale grocers, of St. Joseph, Mo., praying for the passage of the Torrey bankruptcy bill; which was referred to the Committee on the Judiciary.

He also presented a petition of the Trades and Labor Union of St. Louis, praying for the passage of House bill No. 319, exempting improvements on real estate in the District of Columbia from taxation; which was referred to the Committee on the District of Columbia.

He also presented a memorial of Farmers and Laborers' Union, No. 859, of St. Louis County, Mo., remonstrating against the passage of House bill No. 120 and Senate bill No. 2834, restricting the liberty of the press; which was ordered to lie on the table.

Mr. HANSBROUGH presented a petition of citizens of North Dakota, praying for the passage of legislation regulating speculation in fictitious farm products; which was referred to the Committee on the Judiciary.

Mr. MITCHELL presented a memorial of citizens of Beaverton, Oregon, remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PERKINS presented a petition of Cottonwood Division, No. 45, auxiliary to the Brotherhood of Locomotive Engineers, of Emporia, Kans., praying for the passage of legislation to protect the lives of railroad employees; which was referred to the Committee on Interstate Commerce.

Mr. CHANDLER presented the petition of D. W. Goodale,

Isaac Copp, Edward F. Bibber, and other citizens of Hillsboro, N. H., parents, teachers, and physicians, praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which was referred to the Committee on Epidemic Diseases.

Mr. COCKRELL. I present a stereotyped cigarette petition from citizens of St. Louis, Mo. I move that it be referred to the Committee on Epidemic Diseases.

The motion was agreed to.

Mr. MANDERSON presented the memorial of John N. Bruer and sundry other citizens of Nebraska, and the memorial of N. P. Moore and sundry other citizens of Fremont, Neb., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of Printing Pressmen's Union, No. 6, of St. Louis, Mo., praying for the passage of House bill 7005, creating the office of foreman of presswork in the Government Printing Office; which was referred to the Committee on Printing.

Mr. BUTLER presented a petition of the Chamber of Commerce of Charleston, S. C., praying that an appropriation be made for a grand review of the navies of the world in New York Harbor, to celebrate the four hundredth anniversary of the discovery of America by Christopher Columbus; which was referred to the Committee on Appropriations.

Mr. PETTIGREW presented a petition of the Young People's Society of Christian Endeavor of Huron, S. Dak., praying that the World's Columbian Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of members of the Methodist Episcopal Church of Iroquois, S. Dak., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. GEORGE presented a petition of citizens of Jackson County, Miss., praying for the adoption of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

Mr. QUAY presented petitions of 20 citizens of Butler, of 31 citizens of Corydon, of 21 citizens of Genesee and Litzitz, of 51 citizens of Butler, of 58 citizens of Allegheny, of 21 citizens of Duke Center, and of 19 citizens of Prospect, all in the State of Pennsylvania, praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which were referred to the Committee on Epidemic Diseases.

He also presented the memorial of L. S. Chrispell and 3 other members of the Seventh-Day Adventist Church of Rome, Pa., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented petitions of members of the Christian and Presbyterian Churches of Bellefonte, Pa.; a petition of the United Presbyterian congregations of Camp Run and Wertensburg, Pa.; a petition of the United Presbyterian Church of Erie, Pa.; and a petition of the Woman's Missionary Union, auxiliary to the Southern Baptists' Convention of Baltimore, Md., praying that the World's Columbian Exposition be closed on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 22 citizens of Fallen Timber, Pa., praying for the adoption of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

He also presented a petition of the Epworth League of the Methodist Episcopal Church of Allegheny, Pa.; a petition of the Methodist Episcopal and Presbyterian Churches of Edinboro, Pa.; petitions of the National Woman's Christian Temperance Union of Pennsylvania, and petitions of the Methodist Episcopal Church of Pennsylvania, praying that no exposition or exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of Washington Camp No. 436, Patriotic Order Sons of America, of Allen Mills, Pa., and a petition of Armstrong County (Pa.) Pomona Grange, No. 11, Patrons



of Husbandry, praying for the free delivery of mails in rural districts; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Mount Washington, Factoryville, and Reading Baptist Churches of Pennsylvania; petitions of Pikeland, Harrisburg, Marklesburg, Upper Strasburg, Hanover, Armsburg, and Armstrong Evangelical Lutheran Churches of Pennsylvania; petitions of Overton, Latrobe, and Restown Reformed Churches of Pennsylvania; petitions of the McKeesport, Prospect, Knoxville, Middlesex, Little Redstone, Slate Ridge, Frankford, West Liberty, Berwick, and Washington Presbyterian Churches of Pennsylvania; a petition of the Presbytery of Westminster, Pa.; a petition of the Presbyterian Society of Mars, Pa.; a petition of citizens of Mount Pleasant, Pa.; a petition of the Young People's Society of Taylorstown, Pa.; a petition of 225 citizens of Butler and Armstrong Counties, Pa.; and a petition of the Ministers' Congregational State Association of Pennsylvania, praying that the World's Columbian Exposition be closed on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of the R. & W. Jenkinson Company, of Pittsburg, Pa., and the petition of Weyman & Brother, of Pennsylvania, praying for the repeal of the "free-leaf" sections of the tariff law relative to the sale of leaf tobacco; which were referred to the Committee on Finance.

He also presented a petition of Cold Harbor Post, No. 132, Grand Army of the Republic of California, praying for the passage of a bill to provide for properly marking the battle lines at Gettysburg, Pa.; which was ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. ALLEN, from the Committee on Claims, to whom was re-committed the bill (S. 1426) for the relief of Dabney, Simmons & Co., reported it without amendment, and submitted a report thereon.

Mr. ALLEN subsequently said: In the matter of the bill (S. 1426) for the relief of Dabney, Simmons & Co., the Committee on Claims were laboring under the impression that that bill had been re-committed to the committee. I find that that was a misapprehension. I therefore ask unanimous consent of the Senate that the bill be re-committed to that committee, and that any other action taken in regard to the bill to-day may be expunged.

The PRESIDENT *pro tempore*. The Chair is informed that no action has been taken upon the bill to-day. It is upon the Calendar, with the adverse report of the committee.

Mr. ALLEN. The adverse report was vacated, and the impression on the part of the committee was that an order of re-committal had been made. I ask that the order of re-committal be now made, which the committee supposed had been done.

The PRESIDENT *pro tempore*. This is the condition as the Chair understands it: The bill was adversely reported by the Committee on Claims and placed upon the Calendar with the adverse report. The Committee on Claims, acting under the impression that the bill had been re-committed to the committee, this morning reported the bill back favorably, and the committee now asks that there be an order *non pro tempore* for the re-committal of the bill to the committee.

Mr. ALLEN. That is correct.

The PRESIDENT *pro tempore*. That order will be made, if there be no objection. The Chair hears none, and it is so ordered.

Mr. PUGH, from the Committee on the Judiciary, to whom was referred the bill (H. R. 6023) for the relief of Elizabeth T. Boyd and Joel S. Hankins, of Alabama, reported it without amendment, and submitted a report thereon.

Mr. MANDERSON, from the Committee on Printing, reported an amendment intended to be proposed to the sundry civil appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. GALLINGER, from the Committee on the District of Columbia, who were directed by resolution of May 4, 1892, to make careful inquiry into the complaint that the Washington High School is unable to prepare pupils to enter Harvard College and to report the results to the Senate, submitted a report thereon; which was ordered to be printed.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 5726) to authorize the Lake Charles Road and Bridge Company, of Lake Charles, La., to construct and maintain bridges across English Bayou and Calcasieu River, reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. 5941) to build a bridge across the Tennessee River between a point in Whitesburg precinct, in Madison County and Morgan County, in the State of Alabama, reported it with amendments.

He also, from the same committee, to whom was referred the

bill (S. 3295) to authorize the building of permanent bridges with fixed spans across the Harlem River, New York, reported adversely thereon, and the bill was postponed indefinitely.

Mr. VEST. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 9563) to amend an act entitled "An act to authorize the Oregon and Washington Bridge Company to construct and maintain a bridge across the Columbia River, between the State of Oregon and the State of Washington, and to establish it as a post-road," to report it without amendment.

I call the attention of the Senators from Oregon to the fact that this measure is identical with the Senate bill already passed, and the other House instead of passing our bill sent this bill here.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. McMILLAN, from the Committee on Post-Offices and Post-Roads, reported an amendment intended to be proposed to the Post-Office appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also, from the Committee on Agriculture and Forestry, to whom was referred an amendment submitted by Mr. PADDOCK to the sundry civil appropriation bill concerning reindeer in Alaska, reported it favorably, and moved its reference to the Committee on Appropriations; which was agreed to.

Mr. SAWYER, from the Committee on Post-Offices and Post-Roads, reported an amendment intended to be proposed to the Post-Office appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### BILLS INTRODUCED.

Mr. WOLCOTT introduced a bill (S. 3285) granting a pension to Marion G. Dunn; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. HUNTON introduced a bill (S. 3286) for the construction of a memorial bridge from the Naval Observatory grounds to the Arlington estate; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HISCOCK introduced a bill (S. 3287) for the relief of Mary Klingmann; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3288) for the relief of Charles Edward Haynes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3289) for the relief of James Bigler; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 3290) for the relief of D. K. Ponder; which was read twice by its title, and referred to the Committee on Claims.

Mr. STOCKBRIDGE introduced a bill (S. 3291) for the relief of Fred B. Lee; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. QUAY introduced a bill (S. 3292) for the removal of the charge of desertion against John Scanlin, late a private of Company F, Eighty-eighth Regiment Pennsylvania Volunteers; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. SANDERS introduced a bill (S. 3293) limiting the jurisdiction of certain courts; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PEPPER introduced a bill (S. 3294) to authorize the construction of a dam across the Kansas River near Kansas City, in the State of Kansas; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PEPPER. By request of the Wage Workers' Political Alliance, of the District of Columbia, I introduce a bill for reference to the Committee on Post-Offices and Post-Roads.

The bill (S. 3295) to regulate postal affairs, and for other purposes, was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. PERKINS introduced a bill (S. 3296) for the relief of Henry Cozad; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3297) granting to the Interstate Water and Electric Power Company of Kansas the right to erect and maintain a dam or dams across the Kansas River within Wyandotte County, in the State of Kansas; which was read twice by its title, and referred to the Committee on Commerce.

Mr. QUAY. On behalf of my colleague [Mr. CAMERON], who is necessarily absent, I introduce a bill.

The bill (S. 3298) authorizing the sale of land in the vicinity of Fort Millin on the river Delaware was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MANDERSON introduced a bill (S. 3299) to amend sec-



The PRESIDENT *pro tempore*. The bill will be read as amended. The Secretary read as follows:

*Be it enacted, etc.* That in addition to the jurisdiction conferred upon the Court of Claims and the district and circuit courts of the United States by sections 1 and 2 of the act of Congress approved March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," the Court of Claims shall have jurisdiction to hear and determine claims, to establish or enforce the rights of claimants to patents from the United States for lands to which the claimant may be entitled under any law or grant of the United States; and where the value of such claim does not exceed \$5,000 the United States district courts shall have concurrent jurisdiction with said Court of Claims, and where the value exceeds \$5,000 the circuit courts of the United States shall have concurrent jurisdiction with said Court of Claims: *Provided*, That no suit shall be maintained against the United States under this act unless the same shall have been brought within six years after the passage of this act if the right shall have heretofore accrued, or otherwise within six years after the right shall have accrued for which the suit is brought.

SEC. 2. That upon the filing in the office of the Commissioner of the General Land Office of a duly certified copy of any final judgment or decree establishing the right of a claimant to a patent for public land, a patent shall be issued in accordance with said judgment or decree.

Mr. COCKRELL. I should like to have some explanation of the bill. It seems to me to be scattering the business of the General Land Office pretty extensively. If it confined the bringing of these suits to the Court of Claims alone, where all the records of the Government would be accessible, it seems to me the bill would be perfectly proper; but, according to the bill, suit can be brought in any United States district or circuit court in any part of the country in order to get a patent, and the Government must go to that place, defend the suit, and take its records and everything of that kind. If the Senator will agree to strike out that part of the bill, I think it would be perfectly right; and then it would place this class of cases upon the same plane that claims to patent rights for inventions are placed. I think that ought to be done.

Mr. MITCHELL. It seems to me, if the Senator will reflect a moment, he will see that to confine it to the Court of Claims alone would be a very great hardship upon the very class of people who will be more likely than any other class to be compelled to resort to the court in order to obtain their rights in reference to patents for lands. There is a great number of cases of poor people in the West who go on public lands under some of the land laws, do all they think is necessary to be done in perfect good faith, and after they have done all that they are met with some objection in the General Land Office and they are delayed. They can get no standing in court unless a patent is issued to some other person. After a patent is issued to some other person, then, of course, they have a standing in court, and then they can apply to any of the United States circuit courts having jurisdiction and have the patent declared trustee for the benefit of the party to whom the patent ought to have issued; but until that is done, until a patent is issued to some other person, these parties have no standing in court whatever.

The purpose of this bill is to enable any homesteader or any person claiming under the homestead act, or under the preemption act, or under the timber act, or under any of the land laws of the United States, who believes that he has complied with the law and is entitled to a patent, to go into any of the courts specified in this bill and have the matter tested. It would be a very great hardship to compel the large class of persons who would be likely to avail themselves of the benefit of this act, if it should become a law, to come to Washington and sue in the Court of Claims.

There is no trouble about getting all the records before any of the courts of the United States. Exemplified copies are always evidence, and they can be obtained at any time upon application to the General Land Office. It appears to me to eliminate that portion of the bill would be to destroy it to a very great extent.

This whole matter was very carefully considered by the Judiciary Committee, and there was no difference of opinion in that committee in regard to what ought to be done. I did not report the bill. It was reported by the Senator from Iowa [Mr. WILSON], who is absent now and probably will be for some time, and that is the reason I called it up this morning. I believe it to be a bill of very great importance to the people interested in obtaining titles under the several land laws of the United States. I hope, therefore, that no further amendment will be made, and that the bill will pass.

Mr. COCKRELL. There is no question in the world that the titles to land ought to be decided a great deal more promptly than they are and the business of the Land Office ought to be brought up currently, and it can be done. I am very glad to know that the present Commissioner has made some progress in that line, but the work does not progress as rapidly as it should.

I do not think the act referred to, extending jurisdiction to the courts of the United States in claims against the Government, has proved beneficial; but this is a question of title to land, and I suppose suit would be brought in the district where the land is

situated. As a matter of course, before the claimant can get judgment for a patent he must show that his entry is complete. For that reason the Government loses nothing and he does not get any judgment from the Government for any money consideration or anything of that kind. It is simply a declaration of his right to a patent.

Mr. MITCHELL. The judgment stands as a patent.

Mr. COCKRELL. If one man does not get the public land, another will. I will not suggest any further amendment.

Mr. MITCHELL. It has been held that this same jurisdiction was conferred by the act of 1887, which this bill proposes to amend, but on appeal to the Supreme Court of the United States they reversed it, and said it did not include a case of this kind. Hence this bill.

The bill was reported to the Senate with amendments, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### EXTENSION OF NORTH CAPITOL STREET TO SOLDIERS' HOME.

The bill (S. 2637) to extend North Capitol street to the Soldiers' Home was announced as next in order.

Mr. VEST. That is a bill in which the Senator from Ohio [Mr. SHERMAN] is interested, and it will lead to debate. It had better go over.

The PRESIDENT *pro tempore*. Being objected to, the bill will be passed over. Does the Senator desire it to go over without prejudice?

Mr. VEST. Yes, sir.

The PRESIDENT *pro tempore*. The bill will be passed over, retaining its place on the Calendar under Rule VIII.

#### DISTRICT SUBURBAN RAILWAY.

The bill (H. R. 429) to incorporate the District of Columbia Suburban Railway Company was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with amendments.

The PRESIDENT *pro tempore*. The first amendment of the committee will be stated.

Mr. STEWART. I was going to call attention to a matter in the last section that the Senator in charge of the bill may consider it. I wish to make a suggestion to him before the committee amendments are acted on, and he can consider it in the mean time and determine whether it is necessary to change the language.

I observe in the bill that the company is required to keep its road outside of other roads in the District, and of course it will have to acquire land in order to carry out the idea of the bill. In the last section it is provided that if the company can not make agreement with the land owners where the road goes over private land the usual proceedings for condemnation shall be instituted. Now, there is no appropriation in the bill to provide for that condemnation, and only \$5,000 are appropriated in the general District of Columbia appropriation bill for such purposes.

Mr. HARRIS. This is a mere private corporation, and it is to pay for the condemnation.

Mr. STEWART. That is what I was going to suggest, that there ought to be an amendment to that effect. If it is the intention that a private corporation shall pay for the land it acquires there ought to be a proviso at the end of the section stating that it shall furnish the money. That was required in the case of the Rock Creek Railroad.

Mr. COCKRELL. This is not the District of Columbia appropriation bill. This is an individual measure, and has nothing to do with the District revenues. The corporations are bound to pay under the general law.

Mr. HARRIS. The suggestion of the Senator from Nevada is wholly unnecessary. This is a private corporation, and if it takes any proceedings to condemn it must put up the money. The Government has nothing whatever to do except to create the corporation and grant the right to construct its road.

Mr. STEWART. The usual way of condemning in this District is for the District of Columbia to proceed.

Mr. HARRIS. Where the condemnation is for District or governmental purposes, but no other.

Mr. COCKRELL. This is a private corporation.

Mr. STEWART. Is there sufficient provision for condemnation proceedings in the general incorporation law for railroads? Has not that been superseded so that there is no proceeding provided for such a case?

Mr. HARRIS. There is a general law on the subject in the District, under which this proceeding may go forward.

Mr. STEWART. Without further language in the last section of the bill?

Mr. HARRIS. Yes; nothing further is necessary.

Mr. STEWART. If that has been examined, all right; but I am afraid that there is no provision in the District now applicable. There was a general incorporation law for railroads of all kinds.

Mr. HARRIS. This bill was drafted by the attorney of the corporations, who have fully examined the question, and by the subcommittee who reported it. There is no trouble whatever upon the point the Senator suggests.

Mr. STEWART. If we have a general law under which the company can act without further words being added, I have no objection.

Mr. HARRIS. Yes, that is the case.

Mr. STEWART. I have some doubt about it myself.

The PRESIDENT *pro tempore*. The committee amendments will be proceeded with in order.

The first amendment was, in section 1, line 21, before the word "street," to strike out "Seventh," and insert "Twelfth;" in the same line after the word "east," to strike out:

And thence along Seventh street east to its intersection with Pennsylvania avenue, also beginning at the intersection of said roadway on Maryland avenue at Twelfth street northeast, and running thence northward on Twelfth street east to Boundary street, and thence northward across Boundary street, passing in the vicinity of the National Fair grounds; thence northward to and along Twelfth street to Philadelphia street, Brookland, beginning at North Capitol and G streets northwest, thence along B street east to First street northeast, thence south along First street to F street northeast, thence along F street east to Twelfth street northeast, thence along Twelfth street to Boundary street.

And insert:

Thence south along Twelfth street east to D street east, thence west along D street to Eighth street northeast, thence south on Eighth street to Pennsylvania avenue, thence westward on Pennsylvania avenue to Seventh street, thence north on Seventh street to C street east, thence east on C street east to Twelfth, thence north on Twelfth to and across Florida avenue; *Provided*, That on D street east, Eighth street east, Seventh street east, and C street east only a single track shall be laid.

In line 48, after the word "along," to strike out "Thirteenth" and insert "Twelfth;" in line 52, after the word "to," to strike out "Galveston" and insert "Frankfort;" in line 53, after the word "street," to insert "in Langdon;" in line 55, after the word "and," to strike out "that portion" and insert "those portions;" and in line 56, after the word "road," to strike out "between the District line and Fifteenth street east," and insert "outside the city of Washington;" so as to make the section read:

That Eppa Hinton, Charles E. Greney, John P. Mitchell, M. P. Morris, J. W. Denyer, L. G. Hine, Gilbert Meyers, S. E. Mudd, Robert A. Howard, W. I. Hill, John W. Childress, J. F. Kenney, D. W. Glassie, Harry Barton, Dickmon W. Chew, T. C. Daniel, G. P. Davis, Jere Johnson, and L. C. Loomis, and their assigns, successors, and assigns, are hereby created a body corporate by the name, style, and title of "The District of Columbia Suburban Railway Company," and by that name shall have perpetual succession and shall be able to sue and be sued, plead and be impleaded, defend and be defended, in all courts of law and equity within the United States, and may make and have a common seal. And said corporation is hereby authorized to construct and lay down a single or double track railway, as may be approved by the Commissioners of the District of Columbia, with the necessary switches, turn-outs, and other mechanical devices, in the District of Columbia, through and along the following routes: Beginning at the dividing line between the District of Columbia and the State of Maryland, on the Hadenburg road, and running thence outside of and along the road to Maryland avenue and Pittencher street northeast, thence along Maryland avenue to Twelfth street east, thence south along Twelfth street east to D street east, thence west along D street to Eighth street northeast, thence south on Eighth street to Pennsylvania avenue, thence westward on Pennsylvania avenue to Seventh street, then north on Seventh street to C street east, thence east on C street east to Twelfth, thence north on Twelfth to and across Florida avenue; *Provided*, That on D street east, Eighth street east, Seventh street east, and C street east only a single track shall be laid, thence along Twelfth street, extend to Mount Olivet road, thence along Mount Olivet road to Corcoran road, thence along Corcoran and Fairview roads to Patterson avenue, thence by such line as may be authorized by the Commissioners of the District of Columbia to and along Twelfth street, Brookland, to Philadelphia street. And beginning at Mount Olivet road, and Capitol street, Ivy City, thence along Capitol street, thence in line to La Fayette avenue, Cincinnati street, and Twenty-fourth street to Frankfort street in Langdon; *Provided*, That all of the routes herein mentioned shall be subject to the approval of the Commissioners of the District of Columbia, and those portions of said road outside the city of Washington shall be constructed before any part of said road within the city limits shall be occupied or broken for the purpose of said railway; whenever a permanent system of streets and highways shall have been established and laid out in the suburban portion of the District contiguous to the route of this railroad, said company shall, when required by the Commissioners of the District, cause such changes to be made in the location of its tracks as said Commissioners shall require in order to make the route of said road conform to such streets and highway system. Wherever the route of this road coincides with that of a country road the railway shall be constructed along and outside of such road. Said company shall keep the space between its tracks, and 2 feet outside of its tracks in such condition as may be required by said Commissioners.

The amendment was agreed to.

The next amendment was, in section 2, line 2, after the word "power," to strike out "subject" and insert "Provided, That if electric wires or cables be used within the limits of the city of Washington, the wires shall be placed underground, and the power used shall be subject;" in line 13, after the word "highways," to strike out "that may be deemed;" so as to read:

That said company may run public carriages propelled by cable, electric, or other mechanical power; *Provided*, That if electric wires or cables be

used within the limits of the city of Washington, the wires shall be placed underground, and the power used shall be subject to the approval of the said Commissioners; but nothing in this act shall allow the use of steam power or any motor which shall in its operation cause any noise or other disturbance which in the judgment of said Commissioners shall be injurious to the public safety or comfort; *Provided further*, That for the purpose of making a continuous connection the said company shall have the right to cross all streets, avenues, and highways necessary for this purpose.

The amendment was agreed to.

The next amendment was, in section 3, line 3, after the word "Columbia," to strike out "and the said company may make arrangements with all existing railroad companies in the District of Columbia for the interchange of passengers in payment of fare on its road;" and insert:

*Provided*, That whenever the road of the company is open to traffic, this act shall cross or connect with the roads of any other street railway in the city of Washington, passing, or which be transferred from one street to the other without the payment of extra fare.

So as to make the section read:

That said company shall receive a rate of fare not exceeding 5 cents per passenger for any distance on its route within the District of Columbia; *Provided*, That wherever their route the company is provided for in this act shall cross or connect with the route of any other street railway in the city of Washington, passengers shall be transferred from one street to the other without the payment of extra fare; *Provided further*, That the District of Columbia tickets shall be valid for travel on the same.

The amendment was agreed to.

The next amendment was, in section 4, line 6, before the word "receipts," to insert "bonded and other indebtedness and other" so as to read:

That said company shall, on or before the 15th of January of each year, make a report to Congress, through the Commissioners of the District of Columbia, of the names of all the stockholders therein and the amount of stock held by each, together with a detailed statement of the bonded and other indebtedness and the receipts and expenditures.

The amendment was agreed to.

The next amendment was, in section 8, line 14, after the word "company," to insert the following provision:

*Provided*, That whenever the railroad shall be built, and any road, the space between the inner rail of said railroad and the roadway shall be graded and put in good order for public use at the expense of the company and subject to the approval of the Commissioners of the District of Columbia; *Provided also*, That the construction of said railroad on any street where there are or may be any in this, fixtures, or apparatus pertaining to the Washington Aqueduct shall be subject to such conditions as may be approved by the Secretary of War, which conditions must be obtained and accepted in writing by said company before commencing any work on such street, and no steam cars, locomotives, or passenger or other cars for steam railroads shall ever be run on the tracks of said company over any such main fixture, or apparatus. The said railroad shall be subject to the requirements of section 15 of the act of Congress approved February 8, 1893, entitled "An act to incorporate the Washington and Annapolis Railway Company of the District of Columbia." The said company shall, before commencing work on said railroad on such street, deposit with the Treasurer of the United States to the credit of the Washington Aqueduct such sum as the Secretary of War may consider necessary to defray all the expenses that may be incurred by the United States in connection with the inspection of the work of construction of said railroad on such street, and in making good any damages done by said company, or its works, or by any of its contractors, agents, to any of said mains, fixtures, or apparatus, and in completing, as the Secretary of War may deem necessary, any of the work that the said company may neglect or refuse to complete and that the Secretary of War may consider necessary for the safety of said mains, fixtures, or apparatus, and the said company shall also deposit as above and said further sums of said purposes at such times as the Secretary of War may or he may see fit; *Provided further*, That the said sum shall be disbursed like other moneys appropriated for the Washington Aqueduct, and that whatever said sum of said deposits at the end of one year after the completion of said railroad on such street shall be returned to said company on the order of the Secretary of War with an amount of its disbursement in full; *Provided further*, That disbursements of said moneys shall, except in case of emergency, be made only on the order of the Secretary of War. The exercise of the right to borrow a grant of money to terminate at the pleasure of the Secretary of War in case of persistent neglect by said company, or by its officers, to comply with the terms of the act, or to comply with any of the conditions, requirements, and regulations of said act.

The amendment was agreed to.

The next amendment was, in section 11, line 1, after the word "company," to strike out "from B and C streets to Pennsylvania avenue east;" in line 4, after the word "within," to strike out "eighteen months" and insert "two years," and in line 4, after the word "act," to strike out "and the branch of the same shall be completed within three years from the passage of this act" and insert "otherwise this act shall be of no effect;" so as to make the section read:

Sec. 11. That the line of said railway company shall be commenced within six months and completed within two years from the passage of this act, otherwise this act shall be of no effect.

The amendment was agreed to.

The next amendment was, in section 12, line 2, after the word "exceed," to strike out "\$1,000,000" and insert "\$2,000,000" so as to read:

That said company is hereby authorized to issue bonds or notes in an amount not to exceed \$2,000,000 in shares of \$200 each.

The amendment was agreed to.

Mr. HARRIS. In section 15, line 7, the word "be" should be inserted after "may;" so as to read "as may be necessary."

The PRESIDENT *pro tempore*. That correction will be made.  
Mr. HUNTON. I offer an amendment to the first section of the bill. In line 3 I move that the name of EPPA HUNTON as one of the incorporators be stricken out and that of Richard K. Cralle be inserted in its place.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. HARRIS. I move that the Senate request a conference with the House of Representatives upon the bill and amendments.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. McMILLAN, Mr. PERKINS, and Mr. HARRIS were appointed.

#### LIGHT-HOUSE STEAMER PANSY.

The bill (S. 1292) to remit the penalties on the light-house steamer Pansy was considered as in Committee of the Whole. It proposes to pay to Baird, Houston & Co., or their assignee, \$1,250, that being the amount of time penalties imposed on the firm under their contract for building the light-house steamer Pansy.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PUBLIC GROUNDS IN ABINGDON, VA.

The bill (H. R. 4629) to authorize the Secretary of the Treasury to consent to the use of a portion of the public grounds of the United States in the town of Abingdon, Va., for a public street was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to consent to the use of so much of the public grounds belonging to the United States in the town of Abingdon, not exceeding 30 feet in width, on the west side of the grounds, for a public street in the town, upon such terms and conditions as he may deem proper for the protection of the rights of the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ENLISTED FORCE OF NAVY.

The bill (S. 2091) to promote the efficiency of the enlisted force of the Navy was announced as next in order on the Calendar.

Mr. COCKRELL. Let that bill be passed over. The Senator who reported it is not present.

Mr. FRYE. It will be passed over informally?

Mr. COCKRELL. Certainly.

The PRESIDING OFFICER (Mr. GALLINGER in the Chair). The bill will be passed over informally, without prejudice.

#### GEORGE C. FOULK.

The bill (S. 1713) for the relief of George C. Foulk was considered as in Committee of the Whole. It proposes to pay, upon presentation of a proper account and vouchers, to George C. Foulk, late a lieutenant of the junior grade in the Navy of the United States, \$2,630.14, salary as such lieutenant, at the rate of \$1,500 per annum, from the 22d day of December, 1884, to the 12th day of June, 1886, inclusive, and for an additional period from the 1st day of September, 1886, to the 11th day of December, 1886, inclusive, not heretofore paid.

Mr. COCKRELL. I do not see in my files the report in that case.

Mr. CHANDLER. I hope the Senator will not object to the passage of this bill. This allowance to Mr. Foulk has been recommended by the State Department, and I assure the Senator that it is entirely a just claim.

Mr. COCKRELL. Let the report be read.

The PRESIDING OFFICER. The report will be read.

The Secretary proceeded to read the report, submitted by Mr. CAMERON from the Committee on Naval Affairs, May 11, 1892.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business.

The SECRETARY. A bill (S. 51) to provide for the free coinage of gold and silver bullion, and for other purposes.

Mr. CHANDLER. I ask that the unfinished business be laid aside until the pending bill can be disposed of.

The PRESIDING OFFICER. The Senator from New Hampshire asks that the unfinished business be laid aside until the pending bill be disposed of. Is there objection? The Chair hears none, and it is so ordered.

The Secretary resumed and concluded the reading of the report, which is as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 1713) for the relief of George C. Foulk, have had the same under consideration and beg leave to report it back and recommend its passage.

The facts in this case are fully set forth in the appended communication, which is herewith adopted as the report of this committee.

[House Ex. Doc. No. 439, Fifty-fifth Congress, First Session.]

TREASURY DEPARTMENT, July 27, 1890.

SIR: I have the honor to transmit herewith, for the consideration of Congress, a communication from the Secretary of State of the 19th instant, submitting for an appropriation the claim of George C. Foulk, late a lieutenant in the United States Navy and naval attaché to the legation of the United States at Seoul, Korea.

Respectfully yours,

W. WINDOM, *Secretary*.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF STATE, Washington, July 19, 1890.

SIR: I have the honor to transmit herewith a draft of a proposed amendment to the pending general deficiency bill for the relief of George C. Foulk, late a lieutenant of the junior grade in the United States Navy.

Mr. Foulk, at the time an ensign in the Navy and in the line of promotion, was on the 12th of November, 1883, designated by the President as naval attaché to the legation of the United States at Seoul, Korea. On the 23d of December, 1884, he was by force of circumstances over which he had no directing control, and by reason of his availability and competency, placed in charge of the legation upon the departure from Seoul of the minister, Gen. Foote.

Mr. Foulk remained in charge until the 12th of June, 1885. On the 11th of May, 1885, he was instructed by the Secretary of State that from and after the departure of Gen. Foote from Seoul he was entitled to draw upon this Department for compensation as chargé d'affaires *ad interim* at one-half of the salary of the minister, namely, \$2,500 per annum; and for the contingent expenses of the legation in like manner at the rate of \$3,000 per annum, which included the salary of an interpreter; and he was further advised at the same time that his salary as chargé was in lieu of the amount due him as an officer in the United States Navy. Accordingly his salary as an officer of the Navy for the period 1 year he had in the sum of \$2,250.00 was withheld. On the 13th of June, 1885, Mr. Foulk was relieved, and thereupon proceeded, in ill health, to Japan, whence, about two months later, he was peremptorily ordered to return to Seoul and again take charge of the legation in his former capacity. He arrived there and took charge on the 1st of September, 1885, and remained as chargé d'affaires until the 11th of the following December, during which period his pay as an officer of the Navy, amounting to \$19.18, was again withheld upon the ground, as stated by the Fourth Auditor of the Treasury, that no person could hold two offices not compatible and receive the compensation provided by law for each at the same time.

I dissent from that ruling, and in this relation I have the honor to invite your attention to the case of the United States against Saunders, reported in volume 120, United States Supreme Court Reports, pages 126-130, which was a case on appeal from the Court of Claims, January, 1887, and in which the opinion of the Supreme Court was expressed in the following language:

"We are of opinion that, taking these sections altogether [sections 1763, 1764, and 1765, Revised Statutes of the United States], the purpose of this legislation was to prevent a person holding an office or appointment, for which the law provides a definite compensation by way of salary or otherwise, which is intended to cover all the services which, as such officer, he may be called upon to render, from receiving extra compensation, additional allowances, or pay for other services which may be required of him either by act of Congress or by order of the head of his Department, or in any other mode, added to or connected with the regular duties of the place which he holds, but that they have no application to the case of two distinct offices, places, or employments, each of which has its own duties and its own compensation, which offices may both be held by one person at the same time. In the latter case he is in the eye of the law two officers, or holds two places or appointments, the functions of which are separate and distinct, and, according to all the decisions, he is in such a case entitled to receive the two compensations. In the former case he performs the added duties under his appointment to a single place, and the statute has provided that he shall receive no additional compensation for that class of duties unless it is so provided by special legislation."

I am informed that the accounting officers of the Treasury do not regard the opinion in the Saunders case as applicable to the case of Mr. Foulk, again alleging as a reason the "incompatibility" of the two offices he held. But I do not find that the honorable court considered the question of compatibility as at all essential to the conclusions reached, and I am inclined to regard the opinion as clearly if not peculiarly applicable to the case of Mr. Foulk. There is, however, another and parallel view of the matter to which I have the honor to invite your attention.

Section 1686, Revised Statutes of the United States, provides that—

"When to any diplomatic office held by any person there is superadded another, such person shall be allowed additional compensation for his services in such superadded office, at the rate of 50 per cent of the amount allowed by law for such superadded office, and for such time as shall be actually and necessarily occupied in making the transit between the two posts of duty, at the commencement and termination of the period of such superadded office, and no longer, and such superadded office shall be deemed to continue during the time to which it is limited by the terms thereof."

Mr. Foulk's functions and duties were dual. He was instructed to report both to the Navy Department and the Department of State, and he did so, as I am informed and believe, with great acceptability. Regarded as a naval officer performing the additional duties as chargé d'affaires, the opinion in the Saunders case would seem to govern his own; regarded as a diplomatic officer (naval attaché), performing the same additional duties in the office of minister, under the designation of chargé d'affaires, section 1686 of the Revised Statutes, would, it appears, determine the rate of his compensation.

I have been moved to urge upon your attention not only by reason of the law and equity in his case, but as well because of the peculiar hardships entailed upon him through the anomalous position he occupied under instructions from this Department, and the exigencies of the situation in Korea during the two periods of his incumbency as chargé there. He was obliged, at no desire of his own, to perform the duties and maintain the official and social status of a regularly accredited minister, but without adequate means of defraying the necessary incidental expense.

Compliance with his repeated request to the Department of State for relief (by the appointment of a minister) appears to have been unavoidably delayed. He was subject to humiliation, he was compelled to borrow money

to maintain his official as his personal standing, and there is no doubt that, as he alleges, he suffered both physically and mentally. He was careful, prompt, and intelligent in the discharge of his duties, and the Secretary of State was glad to compliment him officially in unmistakable terms in a letter to the Secretary of the Navy dated November 1, 1887.

During both the periods in which he acted as chargé d'affaires at Seoul, Mr. Foulk was an officer of the Navy entitled to the pay of a lieutenant of the junior grade, at the rate of \$4,500 per annum. Through promotion by operation of law afterwards confirmed by an examination successfully passed, he has since resigned from the Navy.

The Department will be obliged if you will immediately bring this report to the attention of Congress, to the end that the appropriation asked for may be included, if possible, in the pending deficiency bill.

I have the honor to be, sir, your obedient servant,

ALVEY A. ADEE,  
Acting Secretary

THE SECRETARY OF THE TREASURY.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### INQUIRY CONCERNING RAILWAYS.

The PRESIDING OFFICER. The unfinished business is before the Senate.

Mr. CALL. I ask that the unfinished business be temporarily laid aside that I may call up the resolution introduced by me on the 23d of April, and which was ordered to lie on the table.

The PRESIDING OFFICER. The Senator from Florida asks that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none. The Senator from Florida asks that the resolution indicated by him be now considered by the Senate.

Mr. FRYE. I should like to ask the Senator if he intends to ask that the resolution shall be passed when his speech is concluded?

Mr. CALL. I do not. Other Senators, I understand, desire to make some observations upon it.

The PRESIDING OFFICER. The resolution will be read by the Secretary.

The Secretary read the resolution, as follows:

*Resolved*, That a special committee of the Senate shall be, and is hereby, created, to consist of nine members, chosen by resolution of the Senate, who shall be charged with the duty of inquiring into and reporting to the Senate the present value per mile of the railways of the United States; also the present capitalization of the same, and the difference, if any, between the capitalization and the actual cost of construction and equipment of said railways; also to inquire and report to the Senate the gross and net receipts of all and each of the railway companies in the United States, the number of employees and the compensation paid to each; the amount of the bonded indebtedness, the amount of its outstanding capital stock; the kind and value of all property, whether money, stocks, and bonds, or real and personal estate; the names and residence and amount of stock or bonds held by each stockholder or bondholder of each and all of such railroads.

That the committee shall have power to send for persons and papers and to compel their attendance, and to employ a clerk and stenographer.

That the committee shall also inquire and report to the Senate whether any of said railway companies, their stockholders or bondholders, agents or employees have used or attempted to use their corporate privileges or powers, or money, to influence and control the elections of members of Congress or the members of the State Legislatures.

That the committee shall also report the amount of stocks and bonds owned or controlled abroad, and the rate of interest.

Mr. FRYE. This is the resolution about which the Senator explained?

Mr. CALL. It is.

Mr. FRYE. And it will lie on the table after the Senator's speech?

Mr. CALL. It will lie on the table after my remarks.

The PRESIDING OFFICER. The question is on agreeing to the resolution upon which the Senator from Florida is entitled to the floor.

[Mr. CALL addressed the Senate. See Appendix.]

Mr. CHANDLER. Mr. President, I sympathize entirely with the desire of the Senator from Florida that this resolution of investigation may be passed. It is truly lamentable to contemplate the evil condition, as the Senator has depicted it, of the Democratic party of Florida, which has fallen, according to him, thus woefully under the corrupt control of corporation power. When I contemplate the overwhelming forces which the Senator has described as exercised by the railroad corporations of Florida for the purpose of defeating his reelection, I wonder that he has managed to survive in order to address the Senate of the United States as a member of this body against the corporations which have attempted his defeat.

I take occasion to say to the Senator, by way perhaps of consolation, that the Democratic party of New Hampshire is equally under corporation bonds, and that almost every word which he has uttered concerning the methods adopted by the railroad corporations of Florida for the purpose of taking possession of the Democratic party of that State, has been and is true, and those methods have been and are exercised in New Hampshire for the

purpose of giving to those corporations the control of the Democracy of New Hampshire.

I am bound in all candor also to say that the railroad corporations of New Hampshire have a very large influence in the Republican party, to which I belong. The evil of corporation control, which the Senator has described, is not in New Hampshire confined entirely to the Democratic party, but in a large measure, although not in so large a measure, extends to the Republican party.

Perhaps the reason that the corporations of Florida confine themselves so closely to the domination of the Democratic party is because the Republican party has become so small, at least in the number of its members who get to the polls, that it is not worth while for the railroad corporations of Florida to undertake to exert similar influences upon the Republicans of that State.

Mr. President, I had supposed that there would be no objection to the passage of the resolution offered by the Senator, but I have been informed that the Senator gave assurance to the Senator from Maine [Mr. FRYE] that he would not ask for a vote upon the resolutions this afternoon. I then suggest to the Senator that, if he has no objection, the resolution had better be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, from which it will be reported back and go upon the Calendar, and then be ready for action. If the Senator has no objection, I will make that motion.

Mr. DOLPH. Has the resolution been referred?

The PRESIDENT *pro tempore*. The resolution must go to the Committee to Audit and Control and Contingent Expenses of the Senate under the rules, as it makes a charge on the contingent fund.

Mr. CHANDLER. I will move, if the Senator has no objection, that the resolution be referred to that committee.

Mr. CALL. I wish to say in reply to the Senator from New Hampshire [Mr. CHANDLER] that the Democratic party of Florida is not in the deplorable condition he supposes. The sentiment of the Democratic people, and I hope of the Republican people—for I did not make a partisan speech—is that all true and loyal American people, alike devoted to the institutions of their country, desirous to preserve our free institutions, in my opinion, will resist the men who rely upon controlling their organizations by the exercise of corporate power. Therefore, I wish to repudiate the idea that there is anything in what I said to indicate that the people who are controlling the power of the Democratic party in the State of Florida are not a unit upon all these questions.

In reference to other matters they honestly differ with their Republican friends, and there have been here Republican gentlemen to-day, strong in the national faith of their party and supporting their candidates, who unite with the Democratic people of Florida upon local issues because of peculiar circumstances which are incident to that State and to other Southern States.

It was not, however, my intention to speak in a manner which cast censures upon either political party, but to review the public condition in a fair and just spirit. If I had desired to be partisan in my utterances I might have said that a real Republican organ which I read this morning charged distinctly upon the late Republican national convention that its action had been controlled by this same evil of corporate power and influence. I do not wish to make that charge; I do not believe that charge was true in this instance; but yet it has been made, and made upon the Republican party in regard to its late nominations by the convention at Minneapolis.

But, Mr. President, I merely wished to vindicate my own State. I have no charges to make against the Democratic party. I am a Democrat, and the defender of the party, its principles, and its organization.

The Democratic party of Florida is capable of protecting itself against these evils. I have charges to make against the public men, the politicians, the representatives of corporate power in any political party who seek to trample the rights and liberties of this free country into the mud of control by foreign and improper influences.

Mr. GALLINGER. Mr. President, I have listened with a great deal of interest and pleasure to the discussion of this question by the Senator from Florida [Mr. CALL], and I am very glad to find, upon examining the resolution which he offered some time ago, that this inquiry, if it is made at all, will not apply alone to the State of Florida, but will be applicable to other States of the Union.

I will venture to make the suggestion now that if this resolution passes, as I trust it may pass, and this commission is formed, they will find it convenient to visit the State of New Hampshire, which certain gentlemen have advertised to the world as being absolutely under the control of her railroad corporations. I trust the commission may come there, and make a thorough in-

religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

Mr. FELTON. I present a petition, numerous signed by citizens of the Pacific coast, and forwarded by A. C. Fish, of Riverside, Cal., praying Congress to provide or guaranty such necessary appropriation as will assist, protect, and hasten the completion and secure the national control of the Nicaragua Canal. I move that the petition be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. FELTON presented sundry petitions of physicians, teachers, and parents of California, praying for the passage of legislation to prohibit the manufacture, importation, and sale of cigarettes in the United States; which were referred to the Committee on Epidemic Diseases.

He also presented a petition of the Bethel Literary and Historical Association of the District of Columbia, praying for the passage of Senate bill No. 1213, providing for the formation of associations in the District of Columbia for the purpose of conducting any lawful business and dividing the profits among the members thereof; which was referred to the Committee on the District of Columbia.

He also presented a memorial of the Seventh-Day Adventist Church of Little River, Cal., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of sundry citizens of California, manufacturers of machinery, remonstrating against the admission into this country of foreign-built beet-sugar machinery free of duty; which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of San Francisco, Cal.; a petition of the National Woman's Christian Temperance Union of San Francisco, Cal.; a petition of the Evangelical Alliance of San Francisco, Cal., and vicinity, and a petition of the Young People's Society of Christian Endeavor of California, praying for the passage of legislation to prohibit the importation and sale of the opium-smoking extract; which were referred to the Committee on Finance.

Mr. STOCKBRIDGE presented the petition of A. A. Marks and 89 other citizens of Burlington and Union City, Mich., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of sundry citizens of Michigan, praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which was referred to the Committee on Epidemic Diseases.

Mr. PERKINS presented a petition of the Congregational Church of Chapman, Kans., praying for the closing of the World's Columbian Exposition on Sunday, and that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PEPPER presented a memorial of citizens of Ness County, Kans., and a memorial of citizens of Washington County, Kans., remonstrating against closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. VEST presented a petition of the Ministers' Alliance, of Sedalia, Mo., praying for the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the memorial of M. W. Moss, and other members of the Seventh-Day Adventist Church of Henderson, Mo.; the memorial of M. E. Glenn, and other members of the Baptist Church of Sedalia, Mo., and the memorial of R. M. Feigerson, and other citizens of Pettis County, Mo., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. SANDERS presented the memorial of J. D. Heald and 83 other citizens of Virginia City, Mont., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. CULLOM presented a petition of citizens of Chicago, Ill., praying for the adoption of an amendment to the Constitution of the United States, prohibiting the passage of any legislation by the States respecting an establishment of religion or preventing the free exercise thereof; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of the Yearly Meeting of Friends, of Chicago, Ill., remonstrating against the passage of any legislation licensing the sale of intoxicating liquors in the Territory of Alaska; which was referred to the Committee on Territories.

He also presented sundry petitions collected by the National Woman's Christian Temperance Union, signed by 17 citizens of Illinois, praying that no exposition on exhibition for which appropriations are made by Congress shall be opened on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented memorials of sundry citizens of Illinois, remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented petitions of the Methodist Episcopal churches of Smithboro, Towanda, North Evanston, and Moline; of the District Conference of the Methodist Episcopal Church of Mount Vernon District, Southern Illinois Conference, and of the Congregational Church of Hampton, all in the State of Illinois, praying for the closing of the World's Columbian Exposition on Sunday; and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. DAWES presented the petition of R. O. Ward and other citizens of Lynn, Mass., praying for the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the memorial of A. H. Clark and other members of the Seventh-Day Adventist Church, of Springfield, Mass., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. CALL presented a petition of the National Philatelic Society of Villa City, Fla., praying for the passage of House bill No. 186, placing used and unused postage stamps on the free list; which was referred to the Committee on Post-Offices and Post-Roads.

#### REPORTS OF COMMITTEES.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 2272) granting a pension to Harriet W. Stevens, reported it without amendment, and submitted a report thereon.

Mr. McMILLAN. I report back favorably, with amendments, from the Committee on the District of Columbia, the bill (H. R. 9172) to incorporate the Washington and Great Falls Electric Railway Company. I ask that it may take the place on the same subject of No. 734 on the Calendar.

The PRESIDENT *pro tempore*. The Senator from Michigan asks the unanimous consent of the Senate that the bill now reported be substituted for the bill (S. 804) to incorporate the Washington and Great Falls Electric Railway Company. Is there objection? The Chair hears none, and the House bill is substituted for the Senate bill on the Calendar.

Mr. HARRIS. The Senate bill should be indefinitely postponed.

The PRESIDENT *pro tempore*. The Senate bill will be indefinitely postponed.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 3051) granting a pension to Julia A. Hill, reported it without amendment, and submitted a report thereon.

Mr. CULLOM. I am instructed by the Committee on Appropriations, to whom was referred the bill (H. R. 8224) making appropriations for the service of Post-Office Department for the fiscal year ending June 30, 1893, to report it with amendments, accompanied by a brief written report, which I ask be printed. I give notice that I shall call up the bill for consideration in a day or two.

The PRESIDENT *pro tempore*. Meanwhile the bill will be placed on the Calendar.

Mr. ALLISON. I am instructed by the Committee on Appropriations, to whom was referred the bill (H. R. 9089) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1893, to report it with amendments. I submit a brief report. There are only a few amendments reported by the committee, and I give notice that to-morrow at some convenient hour I will ask the Senate to consider the bill.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. VEST, from the Committee on Public Buildings and Grounds, reported an amendment intended to be proposed to the sundry civil appropriation bill, and moved that it be referred



to the Committee on Appropriations and printed; which was agreed to.

He also, from the Committee on Commerce, to whom was referred the bill (H. R. 5880) authorizing Arkansas Harbor Terminal Railway Company to construct a bridge across the Corpus Christi Channel, known as the Morris and Cummings Ship Channel, in Aransas County, Tex., reported it with amendments.

Mr. QUAY, from the Committee on Commerce, to whom was referred the bill (S. 3179) authorizing the Secretary of War to cause a survey to be made for a ship canal from Philadelphia across New Jersey to New York Bay, reported it without amendment.

#### MRS. JENNIE VAUGHAN.

Mr. DAVIS. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 2125) granting a pension to Mrs. Jennie Vaughan, to report it favorably, without amendment, and I ask unanimous consent that the bill may be now considered.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to restore to the pension roll the name of Mrs. Jennie Vaughan, late wife of the late Capt. William Rowe Baxter, captain of Company H, Ninth Minnesota Volunteers.

The bill was reported to the Senate without amendment.

Mr. VEST. From the reading of the bill, I understand that the beneficiary was a widow of some one else. How is that? The chairman of the committee can explain.

Mr. DAVIS. The explanation is that Mrs. Vaughan was the wife of Capt. Baxter. He was killed in the service and she obtained a pension as his widow. She married again, and her second husband died, which accounts for the name of Vaughan.

Mr. VEST. The second husband did not die in the service?

Mr. DAVIS. Oh, no. It is simply restoring her to the pension roll.

The bill was ordered to a third reading.

Mr. COCKRELL. Let the bill be read in full. It is a short bill.

The bill was read the third time, and passed.

#### MISSOURI RIVER BRIDGE AT OMAHA.

Mr. VEST. From the Committee on Commerce I report back favorably, without amendment, the bill (S. 3290) to amend section 7 of the act approved June 22, 1888, entitled "An act to authorize the construction of a bridge over the Missouri River at or near the city of Omaha, Neb., and for other purposes. It is a very short bill, one in which the occupant of the chair is interested, and I ask for its immediate consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### MILLE LAC INDIAN RESERVATION LANDS.

Mr. MORGAN. I am directed by the Committee on Public Lands, to whom was referred the joint resolution (S. R. 86) for the protection of those parties who have heretofore been allowed to make entries for lands within the former Mille Lac Indian Reservation in Minnesota, to report it favorably without amendment.

Mr. WASHBURN. I ask unanimous consent for the present consideration of the joint resolution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It extends the provisions of the second proviso to section 6 of the act of January 11, 1889, entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," to all preemption or homestead filings or entries heretofore allowed for lands within the limits of the former Mille Lac Indian Reservation in the State of Minnesota.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. CULLOM introduced a bill (S. 3301) for the erection of a public building at the city of East St. Louis, Ill.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 3302) granting a pension to Mary Seibach; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3303) granting an increase of pension to Robert Ingram; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3304) for the relief of Emma Ochs;

which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3305) granting a pension to Mary Cass-ill; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3306) to recognize Louis Semmler as of the United States Veteran Volunteer Engineers; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3307) for the relief of Christian Schwarz; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DAWES introduced a bill (S. 3308) granting an increase of pension to Watson S. Bentley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 3309) for the relief of Catherine E. Whitall; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DAVIS introduced a bill (S. 3310) to secure certain reciprocal advantages to citizens, ports, and vessels of the United States; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. FELTON introduced a bill (S. 3311) to refer the claim of Jessie Benton Fremont to certain lands and the improvements thereon in San Francisco, Cal., to the Court of Claims; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3312) relating to the equitable and legal rights of Jessie Benton Fremont, in possession of certain lands and improvements thereon in California, and to provide jurisdiction to determine those rights; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. SAWYER introduced a bill (S. 3313) granting a pension to Alvin J. Gould; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HISCOCK introduced a bill (S. 3314) for the relief of E. Darwin Gage, late Lieutenant-colonel of the One hundred and forty-eighth New York Infantry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PERKINS introduced a bill (S. 3315) to grant a right of way to the Kansas City and Pacific Railroad Company through the Indian Territory and the Territory of Oklahoma, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CALL introduced a bill (S. 3316) to restore the Fort Jupiter military reservation, in the State of Florida, to entry; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. SANDERS introduced a bill (S. 3317) extending the time for the construction of the Big Horn Southern Railroad through the Crow Indian Reservation; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. McMILLAN introduced a joint resolution (S. R. 90) proposing an amendment to the Constitution of the United States providing for the election of electors of President and Vice-President of the United States by direct vote of the people of the several States; which was read twice by its title, and referred to the Committee on the Judiciary.

#### AMENDMENTS TO APPROPRIATION BILL.

Mr. SHERMAN submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

Mr. FELTON and Mr. PEPPER submitted amendments intended to be proposed by them respectively to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

#### RECIPROCAL TRADE RELATIONS WITH CANADA.

Mr. SHERMAN. On Monday, during my absence, a message from the President of the United States in regard to reciprocal trade relations with Canada was referred to the Select Committee on Relations with Canada. It should be referred to the Committee on Foreign Relations, as it involves questions of treaties, etc. I will make that motion.

The PRESIDENT *pro tempore*. The Senator from Ohio moves that the vote by which the message was referred to the Select Committee on Relations with Canada be reconsidered, and that the message be referred to the Committee on Foreign Relations. Is there objection to the change of reference? The Chair hears none, and it is so ordered.

Mr. SHERMAN. I will also ask that word be sent to the Public Printer to give us the message in print as soon as possible.



MARGARET KENNEDY.

Mr. ALLEN. I ask for the reconsideration of the bill (S. 448) for the relief of Margaret Kennedy, which passed the Senate on Monday, and I ask its recall from the other House if it has been transmitted to that body.

The PRESIDENT *pro tempore*. The Chair is informed that the bill has not been transmitted to the other House, and is in possession of the Senate. The Senator from Washington moves that the votes by which the bill was ordered to a third reading and passed be reconsidered.

The motion to reconsider was agreed to.

Mr. ALLEN. I ask for the present consideration of the bill. The PRESIDENT *pro tempore*. The Chair hears no objection to the present consideration of the bill. The bill is in the Senate and open to amendment.

Mr. ALLEN. In line 9, after the word "eighty," I move to insert the word "eight;" so as to read: "Approved October 19, 1888." The motion for a reconsideration was made for the purpose of correcting a mistake by the draftsman of the bill in the date.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Washington. The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### FREE COINAGE.

The PRESIDENT *pro tempore*. Is there further morning business?

Mr. SHERMAN. I understand that the Senator from Kansas [Mr. PERKINS] desires to address the Senate upon the silver bill to-day, but will give way for the Calendar until 2 o'clock.

#### MILITARY ACADEMY APPROPRIATION BILL.

Mr. CULLOM submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4636) "making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1893," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 5, 23, 29, 30, 33, 34, and 40.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 31, 35, 36, 39, 41, 42, 43, 44, and 45, and agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 6 and 7, and agree to the same with an amendment as follows: Strike out the amended paragraph and insert in lieu thereof the following: "For one clerk to the adjutant, \$1,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$15,120;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed in the amended paragraph insert "\$1,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$250;" and the Senate agree to the same.

S. M. CULLOM.

WM. M. STEWART.

WILKINSON CALL.

Managers on the part of the Senate.

JOS. WHEELER.

WALTER C. NEWBERRY.

J. A. T. HULL.

Managers on the part of the House.

Mr. CULLOM. There is very little to be said about the report, as there are not a great many items embraced in it. I will, however, make a statement for general information. The amount of appropriations included in the bill as it was passed by the House was \$396,665.18; the bill as passed by the Senate amounted to \$434,827.33; the bill as agreed upon by the conferees of the two Houses carries with it the amount of \$428,917.33; the amount included in the act for 1891 was \$435,296.11; and the amount included in the act for 1892 was \$402,064.64. The conferees had no serious difficulty in coming to an agreement. The Senate conferees consented to a large number of reductions of items, but insisted upon the main item which was inserted by the Senate, and which made the bill larger than that of the House, which was "for enlarging and increasing gas plant and for placing a two-light pendant, with slide light, in each cadet room" in the Academy.

I do not think it is necessary for me to take up time by explaining the report item by item, as the items are small, though numerous. I ask that the report may be concurred in.

The report was concurred in.

#### CHIEFS OF BUREAUS IN NAVY DEPARTMENT.

The PRESIDENT *pro tempore*. If there be no further morning business, the Calendar under Rule VIII is in order, and the first bill on the Calendar will be stated.

The bill (S. 251) concerning the rank and pay of certain officers

of the Navy having served a full term as chief of a bureau in the Navy Department, was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that any officer of the Navy now on the retired list who shall have been retired, after completing forty years of service or having attained the age of 62 as now provided by law, shall receive the rank and pay of commodore if he has served creditably a full term of four years as chief of bureau in the Navy Department.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 1952) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 19, A. D. 1880, by extending the privileges of the seventh section thereof to the port of St. Augustine, Fla.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 410) to amend the charter of the Eekington and Soldiers' Home Railroad Company, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEARD, Mr. RICHARDSON, and Mr. POST managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 429) to incorporate the District of Columbia Suburban Railway Company, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEARD, Mr. RICHARDSON, and Mr. POST managers at the conference on the part of the House.

#### EXTENSION OF NORTH CAPITOL STREET TO SOLDIERS' HOME.

Mr. McMILLAN. I ask the Senate to consider at this time Senate bill 2637, which was passed over day before yesterday.

The PRESIDENT *pro tempore*. The bill having been passed over without prejudice, and remaining on the Calendar under Rule VIII, is subject to call.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2637) to extend North Capitol Street to the Soldiers' Home, which had been reported from the Committee on the District of Columbia with amendments.

The amendments were, in line 4, before the word "grade," to insert "open and;" in line 6, after the word "condemn," to strike out "any land not donated that;" and insert "in the manner provided by law for the condemnation of land in the District of Columbia, such of the lands of the Prospect Hill Cemetery and of Annie E. Barbour as;" in line 10, before the word "street," to strike out "this" and insert "said;" in the same line, before the word "thousand," to strike out "twenty-five" and insert "ten;" in line 11, after the word "dollars," to insert "(or so much thereof as may be necessary;" and in line 12, after the word "appropriated," to strike out "for the same" and insert "out of any moneys in the Treasury not otherwise appropriated, to carry out the provisions of this act: *Provided*, That one-half of the said sum shall be paid out of the revenues of the District of Columbia: *And provided further*, That one-half of the costs of such grading and condemnation shall be charged against and become a lien upon the abutting property, and the collection of such costs shall be enforced in the manner provided for the collection of general taxes;" so as to make the bill read:

*Be it enacted, etc.*, That the Commissioners of the District of Columbia are hereby directed to open and grade North Capitol street from Treves to the Soldiers' Home, and are hereby authorized and directed to condemn in the manner provided by law for the condemnation of lands in the District of Columbia such of the lands of the Prospect Hill Cemetery and of Annie E. Barbour as may be necessary for the extension of said street, and the sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to carry out the provisions of this act: *Provided*, That one-half of the said sum shall be paid out of the revenues of the District of Columbia: *And provided further*, That one-half of the costs of such grading and condemnation shall be charged against and become a lien upon the abutting property, and the collection of such costs shall be enforced in the manner provided for the collection of general taxes.

The amendments were agreed to.

Mr. VEST. I have been engaged for a few moments in looking for some papers in connection with this bill, which I am not able to find. I do not know anything personally in regard to the bill, but some citizens of this District, whom I know to be eminently respectable gentlemen, called upon me some two weeks ago to protest against the passage of this bill on behalf of this cemetery company. I looked into the matter, and my recollection of the facts is that this cemetery company was incorporated a number of years ago, with the provision in the act of Congress that the rights of the company should never be disturbed.

It is hardly necessary for me to say to lawyers that the grant of lands for a burial place is at common law a charity and can be protected as such. Even if this were not the common law, the judgment of mankind and a sense of decency and respect for the dead would establish such a doctrine. If it were otherwise, then the graves of the dead relatives of all of us might be invaded by speculators for mercenary purposes under an act of a Legislature or of Congress.

This bill, as I understand it, proposes to condemn, for the purpose of opening this street, what is known as the Barbour property, belonging to an estate, and also the property of this cemetery company. The gentlemen who called to see me represented themselves as officers of this company and protested against the passage of the bill.

My recollection is that in that bill—whether it has been cured by the amendment of the committee or not I am not able to say—the specific amount to be paid for this cemetery and Barbour property under condemnation are fixed. These gentlemen also represented to me that the price was largely out of proportion to the real value of the property, and that property adjacent to the property here proposed to be condemned had been sold recently for a much larger sum than that fixed in the bill.

But, Mr. President, my principal objection is, assuming these statements to be true, that the cemetery property should be invaded under the circumstances for any purpose whatever. If it be true, as I understand it, that the opening of this street would put one portion of the cemetery upon one side of the street and the other upon the other side, as a matter of course it would be exceedingly objectionable. It would to all intents and purposes destroy a portion of that ground now held by the cemetery company for the purposes for which it was dedicated.

I am very sorry that I am not able to put my hand upon the papers at present; but if the bill goes over there are other points I desire to present in connection with it. I feel it my duty to do this as a Senator, with no especial interest in the matter, but representing the people of this District, who are without any other representation than that given to them by those of us who see proper to listen to their appeals. I hope the bill will go over until I can find the statements.

I will say now with entire frankness that I saw a statement in a newspaper of this city—I think it was the Sentinel—in regard to this bill, of two columns in length, containing charges in regard to this measure which, if true, would unquestionably defeat it. I do not undertake to say whether they are true or not, but they are published in this journal, and I am not willing that the bill shall be disposed of by the Senate until I shall have been able to investigate these statements and to lay them before the Senate.

The PRESIDENT *pro tempore*. The Chair understands the Senator to object to the present consideration of the bill.

Mr. VEST. I do, unless the chairman of the committee can give a satisfactory explanation as to the objections I have stated.

Mr. McMILLAN. I have heard what the Senator from Missouri has said about the objections to the bill. The Committee on the District of Columbia took this matter up very carefully and devoted a great deal of time to it. They saw the gentlemen who are the trustees of this company, who have been in the committee room a number of times, and they have been heard. As I understood, they did not object at all to having this street opened. It is one of the most important streets in the District—North Capitol street—and the gentlemen who own property beyond the cemetery and beyond the piece of property adjacent to it, which is in the hands of heirs, have given property to open this street through to the Soldiers' Home. These trustees, as I understand, only object to the price which they think they are going to be paid for the property. They do not object to the opening of the street at all.

It is true there are no graves on the west part of the land which is to be taken, and only two or three graves on the other side of the street.

In my judgment, after looking at it very carefully, I do not think the opening of this street will injure the property of the cemetery company at all; but the benefits will be very great to them as well as to the owners of adjacent property. The street will cut the corner of the land in such a way as to leave valuable lots on the west side and valuable lots on the east side, without at all interfering with the cemetery.

The only objection these gentlemen gave to me was that they thought the price named in the bill was inadequate, and that the property was worth a great deal more money.

Mr. VEST. Let me ask the chairman of the committee a question. Is it not true that the ground in this cemetery was dedicated under act of Congress to the purposes of a burial place?

Mr. McMILLAN. Yes; but I believe Congress has the power to repeal, alter, or amend at any time any of these laws.

Mr. VEST. I am not prepared to say that Congress would

not have the right as a matter of course to repeal any act that it had enacted; but I understand the Senator to state now that this street goes through this cemetery and on one side of it are a few graves.

Mr. McMILLAN. Yes, and they can be removed without any trouble or any great expense.

Mr. VEST. Then it will necessitate the removal of those bodies, and unless you permit that ground to remain as it is, both sides will be occupied as a burial place. Is that the understanding?

Mr. McMILLAN. Yes; that is the understanding.

Mr. VEST. I will ask that the bill go over, Mr. President, because, I tell the Senator frankly, the statements made to me were that the persons interested in that burial ground were opposed to this bill. That is the point I should like to investigate.

Mr. HAWLEY. Before the bill goes over, I wish to second the remarks of the Senator from Missouri [Mr. VEST]. I do not understand that the proposed street, if cut through, will be of any use in the world to the cemetery. It will not enhance the value of the cemetery property one farthing; but it will cut off on the west an irregularly shaped piece that will be of no use in the world, as I recollect the map, for building lots, even if they had the right to sell it for building purposes; which, perhaps, they will have the right to do. The lots will not be deep enough, as I remember the ground, to be of any use in the world in that respect.

As to the highway, I will not say that it may not be to the interest of the public to have it opened; but it will be of no use in the world and of no value to the cemetery company; they will be simply poor lots. There is no use of talking about benefits to the cemetery company at all.

Mr. McMILLAN. I have a communication in my hand from the gentlemen who control the cemetery. They were anxious, of course, not to appear desirous of having this street opened, because a number of the people who own burial lots in that vicinity objected naturally to the passage of the bill, and so they passed this resolution:

1. That we will yield only when compelled to do so by "due process of law."

That is the first resolution.

Mr. VEST. What is the first resolution?

Mr. McMILLAN. That they will yield; that is, that they will allow this street to go through the cemetery only when compelled by due process of law. They wanted us to take the initiative here.

2. That in this event we will have to insist upon a "just compensation," which in our case would mean at this time not less than 50 cents for the square foot, our regular price at present, besides the expense for erecting two solid walls along North Capitol street, and for the removal of twenty-six or more bodies.

That is the number of bodies in all that will be affected, and they are twenty-six, all paupers.

Mr. VEST. They are to be moved?

Mr. McMILLAN. Yes.

Mr. SHERMAN. Mr. President, I introduced this bill at the request of some of the gentlemen interested in this cemetery, and also of others who are interested in property along North Capitol street.

I think if any Senator will go there up on the ground he will see that that street is an indispensable necessity to the growth of this city. It is true that this corporation has a charter for this cemetery, but there is an express reservation in the law itself that Congress may change it. There is a denial of the power to the District Commissioners, but Congress may authorize the opening of streets in this city. That right is especially reserved in the statute.

A law was passed some two years ago to open up this street, and all the property owners gave the property, 150 feet wide, extending from the Capitol directly north to Soldiers' Home. Gen. Willcox and other officers of the Soldiers' Home have been extremely anxious to have this road opened, because they said the grade was direct, the line was straight, and would strike the center of the grounds, and they thought that it was important that it should be done. All the property owners were willing to give away the ground, but there were two properties that could not be obtained except by condemnation.

Two years ago Congress authorized the opening of the street, but the conditions could not be complied with by these two interests. One was the German graveyard, situated at the head of this street, occupying a conspicuous position and holding a valuable grant. I went out there to see what would be the effect of this road if it passes through that cemetery. This road passing through there will leave on the west side a good strip of ground about 200 feet wide and about 500 or 600 feet long on one side of the cemetery, where there are no graves now, nor have any burial lots been sold on the line of the street. It is manifest

to the eye of every man who passes that way that that street must some time or other be opened. One of the officers of the cemetery company told us they could not sell lots if they would, because nobody would buy there. The bodies of a few people who did not own lots, and who were too poor to buy in other places, were buried there, but they can be readily removed.

I know the only desire of the gentlemen who came to me is to obtain what I think is an unreasonable price. This land, considered as land, will be greatly benefited by the passage of this street through it. All the other property owners were very willing to give the land to open up this street in order to induce street improvements in that part of the city. There is no doubt it would add greatly to the market value of the adjoining land to condemn sufficient land for this street. That is shown by the fact that two separate juries of leading citizens of Washington, when called upon to condemn streets right alongside in the same neighborhood, only allowed 1 cent a foot, on the ground that the betterments would more than balance the injury, and their judgments were sanctioned by the courts and the money paid. So that I think there is no doubt that the sum of money now appropriated will pay all that will be proper to give to this corporation, and probably a great deal more than ought to be given.

There is another piece of land called the Barbour tract, which I think the Senator from Tennessee [Mr. HARRIS] may possibly know something about. At any rate it is in litigation between the heirs, and it was not possible to obtain a title and get a right of way through it; but there will be no difficulty in making the assessment and getting the road through. I think it is very important to the local interests in that part of the city to open a direct and immediate connection with the Soldiers' Home. Still, if the Senator from Missouri wishes time to look into the bill so as to ascertain whether these facts are correct or not, I have no objection.

Mr. VEST. Let the bill go over.

Mr. SHERMAN. I introduced the bill at the request of the very gentleman referred to.

Mr. FRYE. The bill is to go over, retaining its place on the Calendar, I suppose.

Mr. VEST. Yes.

Mr. SHERMAN. Let it keep its place on the Calendar.

The PRESIDENT *pro tempore*. Being objected to, the bill will be passed over, retaining its place on the Calendar under Rule VIII.

#### DISTRICT JAIL EMPLOYÉS.

Mr. PERKINS. I ask unanimous consent for the present consideration of Senate bill 2429.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2429) fixing the salary of the warden of the United States jail in the District of Columbia, and the number of the employes and compensation for each.

The bill was reported from the Committee on the District of Columbia with amendments.

The first amendment was, in line 9, after the word "month," to insert "fifteen guards, at \$85 per month each;" so as to read:

That from and after the passage of this act there shall be allowed for the proper handling and safe-keeping of prisoners confined in the United States jail, to be appointed as now provided by law, one warden at a salary of \$2,500 per annum; one deputy warden, \$1,100 per annum; three captains of the guard, at \$90 per month; fifteen guards, at \$85 per month each.

Mr. PERKINS. I will say in explanation of the amendment that it was an omission in printing the bill. There are twelve guards now on duty at the jail and the bill proposes to increase the number to fifteen, which, in my judgment and the judgment of the committee, is absolutely necessary in order to the efficient management of the jail.

The amendment was agreed to.

The next amendment was, in line 12, before the word "dollars," to strike out "sixty" and insert "eighty-five;" so as to read:

One clerk, at \$90 per month; one physician, at \$1,000 per annum; three matrons, at \$85 per month; one engineer, at \$100 per month; two assistant engineers, at \$80 per month; one cook, at \$60 per month; one driver for jail van or carriage, \$30 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### ABANDONED MILITARY RESERVATIONS IN WYOMING.

Mr. CAREY. I ask the Senate to return to Senate bill 2093, which was heretofore passed over without prejudice.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2093) to provide for the disposal of certain abandoned military reservations in the State of Wyoming.

The bill was reported from the Committee on Public Lands

with amendments, in line 5, after the word "reservation," to strike out "and that portion of the Fort Bridger reservation in said State to which the act approved July 10, 1890, entitled 'An act to provide for the disposal of certain abandoned military reservations in Wyoming Territory,' does not apply," and insert "the Fort Fetterman old wood reserve, situated in township 32 north, ranges 74 and 75 west, established August 29, 1872, and the Fort Fetterman new wood reserve, situated in townships 28 and 29, range 71 west," and in line 26, after the word "respectively," to strike out "Provided further, That this act shall not apply to any subdivision of land, which subdivision may include adjoining lands to the amount of 160 acres on which any buildings or improvements of the United States are situated, until the Secretary of the Interior shall so direct;" so as to make the bill read:

*Be it enacted, etc.*, That all public lands now remaining undisposed of within the abandoned military reservations in the State of Wyoming, known as Fort Fetterman hay reservation, the Fort Fetterman old wood reserve, situated in township 32 north, ranges 74 and 75 west, established August 29, 1872, and the Fort Fetterman new wood reserve, situated in townships 28 and 29, range 71 west, are hereby made subject to disposal under the homestead law only: *Provided*, That actual occupants thereon upon the 1st day of January, 1892, shall have the preference right to make one entry not exceeding one quarter section under either of the existing land laws which shall include their respective improvements: *Provided further*, That any of such lands as are occupied for town-site purposes and any of the lands that may be shown to be valuable for coal or minerals shall be disposed of as now provided for lands subject to entry and sale under the town-site, coal, or mineral land laws, respectively.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### TOWN OF FERRON, UTAH.

Mr. CAREY. I ask the Senate to take up Order of Business 470, being House bill 1080, which was passed over without prejudice.

The Senate resumed consideration of the bill (H. R. 1080) for the relief of the inhabitants of the town of Ferron, county of Emery, Territory of Utah.

The PRESIDENT *pro tempore*. The question is on the passage of the bill.

The bill was passed.

#### PHILADELPHIA AND NEW YORK BAY SHIP CANAL.

Mr. QUAY. I ask unanimous consent that the Senate proceed to the consideration of a bill reported by me favorably from the Committee on Commerce this morning, being the bill (S. 3179) authorizing the Secretary of War to cause a survey to be made for a ship canal from Philadelphia across New Jersey to New York Bay.

Mr. HARRIS. Let that bill go over, holding its place on the Calendar. The Senate is too thin to consider a bill of that character.

The PRESIDENT *pro tempore*. The bill, being objected to, goes over, retaining its place on the Calendar.

#### ASSISTANT ASTRONOMERS AT UNITED STATES NAVAL OBSERVATORY.

The bill (S. 824) defining the promotions and salaries of assistant astronomers at the United States Naval Observatory, and for other purposes, was announced as next in order.

Mr. VEST. I object to the consideration of that bill now.

The PRESIDENT *pro tempore*. Being objected to, the bill will be passed over.

Mr. CHANDLER. I suppose the Senator from Missouri has no objection to the bill retaining its place on the Calendar.

Mr. VEST. No, I have no objection to that.

The PRESIDENT *pro tempore*. The bill will be passed over without prejudice, retaining its place under Rule VIII.

#### LANDS IN WASHINGTON.

The bill (H. R. 7081) confirming title to lands in the subdivision of square 206 in the city of Washington, D. C., was considered as in Committee of the Whole. It proposes to confirm the subdivision of square 206 in the city of Washington, D. C., made by C. P. Patterson and recorded in book R. W., page 102, in the office of the surveyor of the District, so far as said subdivision embraced any part of the original alleys in that square, and the title of the persons claiming any part or parts of the original alleys under the owner of the original lots at the time the subdivision was made.

Mr. FELTON. I should like to hear some explanation of that bill.

Mr. SHERMAN. The Senator from California can have the report read if he desires.

Mr. FELTON. I should like to have the report read.

Mr. FAULKNER. I will state to the Senate that the Senator

from Delaware [Mr. HIGGINS] reported that bill, and I am sure the Senator from California, if he will have the report read, will be so thoroughly satisfied of the correctness of the bill that he will no longer object to its consideration. It is a very important thing in the interest of the District as to the titles of property and to the benefit of the District in the enlargement of the area of the forests.

Mr. FELTON. That is sufficient. I merely wanted an explanation of the object of the bill. It seemed to be a subject of some importance.

The PRESIDENT *pro tempore*. Does the Senator from California desire the reading of the report?

Mr. FELTON. No, sir.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MEDALS FOR LIEUT. JORDAN AND CAPT. CARTER.

The joint resolution (S. R. 82) to authorize Lieut. Sidney S. Jordan, Fifth United States Artillery, and Capt. Edward C. Carter, assistant surgeon, United States Army, to accept medals from the British Government was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### JOHN L. BROOME.

The bill (S. 848) for the relief of John L. Broome was considered as in Committee of the Whole.

Mr. CHANDLER. It is my intention to move to strike out the preamble; but preliminary thereto I move, in line 5, after the word "appoint," to strike out the words "the said."

The PRESIDENT *pro tempore*. The amendment will be stated.

The SECRETARY. In line 5, after the word "appoint," it is proposed to strike out "the said," so as to make the bill read:

*Be it enacted, etc.*, That the President of the United States be, and hereby is, authorized to nominate and, by and with the advice and consent of the Senate, to appoint John L. Broome, now a lieutenant-colonel in the Marine Corps on the retired list, a colonel in the Marine Corps, and to place him, with the rank and pay of colonel, on the retired list of the Marine Corps from the date of his retirement, March 8, 1888.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. CHANDLER. I move that the preamble be disagreed to. The preamble was rejected.

#### LEASING OF GOVERNMENT PROPERTY.

Mr. PROCTOR. I ask the Senate to proceed to the consideration of Order of Business 230, being Senate bill 1040, which was passed over to enable the Senator from Florida [Mr. CALL] to propose an amendment, which he has now prepared.

The PRESIDENT *pro tempore*. The bill being on the Calendar under Rule VIII, is now in order.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1040) authorizing the Secretary of War to lease certain public property. It authorizes the Secretary of War, when in his discretion it will be for the public good, to lease for a period not exceeding five years and revocable at any time, such property of the United States under his control as may not for the time be required for public use and for the leasing of which there is no authority under existing law, and such leases shall be reported annually to Congress.

Mr. CALL. I offer the amendment which I send to the desk, to come in at the end of the bill.

The PRESIDENT *pro tempore*. The amendment will be stated.

The SECRETARY. At the end of the bill it is proposed to add:

*Provided*, That nothing in this act contained shall be held to apply to mineral or phosphate lands.

Mr. PROCTOR. I will accept the amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. CHANDLER. I suggest that the title should be changed so as to read: "A bill authorizing the Secretary of War to lease public property in certain cases." The title is a little misleading as it stands.

Mr. PROCTOR. I have no objection to that.

The title was amended so as to read: "A bill authorizing the Secretary of War to lease public property in certain cases."

#### YELLOWSTONE NATIONAL PARK.

Mr. CAREY. I ask the Senate to return to the bill (S. 1843) to provide for the punishment of offenses committed in the Yellow-

stone National Park, which was passed over without prejudice.

The PRESIDENT *pro tempore*. The bill is in order, having been passed over without prejudice under Rule VIII. The bill will be read.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Territories with amendments.

The PRESIDENT *pro tempore*. The amendments of the Committee on Territories will be stated in their order.

Mr. TELLER. I wish to inquire of the Senator who has the bill in charge whether, when the State of Wyoming was admitted into the Union, the jurisdiction of the United States was reserved over this tract of country?

Mr. CAREY. I will state that it was. The terms I will not take the time of the Senate to read, but I will hand the statute to the Senator.

Mr. SANDERS. I should like to call the attention of the Senator having the bill in charge to another matter of the same nature. A portion of this park as now defined is within the State of Montana and still another portion of it is within the State of Idaho. It is provided in the bill as to offenses committed within the park that the jurisdiction over them shall be confined to the United States courts of the State of Wyoming, and in that respect it takes a party out of the district where the offense was committed and transfers the jurisdiction and authority to try him to another district and State.

While it is true, as stated by the Senator, that in the act admitting Wyoming there was a reservation of the authority of the United States over this park, there was no such provision of law in the acts admitting either Montana or Idaho. I do not propose to make any inquiry as to whether that reservation is of any effect if it is made, or whether it would be necessary in the face of the fact that this bill gives jurisdiction over that park to the district court of the State of Wyoming.

Mr. CAREY. I will say to the Senator, if he will read the first section of the bill he will find it reads: "That the Yellowstone National Park, in the State of Wyoming, as now defined, or as may be hereafter defined." It follows the proviso of the second section of the act admitting Wyoming as a State.

This bill does not pretend to legislate with reference to any portion of the park except that portion which is within the boundaries of the State of Wyoming. So far as the little strips on the west and north sides of the park are concerned, which are respectively in the States of Idaho and Montana, no one will contend that the United States has any jurisdiction whatever over that portion of the park, as it was not expressly reserved by the acts admitting those two States. There is no attempt whatever in the bill to legislate for any portion of the park that is outside of the State of Wyoming.

I will also state, as the Senator, I think, was away at the time, that a bill which passed the Senate redefining the boundaries of the park omits the two strips alluded to. That measure has already passed the Senate and gone to the other House. This bill does not cover one acre of ground in the States of Idaho or Montana, as the Senator will see by the first section.

Mr. MORGAN. I hope the Senator in charge of the bill will read that portion of the second section of the act to admit Wyoming which creates a reservation for these purposes.

Mr. CAREY. I will read section 2 of the act of July 10, 1890, admitting Wyoming as a State:

SEC. 2. That the said State shall consist of all the territory included within the following boundaries, to wit: Commencing at the intersection of the twenty-seventh meridian of longitude west from Washington with the forty-fifth degree of north latitude and running thence west to the thirty-fourth meridian of west longitude; thence south to the forty-first degree of north latitude; thence east to the twenty-seventh meridian of west longitude; and thence north to the place of beginning. *Provided*, That nothing in this act contained shall repeal or affect any act of Congress relating to the Yellowstone National Park, or the reservation of the park as now defined, or as may be hereafter defined or extended, or the power of the United States over it; and nothing contained in this act shall interfere with the right and ownership of the United States in said park and reservation as it now is or may hereafter be defined or extended by law, but exclusive legislation, in all cases whatsoever, shall be exercised by the United States, which shall have exclusive control and jurisdiction over the same; but nothing in this proviso contained shall be construed to prevent the service within said park of civil and criminal process lawfully issued by the authority of said State.

That, I believe, follows the usual restriction with reference to such matters.

Mr. MORGAN. I will ask the Senator whether he really thinks that the State of Wyoming is capable of taking care of that property, if we just allow that State to have full control of it. Suppose the State wanted to lay it off into a park and reserve it for State purposes against intrusion or against the destruction of articles of curiosity or the wild animals that we are trying to take care of in that section, does the Senator not think that the State of Wyoming is entirely competent to do that work?

Mr. CAREY. I think perhaps it would be competent, but I

By Mr. LITTLE: Memorial of 64 citizens of New York, against Congress legislating to the close the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. MARTIN: Papers in the case of William G. Smith, late a private of Company C of the Thirty-fourth Regiment of Indiana Volunteers—to the Committee on Invalid Pensions.

By Mr. MEYER: Two petitions of citizens of Louisiana, asking that the metric system of weights and measures be used exclusively in the customs service of the United States—to the Committee on Coinage, Weights, and Measures.

By Mr. O'DONNELL: Two petitions of citizens of Michigan, one of 81 citizens of Hastings, and the other of 89 residents of Union City, both protesting against religious legislation—to the Select Committee on the Columbian Exposition.

By Mr. O'NEILL of Pennsylvania: Protest of the Manufacturing Chemists' Association of the United States against an act for preventing the adulteration and misbranding of food and drugs, and for other purposes—to the Committee on Agriculture.

By Mr. PICKLER: Two petitions of citizens of South Dakota, one of 27 citizens of Vilas, the other of L. G. Culver and 17 others, members of the Seventh-Day Adventists, of Watertown, Codington County, against any law concerning the closing of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of 50 citizens of Highmore, S. Dak., asking a constitutional amendment prohibiting any State from passing any law respecting the establishment of religion—to the Committee on the Judiciary.

Also, petition of 250 citizens of Clark County, S. Dak., asking that the World's Fair be closed on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. SANFORD: Petition of 18 citizens of Amsterdam, N. Y., for legislation providing for the closing of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, two petitions of Milton Grange, No. 685, of Saratoga County, N. Y., one for a law preventing gambling in farm products, and the other for pure food—to the Committee on Agriculture.

Also, petition by the same grange, for the immediate passage of House bill 395, defining lard and imposing a tax thereon—to the Committee on Ways and Means.

Also, petition by the same grange, in favor of laws preventing the making of contracts discrediting legal-tender currency—to the Committee on Banking and Currency.

By Mr. TURNER: Petition of Andrew B. Estes and others, of Blackshear, Ga., protesting against a bankruptcy bill—to the Committee on the Judiciary.

## SENATE.

THURSDAY, June 23, 1892.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

### COURT OF CLAIMS REPORT.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Court of Claims, transmitting a copy of the opinion of that court in the case of Frederick Bernard *vs.* The United States; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

### CREDENTIALS.

Mr. DIXON presented the credentials of NELSON W. ALDRICH, chosen by the Legislature of Rhode Island a Senator from that State for the term beginning March 4, 1893; which were read, and ordered to be filed.

### PETITIONS AND MEMORIALS.

Mr. SHERMAN presented a petition of 26 citizens of Belmont County, Ohio, praying for the passage of the Washburn-Hatch antiprohibition bills; which was referred to the Committee on the Judiciary.

He also presented a petition of the Cleveland (Ohio) Chapter of the American Institute of Architects, praying for the passage of House bill 8152, regulating the erection of public buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. CULLOM presented a petition of citizens of Dover, Ill., and a petition of the Methodist Episcopal and Christian churches of Bryant, Ill., praying for the closing of the World's Columbian Exposition on Sunday, and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the memorial of H. V. Weaver and other members of the Seventh-Day Adventist Church, of Onarga, Ill., remonstrating against the commitment of the United States Government to a union of religion and the State by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. WARREN presented a petition of citizens of Sandwich, Wyo., praying for the adoption of an amendment to the Constitution of the United States prohibiting any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

Mr. PERKINS. I present the proceedings of the San Francisco Board of Trade and of other bodies concerning the Torrey bankruptcy bill. I move that the memorial be printed as a miscellaneous document, and referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. COKE presented an memorial of sundry citizens of Houston, Tex., remonstrating against the commitment of the United States Government to a union of religion and the State by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

### REPORTS OF COMMITTEES.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (S. 2379) for the relief of William R. Steinmetz, reported it without amendment, and submitted a report thereon.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 1105) for the relief of Henry S. Cohn, late of the One hundred and sixth Ohio Volunteers, reported it without amendment, and submitted a report thereon.

Mr. BATE, from the Committee on Military Affairs, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2686) granting an honorable discharge to John R. Roberts; and

A bill (S. 2182) for the relief of James W. Turner.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 3296) for the relief of Henry Cozad, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3257) for continuing the improvements of Jefferson Barracks, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the amendment submitted by himself June 16, intended to be proposed to the sundry civil appropriation bill, reported it without amendment, and moved its reference to the Committee on Appropriations; which was agreed to.

Mr. ALLEN, from the Committee on Claims, to whom was re-committed the bill (H. R. 669) for the relief of Dabney, Simmons & Co., reported it without amendment, and submitted a report thereon.

### STATUE OF GEN. SHERMAN.

Mr. HAWLEY. I am instructed by the Committee on Military Affairs to report back favorably, without amendment, the bill (H. R. 8888) for preparation of site and erection of a pedestal for statue of late Gen. William T. Sherman, and appropriating the sum of \$50,000 therefor. I venture to ask for the immediate consideration of the bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to appropriate \$50,000 for the preparation of a site and the erection of a pedestal for a statue of the late Gen. William T. Sherman in the city of Washington; the site to be selected by and the pedestal to be erected under the supervision of the president of the Society of the Army of the Tennessee, the Secretary of War, and the Major-General Commanding the Army.

The bill was reported to the Senate without amendment.

Mr. HAWLEY. I may state that the bill is substantially in the terms of the acts relating to statues of Gen. Hancock, Logan, and Sherman.

The bill was ordered to a third reading, read the third time, and passed.

Mr. HAWLEY. I report back from the Committee on Military Affairs the bill (S. 2633) to erect a pedestal and statue to Gen. William T. Sherman in the city of Washington, and a petition of the Society of the Army of the Tennessee relating to the same bill. I ask that the usual course be taken, the committee to be discharged from the further consideration.



The PRESIDENT *pro tempore*. The committee will be discharged from further consideration of the petition, and the bill will be postponed indefinitely.

#### CLAIMS AGAINST THE CHEROKEE NATION.

Mr. DAWES. I ask that the Committee on Indian Affairs be discharged from the further consideration of the bill (H. R. 6591) supplementary and amendatory to an act entitled "An act to refer to the Court of Claims certain claims of the Shawnee and Delaware Indians and the freedmen of the Cherokee Nation, and for other purposes," approved October 1, 1890, and I ask that the bill may be put on its passage, for the reason that on the 13th of April the Senate passed precisely such a bill. It was sent down to the House, and the House by mistake passed another bill in precisely the same words instead of passing the Senate bill. I ask that the committee be discharged from the consideration of the House bill and that it be put on its passage.

Mr. HARRIS. I think the Senator should report the bill back favorably and ask that it be put upon its passage in view of the statement he makes. Instead of having the committee discharged, why not report back the bill favorably?

Mr. DAWES. The only reason is that the committee has not been able to have a meeting since the bill was referred to it. That is the only reason. I suppose nobody will object to my asking to have the committee discharged from the consideration of the bill.

Mr. HARRIS. Of course when the committee is discharged the Senate will consider a bill not reported.

Mr. DAWES. The formal way is the one suggested by the Senator from Tennessee.

The PRESIDENT *pro tempore*. The committee will be discharged from the consideration of the bill, if there be no objection. The Chair hears none. The Senator from Massachusetts asks the unanimous consent of the Senate that the bill be now considered.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### RAILROAD THROUGH MEMOMONEE RESERVATION.

Mr. DAWES. I report back with amendments from the Committee on Indian Affairs the bill (H. R. 5133) to authorize the Marinette and Western Railroad Company to construct a railroad through the Menomonee Reservation, in the State of Wisconsin.

Mr. SAWYER. I ask unanimous consent that the bill be now considered. It is the grant of a right of way, and it is important that it should be passed now.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. HARRIS. Let it be read for information.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The PRESIDENT *pro tempore*. The first amendment reported by the Committee on Indian Affairs will be stated.

The SECRETARY. In section 1, after line 18, add the following additional proviso:

*Provided further*, That said route or right of way shall be located within one and one-half miles from the north line of the township hereinafter mentioned.

The amendment was agreed to.

The next amendment was, in section 4, line 34, after the word "road," to insert the following proviso:

*Provided*, That all merchantable pine timber on the right of way and deep ground shall be carefully estimated and appraised by a competent person appointed by the Secretary of the Interior, and said railroad company shall pay or cause to be paid the sum of not less than 30 per thousand feet board measure, for each and every thousand feet, together with the expense of estimate and appraisal, said money to be paid to the secretary of the Interior before the building of said road has begun; and, *And provided*, That after paying the estimate and appraisal, the balance of the money derived from the sale of said timber shall be expended by the Secretary of the Interior for the benefit of the Menomonee Indians.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

#### COURTS IN IDAHO AND WYOMING.

Mr. MITCHELL. I report back adversely, from the Committee on the Judiciary, the bill (S. 1639) to provide the times and places for holding terms of the United States courts in the State of Idaho. I am about to report a similar bill, a House bill, favorably, and I move that the Senate bill be postponed indefinitely.

The motion was agreed to.

Mr. MITCHELL. From the same committee I report back

with amendments the bill (H. R. 626) to provide the times and places for holding terms of United States courts in the State of Idaho. This is a House bill; it is very brief, and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The PRESIDENT *pro tempore*. The amendments of the Committee on the Judiciary will be stated in their order.

The first amendment was, in section 6, line 12, after the word "court," to strike out the words "on the days last named;" so as to read:

And other things pending in or returnable to said court are hereby transferred to and shall be made returnable to, etc.

The amendment was agreed to.

The next amendment was, in section 7, line 1, to strike out the word "(first);" in line 2, to strike out the word "(second);" in line 3, to strike out the word "(third);" in line 4, to strike out the word "(fourth);" in line 5, to strike out the word "(fifth);" and in line 6, to strike out the word "(sixth)."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. CAREY. I move to add the following as an additional section to the bill:

SEC. 8. That instead of the times now fixed by law the terms of the circuit and district courts of the United States for the district of Wyoming, to be held at Cheyenne, shall commence on the second Monday in May and the second Monday in November in each year.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to provide the times and places for holding terms of the United States courts in the States of Idaho and Wyoming."

Mr. MITCHELL. I move that the Senate request a conference with the House of Representatives on the bill and amendments.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate; and Mr. MITCHELL, Mr. TELLER, and Mr. COKE were appointed.

#### BILLS INTRODUCED.

Mr. DAWES introduced a bill (S. 3318) to provide for the removal of suits from the courts of the Indian tribes or nations in the Indian Territory in certain cases, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. McMILLAN, by request, introduced a bill (S. 3319) to correct title of lots 13 and 14 in square 959 in Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PERKINS introduced a bill (S. 3320) granting a pension to William G. Reynolds; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SAWYER introduced a bill (S. 3321) granting a pension to Mary Tuttle; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SHERMAN introduced a bill (S. 3322) granting a pension to John N. Peall; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3323) granting a pension to George W. Sharps; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MORGAN introduced a bill (S. 3324) for the relief of the heirs of Dr. Nathan Fletcher; which was read twice by its title, and referred to the Committee on Claims.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. FELTON submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CALL submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### Nicaraguan Canal.

Mr. MORGAN. I submit a resolution and ask its reference to the Committee on Printing. I desire to submit some remarks upon it, however, before it is referred.

The resolution was read, as follows:

*Resolved*, That there be printed for the use of the Senate 500 copies of Senate Report 1941, Fifty-first Congress, omitting the maps accompanying said report, it being the report of the Senate Committee on Foreign Relations, relating to the construction of the Maritime Canal of Nicaragua.

Mr. MORGAN. Mr. President, the edition of that report has



mitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. COCKRELL presented a petition of citizens of Clearmount, Mo., praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which was referred to the Committee on Epidemic Diseases.

Mr. BATE presented petitions of the United Presbyterian Church of Union; of the Prospect Church of Lincoln County, and of the Lebanon United Presbyterian Church, all in the State of Tennessee, praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. CHANDLER. I present the memorial of William T. Cass and 24 other citizens of Tilton, N. H., of whom 20 are parents, 2 teachers, and 2 physicians, remonstrating against the "deadly cigarette." I move that the memorial be referred to the Committee on Epidemic Diseases.

The motion was agreed to.

Mr. PEPPER presented memorials of the Farmers' Alliance and Industrial Union No. 988; of the Lone Elm Farmers' Alliance and Industrial Union, No. 622, and of sundry other citizens of Cherokee County, State of Kansas, remonstrating against the passage of H. R. 335 and S. 2984, known as the Brosius-Wilson land bills, and praying for the passage of the Paddock pure food bill; which were referred to the Committee on Agriculture and Forestry.

Mr. PLATT presented a petition of citizens of Greenwich, Conn., praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which was referred to the Committee on Epidemic Diseases.

He also presented a petition of the Bridgeport (Conn.) Christian Endeavor Union, signed by E. K. Holden and A. H. Gainsby, of Bridgeport, Conn., praying that no exposition or exhibition for which appropriations are made by Congress be opened on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. MILLS presented a petition of sundry citizens of Grier County, Tex., praying for the passage of the Washburn-Hatch anti-option bills; which was referred to the Committee on the Judiciary.

Mr. PADDOCK presented the memorial of Mrs. Wina Crane and other citizens of Wayne, Nebr.; the memorial of S. J. Morry and other citizens of Largo, Nebr., and the memorial of James Mefford and other citizens of Red Cloud, Nebr., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of citizens of Union County, Miss., and of the Oak Grove Farmers' Alliance, No. 1089, Patrons of Husbandry, of Myrtle, Miss., remonstrating against the passage of the Wilson-Brosius land bill, and praying for the passage of the Paddock pure-food bill; which was ordered to lie on the table.

Mr. PERKINS presented the memorial of William Gambrill and 84 other members of the Seventh-Day Adventist Church of Osawatie, Kans., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday, or in any other way committing the Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PETTIGREW presented the memorial of Michael Binder and sundry other citizens of Leola, S. Dak., and the memorial of Jacob Hirsch and sundry other citizens of Eureka, S. Dak., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. ALLISON presented the petition of William T. Pickett and other citizens of Des Moines, Iowa, praying that the said Pickett be granted a pension of \$25 per month; which was referred to the Committee on Pensions.

He also presented petitions of the First Baptist Church of Newton; of the Convention of Christian Endeavor Societies of Charleston; of the United Presbyterian and two Methodist Episcopal Churches of Garner; of the Young People's Society of Columbus City; of the Congregational Church of Tabor; of the First Presbyterian Church of Harper; of the Sabbath School Association of Taylor County; of the Methodist Episcopal churches of Bloom-

field (Iowa) Circuit; of the Methodist Episcopal churches of Alden Charge; of the First Lutheran Church of Newton; of the Methodist Episcopal Church of Floyd; of the Methodist Episcopal Church of Forest City; of the Congregational Church of Belmond; of the Christian Endeavor Convention of the Iowa Central Union; of the First Methodist Episcopal Church of Waterloo, all in the State of Iowa, praying for the closing of the World's Columbian Exposition on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of the Seventh-Day Adventist Church of Village Creek, Iowa; the memorial of J. C. Smith and 20 other citizens of Castana, Iowa; the memorial of T. C. Davis and 81 other citizens of Marshall County, Iowa, and the memorial of G. F. Watson and 23 other members of the Seventh-Day Adventist Church of Sioux City, Iowa, remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Trade and Labor Assembly of the city of Burlington, Iowa, praying for the passage of House bill No. 319 to exempt improvements on real estate in the District of Columbia from taxation and assess land at its full market value; which was referred to the Committee on the District of Columbia.

He also presented a petition of 45 citizens of Clarinda, Iowa; a petition of 45 citizens of Blanchard, Iowa; a petition of 13 citizens of Moscow, Iowa, and a petition of 34 citizens of Burlington, Iowa, praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which were referred to the Committee on Epidemic Diseases.

Mr. SAWYER presented the memorial of Frank Hubbard and sundry other citizens of Barrow County, Wis., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. FELTON presented the memorial of R. A. Morton and sundry other citizens of Fresno, Cal., and the memorial of the Liberty Association of Monterey, Cal., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. HALE presented the petition of Samuel Guess, of Bangor, Me., praying that he be granted a pension; which was referred to the Committee on Pensions.

Mr. VEST presented a petition of the pastors and congregations of the Methodist and Presbyterian churches of Craig, Mo., praying for the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the memorial of C. L. Gough and other citizens of Rock Spring, Mo., and the memorial of William Evans and other citizens of Hamilton, Mo., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. DOLPH presented a petition of sundry citizens of Portland, Oregon, praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which was referred to the Committee on Epidemic Diseases.

#### LIQUOR TRAFFIC IN ALASKA.

Mr. DOLPH. I desire to present a matter, in the nature of a petition, which I think ought to come before the Senate. The Senate is aware, and I call the attention of the chairman of the Committee on Territories to the fact, that because I had the honor to propose certain legislation which I thought beneficial for the Territory of Alaska I have been the subject of considerable criticism.

I am in receipt, by reference from the Attorney-General of the United States, of a letter from the recently appointed district judge of Alaska, raising the question as to whether there is any law, except the general law providing against the introduction and sale of liquors in Alaska, for the punishment of the sale of liquors to Indians. I will not ask to have the letter read, but I will have it referred, with certain accompanying papers, to the Committee on Territories.

I am also in receipt of a copy of the report of the grand jury recently assembled in the town of Juneau, in the Territory of Alaska, and accompanying it is a copy of the charge of the dis-

trict judge to the grand jury, from which I will read a single sentence:

In the Morning Record, a public journal published in this city, ~~of the 15th~~ of April 7, 1892, a statement from United States Senator DOLPH, taken from the Oregonian, is published touching upon this subject—

That is, the sale of intoxicating liquors—

in which, among other things, he says: "I went to Alaska six years ago last summer, and again in August last, and on both occasions endeavored to ascertain the condition and wants of the people by actual observation and by inquiry of the Federal officers and of the people. I found six years ago numerous saloons in Sitka, Juneau, and Fort Wrangel where liquors were openly disposed of, and learned that at some of them Indian women were engaged all night long in drinking, dancing, and debauchery; and there was at least one brewery in full operation in the district. I found when there last summer that there had been no improvement."

This is a part of the charge of the district judge of Alaska to the grand jury. I now quote from the official report of the grand jury:

Regarding your honor's instructions referring to the sale of intoxicating liquors in Alaska, we have carefully considered the matter, and find that there are five breweries engaged in the manufacture, and more than fifty retail dealers engaged in the sale of intoxicating liquors in the Territory of Alaska. After careful consideration of the evidence we were able to obtain, we are of the opinion that it would be impossible to secure conviction. We therefore earnestly recommend that a high-license system be established in Alaska, believing that such a system would be conducive to the general good and prosperity of our own people by ceasing to offer a lucrative business to smugglers from British territory; and we are of the opinion that it would have the effect of compelling the licensed dealers to be vigilant in their efforts to drive out that portion of our community that thrives from the business of selling liquor to Indians.

I call special attention to that, that a portion of the community is thriving by selling liquor to Indians.

We know that it will place the business in the hands of responsible citizens, and that the money accruing from the licenses, placed in the hands of the town trustees, can be expended on our streets, schools, and other public improvements.

I present these papers, and move that they be referred to the Committee on Territories.

The motion was agreed to.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House insisted upon its amendments to the bill (S. 1273) to authorize the entry of lands chiefly valuable for building stone under the placer mining laws, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. McRAE, Mr. BAILEY, and Mr. CLARK of Wyoming, managers at the conference on the part of the House.

The message also announced that the House had passed the following bills: in which it requested the concurrence of the Senate:

A bill (H. R. 2836) providing for the payment of \$450 to pay W. S. Brantly, executor of J. H. Brantly, for damages to property by United States troops in 1865; and

A bill (H. R. 3284) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1892, and for prior years, and for other purposes.

#### REPORTS OF COMMITTEES.

Mr. ALLISON. I report back from the Committee on Appropriations with amendments the bill (H. R. 3040) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes. At the close of the morning business I should like to call up the bill for consideration, and I will now ask unanimous consent that at the close of the morning business the bill may be taken up.

The PRESIDENT *pro tempore*. The Senator from Iowa asks the unanimous consent of the Senate that the legislative, etc., appropriation bill be taken up for consideration at the close of the morning business to-day. Is there objection? The Chair hears none, and it is so ordered.

Mr. PAULKNER, from the Committee on the District of Columbia, to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. 8294) to punish the carrying or selling of deadly or dangerous weapons within the District of Columbia, and for other purposes;

A bill (S. 3236) authorizing the Commissioners of the District of Columbia to refuse applications for water connections in certain cases; and

A bill (S. 3248) relating to acknowledgments of instruments affecting real estate within the District of Columbia.

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1661) granting an increase of pension to John Hallam; and

A bill (S. 3321) granting a pension to Mary Tuttle.

Mr. McHILLAN, from the Committee on the District of Co-

lumbia, to whom was referred the bill (H. R. 8122) to prohibit the use of "one-horse" cars within the limits of the city of Washington after the 1st day of January, 1893, and for other purposes, reported it with an amendment.

He also, from the same committee, to whom was referred the amendment, submitted by himself on the 16th instant, intended to be proposed to the sundry civil appropriation bill concerning an appropriation for the Daisy Chain Hospital in the District of Columbia, reported it favorably, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. MORGAN, from the Committee on Public Lands, to whom was referred the bill (H. R. 3397) to amend section 2 of an act approved May 14, 1880, being "An act for the relief of settlers on public lands," reported it with an amendment.

He also, from the same committee, to whom was referred the bill (H. R. 222) to grant certain public lands to the State of Minnesota for perpetual use as a public park, reported it without amendment.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the bill (S. 3317) extending the time for the construction of the Big Horn Southern Railroad through the Crow Indian Reservation, reported it with an amendment.

Mr. DOLPH, from the Committee on Public Lands, to whom was referred the bill (S. 2421) to repeal the second section, No. 4, of chapter 561 of the laws of the second session of the Fifty-first Congress, and to reenact the preemption laws thereby repealed, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 3067) providing for the restoration of the southwest quarter, section 34, township 12 north, range 3 west, to the public domain, and for other purposes, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (H. R. 7028) to protect settlement rights where two or more persons settle upon the same subdivision of agricultural public lands before survey thereof, reported it without amendment.

Mr. DOLPH. I also report favorably, from the Committee on Public Lands, an amendment to the sundry civil appropriation bill concerning land-grant railroad companies, which had been referred to the Committee on Appropriations and reported from that committee and referred to the Committee on Public Lands. I move that the proposed amendment be re-referred to the Committee on Appropriations.

The motion was agreed to.

Mr. PERKINS, from the Committee on the District of the Columbia, to whom was referred the bill (H. R. 5446) to provide for the care of dependent children in the District of Columbia and to create a board of children's guardians, reported it with amendments and submitted a report thereon.

Mr. MITCHELL, from the Committee on Claims, to whom was referred an amendment, submitted by Mr. TRIMBLE on the 24th of May, intended to be proposed to the deficiency appropriation bill, reported it favorably, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. WALTHALL, from the Committee on Public Lands, to whom was referred the bill (S. 2561) to amend section 6 of the act approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes," reported it without amendment.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (H. R. 3396) for the relief of A. S. Lee, asked to be discharged from its further consideration, and that it be referred to the Committee on Claims; which was agreed to.

#### STATISTICS OF PRODUCTIVE INDUSTRIES.

Mr. HALE. I report back from the Committee on the Census the bill (H. R. 7696) amendatory of an act entitled "An act to provide for the taking of the Eleventh Census," which I ask may be put upon its passage.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. COCKRELL. Let it be read for information.

The PRESIDENT *pro tempore*. The bill will be read a fourth time for information.

The bill was read.

Mr. COCKRELL. I should like to hear an explanation of the necessity of the bill. If it relates to taking the present census, is it not too late to go into an examination of all these industries and the taking of additional testimony?

Mr. HALE. The bill passed the other House without opposition, and is reported by the Committee on the Census unanimously. It simply extends to unincorporated companies and individuals having manufacturing establishments the same pro-

visions as to making correct returns that now apply to incorporated companies. It was omitted in the original act, and the Census Office has found embarrassment in some cases because parties shelter themselves by this omission in the original law. Nobody objected to the bill, Mr. President.

The PRESIDENT *pro tempore*. If there be no objection, the bill is before the Senate as in Committee of the Whole.

Mr. CALL. Mr. President, it is known to me that the dentists of this city and District and of the country generally take very great exception to the language contained in this bill. I understand from them—

Mr. BERRY. If the Senator will permit me a moment, I will state that a committee from the association of dentists was before the Committee on the Census this morning, and it was all arranged and agreed to.

Mr. CALL. Then I have nothing further to say on the subject.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. PADDOCK introduced a bill (S. 3325) granting an increase of pension to George W. Clark; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ALLISON introduced a bill (S. 3326) granting a pension of \$25 a month to William T. Pickett; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3327) granting a pension to Duncan McGilvra; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BATE introduced a bill (S. 3328) for the relief of A. W. Wills, administrator; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DAWES introduced a bill (S. 3329) to increase the area of the Northern Cheyenne or Tongue River Indian Reservation, Montana, and to authorize the Secretary of the Interior to settle the claims of bona fide settlers within the present reservation and the addition thereto, and to make appropriation for that purpose; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PERFFER introduced a bill (S. 3330) to define the status and for the relief of the heirs or legal representatives of certain recruits for the Fourteenth Kansas Cavalry Volunteers who were killed at Lawrence, Kans., August 21, 1863, by guerrillas; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CAMERON introduced a bill (S. 3331) to relieve and exempt John Henry Ley, of the District of Columbia, from the operation of an act entitled "An act to restrict the ownership of real estate in the Territories to American citizens;" which was read twice by its title, and, with the accompanying paper, referred to the Committee on the Judiciary.

Mr. MANDERSON introduced a bill (S. 3332) to establish a military post at or near the city of Santa Fe, in the county of Santa Fe, in the Territory of New Mexico; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3333) for the relief of Capt. Henry Romeyn, Fifth Regiment of Infantry, Army of the United States; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. TURPIE introduced a bill (S. 3334) to remove the charge of desertion from the military record of Alexander King, deceased; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GORDON introduced a bill (S. 3335) for the relief of Charles L. Bradnell; which was read twice by its title, and referred to the Committee on Claims.

Mr. HUNTON introduced a joint resolution (S. R. 91) extending the time for the construction of a hotel upon the Government Reservation at Fortress Monroe, Va.; which was read twice by its title, and referred to the Committee on Military Affairs.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. CAMERON submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

Mr. KENNA submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CALL submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

#### PRINTING OF PAPERS.

Mr. SHERMAN. I ask for an order to print a letter from the Secretary of the Interior, and also one from the Commissioner of the General Land Office, in support of an amendment to the sundry civil appropriation bill, authorizing the Secretary of the Interior to purchase the original records of entries of the lands within the Virginia military district of Kentucky and Ohio, etc., now pending in the Committee on Appropriations. It is important that these communications should be printed.

The PRESIDENT *pro tempore*. The papers will be printed if there be no objection. The Chair hears none, and it is so ordered.

#### INVESTIGATION BY COMMITTEE ON MINES AND MINING.

Mr. STEWART submitted the following resolution, which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Mines and Mining be, and it is hereby, authorized and directed, to investigate and report the average cost of the production of gold and silver bullion in the United States; and for that purpose the committee is hereby authorized to—during the recess of the Senate, to employ a clerk, and the necessary expenses to be paid from the contingent fund of the Senate, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

#### FRENCH SPOILATION CLAIMS.

Mr. HALE. I submit an order and ask for its present consideration.

The resolution was considered by unanimous consent, as follows:

*Ordered*, That the Committee on Appropriations be discharged from further consideration of the following French spoliation claims favorably reported by the Court of Claims, and that they be referred to the Committee on Claims:

Brig Confidence, Thomas Manning, master; Fifty-second Congress, first session, Senate Miscellaneous Document No. 5, page 17.  
Brig Eleanor, James Treat; *idem*, page 22.  
Schooner Eliza, Thomas Poulson; *idem*, page 25.  
Snow Fanny, Garrett Barry; *idem*, page 26.  
Sloop Federal George, George Hussey; *idem*, page 31.  
Schooner Haema, Philip Bessom; *idem*, page 31.  
Brig Hope, Church; *idem*, page 35.  
Schooner Lucy, Lewis Holmes; *idem*, page 33.  
Ship Patapsco, William Hill; *idem*, page 47.  
Schooner Thankful, William Ward; *idem*, page 53.  
Schooner Alert, Jacob Oliver; Senate Miscellaneous Document No. 21, page 1.  
Ship Betsey, Josiah Obeary; *idem*, page 1.  
Ship Jane, John Wallace; *idem*, page 10.  
Ship Theresa, Philip Brum; Senate Miscellaneous Document No. 22.  
Brig Yorick, William Moodie; Senate Miscellaneous Document No. 71.  
Schooner Betsey, John Murphy; Senate Miscellaneous Document No. 10.

Mr. MITCHELL. I should like to inquire of the Senator from Maine whether this proposed order includes any of the claims that have heretofore gone to the committee, or relates only to those that have gone there during the present session?

Mr. HALE. It relates to those that have gone there at the present session, I understand.

The resolution was agreed to.

#### TARIFF POLICY.

Mr. HALE submitted the following resolution, which was read:

Whereas, at no time has so large a proportion of the American people been employed at so high wages and purchasing the necessities and comforts of life at so low prices as in the year 1892; and

Whereas the balance of trade with foreign countries has never been so large in favor of the United States as in the last year; and

Whereas these conditions exist and are largely due to the Republican policy of "protection;" Therefore,

*Resolved*, That the Committee on Finance be, and is hereby, directed to inquire into the effect of a policy of "tariff for revenue only" upon the labor and the industry of the United States and to report upon the same to the Senate.

Mr. HALE. I ask that the resolution may lie on the table, and I shall call it up to-morrow morning at the conclusion of the morning business.

Mr. COCKRELL. The Senator proposes to call up the resolution to-morrow for the purpose of making remarks, I understand. He does not propose to call it up for action?

Mr. HALE. No.

The PRESIDENT *pro tempore*. The resolution will lie on the table for the present.

#### FREE COINAGE.

Mr. STEWART. I submit an amendment intended to be proposed to the bill (S. 51) to provide for the free coinage of gold and silver bullion, and for other purposes, which I ask may be read and printed. It proposes to strike out all after the enacting clause and insert what I send to the desk.

The proposed amendment was read, and ordered to lie on the table and to be printed, as follows:

The owner of silver bullion may deposit the same at any mint of the United States to be coined for his benefit, and it shall be the duty of the proper officers, upon the terms and conditions which are provided by law for the deposit and coinage of gold, to coin such silver bullion into the standard dollars authorized by the act of February 28, 1878, entitled "An act to authorize the coinage of the standard silver dollar and to restore its legal-tender character," and such coins shall be a legal tender for all debts and duties public

and private: *Provided*, That foreign silver coins, or silver coins bearing the impress of foreign mints, and bullion formed by melting down such coins, shall be excluded from the provisions of this act, and the Secretary of the Treasury is authorized and required to make such regulations as may be necessary to carry this provision into effect. The act of July 11, 1890, entitled "An act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes," is hereby repealed.

#### CIRCUIT COURT OF APPEALS.

Mr. MITCHELL. I ask the Chair to lay before the Senate the amendments of the House of Representatives to Senate bill 2729.

The PRESIDENT *pro tempore* laid before the Senate the amendments of the House of Representatives to the bill (S. 2729) to amend an act entitled "An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes."

Mr. MITCHELL. I move that the Senate nonconcur in the amendments of the House and ask a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. MITCHELL, Mr. PLATT, and Mr. PUGH were appointed.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 21st instant approved and signed the following act and joint resolution:

An act (S. 3036) to confirm New Madrid location survey No. 2175, and to provide for the issue of a patent therefor; and

A joint resolution (S. R. 47) authorizing the resubdivision of square 673, in the city of Washington.

The message also announced that the President had on the 25th instant approved and signed the following acts:

An act (S. 153) to provide an American register for the steamer Foxhall of New Orleans, La.;

An act (S. 81) to relinquish the interest of the United States in a certain parcel of land in the city of Pensacola, Fla., to Escambia Lodge, No. 15, Free and Accepted Masons;

An act (S. 1380) to amend an act entitled "An act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes;" and

An act (S. 1714) to prevent cruelty to children or animals in the District of Columbia, and for other purposes.

#### RECIPROCAL TRADE AGREEMENTS.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States, which was read:

To the Senate:

In response to the resolution of the Senate dated April 6, 1892, directing the Secretary of State to send to the Senate, if not incompatible with the public interests, copies of all commercial agreements made with other countries, and also to report what steps have been taken to negotiate a reciprocal commercial treaty with Mexico, I submit herewith the reply of the Acting Secretary of State to that resolution.

BENJ. HARRISON.

EXECUTIVE MANSION, June 27, 1892.

The PRESIDENT *pro tempore*. The message, with the accompanying papers, will be printed in the usual number and lie on the table.

Mr. PLATT. Should not the message be referred?

The PRESIDENT *pro tempore*. The Senator who introduced the resolution desired that it should lie on the table, that he might address the Senate on the subject.

#### HOUSE BILLS REFERRED.

The bill (H. R. 2836) providing for the payment of \$450 to pay W. S. Brantly, executor of J. H. Brantly, for damages to property by United States troops in 1865, was read twice by its title, and referred to the Committee on Claims.

The bill (H. R. 9284) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1892, and for prior years, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

A bill (H. R. 410) to amend the charter of the Eckington and Soldiers' Home Railroad Company; and

A bill (H. R. 429) to incorporate the District of Columbia Suburban Railway Company.

The message also announced that the House had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4636) making appropriations for the support of the

Military Academy for the fiscal year ending June 30, 1893, asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WHEELER of Alabama, Mr. MITCHELL, and Mr. BOWEN managers at the conference on the part of the House.

#### MILITARY ACADEMY APPROPRIATION BILL.

The PRESIDENT *pro tempore* laid before the Senate the action of the House of Representatives, disagreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4636) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1893, and asking a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CULLOM. I move that the Senate further insist upon its amendments, and agree to the further conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. CULLOM, Mr. STEWART, and Mr. CALL were appointed.

#### LEGISLATIVE, ETC., APPROPRIATION BILL.

The PRESIDENT *pro tempore*. If there be no further morning business, the Chair lays before the Senate, under its order, the legislative, etc., appropriation bill.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9040) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. ALLISON. I ask that the formal reading of the bill be dispensed with, and that as the bill is read the amendments of the committee may be considered in the order in which they are reached.

The PRESIDENT *pro tempore*. The Senator from Iowa asks the unanimous consent of the Senate that the formal reading of the bill at length as in Committee of the Whole be dispensed with, and that the bill be read for action upon the committee amendments. Is there objection? The Chair hears none, and it is so ordered.

Mr. ALLISON. I will state in respect to this measure that it is a bill of details and there are very few controverted questions involved in it. If Senators will turn to report No. 839, which will be found on the desks of Senators, they will see the changes proposed by the Committee on Appropriations. I ask that the bill may be proceeded with.

The Secretary proceeded to read the bill. The first amendment reported by the Committee on Appropriations was, in the appropriations for "Senate," on page 2, line 2, to increase the appropriation "for compensation of the officers, clerks, messengers, and others in the service of the Senate," from "\$316,608.90 to \$391,041.82."

The amendment was agreed to.

The next amendment was, on page 2, line 19, after the word "dollars," to strike out "or so much thereof as may be necessary;" so as to read:

Office of Secretary: For Secretary of the Senate, \$5,000; including compensation as disbursing officer of the contingent fund of the Senate, and for compensation as disbursing officer of salaries of Senators, \$396; hire of horse and wagon for the Secretary's office, \$700.

The amendment was agreed to.

The next amendment was, in the same clause, on page 2, in line 21, after the word "each," to strike out "principal executive clerk."

The amendment was agreed to.

The next amendment was, in the same clause, on page 2, line 24, after the words "financial clerk," to insert "and reading clerk, at:" and in line 25, after the word "dollars," to insert "each;" so as to read:

Principal clerk, minute and journal clerk, and enrolling clerk, at \$2,500 each; assistant financial clerk and reading clerk, at \$2,400 each.

The amendment was agreed to.

The next amendment was, on page 3, line 11, to reduce the total amount of the appropriations for "Office of Secretary of the Senate" from \$64,638.90 to \$64,446.90.

The amendment was agreed to.

The next amendment was, in the appropriations for "clerks and messengers to committees," on page 5, in line 1, after the words "Coast Defenses," to strike out "and;" and in the same line, after the word "Rules," to insert "and Privileges and Elections;" so as to read:

Patents, Coast Defenses, Rules, and Privileges and Elections, at \$2,220 each.

The amendment was agreed to.

The next amendment was, on page 5, in line 3, to increase the

general law is authorized to discharge the duties of the marshal, will be present, and for that presence will be entitled to a per diem.

Mr. FELTON. That being correct, and I apprehend that it is, has there been any additional appropriation in the bill of this year to provide for these marshals, or is the bill predicated upon the conditions that existed before and the condition of the law as it now exists, which amounts to \$14,000? In other words, is there anything in the bill which the Senator speaks of, or in a general way has anything been added to that bill for this purpose?

Mr. ALLISON. Not yet. The House of Representatives, if I may speak of that, or I would rather say the sundry civil bill that comes to the Senate from the only place whence it can come, has not only not provided for this, but has not provided by a long way for the ordinary and necessary expenses of the courts of the United States. Therefore, whatever is added must be added in this body, in order that the courts of the United States may be carried on during the next fiscal year. It is true by these parings off and scissorings and filings these bills are a shade less and sometimes a good deal less than they are when they leave this body, and because of these scissorings and these filings the bills seem to meet the approval of the Senator from Arkansas.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Connecticut to strike out the first paragraph on page 115, on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.  
Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR]. I do not know how he would vote, and therefore I withhold my vote.

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY]. Not knowing how he would vote on this question, I withhold my vote.

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE]. Not knowing how he would vote, I withhold my vote.

Mr. MORGAN (when his name was called). I am paired with the Senator from Massachusetts [Mr. DAWES]. If he were present I should vote "yea."

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY]. In his absence I withhold my vote.

Mr. DUBOIS (when Mr. SHOUP's name was called). My colleague [Mr. SHOUP] is paired on this vote with the Senator from West Virginia [Mr. FAULKNER].

Mr. SQUIRE (when his name was called). I am paired with the Senator from Virginia [Mr. DANIEL]. If he were present I should vote "yea."

The roll call was concluded.

Mr. FAULKNER (after having voted in the negative). I am paired with the Senator from Idaho [Mr. SHOUP], as announced by his colleague, and I ask leave to withdraw the vote which I cast.

Mr. CULLOM. I will inquire if there was any announcement of a pair with the Senator from Colorado [Mr. TELLER].

The PRESIDENT *pro tempore*. None has been announced.

Mr. CULLOM. If that is the case, I will take the liberty of transferring my pair with the Senator from Delaware [Mr. GRAY] to the Senator from Colorado [Mr. TELLER] for the time being, and I vote nay.

The result was announced—yeas 21, nays 14; as follows:

YEAS—21.			
Bate,	Dixon,	Huntton,	Platt,
Blodgett,	Dolph,	Manderson,	Pugh,
Butler,	Dubois,	Mitchell,	Quay,
Cameron,	Frye,	Paddock,	Sawyer,
Colquitt,	Gallinger,	Peffer,	Stewart,
Davis,	Hawley,	Perkins,	Warren,
NAYS—11.			
Allison,	Coke,	Hale,	Vest,
Berry,	Cullom,	Kyle,	Walthall,
Blackburn,	Felton,	Mills,	
Cockrell,	George,	Turpie,	
NOT VOTING—50.			
Aldrich,	Gordon,	McMillan,	Squire,
Allen,	Gorman,	McPherson,	Stanford,
Brice,	Gray,	Morgan,	Stockbridge,
Call,	Hausbrough,	Morrill,	Teller,
Carey,	Harris,	Palmer,	Vance,
Carlisle,	Higgins,	Pasco,	Vilas,
Casey,	Hill,	Pettigrew,	Voorhees,
Chandler,	Hiscock,	Power,	Washburn,
Daniel,	Hoar,	Proctor,	White,
Dawes,	Irby,	Ransom,	Wilson,
Faulkner,	Jones, Ark.,	Sanders,	Wolcott,
Gibson, La.,	Jones, Nev.,	Sherman,	
Gibson, Md.,	Kenna,	Shoup,	

The PRESIDENT *pro tempore*. No quorum voting, the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

PRESENT—47.			
Allison,	Davis,	Huntton,	Pugh,
Bate,	Dixon,	Kyle,	Quay,
Berry,	Dolph,	McMillan,	Sawyer,
Blackburn,	Dubois,	Manderson,	Squire,
Blodgett,	Faulkner,	Mills,	Stewart,
Butler,	Frye,	Mitchell,	Turpie,
Call,	Gallinger,	Morgan,	Vance,
Cameron,	George,	Paddock,	Walthall,
Cockrell,	Gordon,	Pasco,	Warren,
Coke,	Hale,	Peffer,	
Colquitt,	Harris,	Perkins,	
Cullom,	Hawley,	Platt,	

The PRESIDENT *pro tempore*. Forty-five Senators answered to their names. A quorum of the Senate being present, the Secretary will call the roll on the pending question, which is to strike out lines 1 to 10, inclusive, on page 115 of the bill.

The Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR].

Mr. FAULKNER (when his name was called). I am paired with the Senator from Idaho [Mr. SHOUP]. If he were present, I should vote "nay."

Mr. CAMERON (to Mr. FAULKNER). Vote anyway to make a quorum.

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE]. I transfer that pair to the Senator from Rhode Island [Mr. ALDEN], and vote "yea."

Mr. MORGAN (when his name was called). I am paired with the Senator from Massachusetts [Mr. DAWES].

Mr. PASCO (when his name was called). I again announce my pair with the Senator from North Dakota [Mr. CASEY].

Mr. DUBOIS (when Mr. SHOUP's name was called). With the consent of the Senator from West Virginia [Mr. FAULKNER], I transfer the pair of my colleague [Mr. SHOUP] to the Senator from Nevada [Mr. JONES].

Mr. SQUIRE (when his name was called). I will state again that I am paired with the Senator from Virginia [Mr. DANIEL], and am not at liberty to vote.

The roll call was concluded.

Mr. SQUIRE. I will transfer my pair with the Senator from Virginia [Mr. DANIEL] to the Senator from Wyoming [Mr. CASEY], and vote "yea."

Mr. FAULKNER. As my pair with the Senator from Idaho [Mr. SHOUP] has been released, I vote "nay."

The result was announced—yeas 23, nays 15; as follows:

YEAS—23.			
Bate,	Dolph,	Manderson,	Quay,
Blodgett,	Dubois,	Mitchell,	Sawyer,
Butler,	Frye,	Paddock,	Squire,
Cameron,	Gallinger,	Peffer,	Stewart,
Colquitt,	Hawley,	Perkins,	Warren,
Davis,	Huntton,	Platt,	
Dixon,	McMillan,	Pugh,	
NAYS—15.			
Allison,	Coke,	George,	Turpie,
Berry,	Cullom,	Hale,	Vest,
Blackburn,	Faulkner,	Kyle,	Walthall,
Cockrell,	Felton,	Mills,	
NOT VOTING—47.			
Aldrich,	Gordon,	Kenna,	Shoup,
Allen,	Gorman,	McPherson,	Stanford,
Brice,	Gray,	Morgan,	Stockbridge,
Call,	Hausbrough,	Morrill,	Teller,
Carey,	Harris,	Palmer,	Vance,
Carlisle,	Higgins,	Pasco,	Vilas,
Casey,	Hill,	Pettigrew,	Voorhees,
Chandler,	Hiscock,	Power,	Washburn,
Daniel,	Hoar,	Proctor,	White,
Dawes,	Irby,	Ransom,	Wilson,
Gibson, La.,	Jones, Ark.,	Sanders,	Wolcott,
Gibson, Md.,	Jones, Nev.,	Sherman,	

The PRESIDENT *pro tempore*. No quorum having voted, the Secretary will call the roll of the Senate.

Mr. PERKINS. We had better adjourn.

Mr. GEORGE. If in order, I move an adjournment.

Mr. FRYE. I hope the Senator will not do that. I want a brief executive session.

Mr. GEORGE. I will withdraw the motion.

The PRESIDENT *pro tempore*. The roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Blodgett,	Cockrell,	Davis,
Bate,	Butler,	Coke,	Dixon,
Berry,	Call,	Colquitt,	Dolph,
Blackburn,	Cameron,	Cullom,	Dubois,

Faulkner,  
Felton,  
Frye,  
Gallinger,  
George,  
Hale,  
Harris,  
Hawley,

Huntton,  
Kyles,  
McMillan,  
Manderson,  
Mills,  
Mitchell,  
Morgan,  
Paddock,

Pasco,  
Peffer,  
Perkins,  
Platt,  
Pugh,  
Quay,  
Sawyer,  
Squire,

Stewart,  
Turpie,  
Vest,  
Walthall,  
Warren.

Mr. FAULKNER. I desire to state that my colleague [Mr. KENNA] is kept from the Senate by indisposition this evening, or he would be present.

The PRESIDENT *pro tempore*. Forty-five Senators have responded to their names. A quorum of the Senate is present.

Mr. ALLISON. It is manifest that this bill can not be concluded to-night. Therefore I shall not press it further. The Senator from Maine desires an executive session.

#### CORRECTION—PAPER CURRENCY.

Mr. FRYE. Mr. President—

Mr. ALLISON. Before going into executive session I ask unanimous consent to say one word respecting some observations I made on Thursday last. I was able to say in some impromptu observations in response to the Senator from Kansas [Mr. PEPPER] that the 7.3 notes were a legal tender by law, which was a mistake. They never were a legal tender in any sense. They may have passed for the time being as currency. I wish to correct that statement, made by myself on Thursday last.

#### FREE COINAGE.

Mr. FRYE. I move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. Before putting the question, the Chair will lay before the Senate the unfinished business which will be stated.

The SECRETARY. A bill (S. 51) to provide for the free coinage of gold and silver bullion, and for other purposes.

#### EXECUTIVE SESSION.

The PRESIDENT *pro tempore*. The Senator from Maine moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and at 5 o'clock and 30 minutes p. m. the Senate adjourned until to-morrow, Tuesday, June 28, 1892, at 12 o'clock m.

#### NOMINATIONS.

*Executive nominations received by the Senate, June 27, 1892.*

##### REVENUE CUTTER SERVICE.

Second Assistant Engineer Andrew J. Howison, of Pennsylvania, to be a first assistant engineer in the Revenue Cutter Service.

Charles A. McAllister, of New York, to be a second assistant engineer in the Revenue Cutter Service.

Charles W. Zastrow, of Maryland, to be a second assistant engineer in the Revenue Cutter Service.

##### PROMOTIONS IN THE ARMY.

###### *Ordinance Department.*

First Lieut. Frank E. Hobbs, to be captain, June 14, 1892.

###### *Infantry Arm.*

Second Lieut. James Mitchell, Fifth Infantry, to be first lieutenant, June 18, 1892, vice Noyes, Ninth Infantry, appointed regimental adjutant.

##### SURVEYOR-GENERAL.

Amos F. Shaw, of Vancouver, Wash., to be surveyor-general of Washington, vice Thomas H. Cavanaugh, resigned.

##### REGISTER OF LAND OFFICE.

Richard D. Mobley, of Grand Junction, Colo., to be register of the land office at Montrose, Colo., vice William H. Steele, term expired.

##### RECEIVER OF PUBLIC MONIES.

Edward H. Smith, of Montrose, Colo., to be receiver of public moneys at Montrose, Colo., vice Henry C. Pink, term expired.

##### POSTMASTER.

James A. Kennedy, to be postmaster at Tarentum, in the county of Allegheny and State of Pennsylvania, in the place of Robert H. Wilson, resigned.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate, June 27, 1892.*

##### SURVEYOR OF CUSTOMS.

William Arnd, of Iowa, to be surveyor of customs for the port

of Council Bluffs, in the State of Iowa, in the district of New Orleans.

#### APPOINTMENTS IN THE MARINE HOSPITAL SERVICE.

James A. Nydegger, of Maryland, to be an assistant surgeon in the Marine Hospital Service of the United States.

William J. S. Stewart, of Pennsylvania, to be an assistant surgeon in the Marine Hospital Service of the United States.

James B. Stoner, of Pennsylvania, to be a passed assistant surgeon in the Marine Hospital Service of the United States.

#### APPOINTMENT IN REVENUE CUTTER SERVICE.

Charles A. McAllister, to be a second assistant engineer in the Revenue Cutter Service.

#### POSTMASTER.

James A. Kennedy, to be postmaster at Tarentum, Pa.

### HOUSE OF REPRESENTATIVES.

MONDAY, June 27, 1892.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The SPEAKER. The Clerk will read the Journal of the proceedings of Saturday's session.

Mr. DAVIS. Mr. Speaker, no quorum is present.

Mr. BELKNAP. I move a call of the House.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. OATES. I ask for a division.

The House divided; and there were—ayes 73, nays 17; so a call of the House was ordered.

The roll was called, and the following-named members failed to respond:

Allen,	Coolidge,	Hopkins, Pa.	Russell,
Amernman,	Cooper,	Hopkins, Ill.	Sanford,
Andrew,	Covett,	Houk, Tenn.	Seerley,
Bacon,	Cowles,	Hull,	Springer,
Barwig,	Cox, N. Y.	Ketcham,	Stahlnacker,
Beaman,	Craig, Pa.	Kribbs,	Stephenson,
Bellon,	Cram, Tex.	Lagan,	Stewart, Tex.
Bergen,	Curtis,	Lane,	Stamp,
Blanchard,	Cutting,	Lapham,	Tarsney,
Bland,	De Forest,	Lester, Va.	Taylor, Tenn.
Bonther,	Dingley,	Lewis,	Taylor, J. D.
Bontelle,	Doan,	Lockwood,	Taylor, V. A.
Bowers,	Doherty,	Lodge,	Tillman,
Braxley,	Donovan,	Magner,	Townsend,
Broderick,	Dunphy,	McClodan,	Tracey,
Brown,	Dunroff,	McDonald,	Turpin,
Brunner,	Enochs,	McGann,	Wadsworth,
Bryan,	Fellows,	Milliken,	Walker,
Buchanan, N. J.	Fitch,	Mitchell,	Warner,
Buchanan, Va.	Fittman,	Morse,	Warwick,
Bunting,	Forman,	Moses,	Washington,
Busey,	Gantz,	Norton,	Weadock,
Bushnel,	Geary,	O'Neill, Mo.	Wever,
Byrnes,	Gochan,	Page, R. I.	Wheeler, Mich.
Cable,	Griswold,	Page, Md.	Whiting,
Cadmus,	Groat,	Pattison, Ohio,	Wike,
Caldwell,	Hamilton,	Patton,	Williams, Mass.
Campbell,	Dare,	Peel,	Williams, N. C.
Capchart,	Harmer,	Post,	Williams, Ill.
Castle,	Hatch,	Price,	Wilson, Ky.
Causey,	Hayes, Iowa,	Quackenbush,	Wilson, Wash.
Cheatham,	Haynes, Ohio,	Randall,	Wilson, W. Va.
Chapin,	Hemphill,	Rayner,	Wise,
Clancy,	Henderson, Iowa,	Reilly,	Wright,
Clover,	Henderson, Ill.	Reynolds,	
Cockran,	Hoar,	Robinson, Pa.	

The SPEAKER. The doors will now be closed, and the names of the absentees called; and on this call excuses are in order.

Mr. MUTCHLER (when the name of Mr. CRAIG of Pennsylvania was called). Mr. Speaker, my colleague [Mr. CRAIG] is at home sick. I ask that he be excused.

There was no objection.

Mr. MOORE (when the name of Mr. CRAIN of Texas was reached). I ask that my colleague [Mr. CRAIN] be excused, on account of sickness.

There was no objection.

Mr. KYLE (when the name of Mr. BEEMAN was called). Mr. Speaker, I desire that my colleague [Mr. BEEMAN] be excused, on account of sickness.

There was no objection.

Mr. TUCKER (when the name of Mr. BUCHANAN of Virginia was called). Mr. Speaker, my colleague [Mr. BUCHANAN] has been suddenly called from the city this morning. I ask that he be excused.

The SPEAKER. The gentleman from Virginia can only be excused for the day, there being no quorum.

Mr. HENDERSON of North Carolina (when the name of Mr. WILLIAMS of North Carolina was called). Mr. Speaker, my



ments, of which it is said it shall not be composed of more than two members of any political party.

Mr. DAWES. I think there are two such commissions.

Mr. PLATT. One caught my ear as it was being read.

Mr. DAWES. One was amended by inserting that provision. That provision is also in the other item. One of them is a new commission created to settle the difficulties that have arisen out of a report of the commission this year among the Spokane Indians. That contains the suggestion referred to by the Senator from Connecticut. The one in which the amendment was inserted by the conference committee I can not state unless the Secretary will give me the number of the amendment.

Mr. PLATT. What is the number of that amendment?

Mr. DAWES. Will the Secretary be kind enough to give the number of the amendment which inserts the provision that only two of the members of the commission shall be of one political party?

Mr. PLATT. I suppose that I can just as well say what I desire without that particular reference.

The PRESIDENT *pro tempore*. The Chair is informed that the number of the amendment is 53.

Mr. DAWES. The clause reads:

To enable the Secretary of the Interior, in his discretion, to reopen the negotiations with the Shoshone and Arapahoe Indians for the surrender of certain portions of their reservation in the State of Wyoming, and with the Flat Head and Confederate tribes of Indians in the State of Montana, \$5,000, or so much thereof as may be necessary, to be immediately available.

Subsequently was added the phrase to which the Senator from Connecticut refers.

Mr. PLATT. Mr. President, it is not important to what duty such a commission is to be assigned; but before this conference report shall be adopted, as I suppose it will be, I want to say that I am utterly opposed to all provisions such as have been creeping into legislation of late, that where a commission is appointed only two members of it shall belong to any one political party. I do not care to what party the members of this commission belong.

I would just as soon there should be five Democrats as five Republicans, if anybody wants the matter of politics to be considered. I think that such provisions are not only foolish but vicious, and I regret that, coming in the way of a conference report, the question is presented in a shape that I can not make an objection and take the sense of the Senate upon the question whether it is to be a practice which ought longer to be perpetuated in legislation.

I am in a measure coerced to support this provision because I do not want to defeat the conference report on the Indian appropriation bill. I do not think we have any right to limit the President or any other appointing power by saying that he shall appoint persons of a certain political character, and there is no occasion for doing it. We might trust that matter entirely to the appointing power. I do not suppose that the persons composing this commission will be appointed because they are Democrats, or Republicans, or Alliance men, or Prohibitionists; and I think that Congress ought to stop this sort of legislation.

Mr. GEORGE. Mr. President, I was on the floor and surrendered it to the Senator from Massachusetts for the purpose of making his conference report, not for the purpose of debate.

Mr. CULLOM. I hope the Senator from Mississippi will allow the report to be voted on.

Mr. GEORGE. I claim that I am entitled to the floor.

Mr. DAWES. I have not provoked any debate; but I want to avail myself of the opportunity to express my surprise at the remarks of the Senator from Connecticut.

The PRESIDING OFFICER (Mr. BERRY in the chair). Does the Senator from Mississippi insist on his right to the floor?

Mr. GEORGE. I yield for a moment.

Mr. DAWES. I am utterly astonished that the Senator from Connecticut fails to recognize the drift of administrative policy on all hands in this country; that he does not look forward to the speedy arrival of the time when this Government is to be administered in all its branches without regard to political parties; and he will allow me to express surprise at the quarter from which that expression comes.

Mr. President, it may not come in my lifetime, but I look forward, in the progress which is being made in that direction, to the time when we shall cease to talk of parties in the administration of this Government; when we shall be without any such distinction as that; and that the rivalry will be solely which shall be the most patriotic. We have made great advances in that direction. We constituted the Interstate Commerce Commission upon that ground without any protest on the part of the Senator from Connecticut. We constituted the Civil Service Commission, itself the great generative power of reform, upon that very principle. When the Senator had the opportunity upon another proposition in this very bill to offer an amendment I regret exceedingly that he did not avail himself of the oppor-

tunity at that time, but waited until the time when he could not offer it to make the remarks he did.

The Senator of course will take kindly these remarks, but I regret that a Senator of so much promise in the future, so able, and so willing, and so earnest to share in the great progress of reform in this country, should have objected to so small a provision as this.

Mr. PLATT. I simply want to say that the remarks of the Senator from Massachusetts have convinced me that he is the *avant-courier* in proclaiming the coming of the political millennium.

The PRESIDING OFFICER. The question is on the adoption of the report of the conference committee.

The report was concurred in.

Mr. DAWES. I submit the following statement to accompany the report:

Indian appropriation bill, 1891.	
Amount as passed the House.....	\$7,437,369.44
Increase made by the Senate.....	772,472.24
Amount as passed the Senate.....	8,209,841.68
Amount as agreed to in conference.....	7,927,837.84
Changes of amounts in conference:	
REDUCTION.	
Salaries of Indian agents.....	600.00
Salary of superintendent of Indian schools.....	500.00
Sioux of different tribes.....	100,000.00
Payment to Crow Creek Indians.....	187,000.00
Chippewas of Lake Superior.....	200.00
Moqui Indians.....	4,000.00
Surveys of Chippewa Indian Reservation in Minnesota.....	25,000.00
Expenses of commission to negotiate with Turtle Mountain Band of Chippewas.....	2,500.00
Support of day and industrial schools.....	50,000.00
Total reduction.....	369,839.00
INCREASE.	
Payment to Delaware Indians, restoring House provision.....	39,615.16
Upper and middle bands of Spokane Indians, restoring House provision.....	30,000.00
Cherokee training school, North Carolina.....	18,500.00
Total increase.....	88,235.16
Net reduction in conference.....	281,603.84
Amount of bill as agreed to.....	7,927,837.84

#### ARMY APPROPRIATION BILL.

The PRESIDING OFFICER. The Senator from Mississippi [Mr. GEORGE] is entitled to the floor on the agricultural appropriation bill.

Mr. STEWART. Will the Senator give way until I submit a conference report on the army appropriation bill?

Mr. GEORGE. Very well.

Mr. STEWART submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6923) "making appropriations for the support of the Army for the fiscal year ending June 30, 1893, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 28, 29, 30, 31, 33, and 37.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 17, 18, 19, 24, 26, 27, 36, 38, 39, 40, 41, 42, 43, and 44, and agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2, and agree to the same with an amendment as follows: Strike out the amendment proviso; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: Insert after the word "Provided," in line 1, page 6 of the bill, the following: "That the number of paymasters' clerks shall be reduced one for every paymaster reduced under the operations of this act: *Provided further*," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: Strike out from said amendment the words "with troops or otherwise;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: Insert after the word "indebtedness," in line 2 of said amendment, the words "to the United States;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment and insert in lieu thereof the following: "exchanges, but this proviso shall not be construed to prohibit the use by post exchanges of public buildings or public transportation when in the opinion of the Quartermaster-General not required for other purposes;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,700,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,200,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$130,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows:

insist before the word "improved;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: Strike out in line 18, page 19 of the bill, the words "four hundred thousand dollars," and insert after the word "garmentories," in line 11, same page, the words "four hundred thousand dollars;" and the Senate agree to the same.

On amendment numbered 23 the committee of conference have been unable to agree, but has agreed upon all the other items considered by the conference committee.

WM. M. STEWART,  
W. B. ALLISON,  
J. C. S. BLACKBURN,  
*Managers on the part of the Senate,*  
JOS. H. OUTHWAITE,  
JNO. L. MITCHELL,  
C. E. BELKNAP,  
*Managers on the part of the House.*

Mr. STEWART. The amendment that was not agreed upon by the conferees was to strike out the following proviso, on page 18:

*Provided further,* That no money herein appropriated shall be used in payment of the transportation of troops and supplies of the Army over any of the nonbonded lines owned, controlled, or operated by the Union Pacific Railway Company, including the lines of the Oregon Short Line and Utah Northern Railway Company, or by the Southern Pacific Company over lines embraced in its Pacific system.

I ask that the conference report be adopted, and I shall then move that the Senate still further insist upon its amendment disagreed to by the House of Representatives.

The PRESIDING OFFICER. The question is on concurring in the conference report.

The report was concurred in.

Mr. STEWART. I move that the Senate insist on its amendment disagreed to by the House of Representatives and ask for a further conference thereon.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. STEWART, Mr. ALLISON, and Mr. BLACKBURN were appointed.

Mr. STEWART. I ask leave to have printed the following statement of the bill:

<i>Army appropriations, 1895.</i>	
Amount of House bill.....	\$24,226,899 82
Increase made by Senate.....	284,600 00
Amount as passed Senate.....	24,511,499 82
Amount as agreed to in conference.....	24,398,499 82
Changes in conference in amounts, namely:	
REDUCTION.	
Army transportation.....	150,000 00
Library of Surgeon-General's Office.....	3,000 00
Repairing ordnance and ordnance stores in hands of troops, etc.	5,000 00
Purchase and manufacture of ordnance stores to fill requisitions of troops.....	20,000 00
Infantry, cavalry, and artillery equipments.....	20,000 00
Priming morning and evening gun.....	5,000 00
Total reduction in conference.....	203,000 00
Amount as agreed to.....	24,398,499 82

#### DISTRICT SUBURBAN RAILROAD.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 439) to incorporate the District of Columbia Suburban Railroad Company, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the first amendment of the Senate, and agree to the same.

That the House recede from its disagreement to the second, third, fourth, fifth, and sixth amendments of the Senate, and agree to the same amended as follows:

In line 15, on page 1, after the word "routes," strike out all that follows to the word "provided," in line 15, page 2, and insert the following:

Beginning at the dividing line between the District of Columbia and the State of Maryland, on the Bladensburg road, and running thence along the said road so that the outer rail of said railway shall not be more than 5 feet from the eastern boundary of said Bladensburg road, to H street east; thence west on H street east to Seventh street east over the tracks of the Columbia Railroad.

Also, beginning at the junction of Philadelphia and Twelfth streets, in Brookland, and running south along Twelfth street; thence by such line as may be authorized by the Commissioners of the District of Columbia to the intersection of Patterson avenue with the Fairview road; thence along the Fairview, Gordon, and Mount Olivet roads to Twelfth street extended; thence along Twelfth street extended to the junction of Twelfth street east and Florida avenue.

Also, beginning at the junction of Frankfort and Twenty-fourth streets, in Langdon, thence along Twenty-fourth street to Cincinnati street; thence along Cincinnati street to and across Chapel road to Lafayette avenue; thence along Lafayette avenue and in line to Capitol street, Ivy City; thence along Capitol street to Mount Olivet road; thence along Mount Olivet road to Twelfth street extended.

Also, from the intersection of Florida avenue with Twelfth street north-east to H street northeast on Twelfth street; thence west on H street over the tracks of the Columbia road to Seventh street east; thence south on Seventh street by single track to G street east; thence west on G street by single track to First street west; thence by a route to be laid down by the Commissioners of the District of Columbia across New Jersey avenue to the tracks of the Capitol, North O and South Washington Railroad; thence on the tracks of the last-named road on G street to Fourth street, continuing west on G street west to Fifth street; thence south on Fifth street west, in part over the tracks of the Metropolitan Railroad to Louisiana avenue,

thence southwesterly by double track on Louisiana avenue to a point to be located by the Commissioners of the District of Columbia east of Seventh street west. Returning northeasterly on Louisiana avenue to Fifth street west, thence over the tracks of the Metropolitan Railroad along Judiciary Square to Fourth street west; thence north on Fourth street west by single track to E street west; thence east on E street by single track to Eighth street east; thence north by single track on Eighth street to H street; thence east over the tracks of the Columbia Railroad to Twelfth street; thence north on Twelfth street to Florida avenue; and that the Senate agree to the same.

That the House recede from its disagreement to the seventh and eighth amendments of the Senate and agree to the same, amended as follows:

On page 2, line 17, after the words "District of Columbia" strike out to the word "whenever" in line 21, and insert "and three portions of said road between the District line and Florida avenue shall be fully constructed before the cars of the said District of Columbia Suburban Railroad shall be run over any part of the said route within the limits of the city of Washington;" and that the Senate agree to the same.

That the House recede from its disagreement to the ninth and tenth amendments of the Senate and agree to the same.

That the Senate recede from its eleventh amendment.

That the House recede from its disagreement to the twelfth, thirteenth, fourteenth, fifteenth and sixteenth amendments of the Senate and agree to the same.

That the House recede from its disagreement to the seventeenth amendment of the Senate and agree to the same amended as follows: On page 8, line 2, strike out the words "four hundred" and insert the words "two hundred and fifty;" and that the Senate agree to the same.

JAMES M. MILLAN,  
B. W. PERKINS,  
ISIDOR G. HARRIS,  
*Conferees on the part of the Senate,*  
JON. T. HEARD,  
JAMES D. RICHARDSON,  
P. S. POST,  
*Conferees on the part of the House.*

The report was concurred in.

#### PUYALLUP INDIAN RESERVATION LANDS.

The PRESIDING OFFICER. The Senator from Mississippi [Mr. GEORGE] is entitled to the floor on the agricultural appropriation bill.

Mr. ALLEN. Will the Senator from Mississippi yield to me to make a request?

Mr. GEORGE. Of course. I want Senators to make all the reports they wish to make right now.

Mr. ALLEN. I beg the pardon of the Senator for making this request, but I wish to do so while the chairman of the Committee on Indian Affairs is in the Chamber. Senate bill 3556, Order of Business 666, was passed over some time since without prejudice at the request of the chairman of the committee on account of his ill health.

Mr. GEORGE. I thought the Senator wanted to make a report.

Mr. ALLEN. It is just a request.

Mr. GEORGE. Does the Senator desire to have a bill considered?

Mr. ALLEN. No, sir; I wish simply to make a request. The bill was passed over. On account of his ill health the chairman of the Committee on Indian Affairs was unable to take the bill up at a specific time to be considered. I should like very much to-morrow, at the close of the routine business, to have the bill considered by the Senate. I make this request now that unanimous consent may be given while the chairman of the committee is in the Chamber. I do so for the reason that the bill very vitally affects the State of Washington.

The consideration of the bill by virtue of the appointment of a commission and other causes has been delayed for more than a year. I have been receiving letters and telegrams requesting its early consideration, and I appeal to the chairman of the committee that he will consent that at the close of the routine business unanimous consent be given that the bill may be considered to-morrow. The important and rapidly growing city of Tacoma is being hampered and greatly embarrassed and hindered by the failure of relief sought in this measure.

The PRESIDING OFFICER. Will the Senator please designate what bill it is?

Mr. ALLEN. It is the bill, S. 3556, giving consent of Congress to the removal by the Legislature of the State of Washington of the restrictions upon the power of alienation of a portion of the lands in the Puyallup Indian Reservation upon certain conditions therein contained.

Mr. ALLISON. I am constrained to object to the request made by the Senator from Washington. Next Thursday is the last day of this fiscal year, when every department of the Government must cease unless the appropriation bills are disposed of. I can conceive of no business in this Chamber that is possibly of so much importance as the passage of the appropriation bills. Therefore I am directly after the morning business to-morrow I shall insist that the appropriation bills which are ready for consideration may be considered.

I will say to the Senator from Washington that there will be ample time to consider the bill he indicates within a week or two, and intervals of time when conferences are engaged upon the appropriation bills when the bill can be considered. I trust he

ment to the way in which this is done. In commenting on the indications and estimates on page 71, Mr. Dodge says:

The error of interpreters of condition averages last year was this: Assuming a fixed value in bushels of certain figures of average condition in July, when the winter wheat average was 96.2 and that of spring wheat 94.1, the outside or unofficial interpretation was 510,000,000 bushels, or about 13.5 bushels per acre.

Giving great importance to the fact that the "official" interpretation is one way, and the interpretation given by the great herd of "outside" people who are not "official" is the other way.

This was erroneously declared to be an official estimate.

I agree with the Senator from Missouri that no Government officer ought to be allowed to parade his opinions in official reports as to what the crop may be. It is a thing that is outrageous and should not be tolerated. But in this same paragraph from which I have just read this gentleman goes on to comment on the amount of the crop, and says:

Ordinarily this small variation, with the figures above stated, would range between 13 and 14 bushels; but last year, one of unprecedented crop vitality, the record was advanced to 15.3 bushels.

Then he follows with this remarkable language, after calling that a "record," not an "official statement":

It is not necessary to prove that this is an overestimate. The grain exists, is handled, exported, consumed, and the fact is conclusively shown that the estimate is conservative as usual, less rather than more than the actual crops.

Yet it was upon this confessed estimate that he at that time gave out a statement to the world that there was 171,000,000 bushels of wheat in the hands of the farmers in addition to the 41,000,000 bushels in sight, and stated that it was the largest quantity ever held by the farmers before. As a result of that the wheat market broke and the price went down at the expense of the farmers of the United States.

The criticism which he indulged in, in this paper from which I have read, that farmers were likely to underestimate what they had on hand, as he did in the Kentucky tobacco case, is not borne out by the facts. There is not a man on the floor of this Senate who does not know that the farmers are disposed to overestimate their crops.

I do not care whether the farmer grows corn, wheat, tobacco, sugar, or cotton, he is likely to believe that he is going to have more of the product than he will have; he is more likely to overestimate than to underestimate.

But when it comes to an officer of the Government undertaking to say that the farmers have been underestimating their crops, and doing it for an improper purpose, those reflections that have been indulged in, I believe, ought not to be embodied in an official document. He says, on page 75 of this report, in commenting on overproduction of cotton:

What is the remedy? It is quite as easily indicated, as the diagnosis of the disease is accurate. Reduce the area in cultivation. This is easily said, but it can only be done with difficulty. It has often been said before, and planters have advised their neighbors to reduce, while they quietly proceed to increase to get the benefit of the expected rise.

Mr. GEORGE. Is not that so?

Mr. JONES of Arkansas. I do not believe it, and I think it is a gratuitous insult to the farmers of the United States to have this Statistician charge that they have been deliberately lying to their neighbors for the purpose of getting the benefit of a reduction of the cotton crop.

Mr. GEORGE. It is not lying.

Mr. JONES of Arkansas. It is; it means nothing else.

My own opinion, Mr. President, is that the best interests of the country demand that this whole business be stopped; that until these estimates are more accurate and more reliable, until they state more of facts and less of guesses, they ought not to be published.

My intention was to conclude what I had to say by a motion to strike out this whole paragraph providing for the publication of this monthly statement, but I presume it would be voted down. I will content myself by giving notice that I will hereafter, as long as I shall be a member of this body, move to strike out every appropriation made for this monthly crop report, if the evils which we have been commenting upon, and if the course that we have been criticising here, shall not be changed by a change in the bill which comes to us from the other House.

With the modification of this amendment made by the Senator from Mississippi [Mr. GEORGE] at the suggestion of the Senator from Missouri [Mr. VEST], it seems to me that this evil ought to be corrected, and I believe the Secretary of Agriculture will undertake to have these evils remedied, and so I will not now move to strike out the whole of the appropriation. But if there is a repetition of these evils in the future I will hereafter move to strike it all out, and will vote for that motion persistently session after session until Congress stops this iniquity and outrage.

The PRESIDING OFFICER. The question is upon the amendment proposed by the Senator from Iowa [Mr. ALLISON].

The amendment was agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

#### LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. ALLISON. The regular order is the legislative, executive, and judicial appropriation bill. When the Senate adjourned yesterday the provision in reference to United States marshals for circuit courts of appeals was under consideration. I ask that a vote be now taken.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Connecticut [Mr. PLATT], which will be reported.

The CHIEF CLERK. It is proposed to strike out lines 4 to 10, inclusive, on page 115, as follows:

That so much of section 2 of the act approved March 3, 1891, to establish circuit courts of appeals, as authorizes the appointment of a marshal to each of said courts at a salary of \$2,500 be, and the same is hereby repealed, and the duties and powers imposed upon said marshals under the said act shall be performed by the United States marshals in and for the district where terms of said courts may be held, and to this end said marshals shall be the marshals of said circuit courts of appeal.

The PRESIDING OFFICER. The yeas and nays having been ordered upon the adoption of this amendment, the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. HARRIS, when his name was called. I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. McMILLAN, when his name was called. I am paired with the Senator from North Carolina [Mr. VANCE], but I will transfer that pair to the Senator from Rhode Island [Mr. ALDRICH], and vote "yea."

Mr. PASCO, when his name was called. I am paired with the Senator from North Dakota [Mr. CASEY]. In his absence I withhold my vote.

Mr. WALTHALL, when his name was called. I am paired with the Senator from Rhode Island [Mr. DIXON].

The roll call was concluded.

Mr. WOLCOTT. I am paired generally with the Senator from West Virginia [Mr. KENNA], but I transfer that pair to the Senator from California [Mr. STANFORD], and vote "yea."

Mr. MANDERSON. I desire to ask whether the Senator from Kentucky [Mr. BLACKBURN] has voted.

The PRESIDING OFFICER. He has not.

Mr. MANDERSON. I am paired with that Senator, and withhold my vote.

Mr. CULLOM. Yesterday I took the liberty of transferring my pair with the Senator from Delaware [Mr. GRAY] to the Senator from Colorado [Mr. TELLER]. If nobody has announced a pair with him, I will do so now, and vote "nay."

Mr. JONES of Arkansas. Is the Senator from New York [Mr. HISCOCK] recorded as having voted?

The PRESIDING OFFICER. He has not voted.

Mr. JONES of Arkansas. Then I withdraw my vote, as I am paired with that Senator.

Mr. WOLCOTT. I understand that my colleague [Mr. TELLER] would vote "yea" if he were present under this transfer of pairs.

The PRESIDING OFFICER [Mr. BERRY]. Then I withdraw my vote.

Mr. CULLOM. I desire to know if my vote is counted, or whether I shall withdraw it?

The PRESIDING OFFICER. The Senator from Illinois is at liberty to vote.

Mr. CULLOM. I think I am not entitled to vote because I am paired with the Senator from Delaware [Mr. GRAY]. Unless I can transfer that pair to some other Senator I will withdraw my vote.

Mr. WHITE. I voted through inadvertence. I have a general pair with the Senator from Montana [Mr. POWER], but transferred that pair to the Senator from Wisconsin [Mr. VILAS] so as to enable that Senator and myself to vote.

Mr. HARRIS. I suggest to the Senator from Illinois [Mr. CULLOM], who, I believe, is paired with the Senator from Delaware [Mr. GRAY], that he and I transfer our pairs. I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. CULLOM. I am at liberty to vote to make a quorum, if necessary.

Mr. HARRIS. I do not know that I am permitted to vote to make a quorum, but I am willing to transfer my pair.

Mr. CULLOM. I agree to that.

Mr. HARRIS. Then I vote "yea."

Mr. CULLOM. I vote "nay."

The result was announced—yeas 34, nays 12, as follows:

#### YEAS—34.

Allen.	Cameron.	Dubois.	Hawley.
Bate.	Carey.	Frye.	Higgins.
Blodgett.	Dixon.	Gallinger.	Huntton.
Butler.	Dolph.	Harris.	Jones, Nev.

McMullan,  
M. Pherson,  
Mitchell,  
Paddock,  
Pelt.

Perkins,  
Platt,  
Pugh,  
Quay,  
Sawyer.

Sherman,  
Shoup,  
Stewart,  
Stockbridge,  
Warren.

Washburn,  
White,  
Wolcott.

# YAYS—12.

Allison,  
Co. Lrell,  
Coburn.

Cullom,  
Faulkner,  
Feltou.

George,  
Kylie,  
Mills.

Proctor,  
Vest,  
Walthall.

# NOT VOTING—12.

Albright,  
Bailey,  
Blackburn,  
Brisson,  
Call,  
Carlisle,  
Casey,  
Chandler,  
Colquhoun,  
Daniel,  
Davis.

Dawes,  
Gibson, La.,  
Gibson, Md.,  
Gordon,  
Gorman,  
Gray,  
Hale,  
Hayden,  
Hill,  
Hiscock,  
Hoar.

Irby,  
Jones, Ark.,  
Kenna,  
Mendenhall,  
Morgan,  
Morrill,  
Palmer,  
Parker,  
Pittenger,  
Power,  
Ransom.

Sanford,  
Squire,  
Stanford,  
Teller,  
Tilden,  
Vance,  
Vilas,  
Voorhees,  
Wilson.

So the amendment was agreed to.

Mr. PLATT. I now move to amend on line 24, page 114, by adding after the semicolon, at the end of the line, these words: For nine marshals at \$2,500 each.

The PRESIDENT *pro tempore*. The amendment will be reported.

The CHIEF CLERK. After the word "each," in line 24, page 114, it is proposed to insert the words:

For nine marshals at \$2,500 each.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PLATT. I now move to change the total from \$81,000 to \$103,500.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The next amendment of the committee, on page 66, that was reserved, will be reported.

The CHIEF CLERK. In line 13, page 66, it is proposed to strike out the following words:

That so much of section 9 of the act entitled "An act to amend section 552 of the Revised Statutes of the United States, in reference to bigamy, and for other purposes," approved March 22, 1882, as authorizes the President to appoint a board of five persons to exercise certain powers and duties prescribed in said section, be, and the same is hereby, repealed; and the said board is hereby abolished, and all powers and duties conferred upon said board are hereby imposed upon and shall be discharged, without additional compensation, by a board hereby created, to be constituted of the governor, chief justice, and secretary of the Territory of Utah.

For the following expenses of the foregoing board, namely: For printing, stationery, clerk hire, and office rent, \$3,000: *Provided*, That out of this sum the said board is hereby authorized to pay to the secretary of the Territory, who, in addition to being a member of the board, shall be its secretary and disbursing agent, a reasonable sum for such service, not exceeding \$200 for the fiscal year 1893.

The PRESIDING OFFICER. The question is on striking out the words just reported.

Mr. FAULKNER. Mr. President, yesterday I asked the chairman of the Committee on Appropriations to give the reasons to the Senate for modifying or changing the provision of the bill or the law as it formerly existed in reference to the Utah Commission. As far as I have been able to understand the object and scope and purpose of the original creation of the Commission I could see no benefit that could result either to the country or to the Territory of Utah in preserving and continuing the commission in office any longer. It certainly was not the purpose and intention of Congress when in 1882 it passed the law that ten years after its passage the Utah Commission should still be in existence.

At the time when that measure was before Congress the Territory was in the hands of polygamists absolutely and entirely, and Congress determined to adopt after that period very stringent laws in reference to that offense. In order to carry out those laws all the Territorial officers of every description were abolished and an agreement was entered into at that time for the purpose of supplying the vacancies in the inferior Territorial offices which were abolished by that law by creating a commission of five gentlemen from other States or Territories than the Territory of Utah, to be appointed by the President.

But that law further went on and contemplated that the succeeding Legislature should be elected under an entirely new election law, at which election every man who exercised the right of the elective franchise was to take an oath that he was not a polygamist, and any man who was running for an office was compelled to take the same oath if elected. After having filled these offices with men who were not engaged in these practices, at the succeeding Legislature, which would occur in 1884, then that Legislature was to pass such a law as every other Territorial Legislature had the right to pass in order to fill all the offices made vacant by the Edmunds law, and which were subsequently filled by appointment under the Commission provided for by that law.

After all that had been carried out in accordance with the views of Congress, we find that when the Legislature met under these circumstances in 1884 they passed a law anticipated by Congress to carry out the provisions of the latter clause of the ninth section of the Edmunds law.

The governor of Utah (which is not the case in any other Territory under the Government of the United States) has the absolute veto power. He has not only the absolute veto power but he may by simply pocketing a bill absolutely deprive the legislative body of that Territory from the expression of any opinion on a legislative matter. The organic act of Utah requires the signature of the governor in order to give vitality to any act of the Legislature—something that is unheard of in the Government of this country or in any other Territory under the Government of the United States.

Without reason, without explanation, as I am informed, the governor simply vetoed that bill in 1884. The Legislature, in trying to carry out the provisions of the act of Congress, again in 1886 passed a law, and again in 1890 they passed a law to carry out the provisions of the act and provide for the election of officers in that Territory as anticipated by the Edmunds law, and again in 1892 the Legislature have done the same thing. At the present session of the Legislature that bill was passed, and the governor has simply put it in his pocket. What object and purpose he had in preserving the Territorial Commission created in 1882 I am at a loss to know. He is not a member of it or in any way affected by the provisions of the bill of the Legislature passed in pursuance of the Edmunds law.

Mr. President, I am opposed to any kind of commission sent from the States to govern a Territory. If I had been in the Senate when this commission was created under the act of 1882 I should have opposed it. There is now, so far as I know, no excuse for it. The last Territorial Legislature of Utah passed as stringent a law against polygamy as the Edmunds law itself; its penalties are as severe. That was passed by the Territorial Legislature. I suppose it will not be questioned here that polygamy as an institution in Utah is dead.

I do not know any gentleman who could question it, because if he would go to the records of the Attorney-General's Office here in the city of Washington he would find an application for the amnesty of all those who were convicted under judges appointed during the Cleveland Administration, in which the authorities of the church announce the fact of the abolition of polygamy in the Territory of Utah, its absolute abandonment, and appeal to the President, by reason of a clause in the Edmunds law itself, to exercise that clemency which the law anticipated the Executive of this nation would do whenever he was satisfied of that fact.

If it were simply the church authorities that made that statement there might be some question in this body, but that statement is indorsed by the governor of the Territory, by the secretary of the Territory, by the Utah Commission, and it is indorsed also by all four of the judges of the superior court of Utah. The President, for the reason stated in that petition, is urged to grant the clemency asked for by the people of Utah.

Those who perhaps have not thought about this question should remember that the Commission has but one solitary function to perform in the Territory of Utah. It simply has to govern the elections of the people of Utah. It is sent there for that purpose annually when they have their elections. I refer to the general elections, because the Supreme Court of the United States has held, reversing the superior court of Utah, that the law does not apply to municipal elections. They appoint the registrars, they appoint the commissioners and supervisors of elections.

The returns of elections are made to this Board of Commissioners and they certify the result. That is the sole function and power that has ever been conferred upon them, except under the act of 1891, when they were given the authority to apportion the Territory into legislative districts, which they have complied with. The last Legislature was elected under the apportionment made by that Commission under the act of 1891.

Now, sir, I think the time has come to dispense with the Utah Commission, ten years after the creation of the Commission, when by the very terms of the law it was to have expired in 1884, at the meeting of the next Legislature, by the passage of a proper law by the legislative body under the reform in the elections provided for in the Edmunds law.

When the question of polygamy as a question of offense against the laws of the Territory and against the laws of the United States, is virtually admitted to have been abandoned, when they have no other functions in the world except to control the elections of the people of Utah, I think the time has come when the people of Utah should have the right and privilege of selecting their own registrars and all the men who are to sit behind the ballot box and to pass upon the qualifications and competency of

the voter asking to deposit his ballot, especially when no man can be registrar or vote in that Territory who does not take the oath prescribed by the law of the Congress of the United States, known as the Edmunds law.

There is another view I want to take of this matter. What justification can the Appropriations Committee make in reversing the action of the House of Representatives and increasing, as they admit in their report to the Senate it does increase, the amount of the appropriations of the bill, so far as the Utah Commission is concerned, \$30,500 in order to give five gentlemen \$5,000 a year to go to Utah once a year or once in two years to appoint commissioners of election and receive the returns from the polls and certify them at a general election. That is all they have to do. That embraces all their functions, and yet for that this bill is to be increased in the appropriations made, with the present condition of the Treasury, to the amount of \$30,500 as announced to us by the Committee on Appropriations.

That is rather expensive to this Government in order to furnish salaries for five gentlemen to perform duties that every other civilized community where the right of the elective franchise is appreciated is allowed to perform for itself, and not to be required to send off two or three thousand miles in order to bring there a man to designate who shall be the person to pass upon the qualifications of the electors of that section of our country.

I desire to read from a report made in the House of Representatives by Mr. WASHINGTON, from the Committee on Territories, in reference to the expense of this commission. He says:

Since the appointment of this board, to March 1, 1892, the Government has paid in salaries to its members \$241,063.91, and for contingent expenses of the board \$105,181.82, and for compensation and expenses of officers of election \$193,422.14, a total of \$539,667.86.

That, sir, has been the expenditure under this Commission in the ten years of its existence. I am satisfied that there can not be given a reasonable appeal to the fairness or judgment of a single Senator why the Commission should be continued under the condition of affairs as it exists there to-day, and with the facts staring us in the face that since 1888 there has never been an indictment for a polygamous offense in the courts of Utah that occurred subsequent, I will say, to 1887.

These reasons seem to justify me in my opposition to the views of the Committee on Appropriations. I will say frankly to the Senate that I do not exactly like the provision of the other House. I do not like the Commission to carry on the law which the House of Representatives has provided for. I do not think there ought to be any Commission there, but I prefer it to this extent, that at least one of the gentlemen appointed or substituted on the Commission is a gentleman who has lived for a long time in the Territory of Utah, a man in whom all the people have confidence, and who, although a Republican in politics, as all the members of the Commission created by the other House are, is one to whom they feel they can trust their best interests, and that is the chief justice of the Territory, Justice Zane.

But the other House has accomplished this; although it carries on this Commission and invests the governor, the chief justice, and the secretary with the power conferred by the Edmunds law upon the five commissioners, whose expenditures will amount to at least \$59,000 under that law, it has gone to the extent of saying that these gentlemen may perform the duties devolving upon the Commission without extra compensation, and in that way has saved \$30,000 of the entire appropriation that is now asked for by the Committee on Appropriations.

There is, of course, no question of politics in the commission as created by the other House, because all the board of commissioners who are to appoint these registrars and supervisors and to receive the returns and to certify them are members of the same party, but yet they live in the Territory. If they did not live there before their appointment to office, at least they have become domiciled in the Territory. They know the people, they know their feelings, their wants, and their sentiments; and it is more agreeable to any class of people in any section of this country to have that class of officers placed over them than to bring officers from two or three thousand miles there to perform these inferior duties.

I hope, therefore, the Senate will not adopt the suggestion of the Committee on Appropriations and strike out the provision as provided of the other House.

Mr. ALLISON. I am so anxious to complete this bill that I will say but a word respecting the reasons why the Committee on Appropriations recommended that this provision should be stricken out.

I was glad to hear the Senator from West Virginia [Mr. FAULKNER] anticipate me somewhat in the reasons I propose to give. In the first place, the duties devolved upon the Utah Commission are devolved by this bill upon the governor, the chief justice, and the secretary of the Territory, this being a wholly partisan body, and therefore we concurred with the Senator from West

Virginia in his views that this is not a wise thing to do, especially as respects elections.

The governor, the chief justice, and the secretary are Republicans, and we hope they will be during this entire fiscal year and during the elections to occur in the near future; but if they are there will be at once great party strife in Utah respecting registration and voting, and all the consequences which come from one party having exclusive and absolute control of elections. I do not know of a Northern State in the Union where that is done. I believe recently the laws were changed in the State of New York, whereby two Democrats and one Republican are to control elections in the cities. Prior to that time's anxious were they in New York to secure an honest vote that the officers having control of elections were divided equally between the two political parties.

Now, although these gentlemen are Republicans and I am sure they will administer the election laws with perfect fairness, yet it did not seem to us that it was wise to deprive the Utah Commission from exercising the power it now exercises under the law in view of the fact that three of them are Republicans and two of them are Democrats; so that whatever comes there will be a fair registration and a fair election.

Mr. PLATT. There has never been any complaint of partisanship there.

Mr. ALLISON. I thank the Senator. There never has been, so far as I know, any complaint respecting the conduct of the elections in Utah. Therefore the provision as found in the bill as it came from the House is radically defective, and I am glad to know the Senator from West Virginia practically agrees with me.

That is one thing. Another thing respecting the amendment is that it is an amendment placed on an appropriation bill radically changing a public policy. That public policy is one which was established after long debate and full consideration in this body. Whilst, as respects mere matters of detail or matters of administration in the consideration of appropriation bills, we have allowed legislation to be placed upon them and have not struck out legislation, here is a proposition to radically change the public policy as respects the control of the Territory of Utah.

Mr. VEST. May I ask the Senator a question?

Mr. ALLISON. Yes.

Mr. VEST. Do I understand the Senator to take the position now that we have adopted this as a permanent policy without any limitation?

Mr. ALLISON. Surely the Senator can not understand me in that way.

Mr. VEST. Then, as I understand, waiving the question as to the point of order on the amendment, it comes simply to the question whether the state of things exists in the Territory of Utah at this time which existed at the time this policy was adopted, and whether there is any necessity for continuing it.

Mr. ALLISON. My point is, that here is a matter of policy which has been upon our statute books for many years respecting the control of the government of that Territory. That policy, I think, has shown itself to be so reasonably wise that there exists now a very different condition from what existed when that policy was inaugurated. The condition there is greatly improved, I think, though the Committee on Appropriations surely has not, nor has any committee of this body or of the House of Representatives, if you please, so far as I know, examined into the question so as to know and be able to report whether or not the condition of things existing there is such as that the proposed change would be justifiable.

There is nothing in the report of the Committee on Appropriations of the House of Representatives so far as I have been able to see, except the naked statement that they have modified the law. I believe myself that within a year or two the conditions in Utah will be such as that all the affairs relating to elections and every other question in that Territory may be relegated more directly to the General Assembly of the Territory; but are we now, on an appropriation bill, to consider this question without having the necessary data and the necessary information upon this subject? There may be Senators on this floor who have that information, but I certainly have not. That was the general motive and view which the Committee on Appropriations took with respect to this legislative provision abolishing the Utah Commission.

There is still, however, another objection which occurs to me, and that is that the chief justice, who is made one of the commissioners to execute this law and perform the functions of the Commission, is now the chief justice of the Territory and will be obliged to sit as a judge upon his administrative functions as a commissioner under this law. Suppose any question shall come up before the court in respect of the election after it shall have taken place, he will be the judge as to the regularity of the proceedings and he will be the judge as to whether the proceedings



were in accordance with the provisions of law. Therefore, the provision here is radically defective. I confess that I do not know what the state of the law would be as respects the Territory of Utah if we were to abolish the Commission without providing a substitute for it.

Mr. FAULKNER. I would state to the Senator that, according to my understanding of the condition of the law there, if the Commission is abolished now, after the governor had put the statute into his pocket which had been passed by the Legislature to meet the very requirements of the Edmunds law, and thereby refused to permit it to become a law, you have no law.

Mr. ALLISON. Very well.

Mr. FAULKNER. But the result, if the chairman of the committee will permit me, would be that the governor could at once convene the Legislature and it could at once pass a law, as it has done four times, in accordance with the provisions of the Edmunds act.

Mr. ALLISON. Then the situation is such that I think it ought to invoke the consideration of the proper committee of this body whose business it is to examine into these questions and these statutes, and that is the Judiciary Committee. The Senator has stated enough to show that the Judiciary Committee ought to make some explanation of this subject and see what amendment, if any, is necessary under the Edmunds law, so called, and see what, if anything, can be omitted as respects these officers under the Edmunds law, but shall we here and now, upon a bill which must be approved before next Thursday or the Government machinery will stop, unless the former appropriations are extended through the action of both Houses, undertake to regulate this matter? It does not seem to me that it is wise to do it.

I should gladly vote for a resolution instructing the Judiciary Committee of this body or the Committee on Territories, or any committee having proper jurisdiction of this question, to examine into it and report whether or not this Commission can be abolished, and, if so, what tribunal shall have the jurisdiction which is now exercised by it. I have no desire to retain the commission a minute longer than is necessary for executing the purposes and aims for which it was originally appointed.

The PRESIDENT *pro tempore*. The question is on the motion to strike out the paragraph which has been read.

Mr. FAULKNER. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. COCKRELL. The amendment is to strike out from line 13, on page 66, down to line 7, on page 67, as I understand.

The PRESIDENT *pro tempore*. That is the question, to strike out only, and not to strike out and insert.

Mr. VEST. I have no disposition to detain the Senate, but I want to make a single observation about this legislation.

I state very frankly that I opposed the Edmunds bill, and there is no act of my public life that gives me less regret or more satisfaction than my action in that matter. But that is aside from this question.

One thing is certainly known to the Senator from Iowa [Mr. ALLISON] and to all of us, and that is that a very great revolution has taken place in the Territory of Utah. It has increased wonderfully in population and in wealth, and in all the higher civilization of which the American people are so justly proud. There has been new blood infused into that Territory.

No man can go to Salt Lake City and take even a superficial glance at the society and business there without coming to the conclusion that those people can be just as safely trusted with the great problem of American destiny as the people of any State in this Union. As a matter of course, the cloud of polygamy rests upon them, like the cloud of slavery rested upon some of the other States and Territories of the Union; but are we forever to go back to these old obsolete questions and prejudices in order to arrive at conclusions as to matters which are now pressing upon us in the hurry and rush and roar of our everyday American life?

All of us know that the Territorial Legislature of Utah, with new motives and under new guidance, has adopted a statute, which I have in my committee room or in my desk, which is as stringent and as absolutely coercive and punitive as the Edmunds act ever was or as mortal man, in my judgment, could ever frame a statute.

Now, what is the effect of continuing this Commission? It is just saying to the people of Utah, whose representatives have adopted that statute "you lied deliberately when you passed it;" it is saying to them, "you are not worthy of confidence; we did not believe you when you passed that law; it was a sham, a fraud, and a blind, and you are just as much devoted to polygamy as you ever were." That is the whole of it.

If we now say to them "you can not exercise the rights of American citizenship as the people of the other Territories do,

notwithstanding this solemn enactment of your Territorial Legislature and putting behind you this institution of polygamy," we must say to them "We distrust you absolutely and you can not do anything to remove that distrust." Is that wise statesmanship? I do not myself know any better way in the world to ruin an individual than to give him to understand that you have not the slightest confidence in him, and that you propose to resort to punitive measures entirely in regard to him. I do not know any better way to kill a community than to say to them you have no confidence in their professions.

Look at the condition of Utah to-day. It is known to every intelligent man who has paid any attention to it, that the old leaders have lost their influence; they can not to-day summon a corporal's guard to carry out any of the old polygamous and antiquated ideas with which Smith and Young indoctrinated that people. The young men of the Territory are controlling. If I should use names here and produce private letters, I could show a state of things in Utah which makes the action of our committee here absolutely monstrous.

I have a very dear and intimate friend who went there and he is now occupying the position of a journalist at the head of one of the leading papers of Utah. He went there with as strong and as bitter prejudices against polygamy and against the people of that Territory as any man could possibly have. He is a man of great ability, a man of frank, open, strong nature, and I have private letters from him in which incidentally he discusses the question. He writes to me that Utah is exactly in the condition of any other American Territory. The quarrel about polygamy is not in Utah at all. It exists with people who do not know anything about it and are not at all connected with it, except on account of their general prejudices against such an institution, in which, of course, we all here share. That is my objection to this.

As the Senator from West Virginia [Mr. FAULKNER] very pertinently remarked, if we are to have this Commission, which I think is absolutely unnecessary, let us have it. The idea of the Government of the United States treating one of its Territories as a colony, the idea of making an Ireland out of any portion of the soil of this country, is utterly abhorrent to all my opinions about the Government, its autonomy, and its hereditary traditions. You can not strike a more fatal blow at the progress, the pride, the self-respect, the individuality of any people in the world than by keeping them in swaddling clothes politically, in tutelage, under espionage by the Government of which they are citizens.

If these people to-day, under the blazing sunlight of our civilization and our religion, with the railroad, the telegraph, the newspaper, and progress in every way, are not fit to conduct their own affairs in the Territory, then our problem of government is a failure, and we might as well admit now that we have started on the wrong track, and that we ought to adopt the old coercive, paternal theory that men should be governed from a distance, and ought not to be permitted to govern themselves.

Mr. PLATT. Mr. President, the Territory of Utah and its government, in view of the institution which prevails there, has presented one of the most difficult problems which this Government has ever had to encounter. I think that Congress has dealt well with those people in the past, and I think that the results which have been achieved in Utah show the wisdom of the action which has been taken by Congress in the passage of the Edmunds-Tucker act and the creation of the Utah Commission.

I think the gratifying progress which has been made in Utah towards an emergence from that condition of barbarism in which for a time it was beclouded has shown that this Commission has been a wise commission. Very much of the advance which has been made and very much of the action which has been taken by the Mormon Church looking to an abandonment of the system of polygamy I believe has resulted from the wise conduct of the Utah Commission.

I agree that rapid progress is being made there, that the time is rapidly approaching, and very much more rapidly approaching than the people throughout the country now understand, when we may safely admit Utah as a State in the Union.

I believe, Mr. President, that the system of polygamy, certainly in all the most thickly settled portions of Utah, is a thing of the past. I do not believe that polygamous marriages are now being contracted—certainly not, unless it be in some of the remote and secluded portions of the Territory. In the more thickly settled and highly civilized portions of the Territory the practice of polygamy has undoubtedly been abandoned, except possibly some persons who contracted polygamous marriages in the past are not quite giving up the relations which were thus contracted. As to all the new marriages I think that the Senator from West Virginia [Mr. FAULKNER] is quite right in saying that no new polygamous marriages are being contracted, unless it be in rare and exceptional cases.

But, Mr. President, it does not follow from that, when this



Union, the Good Templars, Sons of Temperance, Temple of Honor, Will Try Social, and Boys' Temperance Union of Fall River, Mass., praying for the adoption of an amendment to the Constitution of the United States providing that the manufacture, importation, exportation, transportation, and sale of all alcoholic liquors as a beverage shall forever be prohibited in the United States; which were referred to the Committee on Education and Labor.

Mr. PASCO presented a petition of the Chamber of Commerce of Pensacola, Fla., praying for the passage of legislation for the completion of the Nicaragua Canal; which was referred to the Committee on Foreign Relations.

Mr. STOCKBRIDGE presented petitions of 21 citizens of Onkama, of 38 citizens of Marilla, and of 21 citizens of Burnham, all in the State of Michigan, praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which were referred to the Committee on Epidemic Diseases.

Mr. ALLEN. I present a petition signed by a large number of business men and societies of the city of Tacoma, in the State of Washington. It is very brief, and is as follows:

We, the undersigned, citizens of the United States, residing at Tacoma, Wash., which already has a large and rapidly growing trade with the Old World, especially in wheat, lumber, and flour, respectfully and urgently petition Congress to provide or guarantee such necessary means as will assist, protect, and hasten the completion and secure the national control of the Nicaragua Maritime Canal, as recommended to Congress by the President of the United States in his recent message.

I move that the petition be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. ALLEN presented the memorial of M. E. Charlton and other citizens of Lewisville, Wash., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Medical Society of the State of Washington, praying for the establishment of a public health department, and that such department be placed under charge of a Cabinet officer; which was referred to the Committee on Epidemic Diseases.

Mr. SQUIRE presented a petition of the Board of Trade of Anacortes, Wash., praying that an appropriation be made for a coast-defense vessel to be stationed in Puget Sound; which was referred to the Committee on Coast Defenses.

He also presented a petition of John F. Miller Post, No. 31, Grand Army of the Republic, of Washington, praying for the passage of the Quay-Wheeler bills relative to marking the battle lines at Gettysburg, Pa.; which was referred to the Committee on Military Affairs.

He also presented a petition of citizens of Seattle, Wash., praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which was referred to the Committee on Epidemic Diseases.

He also presented memorials of members of the Seventh-Day Adventist churches of College Place, Quilicene, and Kent, and a memorial of members of different religious bodies of Weston, all in the State of Washington, remonstrating against the commitment of the United States Government to a union of religion and state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of the American Sabbath Tract Society of Plainfield, N. J., praying that the World's Columbian Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PEPPER presented the memorial of Lewis Spencer and 29 other members of the Seventh-Day Adventist Church of Bird City, Kans., remonstrating against a commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the memorial of A. N. Case and sundry other citizens of Bavaria, Kans., remonstrating against the passage of House bill 395 and Senate bill 2984, known as the Brosius-Wilson bills, and praying for the passage of the Paddock pure-food bill; which was referred to the Committee on Agriculture and Forestry.

Mr. PADDOCK presented a memorial of the American Secular Union of Chicago, Ill., remonstrating against the passage of House bill 8367 for the delivery and sale of ice on Sunday in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. MANDERSON presented a memorial of sundry citizens of Valentine, Nebr., remonstrating against the passage of legislation closing the World's Columbian Exposition on Sunday;

which was referred to the Committee on the Quadro-Centennial (Select).

He also presented petitions of citizens of Chester, Blue Springs, and Columbus, all in the State of Nebraska, praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which were referred to the Committee on Epidemic Diseases.

Mr. HARRIS presented a petition of Haywood G. Angus, Patrons of Husbandry, of Tennessee, praying for the passage of legislation regulating speculation in farm products; which was referred to the Committee on the Judiciary.

Mr. COKE presented a petition of the Young People's Society of Christian Endeavor of Austin, Tex., praying for the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

#### REPORTS OF COMMITTEES.

Mr. WALTHALL, from the Committee on Public Lands, to whom was referred the bill (S. 3130) authorizing the Commissioner of the General Land Office to issue a land patent to George W. and Lottie Rogers, reported adversely thereon, and the bill was postponed indefinitely.

Mr. DOLPH. By direction of the Committee on Public Lands, I report back favorably without amendment the bill (S. 1729) to amend section 2237 of the Revised Statutes, in relation to salaries of registers and receivers of United States land offices. This bill was ordered reported on the 7th of May, and I supposed it was on the Calendar; but it does not appear to have been reported.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. DOLPH, from the Committee on Public Lands, to whom were referred the following bills, reported adversely thereon; and they were postponed indefinitely:

A bill (S. 1075) to regulate and fix the compensation of registers of the land office and receivers of public moneys in each land district.

A bill (S. 1734) to amend section 2237 of Title XXXII of chapter 2 of the Revised Statutes of the United States, in relation to salaries of registers and receivers of United States land offices; and

A bill (S. 1736) to amend section 2237 of chapter 2 of the Revised Statutes of the United States, relating to registers and receivers of land offices.

Mr. DAVIS. I am directed by the Committee on Foreign Relations, to whom was referred the bill (S. 3319) to secure certain reciprocal advantages to citizens, ports, and vessels of the United States, to report it with amendments.

I am also directed by the committee to give notice that I shall press for an early consideration of the measure.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 1898) for the recognition of Henry C. Hill as captain and aid-de-camp on the staff of Maj. Gen. B. F. Butler, United States Volunteers, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2916) for the relief of David H. Thompson, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. CHANDLER. On behalf of the Senator from California [Mr. STANFORD], from the Committee on Naval Affairs, I report back the bill (S. 1219) to authorize the payment to Rear-Admiral John H. Russell of the highest pay of his grade, without amendment, and submit a written report thereon.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. WARREN, from the Committee on Irrigation and Reclamation of Arid Lands, reported the following concurrent resolution; which was referred to the Committee on Printing:

*Resolved by the Senate the House of Representatives concurring,* That there be printed and bound in cloth 20,000 additional copies of Executive Document No. 41, Fifty-second Congress, first session, it being a report on irrigation and the cultivation of the soil thereby, with physical data, conditions, and progress within the United States for 1891, accompanied by maps, illustrations, and papers, of which 7,000 shall be for use of the Senate and 13,000 for use of the House of Representatives.

Mr. MANDERSON, from the Committee on Printing, reported an amendment intended to be proposed to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 2128) for the relief of John S. Sammis, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 1239) for the relief of the Mobile and Girard Railroad

Company, reported it without amendment, and submitted a report thereon.

Mr. MITCHELL. I am directed by the Committee on Claims, to whom was referred the bill (S. 1266) to pay the awards of the Court of Claims in the French spoliation cases, to report it with an amendment, and submit a report thereon.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. MITCHELL. From the same committee, I report an amendment intended to be proposed to the deficiency appropriation bill, which I ask be referred to the Committee on Appropriations.

I desire to state that this amendment covers awards made by the Court of Claims in French spoliation cases amounting to the sum of \$458,359.65. There was incorporated in the last deficiency bill, passed the 3d of March, 1891, the sum of \$1,304,065.37. This present report covers scarcely one-fourth of the awards that have been made by the Court of Claims.

Attached to the report and made a part of it for the information of the Senate is a schedule of claims that were reported upon favorably by the Court of Claims prior to March 3, 1891, and which were not included in the appropriation of that date. That list amounts to \$1,044,828.51. Then again there is attached to the report a separate schedule of awards that have been made favorably by the court since that date and which are not included in the bill now reported amounting to the sum of \$329,936.97. So there have been awards made by that court which are not covered either by the appropriation made one year ago and over or in the proposed bill amounting to \$1,374,765.48.

The PRESIDENT *pro tempore*. The proposed amendment will be referred to the Committee on Appropriations and printed.

Mr. HANSBROUGH, from the Committee on Pensions, to whom was referred the bill (H. R. 7296) granting pensions to the survivors of the Indian wars of 1832 and 1842, inclusive, known as the Black Hawk war, Creek war, Cherokee disturbances, and the Seminole war, reported it with amendments, and submitted a report thereon.

#### BILLS INTRODUCED.

Mr. HANSBROUGH introduced a bill (S. 3342) to regulate contests under the land laws in certain cases; which was read twice by its title, and referred to the Committee on Public Lands.

He also (by request) introduced a bill (S. 3343) to amend the act to incorporate the Washington and Sandy Spring Narrow Gauge Railroad Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FAULKNER introduced a bill (S. 3344) to pension Mary Cunningham; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. COLQUITT introduced a bill (S. 3345) to provide for the improvement of the outer bar of Brunswick, Ga.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HUNTON introduced a bill (S. 3346) for relief of representatives of John S. Barbour, late a Senator from Virginia; which was read twice by its title, and referred to the Committee on Appropriations.

He also introduced a bill (S. 3347) for the relief of Mrs. Tabb Bolling Lee, the widow of William H. F. Lee, late a Representative from Virginia; which was read twice by its title, and referred to the Committee on Appropriations.

Mr. ALLEN (by request) introduced a bill (S. 3348) for the relief of James J. Wheeler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 3349) to amend an act entitled "An act to incorporate the Brightwood Railway Company of the District of Columbia;" which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. QUAY introduced a bill (S. 3350) denoting a Napoleon gun to the Society of the Sons of the Revolution of Pennsylvania; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. CHANDLER introduced a bill (S. 3351) for the relief of Francis L. Abbot, administrator of the late Thomas J. Treadwell, of the United States Army; which was read twice by its title, and referred to the Committee on Claims.

Mr. PERKINS introduced a bill (S. 3352) granting a pension to Dr. J. B. Thurman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CALL. I present the petition of John H. Caro, of the city of Pensacola, Fla., inclosing a proposed law, in which he appeals to Congress in the name of Christianity and humanity to pass a law designed to overcome the many social and moral evils arising from the existing methods pursued by sailor boarding houses, whereby sailors are led to desert from their vessels and become slaves in the hands of these boarding masters. The petition goes on to set forth the great evils inflicted upon sailors

by this practice and the necessity of a change in the existing law. I present it with the bill, which I introduce by request, for the protection of sailors from boarding-house keepers, for reference to the Committee on Commerce.

The bill (S. 3353) for the protection of sailors from boarding-house keepers was read twice by its title, and referred to the Committee on Commerce.

Mr. CALL introduced a bill (S. 3354) for the relief of the heirs of Lieut John E. Scott; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Revolutionary Claims.

He also introduced a bill (S. 3355) granting a pension to Samuel B. Hurlbut; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

#### AMENDMENT TO APPROPRIATION BILL.

Mr. CAMERON submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which, with the accompanying paper, was referred to the Committee on Appropriations.

#### DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7634) "making appropriations for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1893," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 17, 18, 19, 20, 21, 27, 131, 177 and 178.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 22, 24, 26, 30, 31, 32, 33, 34, 37, 38, 39, 40, 44, 45, 46, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 176, and 181; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert \$30,000; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: Add at the end of said amendment the following:

"Provided, That this sum shall be in full of the share of the United States, for the expense of said preliminary survey, and nothing herein contained shall in any way commit the United States to any aid for the construction or equipment of said railway."

And the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 28 and 29, and agree to the same with an amendment as follows: Strike out the amended paragraph and insert in lieu thereof the following:

"Consul-general at Havana, \$5,000. Consuls-general at London, Paris, and Rio de Janeiro, at \$5,000 each, \$15,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Consuls-general at Halifax and Vienna, at \$3,500 each, \$7,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"Consuls-general at Apia, Constantinople, Dresden, Ecuador, Frankfurt, Ottawa, Rome, St. Petersburg, and St. Gall, at \$3,000 each, \$27,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$9,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert the following: "\$37,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "\$5,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: Strike out from said amendment the words "Chin-Kiang, Fuchau, Hankow," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: Strike out after the word "China," in said amendment, and insert in lieu of the matter stricken out the following: "Consuls at Chin-Kiang, Fuchau, and Hankow," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: Insert after said amendment as a new paragraph the following:

"China. Consul at Nankow."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: Insert after said amendment as a new paragraph the following:

"Paraguay. Consul at Asuncion."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 155, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"At \$1,000 per annum."

"Belgium."

"Consul at Ghent."

"Chile."

"Consul at Talcahuano."

"CLASS 7."

"France and French dominions:  
 "Consul at Nantes.  
 "Germany:  
 "Consul at Stettin.  
 "Great Britain and British dominions:  
 "Consuls at Gaspe Basin (Canada), Sierra Leone (West Africa), Turk's Island and Windsor (Nova Scotia).  
 "Haiti:  
 "Consul at Cape Haitien.  
 "Honduras:  
 "Consul at Ruanan and Truxillo (to reside at Utiilla).  
 "Italy:  
 "Consul at Venice.  
 "Netherlands:  
 "Consul at Batavia.  
 "Portuguese dominions:  
 "Consul at Mozambique (Africa), and Santiago (Cape Verde Island).  
 "Society Islands:  
 "Consul at Tahiti.  
 "Sweden and Norway:  
 "Consul at Christiania.  
 And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 179, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "\$25,000;" and the Senate agree to the same.  
 That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$90,000;" and the Senate agree to the same.

EUGENE HALE,  
 W. B. ALLISON,  
 JO. C. S. BLACKBURN,  
*Managers on the part of the Senate.*  
 JAMES B. MCCREARY,  
 ROBERT R. HITT,  
*Managers on the part of the House.*

The report was concurred in.

#### ECKINGTON AND SOLDIERS' HOME RAILROAD COMPANY.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 400) to amend the charter of the Eckington and Soldiers' Home Railroad having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate and agree to the same with the further amendment to be inserted on page 1, line 12, after the word "branch;" also beginning at the intersection of Fifth and G streets northwest; thence south on Fifth street to Louisiana avenue; thence southwesterly on Louisiana avenue to a point, to be located by the Commissioners of the District of Columbia, east of Seventh street northwest, and returning by the same route to the said point of beginning;" and that the Senate agree to the same.

JAMES McMILLAN,  
 B. W. PERKINS,  
 ISHAM G. HARRIS,  
*Managers on the part of the Senate.*  
 JNO. T. HEARD,  
 JAMES D. RICHARDSON,  
 P. S. POST,  
*Managers on the part of the House.*

The report was concurred in.

#### COMMITTEE SERVICE.

Mr. HARRIS. Being a member of the Committee to Investigate Failed National Banks, I find my engagements are such as to render it impossible for me to give the matter proper attention. I therefore ask the Senate to excuse me from further service on that committee.

The PRESIDENT *pro tempore*. The Senator from Tennessee asks that the Senate excuse him from further service on the Committee to Investigate Failed National Banks. Is there objection? The Chair hears none, and the Senator is excused.

Mr. HARRIS. The Senator from New Jersey [Mr. McPHERSON], who was also a member of that committee, was excused yesterday. I ask that the vacancies occasioned by excusing the Senator from New Jersey and myself may be filled by the Chair.

The PRESIDENT *pro tempore*. Is there objection to the request of the Senator from Tennessee? The Chair hears none; and appoints to fill the vacancies on the Committee to Investigate Failed National Banks the Senator from Kentucky [Mr. CARLISLE] and the Senator from Ohio [Mr. BRICE].

#### LEGISLATIVE, ETC., APPROPRIATION BILL.

The PRESIDENT *pro tempore*. If there is no further morning business, the Calendar under Rule VIII is in order.

Mr. ALLISON. I move that the Senate proceed to the consideration of the legislative, executive, and judicial appropriation bill.

The motion was agreed to; and the Senate resumed the consideration of the bill (H. R. 9049) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes.

The PRESIDENT *pro tempore*. The bill is in the Senate and the amendments placed on the bill as in Committee of the Whole have been concurred in with the exception of certain reserved amendments. The question is on concurring in the Senate in the first amendment which was reserved. It will be stated.

The SECRETARY. On page 66, after line 12, the Senate, as in Committee of the Whole, struck out the following:

That so much of section 9 of the act entitled "An act to amend section 5352 of the Revised Statutes of the United States, in reference to bigamy, and for

other purposes," approved March 22, 1882, as authorizes the President to appoint a board of five persons to exercise certain powers and duties prescribed in said section, be, and the same is hereby, repealed; and the said board is hereby abolished, and all powers and duties conferred upon said board are hereby imposed upon and shall be discharged, without additional compensation, by a board hereby created, to be constituted of the governor, chief justice, and secretary of the Territory of Utah.

For the following expenses of the foregoing board, namely: For printing, stationery, clerk hire, and office rent, \$3,000. *Provided*, That out of this sum the said board is hereby authorized to pay to the secretary of the Territory, who, in addition to being a member of the board, shall be its secretary and disbursing agent, a reasonable sum for such service, not exceeding \$300 for the fiscal year 1893.

The PRESIDENT *pro tempore*. The question is on concurring in the amendment agreed to as in Committee of the Whole striking out the words which have been read. Does the Senator from West Virginia desire a ye-a-and-nay vote on this question in the Senate?

Mr. FAULKNER. It was understood that a ye-a-and-nay vote should be considered as ordered on the amendment in the Senate.

The PRESIDENT *pro tempore*. The Chair understands that, that the yeas and nays were ordered upon this question. The Secretary will call the roll upon concurring in the amendment.

Mr. GEORGE. I should like to have the amendment read so as to know how to vote. I was not present yesterday.

The Secretary again read the amendment.

The PRESIDENT *pro tempore*. The question is on concurring in the action of the Senate as in Committee of the Whole in striking out the words which have been read. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I am paired with the Senator from Colorado [Mr. TELLER].

Mr. COLQUITT (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

Mr. CULLOM (when his name was called). I am paired generally with the Senator from Delaware [Mr. GRAY].

Mr. PLATT (to Mr. CULLOM). Transfer your pair to the Senator from Rhode Island [Mr. ALDRICH].

Mr. CULLOM. It is intimated that I may transfer my pair to the Senator from Rhode Island [Mr. ALDRICH]. I do so, and vote "yea."

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. McPHERSON (when his name was called). I am paired with the Senator from Delaware [Mr. HIGGINS].

The PRESIDENT *pro tempore* (when Mr. MANDERSON'S name was called). The occupant of the chair is paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR]. If he were present I should vote "nay."

Mr. SAWYER. I am paired with my colleague [Mr. VILAS], but that pair has been transferred to the Senator from Montana [Mr. POWER], and I vote "yea."

Mr. SQUIRE (when his name was called). I am paired with the Senator from Virginia [Mr. DANIEL]. Not knowing how he would vote, I withhold my vote.

Mr. WARREN (when his name was called). I am paired with the Senator from Georgia [Mr. GORDON], but I have reason to believe that he would vote on this question as I shall do, and I therefore vote "nay."

Mr. WHITE (when his name was called). I am paired with the Senator from Montana [Mr. POWER]. I transfer that pair to the Senator from Wisconsin [Mr. VILAS], so as to enable the senior Senator from Wisconsin [Mr. SAWYER] and myself to vote, and I vote "nay."

The roll call was concluded.

Mr. McMILLAN. I am paired with the Senator from North Carolina [Mr. VANCE].

Mr. HANSBROUGH. I am paired with the junior Senator from Illinois [Mr. PALMER]; if he were present I should vote "yea."

The result was announced—yeas 28, nays 24; as follows:

YEAS—28			
Allen.	Dolph.	Mitchell.	Sawyer.
Allison.	Dubois.	Paddock.	Sherman.
Cameron.	Frye.	Puffer.	Shoup.
Chandler.	Gallinger.	Perkins.	Stewart.
Cullom.	Hale.	Platt.	Stockbridge.
Dawes.	Hawley.	Proctor.	Washburn.
Dixon.	Jones, Ark.	Quay.	Wadcott.
NAYS—24			
Bate.	Coke.	Hill.	Morgan.
Butler.	Faulkner.	Hunt.	Ransom.
Call.	Felton.	Ishy.	Vest.
Corey.	George.	Kenna.	Waltham.
Carlisle.	Gibson, Md.	Kyle.	Warren.
Cockrell.	Gorman.	Mills.	White.

## NOT VOTING—35.

Aldrich,	Gibson, La	McMillan,	Sanders,
Berry,	Gordon,	McPherson,	Squire,
Blackburn,	Gray,	Manderson,	Stanford,
Blount, W.	Hansbrough,	Morrill,	Teller,
Brace,	Harris,	Palmer,	Turpie,
Cass,	Higgins,	Pasco,	Vance,
Coffey,	Hiscock,	Pettigrew,	Vilas,
Daniel,	Hoar,	Power,	Voorhees,
Davis,	Jones, Nev.	Pugh,	Willson,

So the amendment was concurred in.

The PRESIDENT *pro tempore*. The question is on concurring in the next reserved amendment, which will be read.

The SECRETARY. On page 67, after line 7, the Senate, as in Committee of the Whole, inserted the following words:

For the salaries of the five Commissioners appointed under an act entitled "An act to amend section 5352 of the Revised Statutes of the United States in reference to bigamy, and for other purposes," approved March 22, 1882, at \$5,000 each, \$25,000.

For the following expenses of the Commission, namely: For traveling expenses, printing, stationery, clerk hire, and office rent, \$8,500; *Provided*, That out of this sum the Commission is hereby authorized to pay the secretary of the Territory, who is its secretary and disbursing agent, a reasonable sum for such service, not exceeding \$300, for the fiscal year 1892.

Mr. CAREY. Is an amendment to the amendment in order at this time?

The PRESIDENT *pro tempore*. An amendment to the amendment is in order.

Mr. CAREY. I move to amend by fixing the salary at \$3,000 per annum, and reducing the total to \$15,000.

I do this for this reason: The governors of the Territories receive \$3,000 per annum; the judges of the Territories receive \$3,000 per annum; the surveyors-general of the Territories receive \$2,500 per annum. The governor of Utah actually receives \$2,000, as his salary has been cut down.

The Senator from Missouri [Mr. VEST] yesterday gave notice that the Western States would not have a sufficient amount of money to carry on the office work of the surveyors-general in the several States where the offices are located, for the reason that the money is not in the Treasury to pay them. There are a number of States in the extreme West that are not very much interested in an appropriation bill that carries forty-odd million dollars. The people in the Western country who are settling upon the lands in the States that have had appropriations of public land are very anxious to have the lands surveyed, and when they are surveyed they are anxious to have the office work brought up so that the settlers and the States may have the advantage which they are entitled to under the act of Congress.

I believe that \$3,000 per annum is an adequate salary to men whose only duty consists in appointing certain election officers and making a canvass of the votes in the Territory of Utah. If the \$10,000 which would be saved could be distributed among several of the States for office work in the offices of the surveyors-general, I think it would do a great deal of good, while it would not work a hardship to these men who travel backward and forward to perform this duty.

I cast my vote against the amendment reported by the Senate committee for this reason. The Tucker-Edmunds law was aimed at polygamy. The people in Utah, I believe, have abandoned polygamy. I believe that these people are rapidly preparing themselves to enter into the Union as one of the States of this Union. I do not believe in the Territorial system. I have seen too many outrages performed in Territories by men who were sent there from Washington, who know little about Territorial affairs, and who really have no interest in the affairs of those people.

If you believe the people who have settled in Utah are honest, if you believe they really have abandoned polygamy and they intend to forever abandon it, I believe in making some concessions to them and meeting them fairly and squarely upon this issue.

The provision which was put on the bill in the other House did not take away these duties and vest them again in the Mormon people. It simply reposed the duties in officers already in existence, namely, the governor, the secretary, and the chief justice. But the Senate have voted differently upon this matter, so when we come to this second amendment I ask the Senate to have the \$10,000 that some of the Western States that need appropriations in other directions may have those which are absolutely necessary.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Wyoming to the amendment made as in Committee of the Whole will be stated.

The SECRETARY. On page 67, line 13, before the first word "thousand," strike out "five" and insert "three;" and in the same line, before the word "thousand," where it occurs the second time, strike out "twenty-five" and insert "fifteen."

Mr. FELTON. Mr. President, I desire to say a word in explanation of the vote I gave yesterday and this morning. I did so because I do not believe, for the reasons given on this floor and from conversations which I have had with many gentlemen from all parts of Utah, that the Commission is any longer neces-

sary. I shall vote for this amendment cheerfully, because the salary which was formerly given is away beyond the requirements for the Commission.

As I understand, this Commission visit that part of the country once a year. The period of their employment is a matter of not more than one month, they remaining there at times about ten days and performing such duties as are required of them. I believe that for a trip to Salt Lake and back, with the usual expense attached to it, the pay is amply sufficient for the services the Commission render. In the interest of economy and for the reason the Senator from Wyoming [Mr. CAREY] has just given, that there is urgent necessity for small appropriations such as he referred to, and those appropriations may be made from the amount saved by reducing this item, and at the same time a nifty payment be rendered the Commission for all the duties they perform. I think the amendment should be agreed to. Three thousand dollars, in my opinion, would be an extravagant price for the services rendered by the Commission.

Mr. SHERMAN. I voted against abolishing the Utah Commission because I believe that so long as Utah remains as a Territorial government a commission of this kind will have a healthy effect. I believe the organization of the Commission has practically abolished polygamy, one of the greatest evils and vices which could befall any people. But I do think now, inasmuch as the desired results have been accomplished, and since the moral effect of the Commission is no longer required, that the appropriation should be reduced.

When these gentlemen were first appointed the salary was placed very high for the reason that it was thought best to select five gentlemen of distinguished position, of high character, well-known attainments, and well-known influence throughout the United States; men who would bring to bear a moral influence upon the people of Utah. That was the idea which I know actuated the Senators who participated in organizing the Utah Commission, and it influenced me in providing the liberal compensation of \$5,000 a year, making the amount \$25,000 a year for a commission to practically govern the Territory. Their powers were very extensive. Now there is no necessity for such powers, and a reduction of the rate of salary to \$2,000 a year would be amply sufficient. Three thousand dollars is the amount proposed, but I think that is probably too high, as their duties are now limited to taking care of the elections and seeing that the election laws are fairly observed. I believe a moderate sum, which will enable the commissioners to go there and remain a month in the year will be amply sufficient. I shall vote, however, for any sum that is proposed, \$3,000 or \$2,000, though I think \$2,000 is enough.

Mr. CALL. Let the amendment be stated.

Mr. SHERMAN. I shall move an amendment that "\$2,000" be inserted instead of "\$3,000."

Mr. CAREY. I will accept that amendment. There is another matter—

The PRESIDENT *pro tempore*. The amendment of the Senator from Wyoming [Mr. CAREY], the Chair understands, is modified by him.

Mr. CAREY. I am willing to modify the amendment in the way suggested by the Senator from Ohio.

The PRESIDENT *pro tempore*. The amendment will be stated, as modified.

The SECRETARY. On page 67, line 13, before the word "thousand" where it first occurs, it is proposed to strike out "five" and insert "two," and in the same line before the word "thousand" where it occurs the second time, to strike out "twenty-five" and insert "ten;" so as to make the clause read:

For the salaries of the five commissioners appointed under an act entitled "An act to amend section 5352 of the Revised Statutes of the United States in reference to bigamy, and for other purposes," approved March 22, 1882, at \$2,000 each, \$10,000.

The PRESIDENT *pro tempore*. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The PRESIDENT *pro tempore*. The question now is on concurring in the amendment as amended.

Mr. CAREY. I should like to offer another amendment if it is in order.

The PRESIDENT *pro tempore*. The bill is in the Senate and an amendment is in order.

Mr. CAREY. On page 67, line 8, after the word "commissioners," I move to insert the words, "who shall be actual residents of the Territory of Utah."

Several SENATORS. Oh, no.

Mr. CULLOM. I hope that amendment will not be insisted upon for the little time the commissioners are there.

Mr. CAREY. Then, make it that, when the terms of the present commissioners expire, residents of the Territory only shall be appointed. I will move the amendment in the form which I send to the desk.

Houses thereon, and had appointed Mr. HENDERSON of North Carolina, Mr. BLOUNT, and Mr. CALDWELL, managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6875) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1893, and for other purposes, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MITCHELLER, Mr. O'NEIL of Massachusetts, and Mr. GROTT managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9040) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FORNEY, Mr. DOCKERY, and Mr. HENDERSON of Iowa, managers at the conference on the part of the House.

#### REPORTS OF COMMITTEES.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 3050) to amend an act entitled "An act to regulate the carriage of passengers by sea," approved August 2, 1882, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 2920) to establish a subport of entry, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 2966) to amend rule 7, section 4233, Revised Statutes, reported it without amendment.

Mr. FRYE. I am instructed by the Committee on Commerce, to whom was referred the bill (S. 3017) to provide and equip a steam vessel for boarding purposes, at Philadelphia, Pa., to report it adversely, for the reason that the Treasury Department is now building a vessel which will be assigned to the port of Philadelphia. I move that the bill be postponed indefinitely.

The motion was agreed to.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 1753) to remove charges of desertion in certain cases, submitted an adverse report thereon: which was agreed to, and the bill was postponed indefinitely.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (H. R. 3496) for the relief of A. S. Lee, reported it without amendment, and submitted a report thereon.

Mr. BATE, from the Committee on Military Affairs, to whom were referred the following bills, submitted adverse reports thereon: which were agreed to, and the bills were postponed indefinitely:

A bill (S. 1779) for the relief of Robert S. Forbes; and

A bill (S. 2815) for the relief of Capt. D. F. Callinan, United States Army.

Mr. DAVIS, from the Committee on Military Affairs, to whom were referred the following joint resolution and bills, submitted adverse reports thereon: which were agreed to, and the joint resolution and bills were postponed indefinitely:

A joint resolution (S. R. 50) authorizing payment of pay and allowances to minors who were discharged from the Army of the United States after the close of the war of the rebellion by special order secured by action of friends and before the date of general order mustering out their commands;

A bill (S. 3190) for the relief of John C. Peters, alias Peter L. Weber;

A bill (S. 3008) for the relief of William Divine, teamster, authorizing president of Board of Managers National Home for Disabled Volunteer Soldiers to receive him at one of the branches of said National Home;

A bill (S. 1978) to provide additional artillery for the National Guard; and

A bill (S. 477) for the relief of Jane Boller.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (S. 1240) granting to the Minneapolis, St. Paul and Sault Ste. Marie Railway Company right of way across the military reservation at Sault Ste. Marie, reported it without amendment, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Military Affairs, to whom were referred the following bills, submitted adverse reports thereon: which were agreed to, and the bills were postponed indefinitely:

A bill (S. 519) for the relief of Francis Irsch;

A bill (S. 1803) for the relief of Francis Irsch;

A bill (S. 2616) providing for the assignment to active service of army officers previously retired on account of disability incurred in the line of duty upon their restoration to health, and for other purposes; and

A bill (S. 3089) to regulate the examination of the records and papers concerning soldiers, sailors, and marines of the United

States by claimants for pension, back pay, and bounty, and for other purposes.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 1103) for the relief of Thomas J. Spencer, submitted an adverse report thereon: which was agreed to, and the bill was postponed indefinitely.

He also, from the Committee on Public Lands, to whom was referred the bill (H. R. 6792) granting to the county of Mariposa, in the State of California, the right of way for a free wagon road or turnpike across the Yosemite National Park, in said State, reported it without amendment, and submitted a report thereon.

Mr. CAMERON, from the Committee on Military Affairs, to whom was referred the bill (S. 1383) to remove the charge of desertion from the military record of George H. Holmes, submitted an adverse report thereon: which was agreed to, and the bill was postponed indefinitely.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 2983) to authorize the construction of a railway across the Government reservation at Willoughby Spit, Va., submitted an adverse report thereon: which was agreed to, and the bill was postponed indefinitely.

Mr. PROCTOR. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 2861), to authorize the Secretary of War to purchase for governmental and industrial use at Rock Island Arsenal, Rock Island, Ill., a testing machine for tension and compression, to submit an adverse report thereon. The Senator from Illinois [Mr. CULLOM], who introduced the bill, desires that it be placed on the Calendar.

The PRESIDENT *pro tempore*. At the request of the Senator from Illinois the bill will be placed on the Calendar with the adverse report of the committee.

Mr. PETTIGREW, from the Committee on the Quadro-Centennial (Select), to whom was referred the bill (S. 3251) to amend an act entitled "An act to provide for celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, and sea, in the city of Chicago, in the State of Illinois," reported it with amendments.

Mr. PETTIGREW. I am also instructed by the Select Committee on the Quadro-Centennial, to whom was referred an amendment proposed by the Senator from Illinois [Mr. PALMER] to the sundry civil appropriation bill, to report it favorably with amendments. I ask that it be referred to the Committee on Appropriations and printed.

The PRESIDENT *pro tempore*. It will be so ordered.

Mr. VEST. As a member of that committee I desire to state that the minority of the committee disagree from this favorable report, and also from the action of the committee in offering an amendment to the sundry civil bill. I speak for myself and the Senator from Georgia [Mr. COLQUITT].

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 2906) to amend section 1194 of the Revised Statutes of the United States, relating to certificates of title of vessels, reported adversely thereon: and the bill was postponed indefinitely.

He also, from the same committee, to whom the subject was referred, reported a bill (S. 3358) providing for the collection of fees for furnishing certificates of title to vessels: which was read twice by its title.

He also, from the same committee, to whom was referred the bill (S. 3188) to extend to Duluth, Minn., the privilege of immediate transportation of unappraised merchandise, reported it with amendments.

Mr. DIXON, from the Committee on Patents, to whom was referred the bill (S. 3216) revising and amending the statutes relating to patents, reported it with amendments, and submitted a report thereon.

#### ST. JOSEPH'S CHURCH, EAST BATON ROUGE, LA.

Mr. WALTHALL. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 3273) authorizing the St. Joseph's Church, in the parish of East Baton Rouge, in the State of Louisiana, to use the land quitclaimed to it by the United States for school purposes, to report it favorably without amendment.

Mr. WHITE. I ask unanimous consent that the Senate consider the bill just reported.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to authorize the St. Joseph's Church, in the parish of East Baton Rouge, La., to use the land quitclaimed to it by the terms of an act approved September 30, 1890, for religious, school, or charitable purposes, in addition to the right to use the same for cemetery purposes, as expressed in the terms of the act.



The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### COURTS IN SOUTH DAKOTA.

Mr. MITCHELL. I am instructed by the Committee on the Judiciary, to whom was referred the bill (S. 3126) to regulate the times for holding the terms of the United States courts in the State of South Dakota, to report it with an amendment, and recommend its passage. This is a local bill, and it is important that it should be passed at an early date. I ask unanimous consent that the Senate proceed to its consideration at this time.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on the Judiciary was to add the following additional section:

SEC. 2. The provision of statute now existing for the holding of said courts on any day contrary to the provisions of this act is hereby repealed, and all suits, prosecutions, process, recognizances, bail bonds, and other things pending in or returnable to said court on the days now fixed by law are hereby transferred to and shall be made returnable to and have force in the said respective terms in this act provided in the same manner and with the same effect as they would have had said statute not been passed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### WILLIAM P. KEADY.

Mr. DOLPH. By direction of the Committee on Public Lands, I report favorably the bill (S. 3264) for the relief of William P. Keady, and during the day I shall present a written report, which I shall hand to the Secretary to be printed. As this is purely a private bill on its face to perfect the title to a town in the State of Washington, a mere confirmation of an entry allowed by the register and receiver of the land office, and the bill will consume no longer time than will be necessary to read it, I ask for its present consideration.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. COCKRELL. Let it be read for information.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. DOLPH. In four places in the bill the words "Territory of Washington" appear. The word "Territory" should be stricken out in each case, as Washington is now a State.

The PRESIDENT *pro tempore*. The amendments will be stated.

The SECRETARY. In line 9, after the word "Washington," it is proposed to strike out "Territory."

The amendment was agreed to.

The next amendment was in line 13, after the word "Washington," to strike out "Territory."

The amendment was agreed to.

The next amendment was in line 25, after the word "Washington," to strike out "Territory."

The amendment was agreed to.

The next amendment was in line 29, after the word "Washington," to strike out "Territory."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. CULLOM introduced a bill (S. 3356) for the relief of Theodore Ten Eyck, a retired army officer; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FAULKNER (by request) introduced a bill (S. 3357) for the relief of Emmart, Dunbar & Co.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. COCKRELL. I introduce by request a bill, not knowing anything about the merits of it.

The bill (S. 3359) for amendment of the military record of Thomas Kehoe as a member of Company A of the Sixty-first New York Volunteers was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DOLPH introduced a bill (S. 3360) to amend section 6 of an act entitled "An act to prohibit the coming of Chinese persons into the United States," approved May 5, 1892; which was read twice by its title.

Mr. DOLPH. It will be remembered that when the conference report on the bill for the exclusion of Chinese laborers from the United States was under discussion some one objected that the word "white" had been used in the clause of the bill requiring Chinamen after the expiration of a year to prove that they had been lawfully in the country by one credible witness. At

that time it was too late to correct the bill. Certainly there was no intention on my part, and I think I can speak for the other members of the committee, to discriminate against any person of color as a witness, the only object being to provide that there should be some witness besides Chinese laborers or Chinese persons. I therefore ask leave to introduce this bill to amend section 6 of the act mentioned by striking out the word "white" and inserting in lieu of it "a witness not a Chinese person or a person of Chinese descent;" so as to carry out what I suppose to have been the intention of the conference committee.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Foreign Relations in the absence of objection.

Mr. QUAY introduced a bill (S. 3361) authorizing the Secretary of the Treasury to purchase certain books; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Appropriations.

Mr. MITCHELL introduced a bill (S. 3362) for the relief of Alonzo E. Miltimore; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. COLQUITT (by request) introduced a bill (S. 3363) for the relief of the heirs of Jacob R. Davis; which was read twice by its title, and referred to the Committee on Claims.

#### AMENDMENTS TO BILLS.

Mr. PADDOCK submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds.

Mr. CALL submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. WARREN submitted an amendment intended to be proposed by him to the bill (S. 51) to provide for the free coinage of gold and silver bullion, and for other purposes; which was ordered to be printed.

#### PRINTING OF A MEMORIAL.

Mr. ALLEN. Mr. President, on January 27, 1890, I presented a memorial of the State of Washington, upon which I find indorsed the usual order that it be printed in the RECORD. By some inadvertence this memorial never was printed. It is a memorial of the Legislature of the State of Washington, setting forth the advantages of shipping and general commerce in the construction of a fresh-water basin by connecting Lakes Union and Washington with Puget Sound. As use is desired to be made of this memorial, I ask at this time that it may be printed as a document, as by an oversight it was not printed in the RECORD.

The PRESIDENT *pro tempore*. If there be no objection the memorial will be printed as a document. The Chair hears none, and it is so ordered.

#### INCOME AND SUCCESSION TAX.

Mr. CALL submitted the following resolution; which was ordered to lie on the table and be printed:

*Resolved both Houses.* That in view of the great amount of money required to be appropriated under existing law for the payment of pensions and the current expenditures of the Government and the unequal pressure of our present system of taxation on the great body of the people the public interests require that an income and a succession tax shall be imposed on all net incomes and all successions and all inheritances which shall exceed \$3,000, which shall increase with the amount of the income and the property inherited or distributed under wills, devises, or by operation of law.

#### HEATON'S "RECALL OF COLUMBUS."

Mr. QUAY submitted the following resolution; which, with the accompanying papers, was referred to the Committee on the Library, and ordered to be printed:

*Resolved by the Senate and House of Representatives in Congress assembled.* That the representatives from the United States to the Columbian Historical Exposition at Madrid in 1892 are hereby permitted to take from the Capitol, for use at said exposition, the picture of the "Recall of Columbus," painted by Augustus G. Heaton.

#### APPEALS IN CAPITAL CASES.

Mr. MITCHELL. I move that the bill (S. 2171) to amend section 763 of the Revised Statutes of the United States, which passed the other House with certain amendments, be taken from the table and referred to the Committee on the Judiciary.

The motion was agreed to.

#### NAVAL APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7033) making appropriations for the naval service for the fiscal year ending June 30, 1893, and for other purposes having met, after full and free conference have been unable to agree.

EUGENE HALE,  
W. B. ALLISON,  
A. P. GORMAN.

*Members on the part of the Senate.*

H. A. HERBERT,  
WILLIAM ELLIOTT,  
H. C. LODGE.

*Members on the part of the House.*



record, when required by any rule of court, shall be let to the lowest and best bidder under the supervision of the appellate court."

JOHN H. MITCHELL,  
O. H. PLATT,  
JAMES L. PUGH,  
*Managers on the part of the Senate.*  
D. B. CULBERSON,  
WILLIAM C. OATES,  
E. B. TAYLOR,  
*Managers on the part of the House.*

The report was concurred in.

#### ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore*:

A bill (H. R. 410) to amend the charter of the Eckington and Soldiers' Home Railroad Company;

A bill (H. R. 429) to incorporate the District of Columbia Suburban Railway Company; and

A bill (H. R. 5734) granting a pension to Eliza M. Boatright, the surviving widow of Alexander M. Boatright, who was a soldier in the Black Hawk war.

#### PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had this day approved and signed the act (S. 246) for the relief of Thomas A. McLaughlin.

#### DAVID L. TRUEN.

The bill (H. R. 2902) for the relief of David L. Truex was considered as in Committee of the Whole. It proposes to pay to David L. Truex, dependent son of John Truex, late a private in Company D, Eighty-second Indiana Volunteers, the pension of \$18 per month heretofore made payable to his guardian, said payments to include all sums accrued and accruing by reason of the act of August 19, 1890, for his relief.

The bill was reported to the Senate without amendment, ordered a third reading, read the third time, and passed.

#### NANCY E. RENFRO.

The bill (H. R. 3202) to pension Nancy E. Renfro was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nancy E. Renfro, of Camden, Ouachita County, Ark., the widow of William P. Renfro, deceased, who served in Captain Otey's company, from the State of Alabama, Creek Indian war, 1838, and to pay her the same pension as is allowed by law to the widows of the soldiers of the war of 1812.

The bill was reported to the Senate without amendment, ordered to a third reading, read a third time, and passed.

#### MARY GATLIN.

The bill (H. R. 5364) granting a pension to Mary Gatlin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Gatlin, widow of John H. Gatlin, a soldier of the war of 1836, and to pay her a pension at the rate of \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### WILLIAM A. BIRCH.

The bill (H. R. 4043) granting an increase of pension to William A. Birch was considered as in Committee of the Whole. It proposes to pay to William A. Birch, of Louisville, Ky., a monthly pension of \$20, in lieu of the amount paid him as a survivor of the Mexican war under pension certificate No. 18089.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### DAVID C. BARROW.

The bill (H. R. 5363) granting a pension to David C. Barrow was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David C. Barrow, a soldier of the Indian war of 1836, and to pay him a pension of \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### FORDYCE R. MELVIN.

The bill (S. 1660) granting an increase of pension to Fordyce R. Melvin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, after the word "rate," to strike out "of \$50 per month in lieu of the pension he is now receiving," and to insert "fixed by law for the loss of an arm above the elbow;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Fordyce R. Melvin, late a corporal in Company K, Twenty-fourth Regiment New York Volunteers, and pay him a pension at the rate fixed by law for the loss of an arm above the elbow.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### KATE P. MITCHELL.

The bill (H. R. 1445) for the relief of Kate P. Mitchell, daughter of Stephen Mitchell, late of the Fifth Maine Battery, was considered as in Committee of the Whole. It proposes to pay to Kate P. Mitchell, of Somerville, Mass., dependent daughter of Stephen Mitchell, late of the Fifth Maine Battery, a pension of \$15 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ADELINE ALEXANDER.

The bill (H. R. 1276) to pension Adeline Alexander was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Adeline Alexander, widow of Thomas C. Alexander, late a private in Company I, Thirtieth Regiment Vermont Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### BRIDGET MALOY.

The bill (H. R. 2456) granting a pension to Bridget Maloy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Bridget Maloy, widow of Arthur Maloy, late of Company E, Forty-third Regiment New York Infantry, and to pay her a pension of \$12 a month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### LUCY HASKELL.

The bill (H. R. 5602) granting a pension to Lucy Haskell, mother, by adoption, of John Haskell, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lucy Haskell, mother, by adoption, of John Haskell, late of Company G, One hundred and sixth regiment New York Volunteers, to date from the approval of this act, at \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### NOAH STALEY.

The bill (H. R. 2496) granting a pension to Noah Staley was considered as in Committee of the Whole. It proposes to place on the pension rolls the name of Noah Staley, who was a soldier in the Black Hawk war, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MRS. HELEN A. DE RUSSY.

The bill (S. 533) granting an increase of pension to Mrs. Helen A. De Russey, widow of the late Gen. René E. De Russey, was considered as in Committee of the Whole. It proposes to place the name of Mrs. Helen A. De Russey, widow of the late Gen. René E. De Russey, on the pension rolls at \$50 per month in lieu of the pension of \$30 per month which she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### AARON V. HAMILTON.

The bill (H. R. 5383) to increase the pension of Aaron V. Hamilton, late a member of Fremont's Battalion, Mexican war, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "dollars," to strike out "twenty" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.*, That the pension of Aaron V. Hamilton, of Lincoln County, Mo., late a member of Gibson's Company, Fremont's Battalion, in the war with Mexico, be increased from the sum of \$8 per month to the sum of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### ANDREW J. JONES.

The bill (H. R. 3123) to pension Andrew J. Jones for services in the Indian wars was considered as in Committee of the Whole.

It proposes to place on the pension rolls the name of Andrew J. Jones, of Capt. James Barnes's Spy Company, Second Regiment of Oregon Mounted Volunteers, for meritorious services, and for severe wounds received in March, 1856, while engaged in battle with the hostile Rogue River and Cow Creek Indians in Cow Creek Valley, in the then territory, now State of Oregon. The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES A. DAVIS.

The bill (H. R. 188) granting a pension to James A. Davis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 12, before the word "dollars," to strike out "twenty" and insert "twelve," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of James A. Davis, a soldier in the Black Hawk war, who enlisted July 31, 1832, for one year, and served to December 21, 1832, when he was discharged on surgeon's certificate of disability, in Capt. Jesse B. Brown's company, United States Mounted Rangers, and pay him a pension of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

ANNIE M. GREENE.

The bill (S. 1770) granting a pension to Annie M. Greene, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "eighteen" and insert "fifteen," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Annie M. Greene, dependent on an invalid daughter of Jeremiah Greene, late a private in Company A, First Regiment New Hampshire Artillery Volunteers, at the rate of \$15 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EDWARD DORSEY.

The bill (S. 2979) for the relief of Edward Dorsey, late Company C, First United States Colored Troops, was considered as in Committee of the Whole. It proposes to place upon the rolls of the Pension Bureau the name of Edward Dorsey, at the rate of \$45 per month.

Mr. GALLINGER. I move to insert "late Company C, First United States Colored Troops" after the name "Dorsey," in line 4.

The amendment was agreed to.

Mr. COCKRELL. I ask that the report be read.

The PRESIDING OFFICER. The Secretary will read the report.

The Secretary read the following report (submitted by Mr. DAVIS May 25, 1892):

The Committee on Pensions, having considered the bill (S. 2979) for the relief of Edward Dorsey, late Company C, First United States Colored Troops, beg leave to report:

The beneficiary under the bill is now a pensioner at \$35 per month, for the resection of the left arm at the shoulder joint, and for varicose and fistula in ano. The condition of this pensioner, as shown before the committee, is such that the elbow and forearm is attached to the shoulder simply by the muscles and integuments the bones having been entirely removed, and it remains only as an incumbrance without power or use, and is a source of constant pain, reaching to the left shoulder, neck, and right arm, and rendering the latter member so ineffective as to be practically useless for work. If his arm were amputated at the shoulder joint he would be entitled to a pension of \$45 per month; but under the law as construed by the Pension Bureau, he is awarded only \$35. This construction is not criticised by the committee, as it may be technically correct; but they consider that as this arm by resection is rendered worse than useless, and a painful incumbrance, the spirit and justice of the law is vindicated in his behalf by the award of \$45 hereby recommended, the sum to which he would have been unquestionably entitled if full amputation had been originally performed.

The committee report favorably upon the bill and recommend its passage.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. JULIA C. SHARPE.

The bill (S. 3166) providing a pension for Mrs. Julia C. Sharpe was considered as in Committee of the Whole. It proposes to place on the pension roll, at the rate of \$50 per month, the name of Julia C. Sharpe, widow of the late Gen. Jacob Sharpe.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARY ISABELLA HUTCHISON.

The bill (H. R. 5377) granting a pension to Mary Isabella Hutchison was announced as next in order.

Mr. COCKRELL. I object to the consideration of that bill for the present.

The PRESIDING OFFICER. Shall the bill retain its place on the Calendar?

Mr. COCKRELL. For the present it may retain its place.

The PRESIDING OFFICER. Objection being made, the bill will be passed over, retaining its place on the Calendar.

MERIDY SMITH.

The bill (H. R. 5722) increasing the pension of Meridy Smith, a Revolutionary pensioner, was considered as in Committee of the Whole. It proposes to increase the pension of Meridy Smith, widow of William Smith, a soldier in the Revolutionary war, from \$12 per month to \$30 per month.

Mr. COCKRELL. Let the report be read in that case. I thought we had gotten through with Revolutionary pensioners.

The PRESIDING OFFICER. The report will be read.

The Secretary read the following report, submitted by Mr. PADDOCK June 8, 1892:

The Committee on Pensions, having had under consideration the bill (H. R. 5722) increasing the pension of Meridy Smith, adopted and submit as their own report of the House Committee on Pensions on the same, presenting the statement of fact and conclusions therein, and recommending the passage of the bill.

#### HOUSE REPORT

The Committee on Pensions, to whom was referred the bill (H. R. 5722) increasing the pension of Meridy Smith have considered the same and respectfully report as follows:

A similar bill was before your committee at the second session of the Fifty-first Congress, and the favorable report therein, numbered H. R. 3989, is adopted by your committee as their report, and the bill is returned, recommending its passage.

(House Report No. 3989, Fifty-first Congress, second session.)

The Committee on Pensions, to whom was referred the bill (H. R. 13061) increasing the pension of Mrs. Meridy Smith have considered the same and report:

Meridy Smith is the widow of William Smith, who served as a soldier in the Revolutionary war. She is now receiving a pension at \$12 per month under the general law pensioning widows of the soldiers of the Revolution.

Accompanying the bill is the testimony of William Wise and C. H. Stamps, citizens of Newnan, Ga., setting forth that Mrs. Smith's pension of \$144 per year is insufficient to afford her a comfortable support, and that she has no property whatever aside from a few poor articles of household furniture and wearing apparel, and that she is now about 85 years old and requires the constant attention of another person.

The passage of the bill is recommended.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEN. WILLIAM H. MORRIS.

Mr. CAREY. I ask the Senator from New Hampshire to give way one minute, that I may call up a bill on the Calendar. It will take no time.

Mr. GALLINGER. I will yield to the Senator provided the bill does not provoke discussion.

Mr. CAREY. It will cause no debate whatever. I ask the Senate to proceed to the consideration—

The PRESIDING OFFICER. The Chair understands that the Senate is proceeding with pension bills by unanimous consent, and it will require unanimous consent to take up any bill other than pension bills.

Mr. CAREY. I ask unanimous consent.

Mr. COCKRELL. We have commenced on pension bills, and let us go on with them until we get through. We do not want to make two bites of one cherry.

The PRESIDING OFFICER. The next pension bill on the Calendar will be announced.

The bill (S. 849) granting a pension to Gen. William H. Morris was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "dollars," to strike out "one hundred" and insert "fifty," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Morris, late a brevet major-general of volunteers in the Army of the United States, at the rate of \$50 per month, in lieu of the pension which he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BETSEY MCGEORGE.

The bill (S. 3166) for the relief of Betsey McGeorge was considered as in Committee of the Whole.

Brosius,  
Brown,  
Brunner,  
Bryau,  
Buchanan, N. J.  
Bunting,  
Burrows,  
Bushnell,  
Butler,  
Bynum,  
Cable,  
Caddus,  
Caldwell,  
Caminetti,  
Campbell,  
Capehart,  
Castle,  
Catchings,  
Cate,  
Chipman,  
Clark, Wyo.  
Cobb, Mo.  
Coburn,  
Compton,  
Cox, N. Y.  
Crosby,  
Cummings,  
Cutting,  
Dallzell,  
Daniell,  
Davis,  
De Armond,  
De Forest,  
Dixon,  
Doan,  
Docker,  
Dungan,  
Dunphy,

Durborow,  
Edmunds,  
Ellis,  
English,  
Enochs,  
Fellows,  
Forman,  
Funston,  
Gantz,  
Geissenhainer,  
Gillespie,  
Goodnight,  
Greenleaf,  
Hall,  
Hallowell,  
Halvorson,  
Harmer,  
Harries,  
Hatch,  
Haugen,  
Hayes, Iowa  
Heard,  
Henderson, Iowa  
Henderson, N. C.  
Hermann,  
Holman,  
Hopkins, Ill.  
Houk, Ohio  
Huff,  
Johnson, Ind.  
Johnson, Ohio  
Jolley,  
Jones,  
Kem,  
Ketcham,  
Kribbs,  
Lapham,  
Layton,

Lind,  
Lodge,  
Loud,  
Mallory,  
Mansur,  
McAleer,  
McCreary,  
McDonald,  
McGann,  
McKain,  
McKinney,  
McRae,  
Meredith,  
Meyer,  
O'Donnell,  
O'Ferrall,  
O'Neill, Mass.  
O'Neill, Mo.  
Otis,  
Outwaite,  
Page, R. I.  
Page, Md.  
Parrett,  
Paynter,  
Pearson,  
Pendleton,  
Perkins,  
PICKLER,  
Pierce,  
Post,  
Raines,  
Reilly,  
Rockwell,  
Rusk,  
Sayers,  
Scott,  
Scull,

Seerley,  
Shively,  
Simpson,  
Smith,  
Snow,  
Steward, Ill.  
Stewart, Tex.  
Stone, C. W.  
Stone, W. A.  
Stout,  
Stump,  
Sweet,  
Tarsney,  
Taylor, Tenn.  
Taylor, V. A.  
Terry,  
Townsend,  
Tracey,  
Tucker,  
Turpin,  
Van Horn,  
Wadsworth,  
Warner,  
Watson,  
Waugh,  
Weyer,  
Wheeler, Ala.  
Wheeler, Mich.  
White,  
Whiting,  
Williams, Ill.  
Wilson, Mo.  
Wilson, W. Va.  
Wise,  
Wright,  
Yonmans.

## NAYS—31.

Abbott,  
Branch,  
Breckinridge, Ark.  
Buchanan, Va.  
Bullock,  
Clarke, Ala.  
Cobb, Ala.  
Cox, Tenn.

Culberson,  
Dickerson,  
Elliott,  
Epes,  
Everett,  
Forney,  
Grady,  
Harter,

Kilgore,  
Lanham,  
Lawson, Va.  
Lawson, Ga.  
Long,  
Miller,  
Moses,

Mutchler,  
Owens,  
Shell,  
Tillman,  
Turner,  
Williams, Mass.  
Winn.

## NOT VOTING—131.

Alderson,  
Allen,  
Amerman,  
Andrew,  
Atkinson,  
Bacon,  
Bailey,  
Bankhead,  
Bartine,  
Barwig,  
Beeman,  
Belden,  
Bingham,  
Bland,  
Blount,  
Boutelle,  
Breckinridge, Ky.  
Brickner,  
Bunn,  
Busey,  
Byrns,  
Caruth,  
Cansey,  
Cheatham,  
Chapin,  
Clancy,  
Clove,  
Cockran,  
Cogswell,  
Coolidge,  
Coombs,  
Cooper,  
Covert,

Cowles,  
Craig, Pa.  
Crain, Tex.  
Crawford,  
Curtis,  
Dingley,  
Doliver,  
Donovan,  
Enloe,  
Fitch,  
Fithian,  
Flick,  
Fowler,  
Fyan,  
Geary,  
Gorman,  
Griswold,  
Grout,  
Hamilton,  
Hare,  
Haynes, Ohio  
Hemphill,  
Henderson, Ill.  
Herbert,  
Hoar,  
Hooker, Miss.  
Hooker, N. Y.  
Hopkins, Pa.  
Houk, Tenn.  
Hull,  
Johnson, N. Dak.  
Johnstone, S. C.  
Randall,

Kendall,  
Lagan,  
Lane,  
Lester, Va.  
Lester, Ga.  
Lewis,  
Little,  
Livingston,  
Lockwood,  
Lynch,  
Magner,  
Martin,  
McCallan,  
McKeighan,  
McMillin,  
Milliken,  
Mitchell,  
Montgomery,  
Moore,  
Morse,  
Newberry,  
Norton,  
Oates,  
O'Neill, Pa.  
Patterson, Tenn.  
Pattison, Ohio  
Patton,  
Payne,  
Peel,  
Powers,  
Price,  
Quackenbush,  
Randall,

Rayner,  
Reed,  
Reyburn,  
Richardson,  
Rife,  
Robertson, La.  
Robinson, Pa.  
Russell,  
Sanford,  
Shook,  
Snodgrass,  
Sperry,  
Springer,  
Stahlmecker,  
Stephenson,  
Stevens,  
Stockdale,  
Stone, Ky.  
Storer,  
Taylor, Ill.  
Taylor, E. B.  
Taylor, J. D.  
Walker,  
Warwick,  
Washington,  
Wendock,  
Wike,  
Willcox,  
Williams, N. C.  
Wilson, Ky.  
Wilson, Wash.  
Wolverton.

So the bill was passed.

The result of the vote was then announced as above recorded.

Mr. TARSNEY. Mr. Speaker, I move to reconsider the vote by which the bill was passed, and I move to lay that motion on the table.

The SPEAKER *pro tempore*. In the absence of objection that order will be made.

Mr. KILGORE. I object.

The SPEAKER *pro tempore*. The Chair hears no objection.

Mr. McRAE. I desire to report back from the Committee on Public Lands the bill (S. 782) and ask that it be referred to the Committee on Indian Affairs.

Mr. KILGORE. I have objected to the unanimous consent asked that the motion to reconsider be laid on the table.

The SPEAKER *pro tempore*. The Chair did not hear the gentleman's objection.

Mr. KILGORE. But I objected.

Several MEMBERS. Too late.

The SPEAKER *pro tempore*. At what time did the gentleman object?

Mr. KILGORE. I did it before the Chair made any announcement on the subject.

The SPEAKER *pro tempore*. The Chair will take the word of the gentleman. The Chair did not hear the objection of the

gentleman. The question is on the motion to lay on the table the motion to reconsider the vote by which the bill was passed.

The question being taken, the Speaker *pro tempore* announced that the ayes seemed to have it.

On a division demanded by Mr. KILGORE, there were—ayes 113, noes 1.

Mr. KILGORE. No quorum, Mr. Speaker.

Mr. HEARD. I demand the yeas and nays.

Mr. KILGORE. I am willing to withdraw the point of no quorum to let in conference reports, but for no other purpose.

Mr. BUCHANAN of New Jersey. Then the gentleman might as well not withdraw the point at all.

Mr. TARSNEY. I deny the right of any member to dictate the order of business in this House, and I demand the yeas and nays.

Mr. BUCHANAN of New Jersey. No one man can run this House.

The yeas and nays were ordered.

The question was taken; and there were—yeas 163, nays 15, not voting 150; as follows:

## YEAS—163.

Alexander,	Crawford,	Duff,	Riley,
Arnold,	Crosby,	Johnson, Ohio	Rockwell,
Babbitt,	Culberson,	Jolley,	Sayers,
Baker,	Cummings,	Jones,	Scott,
Bankhead,	Cutting,	Kem,	Scull,
Belknap,	Davis,	Ketcham,	Seerley,
Bentley,	De Armond,	Kribbs,	Shively,
Bergen,	De Forest,	Lanham,	Simpson,
Bowman,	Dixon,	Lapham,	Smith,
Branch,	Doan,	Layton,	Snow,
Brawley,	Docker,	Long,	Steward, Ill.
Bretz,	Dungan,	Lynch,	Stewart, Tex.
Broderick,	Dunphy,	Mallory,	Stone, C. W.
Brookshire,	Durborow,	Mansur,	Stone, W. A.
Brosius,	Edmunds,	McAleer,	Sweet,
Brown,	Ellis,	McCreary,	Tarsney,
Brunner,	English,	McDonald,	Taylor, Tenn.
Bryon,	Enochs,	McGann,	Taylor, J. D.
Buchanan, N. J.	Everett,	McKain,	Taylor, V. A.
Bunting,	Fellows,	McKinney,	Terry,
Burrows,	Forman,	McRae,	Townsend,
Busey,	Forney,	Meredith,	Tracey,
Bushnell,	Gantz,	Meyer,	Tucker,
Butler,	Geissenhainer,	Montgomery,	Turpin,
Bynum,	Gillespie,	O'Ferrall,	Van Horn,
Cable,	Goodnight,	O'Neill, Mass.	Wadsworth,
Caddus,	Grady,	O'Neill, Mo.	Warner,
Caminetti,	Hall,	Otis,	Watson,
Campbell,	Halvorson,	Outwaite,	Weyer,
Capehart,	Hamilton,	Page, R. I.	Wheeler, Mich.
Castle,	Harmer,	Page, Md.	White,
Catchings,	Harries,	Parrett,	Whiting,
Cate,	Hatch,	Patterson, Tenn.	Willcox,
Chipman,	Hayes, Iowa	Paynter,	Williams, Ill.
Clark, Wyo.	Heard,	Pearson,	Wilson, Wash.
Clarke, Ala.	Henderson, Iowa	Pendleton,	Wilson, Mo.
Cobb, Ala.	Henderson, N. C.	Perkins,	Wilson, W. Va.
Coburn,	Holman,	Pickler,	Wise,
Compton,	Hopkins, Ill.	Pierce,	Wright,
Cox, N. Y.	Houk, Ohio	Raines,	Yonmans.
	Houk, Tenn.	Ray,	

## NAYS—15.

Bailey,	Elliott,	Moses,	Tillman,
Breckinridge, Ark.	Kilgore,	Mutchler,	Turner,
Buchanan, Va.	Kyle,	Oates,	Winn.
Cox, Tenn.	Lawson, Ga.	Shell,	

## NOT VOTING—150.

Abbott,	Craig, Pa.	Johnson, N. Dak.	Randall,
Alderson,	Crain, Tex.	Johnstone, S. C.	Rayner,
Allen,	Curtis,		Reed,
Amerman,	Dalzell,	Lagan,	Reyburn,
Andrew,	Daniell,	Lane,	Richardson,
Atkinson,	Dickerson,	Lawson, Va.	Rife,
Bacon,	Dingley,	Lester, Va.	Robertson, La.
Bartine,	Doliver,	Lester, Ga.	Robinson, Pa.
Barwig,	Donovan,	Lewis,	Rusk,
Beeman,	Enloe,	Little,	Russell,
Belden,	Epes,	Lockwood,	Sanford,
Bingham,	Fitch,	Lodge,	Shook,
Bland,	Fithian,	Livingston,	Snodgrass,
Blount,	Flick,	Lockwood,	Sperry,
Boutelle,	Fowler,	Lind,	Springer,
Bowers,	Funston,	Magner,	Stahlmecker,
Breckinridge, Ky.	Fyan,	Martin,	Stephenson,
Brickner,	Geary,	McCallan,	Stevens,
Bunn,	Gorman,	McKeighan,	Stockdale,
Byrns,	Griswold,	McMillin,	Stone, Ky.
Caddwell,	Grout,	Miller,	Storer,
Caruth,	Hallowell,	Mitchell,	Stout,
Cansey,	Hare,	Moore,	Stump,
Cheatham,	Haynes, Ohio	Morse,	Taylor, Ill.
Chapin,	Hemphill,	Newberry,	Taylor, E. B.
Clancy,	Henderson, Ill.	Norton,	Walker,
Clove,	Herbert,	O'Donnell,	Warwick,
Cobb, Mo.	Hermann,	O'Neill, Pa.	Washington,
Cockran,	Hitt,	Pattison, Ohio	Waugh,
Cogswell,	Hoar,	Patton,	Wendock,
Coolidge,	Hooker, Miss.	Payne,	Wheeler, Ala.
Coombs,	Hooker, N. Y.	Peel,	Wike,
Cooper,	Hopkins, Pa.	Post,	Williams, N. C.
Covert,	Hull,	Powers,	Williams, Mass.
	Cowles,	Quackenbush,	Wilson, Ky.
			Wolverton.

So the motion to reconsider was laid on the table.  
During the roll call (at 5 o'clock p. m.)

Mr. KILGORE said: Mr. Speaker, I make the point of order that the hour has arrived when, under the rules, the House must take a recess until 8 o'clock p. m.

The SPEAKER *pro tempore* (Mr. O'FERRALL in the chair). The present occupant of the chair understands that it has been uniformly held that a roll call can not be interrupted.

Mr. KILGORE. But the rule is imperative.

Mr. BUCILANAN of New Jersey. The ruling is just as imperative.

The SPEAKER *pro tempore*. The Chair overrules the point of order.

The Clerk then resumed and completed the calling of the roll.

The following additional pair was announced:

For the rest of this day:

Mr. WHEELER of Alabama with Mr. GRISWOLD.

Mr. GANTZ. Mr. Speaker, my colleague [Mr. HARE] is absent on account of the sickness of his child.

The result of the vote was then announced as above recorded.

#### MESSAGE FROM THE PRESIDENT.

A message from the President, by Mr. PRUDEN, one of his secretaries, informed the House that the President had approved and signed bills and joint resolutions of the following titles:

On June 14, 1892:

Joint resolution (H. Res. 121) relating to the Memorial Association of the District of Columbia; and

An act (H. R. 9118) making appropriations to supply deficiencies in the appropriations for the payment of pensions for the fiscal year 1892, and for other purposes.

On June 15, 1892:

An act (H. R. 8429) granting the use of certain lands to the city of New Bedford, Mass., for a public park; and

An act (H. R. 8295) to authorize the Glen Echo Railroad Company to cross the Washington Aqueduct.

On June 17, 1892:

An act (H. R. 38) to provide for the disposition and sale of lands known as the Klamath River Indian Reservation;

An act (H. R. 5640) to increase the pension of Cassie A. Davis; and

An act (H. R. 3838) to pension Elizabeth R. Crawford, widow of C. A. Crawford, soldier in Creek war of 1836.

On June 24, 1892:

An act (H. R. 754) directing the issue of duplicate United States bonds to Elijah P. T. Hollcroft, guardian of Barton J. Parr.

On June 25, 1892:

An act (H. R. 7123) granting an increase of pension to David Reed.

On June 30, 1892:

An act (H. R. 8861) for the relief of the Kentucky and Indiana Bridge Company.

On June 30, 1892:

Joint resolution (H. Res. 145) to provide temporarily for the expenditures of the Government.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 5722) increasing the pension of Meridy Smith, of Revolutionary pensioners;

A bill (H. R. 5602) granting a pension to Lucy Haskell, mother, by adoption, of John Haskell;

A bill (H. R. 5364) granting a pension to Mary Gatlin;

A bill (H. R. 5363) granting a pension to David C. Barrow;

A bill (H. R. 4043) granting an increase of pension to William A. Birch;

A bill (H. R. 3202) to pension Nancy E. Renfro;

A bill (H. R. 3123) to pension Andrew J. Jones, for services in the Indian wars;

A bill (H. R. 2902) for the relief of David L. Truex;

A bill (H. R. 2496) granting a pension to Noah Staley;

A bill (H. R. 2436) granting a pension to Bridget Maloy;

A bill (H. R. 1738) to pension Mrs. Adelia S. Ferris;

A bill (H. R. 1445) for the relief of Kate P. Mitchell, daughter of Stephen Mitchell, late of the Fifth Maine Battery;

A bill (H. R. 1276) to pension Adeline Alexander;

A bill (H. R. 5383) to increase the pension of Aaron V. Hamilton, late a member of Fremont's Battalion, Mexican war; and

A bill (H. R. 4488) granting a pension to James A. Davis.

It also announced that the Senate had passed bills of the following titles: in which concurrence of the House was requested:

A bill (S. 290) granting an increase of pension to John S. Paul;

A bill (S. 533) granting an increase of pension to Mrs. Helen A. De Russy, widow of the late Gen. Ren<sup>d</sup> E. De Russy;

A bill (S. 549) granting a pension to Gen. William H. Morris;

A bill (S. 1660) granting an increase of pension to Foidyce R. Melvin;

A bill (S. 1770) granting a pension to Anna M. Greenet;

A bill (S. 1786) granting a pension to Mrs. Jennie Gray;

A bill (S. 2846) granting a pension to Greenville R. Turner;

A bill (S. 2979) for the relief of Edward Dersy, late of Company C, First United States Colored Troops;

A bill (S. 3652) granting a pension to Nettie N. Seaver;

A bill (S. 3660) granting a pension to Isabel W. Newkirk;

A bill (S. 3661) to pension Edith S. Rea;

A bill (S. 3160) providing a pension for Mrs. Julia C. Sharpe;

A bill (S. 3166) for the relief of Betsey McGeorge;

A bill (S. 3267) granting a pension to Margaret A. Flinn;

A bill (S. 2266) for the relief of Louis A. Yorker;

A bill (S. 2965) for the relief of Capt. George H. Perkins; and

A bill (S. 1010) granting an increase of pension to Andrew Franklin, alias Andrew McKee.

It also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 2729) to amend an act entitled "An act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes."

#### ENROLLED BILLS SIGNED.

Mr. WARWICK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles: when the Speaker signed the same:

A bill (H. R. 410) to amend the charter of the Eckington and Soldiers' Home Railroad Company;

A bill (H. R. 429) to incorporate the District of Columbia Suburban Railway Company; and

A bill (H. R. 5734) granting a pension to Eliza M. Boatright, the surviving widow of Alexander M. Boatright, who was a soldier in the Black Hawk war.

The SPEAKER *pro tempore*. Under the rule the House stands in recess until 8 o'clock this evening.

#### EVENING SESSION.

The recess having expired, the House met at 8 o'clock p. m. and was called to order by the Chief Clerk, Mr. T. O. TOWLES, who read the following communication:

SPEAKER'S ROOM,  
HOUSE OF REPRESENTATIVES, UNITED STATES,  
Washington, D. C., July 1, 1892.

SIR: I name Hon. J. C. TARSNEY, a Representative from Missouri, to perform the duties of the Chair at this evening's session.

Yours, etc.,

CHARLES F. CRISP,  
Speaker House of Representatives.

Hon. JAMES KERR,  
Chief House of Representatives.

The SPEAKER *pro tempore* (Mr. TARSNEY). The House is in session, under the rule, for the consideration of measures upon the Private Calendar reported from the Committee on Invalid Pensions and the Committee on Pensions, measures reported from the Committee on the Judiciary for the removal of political disabilities, and measures reported from the Committee on Military Affairs for the removal of charges of desertion.

#### ORDER OF BUSINESS.

Mr. MCKINNEY. I move that the House resolve itself into Committee of the Whole for the consideration of bills on the Private Calendar under the rule.

The question was taken; and the Speaker *pro tempore* announced that the ayes seemed to have it.

Mr. KILGORE. Division, Mr. Speaker.

The House divided; and there were—ayes 37, noes 3.

Mr. KILGORE. No quorum, Mr. Speaker.

The SPEAKER *pro tempore*. The gentleman from Texas [Mr. KILGORE] makes the point of no quorum. The gentleman from New Hampshire [Mr. MCKINNEY] and the gentleman from Texas [Mr. KILGORE] will take their places as tellers.

The House again divided; and tellers reported—ayes 40, noes 0.

Mr. KILGORE. No quorum, Mr. Speaker.

Mr. MCKINNEY. There being no quorum, I move a call of the House.

The motion was agreed to.

The roll was called, and the following-named members failed to respond:

Abbott.	Bacon.	Beltzhoover.	Blount.
Adler.	Bankhead.	Bergen.	Boatner.
Allen.	Barwig.	Bingham.	Boutelle.
Amerman.	Beeman.	Blanchard.	Branch.
Andrew.	Belden.	Bland.	Brawley.

Also, a bill (H. R. 9425) granting a pension to John Hoy—to the Committee on Invalid Pensions.

By Mr. O'FERRALL: A bill (H. R. 9426) for the relief of James W. Nickens, late of Shenandoah County, Va., but now a resident of Washington, D. C.—to the Committee on War Claims.

By Mr. WHEELER of Alabama: A bill (H. R. 9427) for the relief of A. R. Campbell, administrator of the estate of Josiah Springer—to the Committee on War Claims.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BUCHANAN of New Jersey: Petition of the New Gretna Presbyterian Church of New Gretna, N. J., in favor of the closing of the World's Fair on Sundays and against the sale of all intoxicating liquors on the grounds—to the Select Committee on the Columbian Exposition.

Also, petition of George Haneus, of Juliustown, N. J., for a special pension—to the Committee on Invalid Pensions.

By Mr. BUSHNELL: Protest of H. D. Kirkpatrick and 20 others, of Green County, Wis., against the passage by Congress of any law to close the World's Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. CALDWELL: Petition of citizens of Aurora, Dearborn County, Ind., and vicinity, asking that the bill to pension Elizabeth M. Tumy, widow of Solomon P. Tumy, deceased, be favorably reported for consideration—to the Committee on Pensions.

By Mr. CHIPMAN: Papers in the claim of James E. Cotter, First company Braly sharpshooters, attached to the Sixteenth Michigan Volunteer Infantry, to accompany bill to remove the charge of desertion—to the Committee on Military Affairs.

By Mr. CRAWFORD: Petition of citizens of Valley Crisis, N. C., against closing the gates of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. DALZELL: Petition of the Woman's Missionary Society of Monongahela Presbytery of the United Presbyterian Church, against opening the World's Fair on the Sabbath—to the Select Committee on the Columbian Exposition.

Also, resolutions of Encampment No. 1, Union Veteran Legion, Pittsburg, Pa., against removal of charges of desertion for insufficient reason and upon insufficient evidence—to the Committee on Military Affairs.

By Mr. DAVIS: Petition of citizens of Haddam, Kans., protesting against religious legislation regarding the World's Fair—to the Select Committee on the Columbian Exposition.

By Mr. ENGLISH: Petition of citizens of Newark, Essex County, N. J., praying for the passage of House bill 401—to the Select Committee on Immigration and Naturalization.

By Mr. FELLOWS: Petition of the New York Jewelers' Board of Trade of New York, asking that the Torrey bill be promptly considered and passed—to the Committee on the Judiciary.

By Mr. HARTER: Petition Mr. J. Merrell and others, of Mansfield, Ohio, against imposing conditions either as to opening or closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HATCH: Two protests of Farmers and Laborers' Union, one of Scotland County and the other of Clark County, Mo., against the passage of the Brosius lard bill (H. R. 395), and praying for the passage of a general pure-food law—to the Committee on Agriculture.

Also, petition of citizens of Mount Pleasant, Iowa, against closing World's Fair on Sundays—to the Select Committee on the Columbian Exposition.

By Mr. HENDERSON of North Carolina: Petition of John W. Robinson, executor of Henry W. Robinson, deceased, for reference of claim for stores and supplies to Court of Claims under the Bowman act, to accompany House bill 9328—to the Committee on War Claims.

By Mr. KENDALL: Proof in support of claim of W. W. Ferguson, to accompany House bill 9157—to the Committee on Pensions.

By Mr. LOUD: Petition of the Evangelical Alliance of San Francisco, Cal., and vicinity, praying that Congress absolutely prohibit the importation of opium for smokers' purposes—to the Committee on Ways and Means.

Also, petition of Phil. Sheridan Post, No. 7, Grand Army of the Republic, of California, praying for the passage of a bill to properly mark lines on the battlefield of Gettysburg, Pa.—to the Committee on Military Affairs.

By Mr. McMILLIN: Petition of several hundred citizens, favoring bill limiting the amount of wearing apparel that tourists may import free of duty—to the Committee on Ways and Means.

By Mr. O'DONNELL: Petition of 29 citizens of Eaton Rapids, Mich., praying for an amendment to the Constitution prohibit-

ing appropriations for any church or other organization under ecclesiastical or sectarian control—to the Committee on the Judiciary.

By Mr. O'FERRALL: Petition of James W. Nickens, of Shenandoah County, Va., praying compensation for stores and supplies used by the United States Army during the late war—to the Committee on War Claims.

By Mr. PERKINS: Petition of D. C. Chapman and 20 others, of Pringhar, O'Brien County, Iowa, against any action on the part of Congress with reference to closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. TILLMAN: Petition of citizens of Good Hope, Edgefield County, S. C., remonstrating against the passage of the Brosius lard bill, H. R. 395, and praying for the passage of the Paddock pure-food bill—to the Committee on Agriculture.

By Mr. TOWNSEND: Petition of the State School of Mines, for an act to establish the metric system in the customs service after July 1, 1893—to the Committee on Coinage, Weights, and Measures.

Also, three protests of citizens of Colorado: one of the members of the Seventh-Day Adventist Church and other citizens of Pueblo; the second of the Seventh-Day Adventist Church of Boulder, and the third of the same church and county; all against legislation committing the Government of the United States to a union of church and state, or to close the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WHEELER of Alabama: Two petitions of Alliances of Mississippi, as follows: The Pleasant Hill Alliance, No. 149, Attala County, and the Homewood Farmers' Alliance, No. 367, of Jasper County, both remonstrating against the passage of the Brosius lard bill, H. R. 395, and praying for the passage of the Paddock pure food bill—to the Committee on Agriculture.

Also, petition of Anniston, Ala., post-office clerks, favoring House bill 3608—to the Committee on the Post-Office and Post-Roads.

By Mr. WHEELER of Michigan: Petition of Trent Grange, No. 372, Muskegon County, Mich., asking for free delivery of mail to the inhabitants of the rural districts—to the Committee on the Post-Office and Post-Roads.

By Mr. WILLIAMS of Illinois: Affidavit in the case of John A. Jack, of Company I, One hundred and twenty-eighth Regiment Illinois Volunteers—to the Committee on Military Affairs.

By Mr. WILSON of West Virginia: Petition of M. D. Bainbridge and 16 others, of Taylor County, W. Va., remonstrating against the passage of the Brosius lard bill, H. R. 395, and praying for the passage of the Paddock pure-food bill—to the Committee on Agriculture.

Also, petition of Kedron Alliance, Hampshire County, W. Va., remonstrating against the passage of the Brosius lard bill, H. R. 395, and praying for the passage of the Paddock pure-food bill—to the Committee on Agriculture.

#### HOUSE OF REPRESENTATIVES.

SATURDAY, July 2, 1892.

The House met at 11 o'clock a. m. Prayer by Rev. J. H. CUTHBERT, D. D.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

Mr. TAYLOR of Illinois. Mr. Speaker, it is very evident that there is no quorum present. I think this Democratic House ought to have a quorum here before undertaking to do business.

The SPEAKER. The gentleman from Illinois makes the point that there is no quorum present. The Clerk will call the roll.

The roll was called, and the following-named members responded.

Abbott,	Brickner,	Clark, Wyo.	Dixon,
Alexander,	Broderick,	Clarke, Ala.	Dockery,
Andrew,	Brookshire,	Clover,	Dungan,
Arnold,	Brosius,	Cobb, Ala.	Edmunds,
Babbitt,	Bryan,	Cobb, Mo.	English,
Bailey,	Buchanan, N. J.	Conrum,	Enoch,
Baker,	Buchanan, Va.	Cogswell,	Everett,
Bankhead,	Bullock,	Covert,	Forman,
Berman,	Burrows,	Cox, N. Y.	Forney,
Belknap,	Busey,	Cox, Tenn.	Funkston,
Bentley,	Bushnell,	Crain, Tex.	Gantz,
Blanchard,	Butler,	Crosby,	Gillespie,
Blount,	Bynum,	Cullerson,	Goodnight,
Boatner,	Caddwell,	Cummings,	Grady,
Bowers,	Caminetti,	Curtis,	Greenleaf,
Bowman,	Capehart,	Dalzell,	Groat,
Branch,	Castle,	Davis,	Hall,
Brantley,	Catchings,	De Armond,	Hallowell,
Breckinridge, Ark.	Cate,	De Forest,	Halyorson,
Bretz,	Chipman,	Dickerson,	Hamilton,

[illegible]

A bill, S. 2979, for the relief of Edward Dorsey, late Company

Sec. 5. All appeals and writs of error shall be heard and determined on the record sent up by the court of the first instance and the printing of said



ferred by the committee. I only ask in my proposed amendment that the words "and Washington Territory" be inserted after the word "Oregon," in line 11 of section 1.

The VICE-PRESIDENT. That is the pending question, on which the yeas and nays have been demanded.

Mr. COCKRELL. Not on that amendment. I withdraw the demand for the yeas and nays if I asked for them on that amendment. That amendment is all right. There is no objection to that particular point. The amendment as amended, where it gives a service pension to men who were soldiers in 1862, is what I am objecting to.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Washington [Mr. ALLEN].

The amendment was agreed to.

Mr. PADDOCK. I offer the amendment which I send to the desk as an additional section.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add as a new section the following:

SEC. 7. Any person not an enlisted soldier in the Army, serving for the time being as a member of the militia of any State, under orders of an officer of the United States, or who volunteered, for the time being, to serve with any regularly organized military or naval force of the United States, or who otherwise volunteered and rendered service in any engagement with rebels or Indians, disabled in consequence of wounds or injury received in the line of duty in such temporary service.

Mr. BUTLER. Let that amendment be again read. We did not catch the first part of it.

Mr. PADDOCK. I will state to the Senator that this is the law as it now stands.

Mr. BUTLER. We can not hear. There is a speech louder going on behind me than that being made by the Senator.

Mr. PADDOCK. This is the very paragraph of the act in question, except that it eliminates the limitation fixed at the year 1874, and has not been operative since for this class of cases, which was without reason or upon any proper theory at the time. This simply restores it.

Mr. PERKINS. I would say in support of the amendment that what the Senator from Nebraska [Mr. PADDOCK] offers as an amendment to this bill was the law until 1874. By the statute of 1874 the claims which are provided for by this amendment became barred; in other words, where the applications were not made prior to the 1st day of July, 1874, the claims became barred. This amendment is offered to provide for those who served in militia organizations acting under the orders and commands of a United States officer.

Mr. PADDOCK. It will be principally operative in the State of Missouri.

Mr. PERKINS. There was a large service from the State of Missouri, and there were some of these troops from my own State and from other States, which will be provided for by an amendment of this character. As I have said, it was the law for a number of years.

Mr. BERRY. I should like to hear the amendment read.

The VICE-PRESIDENT. The amendment will be again read.

The Secretary read the amendment proposed by Mr. PADDOCK.

Mr. VEST. I should like to ask a question about the amendment. It uses these words—

Mr. DAVIS. If the Senator from Missouri will allow me—

Mr. PADDOCK. It is exactly the language of the act.

Mr. VEST. I want to ask this question, as it has a very important effect—

Mr. DAVIS. If the Senator will allow me, I desire to make a motion in regard to this bill, that the bill and the pending amendments be recommitted to the Committee on Pensions. There are some matters about it which I think require reconsideration.

Mr. VEST. I was going to say that the expression of service upon any occasion would embrace a very large number of persons in the State of Missouri who served in what we called the enrolled militia. They were not under the command of United States officers, but under the command of officers appointed by the State authorities, and yet under the language of the bill unquestionably they would be entitled to pensions.

Mr. PADDOCK. But they rendered service, did they not?

Mr. VEST. Yes; but I understood the Senator from Kansas [Mr. PERKINS] to use the expression "where they were under the command of United States officers."

Mr. PERKINS. That is the language of the act.

Mr. VEST. The latter part does not put that condition in.

Mr. PADDOCK. That is the language of the act.

Mr. VEST. It says where the troops served upon any occasion.

Mr. PERKINS. The language of the amendment is:

Any person not an enlisted soldier in the Army serving for the time being as a member of the militia of any State under orders of an officer of the United States.

Mr. VEST. Read on.

Mr. PERKINS. It is barely possible that there is a word below which qualifies it.

Mr. VEST. Yes.

Mr. PERKINS. It continues—

Or who volunteered for the time being to serve with any regularly organized military or naval force of the United States, or who otherwise volunteered and rendered service in any engagement with rebels or Indians, disabled in consequence of wounds or injuries received in line of duty in such temporary service.

That is the language of the amendment.

Mr. VEST. The latter part of it I think would cover the troops I referred to.

Mr. DAVIS. I renew my motion that the bill with the pending amendments be recommitted to the Committee on Pensions.

The VICE-PRESIDENT. The question is on the motion of the motion of the Senator from Minnesota [Mr. DAVIS].

Mr. CALL. I would suggest to the Senator from Kansas that the laws for pensioning soldiers in the war against the rebels are very full and complete, and there is no reason for the amendment.

Mr. PERKINS. They do not provide for the classes which are provided for by this amendment. There was a general statute providing for these classes until 1874, and under the act which I have spoken of these claims became barred and have been barred since 1874. The object of this amendment is to remove the bar of the statute of limitations.

Mr. PADDOCK. The point is this: There is a general statute describing the classes of the beneficiaries, and the act is operative entirely now in respect to all of them except as to the class in this particular paragraph, which was limited as to time to the year 1874, since which time it has not been operative.

The VICE-PRESIDENT. The question is on the motion of the Senator from Minnesota [Mr. DAVIS], that the bill with the pending amendments be recommitted to the Committee on Pensions.

The motion was agreed to.

#### SLUMS OF CITIES.

Mr. KYLE. I ask unanimous consent at this time for the consideration of Senate joint resolution No. 46, which was passed over without prejudice.

By unanimous consent, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. R. 46) providing for an investigation relative to the "slums of cities."

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, and was read the third time.

Mr. VEST. I ask for the yeas and nays on the final passage of the joint resolution.

The yeas and nays were ordered.

Mr. BATE and Mr. QUAY. Let the joint resolution be read.

The VICE-PRESIDENT. The joint resolution will be read.

The Secretary read the joint resolution as amended.

The VICE-PRESIDENT. The question is on the passage of the joint resolution, on which the yeas and nays have been ordered. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. COLQUITT (when his name was called). I am paired with the junior Senator from Iowa [Mr. WILSON].

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL]. If he were present I should vote "nay."

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. MCPHERSON]. If he were present I should vote "yea."

Mr. JONES of Arkansas (when his name was called). I am paired with the Senator from New York [Mr. HISCOCK], and withhold my vote.

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE], and withhold my vote.

Mr. MORGAN (when his name was called). I am paired with the Senator from Massachusetts [Mr. DAWES].

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY].

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR]. If he were present I should vote "nay."

Mr. QUAY (when his name was called). I am paired with the Senator from West Virginia [Mr. FAULKNER]. If he were present I should vote "yea."

Mr. STOCKBRIDGE (when his name was called). I am paired with the Senator from Maryland [Mr. GIBSON], and therefore withhold my vote.

Mr. WALTHALL (when his name was called). I am paired with the Senator from Rhode Island [Mr. DIXON].

The roll call was concluded.

Mr. WOLCOTT. I announce that my colleague [Mr. TELLER] is absent from the Chamber on account of illness. He is paired with the Senator from Arkansas [Mr. BERRY].

Mr. BUTLER. I am paired with the Senator from Pennsylvania [Mr. CAMERON]. If he were present I should vote "nay."

Mr. BERRY. I am paired with the Senator from Colorado [Mr. TELLER]. If he were present I should vote "nay."

Mr. CARLISLE. I am paired with the senior Senator from Ohio [Mr. SHERMAN]. If he were present I should vote "nay."

Mr. CULLOM. I inquire if the Senator from Delaware [Mr. GRAY] has voted?

The VICE-PRESIDENT. He is not recorded.

Mr. CULLOM. I am paired with that Senator, and therefore withhold my vote.

Mr. PLATT. My colleague [Mr. HAWLEY] is absent from the city, having been called away to fulfill a Fourth of July engagement. I supposed that he was paired with the Senator from Georgia [Mr. GORDON], but I thought, as the vote progressed, I heard the announcement of another pair with the Senator from Georgia. I may have been mistaken about that. I do not know that it is important, but I wished to make the statement.

Mr. WARREN. In relation to the pair with the Senator from Georgia [Mr. GORDON], I will state that I have been paired with that Senator regularly during this session until the recent absence of the Senator from Connecticut [Mr. HAWLEY], when the pair was transferred, and presuming that that was for the entire absence of the Senator from Connecticut, I voted upon this question.

Mr. PLATT. I may have been mistaken in supposing that I heard a pair stated with the Senator from Georgia. I understand that my colleague [Mr. HAWLEY] is paired with him.

Mr. HARRIS. The Senator from Michigan [Mr. McMILLAN] announced a pair with the Senator from North Carolina [Mr. VANCE]. If agreeable to the Senator from Michigan, I being paired with the Senator from Vermont [Mr. MORRILL], we will transfer our pairs and record our votes.

Mr. McMILLAN. That is agreeable to me.

Mr. HARRIS. I vote "nay."

Mr. McMILLAN. I vote "yea."

Mr. GIBSON of Louisiana (after having voted in the negative). I am paired with the Senator from Oregon [Mr. MITCHELL], but I voted in the negative. I will not withdraw my vote unless I am assured that the Senator from Oregon would vote in the affirmative if present. In that case I shall withdraw it.

Mr. DOLPH. What is the suggestion of the Senator?

Mr. GIBSON of Louisiana. I was saying that I voted in the negative on this joint resolution, but I shall withdraw my vote if assured that the Senator from Oregon [Mr. MITCHELL] would vote on this proposition in the affirmative.

Mr. DOLPH. I am not able to speak for my colleague, but my impression is that, if present, he would vote with the majority of his associates on this side of the Chamber, which I understand to be "yea." That is all I can say.

Mr. GIBSON of Louisiana. Then I withdraw my vote.

Mr. DOLPH (after having voted in the affirmative). Has the senior Senator from Mississippi [Mr. GEORGE] voted? I saw him in the Chamber a few moments ago.

The VICE-PRESIDENT. He is not recorded.

Mr. DOLPH. I am paired with him and withdraw my vote, although I saw him during the roll call.

Mr. DANIEL. I beg leave to state that I am paired with the Senator from Washington [Mr. SQUIRE]. If he were present I should vote "nay."

Mr. CULLOM. I have a general pair with the Senator from Delaware [Mr. GRAY], with an understanding, however, that in order to make a quorum either of us when present may vote. If the question of a quorum is involved, I shall take the liberty of voting, and vote "yea."

The result was announced—yeas 34; nays 14, as follows:

## YEAS—34.

Aldrich,	Dubois,	Paddock,	Sawyer,
Allen,	Frye,	Peffer,	Shoup,
Alphon,	Gallinger,	Perkins,	Turpie,
Calk,	Hale,	Pettigrew,	Voithes,
Caray,	Hansbrough,	Platt,	Warren,
Chandler,	Kyle,	Power,	Washburn,
Cullom,	McMillan,	Proctor,	Worcott,
Davis,	Mariberson,	Sanders,	

## NAYS—14.

Bate,	Felton,	Kenna,	Vilas,
Blackburn,	Hartis,	Mills,	White,
Cockrell,	Hill,	Palmer,	
Coke,	Huntom,	Vest,	

## NOT VOTING—13.

Berry,	Butler,	Casey,	Dawes,
Blodgett,	Cameron,	Colquitt,	Dixon,
Brice,	Carlisle,	Daniel,	Dulph,

Chadkner,	Higgins,	Morgan,	Stanford,
George,	Hancock,	Morrill,	Stewart,
Gibson, La.,	Hear,	Pasco,	Stockbridge,
Gordon, Md.,	Joby,	Pugh,	Teller,
Grandon,	Jones, Ark.,	Quay,	Vander,
Grassman,	Jones, Nev.,	Ransom,	Wentland,
Gray,	McTherson,	Sherman,	Wilson,
Hawley,	Mitchell,	Squire,	

So the joint resolution was passed.

## FINAL ADJOURNMENT.

Mr. ALDRICH. I ask unanimous consent to offer at this time the concurrent resolution which I send to the desk.

The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution, as follows:

*Resolved by the Senate (the House of Representatives concurring): That the President of the Senate and Speaker of the House of Representatives declare their respective Houses adjourned sine die at 3 o'clock on July 29, 1892.*

Mr. ALDRICH. I ask that the resolution may be referred to the Committee on Appropriations, and I bespeak for that committee the early and favorable consideration of the resolution.

The VICE-PRESIDENT. The resolution will be referred to the Committee on Appropriations in the absence of objection.

## FIRST METHODIST CHURCH OF JACKSON, TENN.

Mr. HARRIS. Order of Business No. 906, being House bill 1216, was partially considered yesterday or the day before, but informally laid aside because the Senator from Kansas [Mr. PEPPER] had been directed by the Committee on Claims to offer a amendment which had not been returned from the Printer. I ask that the consideration of the bill be now completed.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1216) for the relief of the First Methodist Church in the city of Jackson, Tenn.

Mr. PLATT. Is there a report accompanying the bill?

The VICE-PRESIDENT. There is no report.

Mr. PLATT. I wish the Senator in charge would explain the bill.

Mr. PEPPER. This bill was substituted for the Senate bill on the same subject and in the same language. I should like to inquire whether the report has yet been brought to the Senate?

The VICE-PRESIDENT. There is no report at the desk.

Mr. PEPPER. Then I request that the bill lie over, retaining its place on the Calendar until the report comes in.

I will say to the Senate that on account of an unavoidable mistake on the part of the Printer the reprinting of the report has been delayed. I examined the proof twice myself; the last time yesterday. I supposed that the report would be in this morning. I think certainly it will be here to-morrow.

The VICE-PRESIDENT. The bill will be laid aside informally.

## PUBLIC BUILDING AT MUNCIE, IND.

Mr. VOORHEES. I ask the indulgence of the Senate for the present consideration of Senate bill 677.

By unanimous consent the bill (S. 677) for the erection of a public building at Muncie, State of Indiana, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

## ADJUSTMENT OF PENSIONS FOR LOSS OF LIMBS.

Mr. GALLINGER. In accordance with the suggestion I made a little while ago when the other pension bill was under consideration, I now ask unanimous consent that Senate bill 641 may be considered.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 641) to adjust the pensions of those who have lost limbs, or the use of the arm, or have additional disabilities.

The VICE-PRESIDENT. The amendments reported by the Committee on Pensions will be stated.

Mr. COCKRELL. There is a report on the bill. Let it be read before action is had upon the amendments.

The VICE-PRESIDENT. The report will be read.

The Secretary read the following report, submitted by Mr. GALLINGER May 25, 1892:

The Committee on Pensions, to whom was referred the bill (S. 641) to adjust the pensions of those who have lost limbs or the use of the arm, or have additional disabilities, have considered the same and report.

This bill proposes to increase three classes of pensions, the disabilities resulting from amputation as follows, viz: Those who have lost an arm at the shoulder joint, or leg at the hip joint, or who have been totally disabled in the same, from \$45 to \$50 per month; those who have lost an arm at or above the elbow, or a leg at or above the knee, or who have been totally disabled in the same, or who have lost an arm below the elbow, or a leg below the knee, and who suffer from total or partial stiffness of the joint, or other cause which render the stump useless, from \$30 to \$35 per month; and those who have lost a hand or a foot, or are totally disabled in the same, from \$30 to \$35 per month. The bill also contains a provision that—

"A 15 per cent persons who have incurred or contracted other disabilities, shall be entitled to a sum per month equal to the total of the rates for all of said

disabilities, said sum to be determined by adding together the rates provided by law for each of said disabilities separately."

A careful computation shows that the increase in the three classes of cases named in the bill will be as follows:

	No.	Increase per month.	Total increase per year.
Hip and shoulder joint amputations.....	920	\$15	\$165,000
Leg or arm amputation at or above knee or elbow.....	4,762	19	1,085,736
Leg or arm amputation below knee or elbow.....	2,381	20	571,440
Total increase.....			1,822,176

There is no question as to the justice of the claims of the men who left limbs on the battlefield. Whatever frauds (if any) have been committed on the Treasury by those now drawing pensions, the men who suffered amputations have not been a party to them. And it should not be forgotten that these amputations were hurriedly performed, often by ignorant or inexperienced surgeons, and without any of the precautions deemed so necessary in private or hospital practice, the result of which was diseased stumps and other sequelae that will follow the soldier through life. Beyond a question a large proportion of these men are suffering from nervous affections, from heart disease, or other painful disability, the direct result of the amputations they underwent. The celebrated physician, Dr. Pancoast, of Philadelphia, expressed a great truth when he said concerning this class of cases:

"One of the prominent symptoms observed in this condition of the nervous system is a weakness of the heart action, causing an abnormal blood pressure which deranges the secretions and excretions of the various organs of the body, seriously interfering with nutrition. He is easily fatigued, and when this occurs it invariably produces weak and compressible pulse and not infrequently an intermittent pulse, all of which results from neurasthenia of the medulla, the seat of nerve energy which controls the action of the heart as well as that of respiration. Permit me to say that during a period of thirty-five years of active practice I have found that where large nerves are injured by shock, laceration, or by cutting, they are seldom restored to normal activity, and the nervous debility thus produced not only shortens life, but it incapacitates the one so unfortunately afflicted from continued mental or physical exertion."

These men, as a class, are great sufferers, and much more liable to accidents than others. Besides this, they are shut out from life insurance, the means used by prudent men to protect their families from possible want. The mortality in this class is unusually large, reaching the enormous figure of 57 per thousand annually, with a constantly increasing death rate; and as the average age of the soldiers of the war of 1861-'65 is 56 years, the ranks of these men will be rapidly decimated by natural causes. For these reasons we are impressed with the justice of their demands, sympathizing with them when they say:

"Give back the legs and arms, give back the sight, make helpful the now helpless body, and the largest pension that might be provided by a grateful country would not be accepted as the price of either by the man who has suffered such a loss."

But while thus recognizing the urgency of these cases, we are of opinion that the increase asked is greater than Congress should grant under existing circumstances. Unfortunately, any legislation that may be enacted in behalf of these classes of pensioners can not by any possibility be made to apply equitably to them all, inasmuch as some are great sufferers while others are comparatively free from suffering; some are poor and some rich; yet the probabilities are that most of them are broken in health, and a very large proportion of them are in moderate circumstances. We recommend that the bill be amended by striking out in line 8 the word "sixty," and inserting the word "fifty-five;" that in line 15 the word "fifty-five" be stricken out and the word "forty-five" inserted, and that in line 17 the word "fifty" be stricken out and the word "thirty-six" be substituted. If thus amended the aggregate increase will be \$796,128 instead of \$1,822,176, as proposed by the bill.

The increase proposed under the provision of the bill granting cumulative pensions for other disabilities than those of amputation is purely problematical, and if granted to this class it would logically be claimed by all other classes of pensioners, thus reopening the entire pension list, and making a field for the work of pension attorneys and claim agents more valuable than anything that the legislation of Congress has yet created. To this provision we are utterly opposed, believing that it would prove a veritable Pandora box in our system of pension legislation, and we therefore recommend that all after line 17 be stricken from the bill.

Inasmuch as the Commissioner of Pensions can carry out the proposed legislation by simply rating up the pensions of those coming under its provisions, and the services of pension attorneys and claim agents would not be required in a single case, we recommend that a new section be added to the bill as follows:

"SEC. 2. That in the adjudication of claims arising under the provisions of this act no fees whatever shall be paid to pension attorneys or claim agents."

We further recommend that the title of the bill be amended by striking from it the words "or have additional disabilities."

With the proposed amendments your committee are of opinion that the bill should become a law, and therefore report it back favorably with a recommendation that it do pass.

The Secretary proceeded to read the amendments.

The first amendment reported by the Committee on Pensions was, in section 1, line 8, after the words "pension of," to strike out "sixty" and insert "fifty-five," in line 15, before the word "dollars," to strike out "fifty-five" and insert "forty-five;" in line 17, after the words "pension of," to strike out "fifty" and insert "thirty-six;" and in line 18, after the word "month," to strike out "and all such persons who have incurred or contracted other disabilities shall be entitled to a sum per month equal to the total of the rates for all of said disabilities, said sum to be determined by adding together the rates provided by law for each of said disabilities separately;" so as to make the section read:

That from and after the passage of this act all persons on the pension roll and all persons hereafter granted a pension who, while in the military or naval service of the United States, and in the line of duty, shall have lost an arm at the shoulder joint or a leg at the hip joint, or who have been totally disabled in the same, shall be entitled to a pension of \$55 per month; and all

such persons who have lost an arm at or above the elbow or a leg at or above the knee, or who shall have been totally disabled in the same, or who shall have lost an arm below the elbow or a leg below the knee and suffer from total or partial stiffness of the joint, or other cause which renders the stump useless, shall be entitled to a pension of \$45 per month; and all such persons who shall have lost a hand or a foot, or shall have been totally disabled in the same, shall be entitled to a pension of \$35 per month.

The amendment was agreed to.

The next amendment was, in section 2, line 1, after the word "that," to strike out "all acts or parts of acts so far as they may conflict with the provisions of this act be, and they are hereby, repealed," and insert "in the adjudication of claims arising under the provisions of this act no fees whatever shall be paid to pension attorneys or claim agents;" so as to make the section read:

SEC. 2. That in the adjudication of claims arising under the provisions of this act no fees whatever shall be paid to pension attorneys or claim agents.

The amendment was agreed to.

Mr. GALLINGER. I offer an amendment, which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After the word "month," in line 18 of section 1, it is proposed to insert:

*Provided*, That in pensions for amputations coming under the provisions of this act where pensions have been increased by special act but to an amount less than herein allowed, the provisions of this act shall apply.

Mr. COCKRELL. What will be the effect of that?

Mr. GALLINGER. Simply this: In a few cases pensioners have had their pensions increased, that is the pensioners belonging to some one of these classes, to an amount less than is allowed in this bill. Those cases presumably the Pension Bureau will not consider, for the reason that Congress has acted upon them. The amendment simply puts them on all-fours with the others who are included in the bill under consideration.

Mr. WHITE. May I inquire what will be the increase to the pension roll made by the passage of this bill?

Mr. GALLINGER. I will state that definitely in a moment before the vote is taken upon the bill. I should like the amendment I have proposed first acted upon. It will only cover a very few cases, of which I have one in mind.

Mr. PADDOCK. It is simply an assignment of the general class.

Mr. GALLINGER. I think there can be no objection to the amendment.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from New Hampshire [Mr. GALLINGER].

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, and read the third time.

The VICE-PRESIDENT. The question is on the passage of the bill.

Mr. GALLINGER. Before the passage of the bill I desire to answer the interrogatory of the Senator from Louisiana [Mr. WHITE], which was a very proper one. He asked as to the increase under this bill. I will state now that the report shows that the increase will be \$796,128, but since that time I have had a communication from the Surgeon-General's Office, the tables in the report having been made up from the best available source at the time the report was made. It occurred to me that the Surgeon-General would know all about this subject, and I communicated with him and have a definite report from him, which shows that the number stated in the report exceeds by 876 the actual number of pensioners, so that the amount stated will be decreased about 10 per cent. In other words, the increase under this bill will presumably be in the vicinity of \$709,000.

I desire to have incorporated in my remarks the letter from the Surgeon-General's Office, which may be of use in the future.

The letter referred to is as follows:

WAR DEPARTMENT, SURGEON-GENERAL'S OFFICE,  
Washington, D. C., July 2, 1892.

SIR: In reply to your inquiry of the 29th ultimo, I have the honor to report that on January 31, 1892, there were on the rolls of claimants for artificial limbs or compensation therefor:

- 3,535 pensioners who have lost one arm each.
- 24 pensioners who have lost both arms each.
- 57 pensioners who have lost one hand each.
- 1 pensioner who has lost both hands.
- 2,657 pensioners who have lost one leg each.
- 23 pensioners who have lost both legs each.
- 87 pensioners who have lost one foot each.
- 18 pensioners who have lost both feet each.
- 13 of these pensioners have lost one arm and one leg each.
- 1 of these pensioners have lost one arm and use of other.
- 1 of these pensioners has lost both arms and both legs.
- 1 of these pensioners has lost one leg and one hand.
- 6 of these pensioners have lost one leg and the other foot.
- 4 of these pensioners have lost one leg and use of the other.
- 2 of these pensioners have lost one leg and the use of one arm.

Of the above 7,412 pensioners it is probable that 200 may have died during

or since the making up of the report, but of this fact my office had not been notified.

Very respectfully, your obedient servant,

C. SUTHERLAND,  
*Surgeon-General United States Army.*

Hon. J. H. GALLINGER,  
*United States Senate, Washington, D. C.*

The VICE-PRESIDENT. The question is on the passage of the bill.

The bill was passed.

The title was amended so as to read: "A bill to adjust the pensions of those who have lost limbs, or the use of them."

#### DEADLY WEAPONS IN THE DISTRICT.

Mr. McMILLAN. I ask unanimous consent for the present consideration of House bill 8294, a bill relating to the District, which is very short.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8294) to punish the carrying or selling of deadly or dangerous weapons within the District of Columbia, and for other purposes.

Mr. WHITE. I should like to ask the Senator in charge of this bill what explanation is given of that clause in the bill which, whilst it prevents the carrying of concealed weapons, appears to leave it a matter of favoritism with a certain officer to issue a permit to carry them. In other words, if this is a penal statute, on what theory is a penal statute not made to apply to all the citizens and a tribunal created by which there will be a favored class permitted to carry concealed weapons in the District?

Mr. McMILLAN. It does apply to all, but there are cases in which it might be necessary to have an exception. This is a very peculiar District. This bill is to protect the public generally from people who are in the habit of carrying dangerous weapons and using them on all occasions. It is a very important bill, which has had a great deal of attention from our committee and also from the committee of the House. This is a House bill, and it is taken up in preference to the Senate bill. I think it a bill which is very important indeed to the District.

Mr. WHITE. With the greatest respect for the Senator and his views, I suggest if this is a general penal statute imposing a penalty upon all citizens, that the insertion in it of an exempting clause purely in the discretion of a magistrate, without any statement in the bill of the reason why he should exercise the discretion, leaving it solely to his judgment to license people to carry concealed weapons, is utterly out of keeping with the provisions of the bill. The very fundamental principle of criminal statutes is their universality. In other words, this proposed statute makes the act referred to a penal offense, and then gives a man who can furnish a bond the right to carry a weapon in the discretion of a magistrate.

Mr. WOLCOTT. I would say in reply to the Senator from Louisiana, that I think he states the fact rather more broadly than the provisions of the bill quite warrant.

The bill is a penal statute providing that no man in the District shall carry concealed weapons, recognizing, however, as do the statutes of many of the States of the Union, and I think my own among the number—and I have seen such criminal statutes of other States—that there may be peculiar circumstances of threatened assault or otherwise, where, for a limited time, it may be proper that one shall carry weapons. Instead of granting general authority to any person who is able to give a bond to carry weapons, it is provided that a person who is in such danger of attack as to lead him to believe that he should be permitted to carry a weapon, must appear before the proper authority, and the proper authority, upon an investigation of the circumstances, may, in his discretion, authorize the person for a limited time, not exceeding one month, to carry such weapon. The provision is one which I feel sure other Senators will remember is included in the statutes of many of the States of the Union. In my opinion it does not affect the constitutionality of the law, nor with the safeguards thrown around the permission to be given does it in my mind operate to favor any class of individuals, but is simply a bill providing generally for the prohibition of carrying deadly weapons, with the exception that under certain circumstances a discretion to grant permission to do so is left with the proper officials.

The bill was reported to the Senate without amendment, ordered to a third reading, and read the third time.

Mr. MILLS. What is the question now before the Senate?

The PRESIDING OFFICER (Mr. Paddock in the chair). The question is on the passage of the bill.

Mr. MILLS. Is the bill open to debate?

The PRESIDING OFFICER. It is.

Mr. MILLS. I desire to ask the friends of this measure what they do with this second amendment to the Constitution:

The right of the people to keep and bear arms shall not be infringed.

It seems to me, Mr. President, that it is a natural right of a citizen to defend himself. I know that that provision of the Constitution has by judge-made law been construed so as to invade and impair the rights of the citizen. All these laws—at least that has been my observation in noticing them—intended to secure the person of the citizen, result in rendering him more insecure.

What persons will obey this law? The best citizens in the country: the men whose lives are endangered by some assassin, but the assassin is not going to obey the law. He will carry concealed weapons in defiance of the law. You put the lives and persons of the best people, the law-abiding people of this country, at the mercy of these lawbreakers, and you render the citizens of the country more defenseless by depriving them of the natural right to carry the arms which are necessary to secure their persons and their lives.

I only wish to say, Mr. President—because it seems that this bill is going to pass almost by unanimous consent—that I shall never vote in this or any other legislative assembly for the deprivation of any citizen of a single natural right that he has, if I know it, and his right to defend himself is one of the rights with which he is invested by his Maker. The Declaration of Independence, which is the creed of our faith as a republican people, says that governments are organized to secure those rights and not to take them away from the people.

This bill can have but one effect, and that is to put the law-abiding citizens of this District at the mercy of those who habitually break the law.

The PRESIDING OFFICER. The question is on the passage of the bill.

Mr. WHITE. Is it too late to offer an amendment to the bill?

The PRESIDING OFFICER. It is too late.

Mr. WHITE. I do not agree with the Senator from Colorado [Mr. WOLCOTT] as to the effect of this provision. The provision has the scope which I claim for it. The necessary effect of the bill is to prevent the carrying of concealed weapons and to leave it purely discretionary with the judge, without any statement whatever in the bill as to the reasons which should control him in determining who shall carry concealed weapons and who shall not.

*Provided further—*

*Says the bill—*

That nothing contained in the first or second sections of this act shall be so construed as to apply to any person who shall have been granted a written permit to carry such weapon or weapons by any judge of the police court of the District of Columbia, and authority is hereby given to any such judge to grant such permit for a period of not more than one month at any one time, upon satisfactory proof to him of the necessity for the granting thereof.

Here is an absolute and unlimited discretion in that judge. The reasons which are to bring his actions into play are not stated in the bill. It is a discretion as wide as his mind—personal favoritism, personal friendship, considerations of influence, anything that will weigh upon his mind and enable him to give the permission. We have one class of citizens who come under the operation of a penal statute, and we have another class who are not reached by the penal statute, because in the unlimited, uncontrolled, and arbitrary exercise of discretion by a police magistrate they are taken out of the reach of the criminal laws of the District.

Why, Mr. President, it is an elementary aphorism in criminal-law statutes that the worst criminal statute in the world is that which allows judicial discretion to take citizens out of the reach of the statute; and that is the best criminal statute which operates universally upon everyone coming within its reach. If this bill contained a statement of the reasons by which the judge should act, if it prescribed the conditions which were to take a citizen out of the reach of the general law, there might be some propriety in it; but when it leaves it solely and absolutely to the arbitrary discretion of a police magistrate, I think the statute as a whole is a bad one. Unless the provision to which I have excepted shall be stricken out from the bill, the proposed statute, I think, is bad and should not pass.

Mr. WOLCOTT. The bill infers that the police magistrate would not grant the permit except upon the exercise of a discretion. I think the bill might, to one inclined to be extremely critical, be open to the objection that some reasons should be given which should authorize the exercise of the discretion. If the Senator from Louisiana has an amendment—he rose asking if it were too late to offer an amendment—to provide that the discretion shall be exercised only upon the well-grounded apprehension of the party applying for it that his life or his property or the lives of his family are in danger, there is no objection to such an amendment. The provision as it stands does not, it seems to me, intrust too great a power to the police magistrate; but if he has such an amendment I have no doubt the chairman of the committee having the bill in charge would be glad to accept it.

In reference to what was said by the Senator from Texas [Mr. MILLS] I do not know except by the public press how the law permitting the carrying of weapons generally operates down in Texas, but I do know that in our cities of the North there is no law which serves so much in the interests of justice and the police power and the preservation of the public peace as acts which prohibit the carrying of concealed weapons. The constitutional provision is not affected by such a law. This bill is intended to apply to the criminal classes in the alleys of Washington who carry razors in their pockets, who carry concealed weapons, and brass knuckles. It is intended to reach them, and it is not intended to affect the constitutional right of any citizen who desires to obey the law.

For my part, I think it is a very late day for anybody to claim that under the provisions of the Constitution of the United States we have no right to enact a law which shall prohibit assassins and thugs from carrying concealed weapons. Bearing arms and carrying concealed weapons are very different things.

The PRESIDING OFFICER. The question is on the passage of the bill.

Mr. WHITE. On that I ask for the yeas and nays.

Mr. HARRIS. If the Senator from Louisiana desires to offer an amendment I will ask the Senate to reconsider the vote by which the bill was ordered to a third reading so that it will be in order for him to offer such amendment as he desires to submit.

The PRESIDING OFFICER. The Chair supposes that that may be done by unanimous consent.

Mr. HARRIS. A motion to reconsider does not require unanimous consent; but I take it for granted the Senate would give unanimous consent, so that the Senator from Louisiana may offer such amendment as he desires.

Mr. FRYE. Mr. President, has not the hour of 2 o'clock arrived?

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair will lay before the Senate the unfinished business.

The SECRETARY. A bill (S. 979) for the development and encouragement of silk culture in the United States, under the supervision of the Secretary of Agriculture.

Mr. COCKRELL. I ask that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. The Senator from Missouri asks that the unfinished business be temporarily laid aside in order to proceed with the Calendar.

Mr. COCKRELL. In order to finish the pending bill.

Mr. FRYE. If that is going to take any time, I desire to submit a conference report.

Mr. COCKRELL. The Senator can submit it during the pendency of the bill.

Mr. HARRIS. A conference report has the right of way at any time.

Mr. FRYE. I am aware that it has. Still I did not wish to disturb the bill if it was to be concluded immediately.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri? The Chair hears none.

#### INDIANS AT QUAPAW AGENCY.

Mr. MORGAN. I hope the Senator will withhold his request for a moment. The bill (S. 3030) to provide for the allotment of lands among the several Indian tribes in the Quapaw Agency, in the Indian Territory, and for the sale of surplus lands of such tribes, and for the creation of the county of Cayuga, in the Territory of Oklahoma, and for other purposes, was set down as a special order for the 15th day of June. Since that order of the Senate was taken a demand has been made upon the Committee on Indian Affairs to extend an investigation that this body ordered to be made in regard to the subject-matter of the bill. I had the honor to report the bill under the instruction of the Committee on Indian Affairs. I wish to ask the unanimous consent of the Senate to change the order to next Monday at 2 o'clock, so that the Committee on Indian Affairs may hear what the opposition to the bill have to say. They insist upon being heard, and it is only for that purpose that I make the request. The committee are entirely satisfied with the bill as it stands, but we think it is proper to give them a showing. I ask that the order be changed from June 15 at 2 o'clock to next Monday at 2 o'clock, and that the bill be made a special order for that time.

The PRESIDING OFFICER. The Senate has heard the request of the Senator from Alabama. Is there objection to unanimous consent? The Chair hears no objection, and that order will be made.

#### DEADLY WEAPONS IN THE DISTRICT.

Mr. WOLCOTT. Do I understand that there is objection to laying aside the unfinished business in order that we may conclude the little District bill which was under consideration at 2 o'clock?

Mr. COCKRELL. There is no objection to that.

The PRESIDING OFFICER. No objection has been made. The bill is still before the Senate, the unfinished business having been laid aside temporarily. The question is on reconsidering the vote by which the bill was ordered to a third reading.

Mr. HARRIS. I made no motion. I said if the Senator from Louisiana desired to offer an amendment I would so move, but the Senator from Louisiana has not indicated whether he desires to move an amendment.

Mr. WHITE. I will make that request; but in order that gentlemen may vote intelligently on the request when I make it I will state that I move to reconsider for the purpose of moving to strike out the proviso entirely, so as to leave the law general in its operation.

The PRESIDING OFFICER. The question is on the motion to reconsider the vote by which the bill was ordered to a third reading, for the purpose indicated by the Senator from Louisiana. Is the Senate ready for the question? [Putting the question]. The yeas seem to have it. The yeas have it, and the motion to reconsider is not agreed to. The question recurs on the passage of the bill, on which the yeas and nays have been demanded.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I am paired with the Senator from Colorado [Mr. TELLER].

Mr. WHITE. Is the vote on the question to reconsider or on the question of passage?

Mr. HARRIS. It is on the passage of the bill.

The PRESIDING OFFICER. The question is on the passage of the bill.

Mr. PASCO. No one in this part of the Chamber heard the decision of the Chair upon the motion of the Senator from Louisiana to reconsider.

The PRESIDING OFFICER. The Chair announced its decision, stating that the yeas seemed to have it and that the yeas had it.

Mr. PASCO. That was not heard in this part of the Chamber.

Mr. WHITE. We did not hear it here, sir.

The PRESIDING OFFICER. By unanimous consent the vote will be taken again.

Mr. CAMERON. I object to that. Let us vote on the final passage of the bill.

The PRESIDING OFFICER. Objection is made, and the roll call will proceed.

Mr. COCKRELL. What is the question?

The PRESIDING OFFICER. On the passage of the bill.

The Secretary resumed the call of the roll.

Mr. CAMPBELL (when his name was called). I am paired with the Senator from Ohio [Mr. SHERMAN].

Mr. COLQUITT (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

Mr. DOLPH (when his name was called). I am paired with the senior Senator from Mississippi [Mr. GEORGE]. I do not see him in the Chamber, and I withhold my vote.

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL]. If he were present I should vote "yea."

Mr. McMILLAN. I know that the Senator from Vermont [Mr. MORRILL] would vote "yea." I think the Senator from Tennessee can vote.

Mr. HARRIS. If the Senator from Michigan gives assurance that the Senator from Vermont [Mr. MORRILL] would vote "yea" I will record my vote. I vote "yea."

Mr. McMILLAN. I give that assurance, that the Senator from Vermont would vote "yea."

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. McPHERSON]. If he were present I should vote "yea."

Mr. QUAY (when his name was called). I am paired generally with the Senator from West Virginia [Mr. FAULKNER]. I am not aware of his views upon the bill, and therefore withhold my vote. If he were present I should vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON].

The roll call was concluded.

Mr. QUAY. I am assured by the Senator from Michigan [Mr. McMILLAN] that the Senator from West Virginia [Mr. FAULKNER] favors the bill, and with that assurance I vote "yea."

Mr. PASCO. I am paired with the Senator from North Dakota [Mr. CASEY].

Mr. HIGGINS. This does not seem to be a party question; there is no quorum voting, and I think I will take the liberty of voting, notwithstanding the absence of the Senator from New Jersey [Mr. McPHERSON]. I vote "yea."

Mr. DOLPH. I am paired with the senior Senator from Mississippi [Mr. GEORGE]. I understand that the junior Senator



from Mississippi [Mr. WALTHALL] is paired with the junior Senator from Rhode Island [Mr. DIXON]. If agreeable to him, we will transfer our pairs and both vote.

Mr. WALTHALL. Very well.

Mr. DOLPH. I vote "yea."

Mr. WALTHALL. I vote "nay."

Mr. BERRY. With the consent of the Senator from Colorado [Mr. WOLCOTT] who is present—

Mr. WHITE. I call for the announcement of the vote.

Mr. BERRY. I do not like to be taken off the floor when making a statement about a pair, with all respect to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Arkansas will proceed.

Mr. BERRY. I say, with the consent of the Senator from Colorado, who is present, while I do not know how his colleague [Mr. TELLER] would vote, I will vote "yea" on the passage of the bill.

Mr. WOLCOTT. I can state that my colleague [Mr. TELLER], if present, would vote "yea" on the passage of the bill.

Mr. MANDERSON. I ask whether the Senator from Kentucky [Mr. BLACKBURN] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. MANDERSON. Is my vote needed to make a quorum?

The PRESIDING OFFICER. It is needed.

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN], but I will vote to make a quorum. I vote "yea."

The result was announced—yeas 24, nays 13; as follows:

#### YEAS—24.

Aldrich,	Davis,	Hutton,	Sawyer,
Allen,	Dolph,	James, Ark.	Shoup,
Allison,	Dubois,	Kyle,	Stockbridge,
Berry,	Fulton,	McMillan,	Vilas,
Cameron,	Frye,	Manderson,	Warren,
Cary,	Gallinger,	Paiblock,	Washburn,
Chandler,	Hausbrough,	Pettibrew,	Wolcott,
Cockrell,	Harris,	Proctor,	
Cullom,	Higgins,	Quay,	

#### NAYS—13.

Bate,	Gorman,	Turpie,	White,
Call,	Gray,	Vest,	
Cole,	Mills,	Voorhees,	
Daniel,	Platt,	Walthall,	

#### NOT VOTING—11.

Blackburn,	Gibson, La.	McPherson,	San lers,
Bledgett,	Gibson, Md.	Mitchell,	Sherman,
Brier,	Gordon,	Morgan,	Squire,
Butler,	Hale,	Morrill,	Stanford,
Carlsle,	Hawley,	Palmier,	Stewart,
Casey,	Hill,	Pasco,	Teller,
Colquhitt,	Hiscock,	Walter,	Vance,
Dawes,	Hoar,	Perkins,	Wilson,
Dixon,	Irby,	Powers,	
Faulkner,	Jones, Nev.	Punch,	
George,	Kenna,	Ransom,	

So the bill was passed.

#### RIVER AND HARBOR APPROPRIATION BILL.

Mr. FRYE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7829) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 20, 24, 25, 55, 61, 91, 92, 93, 103, 104, 107, 123, 129, 130, 131, 133, 136, 140, 142, 151, 153, 159, 157, 178, 183, 191, 195, 199, 185, 188, 189, 192, 196, 200, 210, 213, 225.

That the House recede from its disagreement to the amendment of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 24, 25, 28, 29, 31, 32, 34, 35, 36, 37, 38, 39, 41, 42, 43, 45, 47, 48, 49, 51, 53, 54, 56, 57, 58, 59, 61, 62, 63, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 81, 82, 83, 84, 85, 87, 88, 89, 90, 93, 94, 95, 96, 97, 98, 100, 101, 102, 105, 106, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 120, 121, 122, 124, 125, 126, 127, 128, 132, 133, 137, 138, 139, 141, 143, 144, 145, 146, 149, 152, 163, 164, 166, 169, 171, 172, 173, 175, 176, 178, 179, 180, 181, 182, 183, 184, 186, 187, 190, 194, 196, 197, 198, 199, 200, 201, 202, 203, 204, 206, 207, 208, 212, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 226, 227, and agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the paragraph proposed insert the following:

"Improving Bay Ridge Channel in Gowanus Bay, New York Harbor, New York: Completing improvement, \$98,000."

And the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: Strike out the matter proposed to be inserted and insert in lieu thereof the following: "That before any Government money shall be expended in the improvement of this harbor, or any of its approaches, the owners of the basin forming the harbor, and the channel or canal leading thereto or connecting said harbor with Cherrystone Inlet, shall execute and cause to be executed, and file with the Secretary of War, an instrument in writing satisfactory to the said Secretary of War, giving to any and all vessels, upon any and all occasions for all time to come, the right to enter and remain in said harbor and transact business therein without charge, except legitimate, usual, and reasonable wharf charges, to be determined by the Secretary of War in event of disagreement, and shall further legally dedicate or cause to be dedicated to public use an approach to the wharves

of said harbor from the nearest public highway of not less than 40 feet in width, to be approved by the Secretary of War," and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$170,000," and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$283,250," and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$100,000," and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$40,000," and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the amendment proposed by the Senate insert after the word "dollars" a comma and the following words: "in portion of which may, in the discretion of the Secretary of War, be used in dredging in Superior Bay along the dock line between the Quebec channel and the main channel opposite the base of Connors Point;" and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: Strike out the entire paragraph, being lines 20 to 21, inclusive; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$100,000," and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: Strike out the period at the end of the proposed amendment, insert a comma and the words "to be expended in the improvement of the natural channel," and the Senate agree to the same.

Amendment numbered 119: That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$15,000," and the Senate agree to the same.

Amendment numbered 134: That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment as follows: Strike out the word "titles," and insert the word "titles;" strike out the word "dams" and insert the word "dams;" strike out the comma after the word "two" and insert a period, and strike out the following words: "three, four, and five," and the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: Strike out the language proposed to be inserted in lines 10 to 14; and in line 22, in lieu of the sum proposed insert "\$1,625,000," and the Senate agree to the same.

Amendment numbered 148: That the House recede from its disagreement to the amendment of the Senate numbered 148, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$55,000," and the Senate agree to the same.

Amendment numbered 149: That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$60,000," and the Senate agree to the same.

Amendment numbered 154: That the House recede from its disagreement to the amendment of the Senate numbered 154, and agree to the same with an amendment as follows: After the word "war," in line 13, insert the following: "Shall extend \$50,000 of said \$50,000 between the Chicago, St. Paul, Minneapolis, and Omaha Railroad bridge at St. Paul and the Washington and Annapolis bridge, Minneapolis, and;" and the Senate agree to the same.

Amendment numbered 157: That the House recede from its disagreement to the amendment of the Senate numbered 157, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$60,000," and the Senate agree to the same.

Amendment numbered 158: That the House recede from its disagreement to the amendment of the Senate numbered 158, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$200,000," and the Senate agree to the same.

Amendment numbered 159: That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment as follows: Restore the paragraph proposed to be stricken out and insert after it the following paragraph:

"At the harbor of New Madrid, Mo.: \$25,000."

And the Senate agree to the same.

Amendment numbered 167: That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment as follows: Strike out the phrase proposed on page 64, lines 8 to 20, and the Senate agree to the same.

Amendment numbered 168: That the House recede from its disagreement to the amendment of the Senate numbered 168, and agree to the same with an amendment as follows: Strike out all of the proposed paragraph after the words "view," in line 21, and insert in lieu thereof the following: "or determining at what point, if any, an outlet be made of water power for manufacturing or other purposes, without unreasonably impairing the navigability of that portion of said river," and the Senate agree to the same.

Amendment numbered 173: That the House recede from its disagreement to the amendment of the Senate numbered 173, and agree to the same with an amendment as follows: Strike out the language proposed by the Senate, and in lieu thereof insert the following:

"The President is hereby authorized to appoint a board of engineers, to consist of seven members, of whom three shall be from civil life, whose duty it shall be to thoroughly examine the obstructions to navigation on the Columbia River, in that portion from the navigable waters thereof below Three Mile Rapids to the navigable waters above the Chello Falls, and report as soon as they conveniently can to the Secretary of War, such plan for removing or removing said obstructions as in their opinion is most feasible and best adapted to the needs of commerce, together with a statement as to the usefulness of such improvement to navigation, its relation and value to commerce and the most desirable location therefor, the cost of construction and of the right of way, including the necessary land therefor being considered. They shall also report the details of such plan, with careful estimates of its cost. The sum of \$20,000, or so much thereof as may be necessary, is hereby appropriated to defray the cost of such examination and survey and the expenses of said board."



And the Senate agree to the same.  
Amendment numbered 177: That the House recede from its disagreement to the amendment of the Senate numbered 177, and agree to the same with an amendment as follows: After the word "dollars" insert the following: "To be applied to obtaining a 25-foot channel;" and the Senate agree to the same.

Amendment numbered 205: That the House recede from its disagreement to the amendment of the Senate numbered 205, and agree to the same with an amendment as follows: In lieu of the paragraph proposed insert the following:

"Fort Pond Bay, at the east end of Long Island, including an estimate of the cost of an adequate breakwater."

And the Senate agree to the same.  
Amendment numbered 211: That the House recede from its disagreement to the amendment of the Senate numbered 211, and agree to the same with an amendment as follows: Strike out the language proposed after the word "river" and in lieu thereof insert the following: "Above Oregon City;" and the Senate agree to the same.

Amendment numbered 223: That the House recede from its disagreement to the amendment of the Senate numbered 223, and agree to the same with an amendment as follows: After the paragraph proposed insert the following paragraph:

"Upper Columbia River, Washington, from the international boundary to Rock Island Rapids."

And the Senate agree to the same.

WM. P. FRYE,  
M. W. RANSOM,  
*Managers on the part of the Senate.*  
NEWTON C. BLANCHARD,  
T. C. CATCHINGS,  
THOS. J. HENDERSON,  
*Managers on the part of the House.*

The report was concurred in.

#### ENCOURAGEMENT OF SILK CULTURE.

The PRESIDING OFFICER. The unfinished business will be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 979) for the development and encouragement of silk culture in the United States, under the supervision of the Secretary of Agriculture.

The PRESIDING OFFICER. The bill has been read at length before and amended as in Committee of the Whole. The question is on agreeing to the amendment of the Committee on Agriculture and Forestry as amended. The Chair suggests that the Senator from Mississippi [Mr. GEORGE], who has charge of the bill, does not seem to be at this moment in the Chamber.

Mr. VEST. Let the bill go over.

Mr. FRYE. If necessary, instead of going over, let it be temporarily laid aside, as it is the unfinished business.

The PRESIDING OFFICER. The bill will be temporarily laid aside, and the first bill on the Calendar under Rule VIII will be announced.

Mr. PEPPER. I wish to inquire what becomes of the bill in relation to silk culture.

The PRESIDING OFFICER. It is temporarily laid aside on account of the absence of the Senator from Mississippi [Mr. GEORGE], who is in charge of the bill. The first bill on the Calendar will be stated.

#### BILLS PASSED OVER.

The bill (S. 3133) to incorporate the Washington, Fairfax and Alexandria Railway Company was announced as first in order on the Calendar.

The PRESIDING OFFICER. The bill will be passed over, as the Senator in charge of it is not present, and the next bill on the Calendar will be stated.

The bill (S. 770) for the better protection of the public service was announced as next in order on the Calendar.

Mr. WALTHALL. The Senator who reported that bill is absent, and I think it had better go over, and also the two following bills, Senate bill 1598 and Senate bill 3042.

The PRESIDING OFFICER. The bills indicated, being objected to, will go over. The bills are to retain their places on the Calendar?

Mr. WALTHALL. Yes, sir.

The PRESIDING OFFICER. The bills will go over without prejudice, retaining their places on the Calendar.

The bill (S. 2845) regulating the sale of distilled and fermented liquors in the District of Columbia was announced as next in order on the Calendar.

The PRESIDING OFFICER. The Senator who reported this bill does not seem to be present. If no other Senator can vouch for him the bill will be passed over without prejudice, and the next bill on the Calendar will be announced.

#### HOT SPRINGS RESERVATION.

The bill (H. R. 7688) to grant lot No. 1, in block No. 72, of the Hot Springs Reservation, to the school district of the city of Hot Springs for school purposes, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### JABEZ BURCHARD.

Mr. CAMERON. I see that the Senator from New Hampshire [Mr. CHANDLER] is in his seat to-day, and I ask that the bill (S. 262) for the relief of Jabez Burchard, which was passed over, be now considered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Pennsylvania? The Chair hears none, and the bill is before the Senate. The question is on the passage of the bill.

Mr. CHANDLER. The bill should be passed as originally reported to the Senate, and the amendment should be reconsidered.

The PRESIDING OFFICER. The Senator from New Hampshire will please indicate the amendment.

Mr. CHANDLER. The bill should pass as it was originally reported from the committee, and the amendment that was agreed to in the Senate should be reconsidered.

Mr. CAMERON. There are two amendments.

The PRESIDING OFFICER. The amendments will be stated.

The SECRETARY. The amendments made in the Senate on the 24 of June are after the word "which," in line 6, to strike out the words "with payments heretofore made to him;" and in line 12 to strike out "date of his retirement by said naval board" and insert "passage of this act;" so as to make the bill read:

*Be it enacted, etc.* That the proper accounting officers of the Treasury be, and they are hereby, authorized and directed to allow Jabez Burchard, assistant engineer on the retired list of the United States Navy, an amount which will be equal to 75 per cent of the salary pay of the grade or rank held by him at the date of his retirement by a naval board of the United States Navy, said amount to be paid out of any money in the Treasury not otherwise appropriated and to take effect from and after the passage of this act.

The PRESIDING OFFICER. The vote by which the bill was ordered to a third reading will be reconsidered, if there be no objection. The vote is reconsidered, and also the vote by which the amendments, which have been stated, were agreed to.

The question recurs on agreeing to the amendments made by the Senate.

The amendments were rejected.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRIDEN, one of his Secretaries, announced that the President had on this day approved and signed the act (S. 1768) to allow thirty days leave of absence to employees in the Bureau of Engraving and Printing.

#### HIGHWAYS IN ARID REGIONS.

The PRESIDING OFFICER. The Calendar will be proceeded with.

The bill (S. 3071) reserving easements for common highways in the arid States and Territories was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with amendments, in line 4, after the word "around," to insert "and bounded by;" in line 5, before the word "public," to insert "arid;" in line 6, before the word "States," to strike out "arid;" in the same line, after the word "Territories," to insert "in the so-called arid regions;" in line 9, after the word "State," to insert "or Territory;" and in line 10, after the word "situate," to strike out "or the State which may be created out of any Territory in which such easement is situate;" so as to make the bill read:

*Be it enacted, etc.* That for public common highways there is hereby declared and reserved an easement 50 feet in width around and bounded by the exterior limits of each section of arid public land in the States and Territories in the so-called arid regions, and no patent for any public lands described by rectangular surveys shall be so construed as to convey such easement to the patentee against the United States, the State or Territory in which such easement is situate, but the State in which such land so subjected to such easement is situate may change the location of such highway or abolish the same upon payment to any person or persons of such damage as such person or persons will suffer thereby, and on like conditions such easement shall be subject to change by the legislative authority of the State or Territory in which the same is situate to another public use of equal or greater public utility if it shall be deemed desirable, but this act shall not ~~cancel any lands~~ now filed on and occupied by qualified settlers under the land laws of the United States, so far as such settler is concerned.

The amendments were agreed to.

Mr. COCKRELL. Let the report be read.

The PRESIDING OFFICER. The report will be read.

The Secretary read the following report, submitted by Mr. SANDERS May 17, 1892:

The Committee on Public Lands, to which was referred Senate bill 3071, "A bill reserving easements for common highways in the arid States and Territories," have had the same under consideration and beg leave respectfully to report as follows:

Amend the bill by inserting after the word "around," in the fourth line, the words "and bounded by." Before the word "public," in the fifth line, insert the word "and." That the word "arid," in the fifth line, be changed to the word "the." That after the word "Territories," in the sixth line, the words "in the so-called arid regions" be inserted. That before the word

"in" in the ninth line, the words "or Territory" be inserted. That the words in the ninth and tenth lines where they consecutively occur, "or the State which may be created out of any Territory in which such easement is situated," be stricken out. Also, strike out all of lines 11, 12, 13, 14, 15, 16, 17, and down to and including the word "desirable" in the eighteenth line of the bill as printed, and insert in lieu thereof the following: "That said highway shall be subject in all respects to the laws of the State or Territory where the same is located as are other highways created under the laws of said State or Territory;" and as so amended your committee recommend that the bill do pass.

Mr. PLATT. The report does not shed very much light on the bill. I should like to have the bill as it has been amended read, so that we may know how it will read if it passes with the amendments which have been made.

The PRESIDING OFFICER. The bill appears not to have been printed so as to show the exact form of the amendments. The report calls for an amendment to the bill that does not appear in the print. The Senator from Montana [Mr. SANDERS], who reported the bill, will be able to inform the Chair.

Mr. COCKRELL. The last amendment stated in the report is not printed in the bill.

Mr. CAREY. I do not want to object to this measure, but I certainly should like to understand it. It effects, I believe, the entire arid region. I should like to ask the Senator who has charge of the bill a question. Is it proposed to reserve an easement for a public road around the exterior line of every section of land?

Mr. SANDERS. Every section of public land not now occupied. It reserves an easement 50 feet in width in the arid regions for a public highway.

Mr. CAREY. In the States as well as the Territories?

Mr. SANDERS. It applies to the public lands in the arid region whether in a State or Territory.

Mr. President, I do not wish to occupy the time of the Senate, but if it is desired I will explain the views of the committee with reference to the bill.

Confessedly when a country is settled there should be public highways in it, and ordinarily it may be said that they should be within 1 mile of each other for convenience of access to and egress from the various places where neighbors desire to travel. Heretofore it has been the custom of the United States to sell the entire lands and to devolve upon the communities themselves thereafter the burden of condemning land for the uses of public highways. It was deemed by the committee wisest that there should be reserved from each section around its exterior limits a tract of ground which should be wide enough to constitute a highway. It will operate over a very considerable extent of country where one-half of the land is already owned by private individuals or corporations, and will leave a highway 50 feet in width to be taken off from the section which is not so privately owned. It is a width not sufficient probably to constitute a convenient highway, but one nevertheless which would be very materially useful in the absence of the capacity of the community to condemn the land and pay for it; they could get along without widening it. The bill does not in any way or manner affect any section of land now owned or occupied by any person, so far as that occupancy is concerned.

I do not affect to conceal that the most potent argument for the passage of the bill arises out of a desire to secure to the uses of the public the streams in the arid region. The condition of the law is such now that individuals can go upon the public domain and enter 160 acres in each section, or even 80 acres in each section, or even 40 acres in each section for that matter, provided the lines of the streams conform to the lines of the sections, and to all intents and purposes be the owner of 640 acres of land. If they are permitted to become the owners continuously of the streams that run in the arid region there is not a particle of value to be attached to the rest of the land except to the persons who thus own the streams.

The significance of the bill is much greater in the arid region than it is anywhere else. It will occur, if the bill passes, that there is reserved a public highway which will cross a stream every mile, or every mile and a half, throughout that country. So far as the bill itself will operate—and I undertake to say that in the interest of the small settlers and in a larger view in the interest of the people of the United States who are interested that the country shall be settled, that the public land shall be sold and sold to actual occupants, and shall be enabled by those occupants to be utilized for all the purposes for which it can be utilized, this bill is one of vital importance to that region and to all the people of the country.

There is scarce any use of standing on this floor and undertaking to enlarge upon the importance of preventing people from going upon the public domain and by owning narrow strips of land virtually shut out settlers from immense tracts of country. Cicero, in one of his orations, recites a poem that was even then ancient, which contains an adage as to moral duty, that we should debar no man from the running streams. The bill is in

the interest of securing the use of the running streams at certain points along them to all the citizens who may occupy that vicinity. It is in behalf of the small settler; it is in behalf of the small farmer; it is in behalf of the marketable value of the public domain of the United States that such a law as this is recommended and ought to be passed.

If anybody is interested in gathering up the streams and narrow strips of land on each side of them and inclosing them with fences, and doing this for many miles, they ought to vote against this bill. If anybody's constituents think that is a wise method to permit to be pursued, I think their opposition to this bill would be justified. But it is perfectly certain that this condition of settling the public domain is being very actively followed out now, and that there are immense tracts of country owned by the United States impossible to be sold, because we have heretofore permitted individuals to secure these streams which alone make them valuable, or alone permit them to be occupied.

I shall not be able to convince Senators of the extent to which this practice has already gone on. Tracts of country 10, 15, and 20 miles wide, deprived of the contiguous streams that are naturally appurtenant to them, can not be sold by the United States, are of no value to the United States, and are not a particle of value to the settler who would desire to go upon them unless they are the fortunate people who have secured locations along the streams on either side of them. I think such a condition of affairs as that ought not to be permitted; and while this bill does not undertake to interfere with such rights as have heretofore been acquired, and does not even undertake to deny to individuals who have gone upon the public domain, and are now there in anticipation of securing such rights, the privilege of completing their titles, it does provide that as to those sections of land that are unoccupied in that region of country hereafter there shall be no monopoly of the public streams. This is done, indeed, under the guise of a highway, as useful for the passage of pedestrians and the citizens who shall occupy the country as for the passage of cattle and horses and sheep that will go to the streams for the water necessary for their existence.

It is on such considerations as these that the Committee on Public Lands was of the opinion that it was wise here and now to pass such a law as this, to remit the change of this highway hereafter, the abolition of it, indeed, if the public interests should seem to so require, by the State or Territory in which the easement is reserved. Everything is remitted to the people themselves ultimately to determine; but the Government simply says it will reserve the easement, and that the patents which they shall issue for these lands shall not be interpreted or held or deemed to be a conveyance of the outer 50 feet of each section so far as that easement is concerned.

The PRESIDING OFFICER. It is discovered at the desk that there still remains an amendment of the committee on account of the misprint of the bill.

Mr. COCKRELL. I suggest that as the bill now stands all the words on page 2, in line 12, not already stricken out, and in lines 13, 14, 15, 16, 17, 18, down to the word "desirable," at the end of line 19, and beginning with line 20, be stricken out, and the words indicated in the report be substituted:

That said highway shall be subject in all respects to the laws of the State or Territory where the same is located as are other highways created under the laws of said State or Territory.

The PRESIDING OFFICER. The Chair will state to the Senator from Missouri that that is the committee amendment which was overlooked because of the failure of the Public Printer to print it.

Mr. COCKRELL. It is unfortunate that the Public Printer makes so many mistakes.

The PRESIDING OFFICER. The amendment will be reported.

The SECRETARY. In line 12, it is proposed to strike out all down to and including the word "desirable" in line 20, in the following words:

But the State in which such land so subjected to such easement is situated may change the location of such highway or abolish the same upon payment to any person or persons of such damage as such person or persons will suffer thereby, and on like conditions such easement shall be subject to change by the legislative authority of the State or Territory in which the same is situated to another public use of equal or greater public utility if it shall be deemed desirable.

And to insert:

That said highway shall be subject in all respects to the laws of the State or Territory where the same is located as are other highways created under the laws of said State or Territory.

The amendment was agreed to.

The bill was reported to the Senate as amended.

Mr. COCKRELL. Let the bill be read as it has been amended, so that we may understand it.

Mr. CAREY. This bill is a matter of a good deal of importance to the arid region, and I want to understand it. I do not

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### CARACAS AWARDS.

The bill (S. 2454) for the application of the accretions of the Caracas awards of 1868 to the new awards made in 1889 and 1890 was announced as next in order.

Mr. COCKRELL. That appears to be quite an important bill, involving questions of treaty stipulations and adjustments. The Senator from New York [Mr. Hiscock], who made the report, is not present. I think the bill had better be passed over without prejudice.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

#### WASHINGTON AND GREAT FALLS RAILWAY.

The bill (H. R. 9172) to incorporate the Washington and Great Falls Electric Railway Company was next in order on the Calendar.

Mr. GORMAN. I ask that that bill may go over, retaining its place on the Calendar.

The PRESIDING OFFICER. The bill will be passed over, retaining its place on the Calendar.

#### DELIVERY OF ICE ON SUNDAY.

The bill (S. 2994) to prevent the sale or delivery of ice within the District of Columbia on the Sabbath day, commonly known as Sunday, was announced as next in order.

Mr. SANDERS. Let that bill go over.

The PRESIDING OFFICER. Being objected to, the bill will go over. Shall it go over without prejudice?

Mr. SANDERS. Yes, sir; without prejudice.

The PRESIDING OFFICER. The bill will go over without prejudice.

#### EMILE M. BLUM AND JAMES M. SEYMOUR, JR.

The bill (S. 655) for the relief of Emile M. Blum, late commissioner-general, and James M. Seymour, jr., late assistant commissioner, to the Barcelona Exposition, was considered as in Committee of the Whole.

The bill was reported from the Committee on the Library with amendments.

The amendments were, in line 4, after the word "allow," to insert "and pay;" and in line 13, after the word "to," to insert "pay;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to allow and pay to Emile M. Blum, late United States commissioner-general to the International Exposition at Barcelona, Spain, the sum of \$3,380.96, in the adjustment of his accounts, being the amount of money by him disbursed in furthering American interests at said exposition not heretofore allowed by the accounting officers of the Treasury, and to pay to said Emile M. Blum, for services as commissioner-general, the sum of \$5,000; and to pay James M. Seymour, jr., the sum of \$2,500 as assistant commissioner, out of any money in the Treasury not otherwise appropriated.

The amendments were agreed to.

Mr. COCKRELL. Is there a report in that case?

The PRESIDING OFFICER. There is.

Mr. COCKRELL. Let it be read, then.

The PRESIDING OFFICER. The report will be read.

The Secretary read the following report, submitted by Mr. WOLCOTT May 19, 1892:

The Committee on the Library, to whom was referred the bill (S. 655) for the relief of Emile M. Blum, late commissioner-general, and James M. Seymour, jr., late assistant commissioner, to the Barcelona Exposition, having had the same under consideration, submit the following report:

By the joint resolution of April 11, 1888, the United States accepted the invitation of the Spanish Government to participate in its first international exposition, and \$25,000 was appropriated to defray the expenses of the representation of our Government to the international exposition to open on the 8th of May of that year at Barcelona, Spain, to be expended under the direction of the Secretary of State.

Mr. Emile M. Blum, of New York City, having been previously designated as honorary delegate, was, upon the passage of the resolution, appointed commissioner-general. Immediately upon receiving his designation Mr. Blum set vigorously to work to make known to manufacturers and others that this was Spain's first exposition of a national character, traveling to various industrial and commercial centers and meeting boards of trade, chambers of commerce, members of the press, etc., endeavoring to secure a suitable class of representative exhibits. Owing to the shortness of the time between his designation and the date set for the opening of the exposition, Mr. Blum, in his earnest desire to attract public attention to this event, sought the aid of the press, by means of editorials, articles on Spanish needs, etc., and in doing so incurred the heaviest item, which, probably owing to other causes, was not allowed in the settlement of his accounts. Had an equal sum been spent at ordinary rates in the advertising columns, it is safe to say that the result attained would not have been near as great.

Mr. Blum delayed his departure from this country to the latest possible moment in order to secure the widest publicity to the advantages which would probably result from a presentation of the work of American hands to the observation of the Catalans and others attending the exhibition. On his arrival he found scattered out on the wharves of the customs authorities, exposed to the weather, the exhibits of forty-four manufacturers, that had been shipped in the care of their own special agent, who was not able to pay for their release. Mr. Blum, by direction of the Department of State, took these articles into his custody, paid the charges, etc., and installed them in the

United States section, at a cost of some \$5,000, which expense had not been anticipated in the original scheme of expenses.

The great demand for mechanics, etc., necessary for the installations of the exposition led to numerous strikes, and the contracts which Mr. Blum had made for the United States section were broken several times, requiring new ones to be entered into at greatly increased cost, and as the time was so short it became necessary to employ a number of men, paying them extra wages. Mr. Blum devoted his entire time to carrying out his duty, and the expense of the work, day and night, until the exhibition was completed.

The Department of State writes of his work as follows: "Mr. Blum made a very excellent showing for the United States at Barcelona. Our section was regarded as the handsomest, and was the subject of many flattering testimonials." (Letter to Hon. E. J. DUNPHY, May 8, 1890.)

In pursuance of what he considered to be an appropriate discharge of the purpose in sending any representative to the exposition, Mr. Blum accepted the invitation of the minister of state, Señor D. Serrano y Alarcón, and Prime Minister Sagasta, to visit Madrid with a view to obtaining them information respecting our trade, etc. The expense of this visit is one of the items not heretofore allowed and provided for in the bill.

In making up the quota of jurors of awards on the part of the United States, Mr. Blum was obliged, owing to the lack of one country man, to ask citizens of Barcelona to serve, and the small amounts expended for their lunches, etc., while so employed, if they received no compensation, are among the items for which reimbursement is asked.

In view of the fact that Mr. Blum devoted his entire time and energies for nearly a year to this work, receiving no salary therefor, that he has spent of his own money for the sole purpose of furthering to the best of his ability the extension of our trade with Spain, etc., more than both the reimbursement and salary proposed in the bill combined, it seems but an act of justice to afford this measure of relief.

The following extracts show the views of the Department of State on this matter:

"Mr. Blum was very energetic in the performance of his duties, and was highly commended by the American exhibitors for his services in their behalf.

"Out of 78 manufacturers represented, 29 received gold medals, 12 received silver medals, 16 received bronze medals, and 9 received honorable mention.

"The number of American exhibitors was much greater than was expected at the time the appropriation of \$25,000 was made, and this sum proved inadequate to meet the increased expense.

"Mr. Blum met the extra expense out of his own funds, and now asks relief." (Letter from Hon. William F. Wharton, Assistant Secretary, to Hon. E. J. DUNPHY, dated May 8, 1890.)

The Secretary of State, Mr. Blaine, in communicating his views to Hon. JOHN SHERMAN, under date of May 24, 1890, says:

"This Department has already considered the subject in connection with a similar bill introduced in the House of Representatives and referred hither by the House Committee on Claims.

"I inclose herewith, as embodying the views of this Department on the subject, a copy of a letter addressed to Hon. EDWARD D. SMITH, of the Committee on Claims, by the Assistant Secretary of State under date of the 8th instant.

"Mr. Blum rendered the Government an excellent service as its representative at the Barcelona Exhibition, and incurred legitimate expenses in his representative capacity which the appropriation was insufficient to meet.

DEPARTMENT OF STATE, Washington, May 8, 1890.

SIR: I have the honor to acknowledge the receipt of your letter of the 28th ultimo, respecting House bill No. 9511, for the relief of Emile M. Blum, late commissioner-general of the United States to the Barcelona Exhibition.

"Mr. Blum made a very excellent showing for the United States at Barcelona. Our section was regarded as the handsomest, and was the subject of many flattering testimonials.

"Mr. Blum was very energetic in the performance of his duties, and was highly commended by the American exhibitors for his services in their behalf.

"Out of the seventy-six manufacturers represented, twenty received gold medals, sixteen received bronze medals, and nine received honorable mention.

"The number of American exhibitors was much greater than was expected at the time the appropriation of \$25,000 was made, and this sum proved inadequate to meet the increased expense. Mr. Blum met the extra expense out of his own funds, and now seeks relief.

"The principal items of expense borne personally by Mr. Blum were those for advertising, traveling expenses incurred in visiting manufacturers, and rent of furniture.

"The act of appropriation made no provision for a compensation for the commissioner, but this Department knows of no reason why compensation might not now be provided.

"I have the honor to be, sir, your obedient servant.

WILLIAM F. WHARTON,

Assistant Secretary.

Hon. EDWARD J. DUNPHY,  
House of Representatives.

A bill for this same purpose was unanimously reported and passed the Senate during the fifty-first Congress.

In view of the foregoing facts your committee recommend that the bill do pass, with certain amendments which they suggest, changing in a slight degree the phraseology of the bill.

Mr. HARRIS. I simply desire to say that while I do not object to the consideration of the bill or raise any question about its passage, when Congress has created a commission such as this and appropriated \$25,000 to meet the expenses to be incurred, the commissioner is not warranted in exceeding the expenditures that Congress has authorized. When we ratify acts such as this it tends to encourage a total disregard of the checks which the legislative department has a right to impose upon such exhibitions or the expenditures to be made in respect of such exhibitions. I have very little sympathy with the objects and purposes of the bill, but shall not throw any obstacle in the way of its passage.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## REMISSION OF TONNAGE DUES TO SWEDEN AND NORWAY.

The bill (S. 3153) to give effect to the eighth article of the treaty of commerce and navigation with Sweden and Norway, of July 1, 1827, was considered as in Committee of the Whole.

Mr. COCKRELL. Let the report be read in that case.

The VICE-PRESIDENT. The report will be read.

The Secretary read the following report, submitted by Mr. DAVIS May 19, 1892:

The Committee on Foreign Relations, to whom was referred the bill (S. 3153) to give effect to the eighth article of the treaty of commerce and navigation with Sweden and Norway, of July 1, 1827, having had the same under consideration, approve the following report submitted to the last Congress, and recommend that the bill be passed.

"The Committee on Foreign Relations, to which was referred the message from the President of the United States, transmitting report of the Secretary of State relative to the claim of the Government of Sweden and Norway for lower rate of tonnage dues, under acts of 1881 and 1886 (Senate Ex. Doc. 34, Fifty-first Congress, first session), respectfully report:

"It appears to the committee that the specific provision of the eighth article of the treaty with Sweden and Norway, made in 1827, positively obliges each nation not to impose upon the vessels of the other any burdens of any kind or denomination, with an exception not applicable to the present question.

"The committee is of opinion that the words 'every other navigation' in that article necessarily include the operations of the vessels of other countries from whatever place they may come, and therefore that the act of Congress of June 26, 1881, and the act of June 19, 1886, so far as they impose upon vessels of Sweden and Norway a burden that is not imposed upon the vessels of other countries, although coming to ports of the United States from specific localities, and impose such burdens equally upon all vessels, are in violation of our treaty obligations with the Government of Sweden and Norway.

"This precise question was raised soon after the conclusion of the treaty of 1827, when the Government of Sweden and Norway undertook to impose burdens on vessels classified by geographical tests. But our Government remonstrated, and after discussion the Government of Sweden and Norway appears to have acceded to our views of the matter, and to have remitted and abandoned the exactions which were founded upon such distinctions.

"We are of opinion, therefore, that not only the clear meaning of the eighth article of the treaty referred to, but the accepted interpretation put upon it on the urgency of our demand by the Government of Sweden and Norway, should oblige the United States to give the same effect to this article in favor of Sweden and Norway that was given to it by that Government in favor of our shipping and on our demand.

"In respect of the suggestion appearing in some of the papers submitted to the committee that the 'most favored nation' clause would cover a case of this character, we think that such a pretension is without foundation.

"We, therefore, report the accompanying bill to give effect to the eighth article of the treaty of 1827."

The bill was reported to the Senate without amendment.

Mr. COCKRELL. Senate Executive Document No. 34, which is referred to in the report, is a long document, and I did not have time to read it before the bill was taken up. I shall not object to the passage of the bill, reserving the right to enter a motion to reconsider if desired.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## WITNESSES BEFORE COURTS-MARTIAL.

The bill (S. 1229) amending section 1202 of Revised Statutes of the United States, providing for the attendance of witnesses before a court-martial, was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

"That section 1202 of the Revised Statutes of the United States be, and the same is hereby, amended, by adding thereto the following words: 'Every person not in the military service who, having been summoned as a witness before a court-martial to give testimony or to produce papers upon any matter under inquiry before such court, refuses to appear or refuses to produce such papers, or refuses to answer any competent question pertinent to the matter upon trial, shall be deemed guilty of a misdemeanor, and shall, upon conviction before a United States circuit or district court, be punished by a fine of not more than \$500 and by imprisonment in a common jail for not more than twelve months; and it shall be the duty of the judge-advocate of such court-martial to make complaint before a United States commissioner, setting forth such refusal of said witness.'"

The amendment was agreed to.

Mr. CALL. I do not think that bill ought to be passed without some provision in it for indictment before a grand jury. I am opposed to allowing, upon the mere complaint of an officer of a court-martial, an arbitrary tribunal confined entirely to military life, citizens to be arrested and imprisoned, and then to be convicted without indictment before a grand jury, or a trial before a petit jury. I am opposed to a law under which a man may be tried for a misdemeanor without the indictment of a jury. I think that bill had better go over. I object to it.

The VICE-PRESIDENT. The bill will be passed over.

## EMPLOYMENT OF PINKERTON DETECTIVES.

Mr. JONES of Arkansas. I move that the Senate adjourn.

Mr. PEPPER. Will the Senator withhold his motion for a moment that I may offer a resolution to lie over?

Mr. JONES of Arkansas. I withdraw the motion for that purpose.

Mr. PEPPER. I offer a resolution which at the proper time I will ask to have substituted for the resolution offered to-day

by my distinguished friend from New Hampshire [Mr. GALLINGER].

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution, as follows:

Whereas at many times and places within the United States in recent years, the public peace has been disturbed and life and property endangered by the private employment of armed men, commonly known as "Pinkerton men" and "Pinkerton detectives," and

Whereas it is currently reported that a bloody conflict occurred on the 6th day of the present month at or near Homestead, a village near the city of Pittsburg in the State of Pennsylvania, between a body of said Pinkerton men and the citizens of said village of Homestead; and

Whereas the existence and employment of such a body of men without authority of law is contrary to the genius of American institutions and subversive of liberty; Therefore,

Be it resolved, That a select committee of three members of the Senate, belonging to different political parties, be appointed by the President of the Senate, whose duty it shall be to investigate and report to the Senate the facts in relation to the existence and employment of the said "Pinkerton men" or "Pinkerton detectives" since their first appearance in the United States to the present time. The investigation shall extend to the objects of such existence and employment, how organized, how, when, for what purpose, and by whom employed, the work performed by them, who pays them for their services and how much, and what officers of the law, if any, and by what statute or other authority said Pinkertons have at any time been employed.

In addition to the testimony and conclusions of fact, the committee will consider an report, by bill or otherwise, what legislation, if any, is necessary to prevent further unlawful use or employment of said Pinkerton men or other similar bodies of armed men for private purposes.

The committee is authorized to sit during the sessions of the Senate and during recesses thereof, to visit any part of the country wherever their presence shall be necessary for the proper discharge of their duties, to administer oaths to witnesses, to send for persons and papers, to employ a stenographer. The expenses of said committee shall be paid out of the contingent fund of the Senate.

Mr. HARRIS. I suggest to the Senator from Kansas that that resolution must go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. PEPPER. I ask that the resolution go over.

Mr. HARRIS. Still it must be referred to that committee before being acted upon. The law requires that it should be so referred.

Mr. MANDERSON. All that is desired now, as I understand, is that the resolution shall be printed and lie over until to-morrow.

Mr. HARRIS. Very well.

The VICE-PRESIDENT. The resolution will lie over and be printed.

Mr. MANDERSON. I appeal to the Senator from Arkansas to withdraw his motion, to permit us to have an executive session. There are some appointments which should be acted upon.

Mr. JONES of Arkansas. I withdraw the motion to adjourn.

## RIO GRANDE, MEXICO AND PACIFIC RAILROAD COMPANY.

Mr. CAREY. I ask permission to have a bill considered at this time. It will only take a minute.

Mr. MANDERSON. If it leads to no debate I will yield to the Senator, but I want an executive session.

Mr. CAREY. I ask for the present consideration of Senate bill 1710.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1710) to authorize the Rio Grande, Mexico and Pacific Railroad Company to purchase certain land.

The bill was reported from the Committee on Public Lands with an amendment, to strike out all after the enacting clause and insert:

"That the Secretary of the Interior be, and he is hereby, directed to withdraw from sale so much of the land of the abandoned Fort Cummings military reservation, in the Territory of New Mexico, as may be necessary to secure perpetually for public use the spring upon said reservation; the land to be reserved as aforesaid to enhance not only that upon which the spring is situated, but such other portions for right of way as may be necessary to secure to the public the right to have all the advantages of the spring aforesaid.

Sec. 2. That the Secretary of the Interior, and he is hereby, authorized to grant to the Rio Grande, Mexico and Pacific Railroad Company a license to so much of the water of said spring as may be necessary for the operation of the road of said company, and to grant to said company a right of way for a pipe from said spring to the road of said company by the most direct line, to be located under the direction of the Secretary of the Interior; *Provided*, That said right of way shall not exceed 40 feet in width; and when the same is located the land covered by the right of way shall be withdrawn from entry and after due appraisal shall be paid for by said company and be dedicated to the right of way aforesaid.

Sec. 3. That the license aforesaid shall continue as long as the existence thereof may be deemed not injurious to the public interest by the Secretary of the Interior, who shall at all times have the right to regulate the quantity of water to be used by said company, so as not to deprive the public of the benefits of the dedication to public use heretofore made. Upon the cessation of the license the right of way for the pipe line aforesaid shall revert to the United States, upon refunding by the United States the sum of the appraised price thereof which may have been paid to the United States by said company under the previous provisions of this act.

Mr. COCKRELL. Why not insert a clause "that Congress reserves the right to alter, amend, or repeal this act at any time?" I think the Senator should insert that provision in the bill.

Mr. CAREY. I have no objection to that.

man from Arkansas [Mr. PEEL]; but being informed that he would vote in the affirmative I have voted the same way.

Mr. HARRIES. Mr. Speaker, I am paired with the gentleman from Nebraska [Mr. McKEIGHAN], but have voted "ay" for the purpose of making a quorum. As my vote is not necessary for that purpose I withdraw it. The gentleman from Nebraska [Mr. McKEIGHAN], if present, would vote "no."

Mr. ABBOTT. I am paired with the gentleman from Maine [Mr. MILLIKEN], but understanding that he would, if present, vote "ay," I have taken the privilege of voting on the same side.

Mr. COGSWELL. On this question I have voted in the affirmative, but being paired with my colleague from Massachusetts [Mr. O'NEIL], I withdraw my vote.

Mr. HENDERSON of Illinois. I am paired with the gentleman from Georgia [Mr. LIVINGSTON], but I understand that if present, he would vote "ay" and, therefore, desiring to vote on the same side, I have done so.

The result of the vote was announced as above stated.

On motion of Mr. BLANCHARD, a motion to reconsider the last vote was laid on the table.

#### MESSAGE FROM THE PRESIDENT.

A message from the President, by Mr. PRUDEN, one of his secretaries, announced that the President had approved and signed bills of the following titles:

An act (H. R. 7557) to provide for the opening of a part of the Colville Reservation, in the State of Washington, and for other purposes:

(NOTE.—This bill was presented to the President on the 20th ultimo, and not having been returned by him to the House of Congress in which it originated within the ten days prescribed by the Constitution, has become a law without his approval.)

On July 1, 1892:

An act (H. R. 3767) granting an increase of pension to George W. White.

On July 5, 1892:

An act (H. R. 410) to amend the charter of the Eckington and Soldiers' Home Railroad Company;

An act (H. R. 429) to incorporate the District of Columbia Suburban Railway Company;

An act (H. R. 626) to provide the times and places for holding terms of the United States courts in the States of Idaho and Wyoming;

An act (H. R. 8888) for preparation of a site and erection of a pedestal for statue of late Gen. William T. Sherman, and appropriating the sum of \$50,000 therefor; and

An act (H. R. 9089) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1893.

On July 6, 1892:

An act (H. R. 5133) to authorize the Marinette and Western Railroad Company to construct a railroad through the Menominee Reservation in the State of Wisconsin;

An act (H. R. 7081) conforming title to lands in the subdivision of square 206 in the city of Washington, D. C.;

An act (H. R. 4620) to authorize the Secretary of the Treasury to consent to the use of a portion of the public grounds of the United States in the town of Abingdon, Va., for a public street;

An act (H. R. 7696) amendatory of an act entitled "An act to provide for the taking of the Eleventh Census;"

An act (H. R. 1680) for the relief of the inhabitants of the town of Ferron, county of Emery, Territory of Utah;

An act (H. R. 6591) supplementary and amendatory to an act entitled "An act to refer to the Court of Claims certain claims of the Shawnee and Delaware Indians and the freedmen of the Cherokee Nation, and for other purposes," approved October 1, 1890; and

An act (H. R. 5602) granting a pension to Lucy Haskell, mother, by adoption, of John Haskell.

#### MESSAGE FROM THE SENATE.

A message from the Senate by Mr. PLATT, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7820) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

It also announced that the Senate had passed without amendment the bill (H. R. 8294) to punish the carrying of deadly or dangerous weapons within the District of Columbia, and for other purposes.

It also announced that the Senate had passed the following concurrent resolutions: in which concurrence of the House was requested:

*Resolved by the Senate (the House of Representatives concurring), That the*

representatives from the United States to the Columbian Historical Exposition at Madrid in 1892 are hereby permitted to take from the Capitol, for use at said Exposition, the picture of the "Recall of Columbus," painted by August G. Heaton.

Also,

*Resolved by the Senate (the House of Representatives concurring), That there be printed 5,000 copies of the bulletins of the Bureau of American Republics submitted to Congress by the President in connection with the first annual report of that Bureau, of which number 1,000 shall be for the use of the members of the Senate, 2,000 for the use of the Members and Delegates of the House of Representatives, and 2,000 for distribution under the direction of the Secretary of State, and said bulletins not to exceed sixteen volumes.*

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WILSON of West Virginia for two days, on account of sickness.

#### FREE COINAGE OF GOLD AND SILVER.

Mr. BLAND. Regular order.

The SPEAKER. The regular order is the pending motion of the gentleman from New York [Mr. TRACEY] to refer the bill (S. 51) to provide for the free coinage of gold and silver bullion, and for other purposes, to the Committee on Banking and Currency, on which the yeas and nays have been ordered; and the Clerk will call the roll.

The question was taken; and there were—yeas 43, nays 155, not voting 130; as follows:

#### YEAS 43.

Belknap,	Dolliver,	Houk, Tenn.	Raines,
Beltzhoover,	English,	Ketchum,	Ray,
Bingham,	Enochs,	Kidd,	Reynolds,
Brosius,	Fellows,	Lapham,	Schell,
Burrows,	Gilbespie,	Meyer,	Shonk,
Cadwell,	Groul,	Mitchell,	Stone, W. A.
Cheatham,	Hamilton,	O'Neill, Pa.	Taylor, Tenn.
Cobb, Mo.	Harmer,	Pago, R. I.	Taylor, E. B.
Curtis,	Haynes, Ohio,	Payne,	Wadsworth,
Cutting,	Henderson, Iowa,	Perkins,	Wright,
Dadzell,	Hitt,	Powers,	

#### NAYS 155.

Alexander,	Crawford,	Johnson, Ohio,	Robertson, La.
Arnold,	Culbertson,	Johnstone, S. C.	Rockwell,
Baldwin,	Cummings,	Jolley,	Sayers,
Bailey,	Davis,	Jones,	Scott,
Baker,	De Armond,	Kenn,	Seerley,
Banchard,	Dickerson,	Kendall,	Shell,
Bartine,	Dixon,	Kilcare,	Simpson,
Beaman,	Dockery,	Kyle,	Smith,
Blanchard,	Dungan,	Lanham,	Snodgrass,
Blond,	Edmunds,	Lawson, Ga.	Snow,
Blount,	Ellis,	Layton,	Steward, Ill.
Boatner,	Enloe,	Lester, Va.	Stewart, Tex.
Bowers,	Epes,	Lester, Ga.	Stone, C. W.
Branch,	Everett,	Lind,	Stout,
Breckinridge, Ark.	Fithian,	Long,	Sweet,
Breckinridge, Ky.	Flick,	Mallory,	Tarsney,
Bretz,	Forman,	Mansur,	Taylor, V. A.
Broderick,	Forney,	Martin,	Terry,
Brookshire,	Fyan,	McCreary,	Tillman,
Brown,	Gantz,	McKag,	Townsend,
Bryan,	Goodnight,	McMillin,	Tucker,
Buchanan, Va.	Grady,	McRae,	Turner,
Bullock,	Greenleaf,	Montgomery,	Turpin,
Busey,	Halvorson,	Moore,	Warwick,
Butler,	Hare,	Mosses,	Washington,
Bynum,	Harries,	Oates,	Watson,
Caminetti,	Hatch,	O'Ferrall,	Wheeler, Ala.
Capehart,	Heard,	O'Neill, Mo.	Wheeler, Mich.
Catchings,	Hemphill,	Otis,	White,
Cate,	Henderson, N. C.	Outwaite,	Whiting,
Clark, Wyo.	Hermann,	Owens,	Wike,
Clarke, Ala.	Holman,	Parrett,	Williams, Mass.
Clover,	Hooker, Miss.	Patterson, Tenn.	Williams, N. C.
Cobb, Ala.	Hopkins, Pa.	Patton,	Williams, Ill.
Cogswell,	Hopkins, Ill.	Paynter,	Wilson, Mo.
Compton,	Houk, Ohio,	Pearson,	Winn,
Cooper,	Huff,	Pendleton,	Wise,
Coxles,	Johnson, Ind.	Pierce,	Yonmans,
Cox, Tenn.	Johnson, N. Dak.	Price,	

#### NOT VOTING—130.

Abbott,	Castle,	Geary,	McAleer,
Alderson,	Cansey,	Geissenhainer,	McCellan,
Allen,	Chapin,	Gorman,	McDonald,
Amernan,	Chipman,	Griswold,	McGann,
Andrew,	Clancy,	Hall,	McKeighan,
Atkinson,	Colburn,	Hallowell,	McKinney,
Bacon,	Cockran,	Harter,	Meredith,
Barwig,	Coolidge,	Haugen,	Miller,
Belden,	Coombs,	Hayes, Iowa,	Milliken,
Bentley,	Covert,	Henderson, Ill.	Morse,
Bergen,	Cox, N. Y.	Herbert,	Mitchler,
Boutelle,	Craig, Pa.	Hoar,	Newberry,
Bowman,	Crain, Tex.	Hooker, N. Y.	Norton,
Brawley,	Crosby,	Huil,	O'Donnell,
Brickner,	Daniell,	Lagan,	O'Neil, Mass.
Brunner,	De Forest,	Lamo,	Paze, Md.
Buchanan, N. J.	Dingley,	Lawson, Va.	Pattison, Ohio
Bunn,	Dean,	Lewis,	Peel,
Bunting,	Donovan,	Little,	Pekler,
Bushnell,	Dunphy,	Lynneston,	Post,
Byrns,	Durbinow,	Lockwood,	Quackenbush,
Cable,	Elliott,	Lodge,	Randall,
Cadmus,	Fitch,	Lond,	Rayner,
Campbell,	Fowler,	Lynch,	Reed,
Caruth,	Funston,	Magner,	Reilly,



Richardson, Rife, Robinson, Pa. Rusk, Russell, Sanford, Shively, Sperry,	Springer, Stahlbecker, Stephenson, Stevens, Stockdale, Stone, Ky. Storer, Stump,	Taylor, Ill. Taylor, J. D. Tracey, Van Horn, Walker, Warner, Waugh, Weadock,	Wever, Wilcox, Wilson, Ky. Wilson, Wash. Wilson, W. Va. Wolverton,	Newberry, Norton, O'Donnell, O'Neil, Mass. Outhwaite, Page, Md. Pattison, Ohio Payne, Peel, Piedler, Quackenbush, Raines,	Randall, Rayner, Reed, Richardson, Rife, Robinson, Pa. Rusk, Russell, Sanford, Scott, Shively, Sperry,	Springer, Stahlbecker, Stephenson, Stevens, Stockdale, Stone, W. A. Stone, Ky. Storer, Stump, Sweet, Taylor, Ill. Taylor, J. D.	Tracey, Van Horn, Walker, Warner, Waugh, Wever, Wilcox, Williams, Mass. Wilson, Ky. Wilson, Wash. Wilson, W. Va. Wolverton,
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So the motion was not agreed to.

The following additional pairs were announced:

Mr. HERMANN with Mr. BOUTELLE.

Mr. McKINNEY with Mr. JOLLEY.

Mr. WEADOCK with Mr. RANDALL.

Mr. ABBOTT. Being paired, I withdraw my vote. Mr. Speaker, as I understand a quorum is present.

Mr. TRACEY. I ask that the vote be recapitulated.

The Clerk read the names of those voting.

The result of the vote was then announced as above recorded.

Mr. WILLIAMS of Massachusetts. I move to reconsider the vote just taken.

Mr. BLAND. I move to lay that motion on the table.

The question was taken; and on a division (demanded by Mr. TRACEY) there were—ayes 146, noes 32.

Mr. WILLIAMS of Massachusetts. I ask the yeas and nays on this question.

The yeas and nays were ordered.

The question was taken; and there were—yeas 162, nays 26, not voting 140; as follows:

## YEAS—162.

Alexander, Arnold, Babbitt, Bailey, Baker, Bankhead, Bartine, Beeman, Beitzhoefer, Bingham, Blanchard, Bland, Blount, Boatner, Bowers, Bowman, Branch, Breckinridge, Ark. Bretz, Broderick, Brookshire, Brown, Bryan, Buchanan, Va. Burrows, Butler, Bynum, Cannetti, Capchart, Cathings, Cate, Cheatham, Clark, Wyo. Clarke, Ala. Clover, Cobb, Ala. Cooper, Cowles, Cox, Tenn. Crawford, Culbertson,	Cummings, Dalzell, Davis, DeArmond, Dickerson, Dixon, Dockery, Dolliver, Donovan, Edmunds, Ellis, Enloe, Epes, Everett, Fithian, Flick, Forman, Forney, Fryan, Gantz, Goodnight, Grady, Halverson, Hamilton, Hare, Harnes, Hatch, Heard, Hemphill, Henderson, N. C. Holman, Hooker, Miss. Hopkins, Pa. Hopkins, Ill. Houk, Ohio Huff, Johnson, Ind. Johnson, N. Dak. Johnson, Ohio Johnstone, S. C. Jones,	Kendall, Kilgore, Kyle, Latham, Lawson, Ga. Layton, Lester, Va. Lester, Ga. Lind, Long, Mallory, Mansur, Martin, McCreary, McDonald, McGinn, McKain, McMillin, McKee, Montgomery, Moore, Moses, Oates, O'Ferrall, O'Neill, Pa. O'Neill, Mo. Owsen, Paret, Patterson, Tenn. Patton, Paynter, Pearson, Pendleton, Pierce, Pook, Price, Reilly, Reynolds, Robertson, La. Rockwell,	Sayers, Seull, Seerby, Shell, Simpson, Smith, Snodgrass, Snow, Steward, Ill. Stewart, Tex. Stone, C. W. Stout, Tarsney, Taylor, Tenn. Taylor, E. B. Taylor, V. A. Terry, Tillman, Townsend, Tucker, Turner, Turpin, Wadsworth, Warwick, Washington, Watson, Weadock, Wheeler, Ala. Wheeler, Mich. White, Whiting, Wike, Williams, N. C. Williams, Ill. Wilson, Mo. Winn, Wise, Wright, Youmans,
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## NAYS—26.

Amernman, Andrew, Brocius, Brunner, Cable, Cobb, Mo. Coburn, Crosby, Curtis, Fellows, Geissenhainer, Greenduff, Grant, Harter, Hitt, Houk, Tenn. Ketcham, Kribbs, Lapham, McAfee, Mitchell, Page, R. I. Perkins, Powers, Ray, Shonk, Hull, Jolley, Ken, Lagan, Lane, Laws, Va. Little, Livingston, Lockwood, Loize, Loud, Lynch, Magner, McCallan, McKee, McKinney, McKinn, Miller, Milliken, Morse, Mutchler,	Amernman, Andrew, Brocius, Brunner, Cable, Cobb, Mo. Coburn, Crosby, Curtis, Fellows, Geissenhainer, Greenduff, Grant, Harter, Hitt, Houk, Tenn. Ketcham, Kribbs, Lapham, McAfee, Mitchell, Page, R. I. Perkins, Powers, Ray, Shonk, Hull, Jolley, Ken, Lagan, Lane, Laws, Va. Little, Livingston, Lockwood, Loize, Loud, Lynch, Magner, McCallan, McKee, McKinney, McKinn, Miller, Milliken, Morse, Mutchler,	Amernman, Andrew, Brocius, Brunner, Cable, Cobb, Mo. Coburn, Crosby, Curtis, Fellows, Geissenhainer, Greenduff, Grant, Harter, Hitt, Houk, Tenn. Ketcham, Kribbs, Lapham, McAfee, Mitchell, Page, R. I. Perkins, Powers, Ray, Shonk, Hull, Jolley, Ken, Lagan, Lane, Laws, Va. Little, Livingston, Lockwood, Loize, Loud, Lynch, Magner, McCallan, McKee, McKinney, McKinn, Miller, Milliken, Morse, Mutchler,	Amernman, Andrew, Brocius, Brunner, Cable, Cobb, Mo. Coburn, Crosby, Curtis, Fellows, Geissenhainer, Greenduff, Grant, Harter, Hitt, Houk, Tenn. Ketcham, Kribbs, Lapham, McAfee, Mitchell, Page, R. I. Perkins, Powers, Ray, Shonk, Hull, Jolley, Ken, Lagan, Lane, Laws, Va. Little, Livingston, Lockwood, Loize, Loud, Lynch, Magner, McCallan, McKee, McKinney, McKinn, Miller, Milliken, Morse, Mutchler,
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## NOT VOTING—140.

Abbott, Alderson, Allen, Atkinson, Bacon, Bailew, Belden, Belknap, Bentley, Bergen, Boutelle, Brawley, Breckinridge, Ky. Brickner, Buchanan, N. J. Bullock, Bun, Bunting, Busey, Buchnell, Burns, Cadmus, Caldwell,	Campbell, Caruth, Castle, Consey, Chapin, Chipman, Cockran, Coggswell, Compton, Coolidge, Counbs, Covert, Cox, N. Y. Crab, Pa. Crain, Tex. Cutting, Dandell, DeForest, Dingley, Dean, Dungan, Dunphy,	Dunbarow, Elliot, English, Enochs, Fitch, Fowler, Fulton, Geary, Gillespie, Gorman, Griswold, Hall, Hallowell, Harmer, Haugen, Hayes, Iowa Haynes, Ohio Henderson, Iowa Henderson, Ill. Hewert, Hermann, Hoar, Hooker, N. Y.	Hull, Jolley, Ken, Lagan, Lane, Laws, Va. Little, Livingston, Lockwood, Loize, Loud, Lynch, Magner, McCallan, McKee, McKinney, McKinn, Miller, Milliken, Morse, Mutchler,
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So the motion to reconsider was laid on the table.

During the roll call

Mr. DICKERSON said: I desire to announce that my colleague [Mr. BRECKINRIDGE of Kentucky] has been called home on account of the illness of his wife.

Mr. TRACEY. I ask for a recapitulation of the vote.

The Clerk recapitulated the names of those voting.

The result of the vote was then announced as above recorded.

Mr. BLAND. Mr. Speaker, I move to refer the bill to the Committee on Coinage, Weights, and Measures, and on that I demand the previous question.

Mr. TAYLOR of Illinois. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. TAYLOR of Illinois. To move an amendment.

The SPEAKER. The gentleman from Missouri [Mr. BLAND] has demanded the previous question. If the House sustains the demand for the previous question the motion is not amendable. If the House votes it down an amendment would be in order. The question is upon ordering the previous question on the motion to refer.

The question being taken, the Speaker announced that the ayes seemed to have it.

Mr. FITCH and others demanded a division.

The House divided; and there were—ayes 88, noes none.

Mr. FITCH and Mr. TRACEY. No quorum.

Mr. BLAND. I demand the yeas and nays.

Mr. TRACEY. Pending that I move that the House do now adjourn, if that be in order.

The SPEAKER. That motion is in order. The Chair will state the question. The gentleman from Missouri [Mr. BLAND] demands the yeas and nays on the motion for the previous question, and pending that the gentleman from New York [Mr. TRACEY] moves that the House do now adjourn.

The question being taken, the Speaker announced that the noes seemed to have it.

Mr. TRACEY demanded a division.

The House divided; and there were—ayes 2, noes 94.

Mr. TRACEY. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken on the motion to adjourn; and there were—yeas 7, nays 165, not voting 156; as follows:

## YEAS—7.

Bishop, Fedders,	Harter, Mitchell,	Page, R. I. Stone, W. A.	Taylor, Ill.
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## NAYS—165.

Abbott, Alexander, Arnold, Babbitt, Bailey, Baker, Bankhead, Bartine, Beeman, Belknap, Bentley, Bergen, Boutelle, Brawley, Breckinridge, Ark. Brickner, Buchanan, N. J. Bullock, Bun, Bunting, Busey, Buchnell, Burns, Cadmus, Caldwell,	Cooper, Cowles, Cox, Tenn. Crawford, Culbertson, Cummings, Dalzell, Davis, DeArmond, Dickerson, Dixon, Dockery, Dolliver, Donovan, Edmunds, Ellis, Enloe, Epes, Everett, Fithian, Flick, Forman, Forney, Fryan, Gantz, Goodnight, Grady, Greenleaf, Groat, Hale, Oregon Hamilton, Hare, Harnes, Hatch, Haynes, Ohio Heard,	Hemphill, Henderson, N. C. Hitt, Holman, Hooker, Miss. Hopkins, Ill. Houk, Ohio Johnson, Ind. Johnson, N. Dak. Johnstone, S. C. Jones, Kilgore, Kribbs, Kyle, Latham, Lawson, Ga. Layton, Lester, Va. Lester, Ga. Loize, Loud, Lynch, Magner, McCallan, McKee, McKinney, McKinn, Merced, Montgomery, Moore, Moses, Oates, O'Ferrall, O'Neill, Pa. O'Neill, Mo.	Owens, Paret, Patterson, Tenn. Patton, Paynter, Pearson, Pendleton, Pierce, Post, Powers, Price, Rockwell, Sayers, Seull, Seerby, Shell, Shively, Shonk, Simpson, Smith, Snodgrass, Snow, Steward, Ill. Stewart, Tex. Stout, Sweet, Tarsney, Taylor, Tenn. Taylor, E. B. Taylor, V. A. Terry, Tillman, Townsend, Tucker, Turner, Turpin,
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## SENATE.

THURSDAY, July 7, 1892.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.  
EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting an estimate from the Chief of the Bureau of Engraving and Printing relative to additional appropriations rendered necessary by the passage of the law granting thirty days' leave of absence to employees of that Bureau; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

## PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented resolutions of the Brooklyn Athletic Club; of the Social Union, No. 175; of the United Brotherhood of Carpenters and Joiners; of the Court Eve 7393, Ancient Order of Freemasons of America, and of the Patrick J. Donlon Association, all of Brooklyn, N. Y., in regard to the imprisonment in England of Dr. Thomas Gallagher, of Brooklyn, N. Y., and praying that steps be taken for his release; which were referred to the Committee on Foreign Relations.

He also presented a petition of the General Assembly of the Presbyterian Church of the United States of America, praying that no appropriation be made by Congress for the World's Columbian Exposition unless the Exhibition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a communication from the governor of New Mexico, transmitting a copy of a letter to the Committee on Territories of the Senate relative to the admission of New Mexico as a State; which was referred to the Committee on Territories.

Mr. STOCKBRIDGE presented the petition of Isaac N. Aldrich and other citizens of Hopkins, Mich., praying for the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PALMER presented a memorial of 5,234 members and patrons of the Chicago (Ill.) Live Stock Exchange and other citizens of Chicago, Ill., remonstrating against the passage of any legislation closing the World's Columbian Exposition on Sunday or in any other way committing the United States Government to a course of religious legislation; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. DAWES presented the petition of David O. Mears and other citizens of Worcester, Mass., praying that an amendment be adopted to the Constitution of the United States prohibiting appropriations by the States for sectarian purposes; which was referred to the Committee on the Judiciary.

He also presented a petition of the Yearly Meeting of the Religious Society of Friends of New York and Vermont, praying for the extension over the colored race in the South of the special care of the Government, maintenance of their rights, and protection by law; which was referred to the Committee on the Judiciary.

Mr. McMILLAN presented the memorial of Mrs. J. W. Gifford and sundry other citizens of Sumner, the memorial of Samuel Hicks and sundry other citizens of Elm Hall, the memorial of Wesley Guilford and other citizens of Shelby, the memorial of Jasper Adams and 83 other citizens of Battle Creek, the memorial of J. L. Edgar and 87 other citizens of Kalamazoo, the memorial of C. J. Clarke and other citizens of Hastings, the memorial of J. H. Thompson and other citizens of Quincy, and the memorial of William E. Jacobs, supervisor of the township of Hazelton, and 36 other citizens, all in the State of Michigan, remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Congregational Church of Hopkins, Mich., and a petition of the Michigan Congregational Association, held at Detroit, May 25, 1892, praying for the closing of the World's Columbian Exposition on Sunday, and that the sale of intoxicating liquors be prohibited thereat, which were referred to the Committee on the Quadro-Centennial (Select).

Mr. PLATT presented memorials of Farmington, Putnam, North Cornwall, Wolf Den, and Far Mill River Granges, of Connecticut, remonstrating against the opening of the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. CULLOM. I present a petition adopted at a mass meeting held in the Oakland Methodist Episcopal Church of Chicago, Ill., reciting that it is untrue that those who favor the closing of the World's Fair on Sunday are seeking a union of church and

state, and praying that the Exposition be closed on Sunday and that the sale of intoxicating liquors be prohibited thereat. I move that the petition be referred to the Select Committee on the Quadro-Centennial.

The motion was agreed to.

Mr. CULLOM presented a memorial of citizens of Illinois, remonstrating against the passage of the Washburn-Hatch anti-tying bill; which was referred to the Committee on the Judiciary.

Mr. DOLPH presented a memorial of sundry citizens of Green Basin, Oregon, remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PERKINS presented the memorial of William C. Davis and 195 others, inmates of the Soldiers' Home, Leavenworth, Kans., and the memorial of O. D. Phillips and 29 other citizens of Chautauqua County, Kans., remonstrating against the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. COCKRELL presented a petition of citizens of St. Louis, Mo., praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which was referred to the Committee on Epidemic Diseases.

Mr. WOLCOTT presented a memorial of sundry citizens of Sargent, Colo., remonstrating against the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. BLACKBURN presented a petition of the Kenton County (Ky.) Equal Rights Association, praying for the passage of legislation enabling women citizens of the United States to vote for members of the House of Representatives; which was referred to the Select Committee on Woman Suffrage.

He also presented two petitions of citizens of Harrison and Fayette Counties, Ky., praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which were referred to the Committee on Epidemic Diseases.

He also presented a petition of members of the Carpenter Church of Williamsburg, Ky., praying that no appropriation be made for the World's Columbian Exposition unless the Exhibition be closed on Sunday and that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Baptist Church of Nolin; of the Bethlehem Baptist Church of Spencer County; of the First Baptist Church of Frankfort; of the United Baptist Church of Clinton County; of the Welfare United Baptist Church; of the Mt. Freedom Baptist Church of Washington County; of the First Missionary Baptist Church of Henderson; of the Cumberland Baptist Church of Pulaski County; of the Church of the Ascension of Louisville; of the Methodist Episcopal churches of Booneville and Paintsville; of the Ebenezer and Hopeful Evangelical Lutheran churches of Boone County, and of the Sanders Creek Church of Whitley County, all in the State of Kentucky, praying that the World's Columbian Exposition be closed on Sunday and that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. WASHBURN presented the memorial of C. Nelson and 35 other members of the Seventh-Day Adventist Church of Owatonna, Minn., and the memorial of J. H. Sargent and 51 other citizens of Round Prairie, Minn., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. GEORGE presented a petition of sundry citizens of Mississippi, praying for the passage of legislation to prevent the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

## REPORTS OF COMMITTEES.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (H. R. 3572) for the relief of Richard M. Edwards, of Cleveland, Tenn., reported it without amendment, and submitted a report thereon.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 1183) to grant an honorable discharge to George W. Barr from the Army, reported it with an amendment, and submitted a report thereon.

Mr. CAMERON, from the Committee on Military Affairs, to whom was referred the bill (S. 2781) authorizing the President to place upon the retired list of the Army Sergt. Long and others, late of the Signal Corps, United States, survivors of the

Lady Franklin Bay expedition, reported it with amendments, and submitted a report thereon.

Mr. QUAY, from the Committee on Commerce, submitted a report to accompany the bill (S. 3179) authorizing the Secretary of War to cause a survey to be made for a ship canal from Philadelphia across New Jersey to New York Bay, heretofore reported by him.

He also, from the Committee on Public Buildings and Grounds, to whom was referred the amendment submitted by Mr. CATTERTON on this day, intended to be proposed to the sundry civil appropriation bill, reported it without amendment, and moved its reference to the Committee on Appropriations, and that it be printed; which was agreed to.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the joint resolution (S. R. 91) extending the time for the construction of a hotel upon the Government reservation at Fort Monroe, Va., reported it without amendment, and submitted a report thereon.

Mr. VILAS, from the Committee on Claims, to whom was referred the bill (S. 2940) for the relief of James A. Richardson, administrator of Ezekiel T. Keel, deceased, of Shelby County, Tenn., submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. DOLPH, from the Committee on Foreign Relations, to whom was referred the bill (S. 3369) to amend section 6 of an act entitled "An act to prohibit the coming of Chinese persons into the United States," approved May 5, 1892, reported it without amendment.

Mr. QUAY, from the Committee on the Library, to whom was referred the bill (S. 3923) to mark the birthplace of James Madison, fourth President of the United States, reported it without amendment.

#### HOSPITAL CORPS OF THE ARMY.

Mr. HAWLEY. The bill (S. 552) to amend the act approved March 1, 1887, relating to the hospital corps of the Army, was amended by the House of Representatives, returned, and referred to the Committee on Military Affairs. The Committee on Military Affairs recommend a concurrence in the slight amendment made by the House.

The VICE-PRESIDENT. The amendment of the House of Representatives will be stated.

The CHIEF CLERK. In line 7 strike out the word "nineteen" and insert in lieu thereof the word "eighteen;" so as to read:

The pay of privates of the hospital corps shall be \$18 per month.

The VICE-PRESIDENT. The question is on concurring in the amendment made by the House of Representatives.

The amendment was concurred in.

#### BILLS INTRODUCED.

Mr. BERRY introduced a bill (S. 3378) to finally adjust and settle the claims of Arkansas and other States under the swamp-land grants, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. HUNTON introduced a bill (S. 3379) for the relief of Theodore Teed, his heirs, legal representatives, or assigns; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. PERKINS introduced a bill (S. 3380) granting a pension to William Deay; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3381) granting a pension to William H. Parsons; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLPH introduced a bill (S. 3382) to authorize a concealed patent to be issued for the donation-land claim of Wheelock Simmons and wife; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. McMILLAN (by request) introduced a bill (S. 3383) to amend the act of May 6, 1890, fixing the rate of interest to be charged on arrearages of general and special taxes now due the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3384) granting a pension to Margaret Gallagher; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3385) granting a pension to Rebecca Livermore; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3386) for the relief of Sallie Ann Wriget; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3387) to increase the pension of Joseph Barton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3388) granting a pension to Samuel D. Breed; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SANDERS introduced a bill (S. 3389) providing for the custody of public buildings and grounds; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CHANDLER introduced a bill (S. 3390) to pay Eliza R. Crawford the amount of a United States loan certificate issued in 1870; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. STEWART introduced a bill (S. 3391) to incorporate the Protestant Episcopal Cathedral of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PETTIGREW introduced a bill (S. 3392) to ratify and confirm an agreement entered into in March, 1892, between the Indians of the Rosebud Agency and certain Indians of the Lower Brule Agency, both in South Dakota, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 3393) to amend an act approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes;" which was read twice by its title, and referred to the Committee on Public Lands.

#### AMENDMENTS TO BILLS.

Mr. POWER. I submit an amendment intended to be proposed to the sundry civil appropriation bill. I also present in support of the amendment the petition of A. S. Lohman and 78 other citizens of Chinook, Choteau County, Mont., praying that an appropriation be made for completing an artesian well at that place. I move that the amendment, with the accompanying petition, be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. STOCKBRIDGE submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PERKINS submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. McPHERSON submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### APPEALS IN CAPITAL CASES.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2171) to amend section 766 of the Revised Statutes of the United States.

The amendment of the House of Representatives was, to strike out all of the bill after the word "Provided," in line 3, and insert:

That no such appeal shall be had or allowed after six months from the date of the judgment or order complained of.

Mr. PLATT. I move that the Senate disagree to the amendment of the House of Representatives, and ask for a conference on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. PLATT, Mr. MURFEE, and Mr. PUGH were appointed.

#### NOTE AT HOMESTEAD, PA.

The VICE-PRESIDENT. The Chief lays before the Senate a resolution coming from a previous day, which will be read.

The Chief Clerk read the resolution submitted yesterday by Mr. GALLINGER, as follows:

Whereas the new steel spring of the city of Homestead, Pa., is a deadly conflict between working men and the Trust, and has become a deadly conflict; and

Whereas all good citizens are desirous of putting an end to this violence and bloodshed; Therefore,

Resolved, That the Committee on Education and Labor be instructed to make an immediate and careful inquiry into the causes and consequences of the Homestead strike, and to report thereon to the Senate as soon as practicable.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

Mr. VEST. Another resolution upon this subject was offered yesterday, the resolution submitted by the Senator from Kansas [Mr. PEPPER], and I suggest that the two resolutions should be considered at the same time.

The VICE-PRESIDENT. The resolution submitted by the Senator from Kansas [Mr. PEPPER] will be read for information.

Mr. VEST. Both resolutions ought to be considered at the same time.

The Chief Clerk read the resolution submitted yesterday by Mr. PEPPER, as follows:

Whereas at many times and places within the United States in recent years the public peace has been disturbed and the property endangered by the private employment of armed men, commonly known as "Pinkerton men" and "Pinkerton detectives;" and

Whereas it is currently reported that a bloody conflict occurred on the 6th day of the present month at or near Homestead, a village near the city of

No. 17, Grand Army of the Republic, of Minersville, Pa., praying for the erection of a monument commemorating the glorious deeds of the enlisted men in the late war; which was referred to the Committee on Military Affairs.

Mr. PROCTOR presented the memorial of Mrs. I. H. Archer and other citizens of Taftsville, Vt., remonstrating against the commitment of the United States Government to a union of religion and the state, by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

#### REPORTS OF COMMITTEES.

Mr. DAWES. I am instructed by the Committee on Appropriations, to whom was referred the bill (H. R. 8533) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, to report it with amendments.

I wish to state that the Senator from Maryland [Mr. GORMAN] or the Senator from Nevada [Mr. STEWART], who were associated with me as a subcommittee on the bill, will call it up for action at a very early period.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 8579) to incorporate the Petworth, Brightwood and Takoma Park Railway Company of the District of Columbia, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 1876) to incorporate the East Washington Crosstown Railway Company of the District of Columbia, reported it with amendments, and submitted a report thereon.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 1271) for the purchase of the Washington Gas-Light Company's works, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 3314) for the relief of E. Darwin Gage, late lieutenant-colonel of the One hundred and forty-eighth New York Infantry, reported it without amendment, and submitted a report thereon.

Mr. HARRIS. I am directed by the Committee on the District of Columbia, to which was referred the bill (S. 2629) to incorporate the Maryland and Washington Railway Company, to report it adversely, the committee having already reported a House bill on the same subject. I move that this bill be postponed indefinitely.

The motion was agreed to.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 1723) to authorize the Secretary of War to appoint a board of review in certain cases, reported adversely thereon, and the bill was postponed indefinitely.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 6793) to provide for semiannual statements by foreign corporations doing business in the District of Columbia, reported it with an amendment.

Mr. WOLCOTT. I am directed by the Committee on Civil Service and Retrenchment, to whom was referred the bill (S. 3021) to exempt veterans from competitive examinations in the classified service of the United States, to report it without recommendation, and I move that it be placed on the Calendar.

The motion was agreed to.

Mr. QUAY, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1137) providing for the erection of a public building at the city of Walla Walla, in the State of Washington, reported it without amendment.

#### EMPLOYMENT OF ADDITIONAL PAGES.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. McPHERSON, December 15, 1891, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

*Resolved*, That the Sergeant-at-Arms is directed to employ during the present session, in addition to the existing force, two additional pages, said employees to be paid from the miscellaneous items of the contingent fund of the Senate.

#### BILLS INTRODUCED.

Mr. BLACKBURN introduced a bill (S. 3395) to remit the penalties on gunboat No. 3, the Concord, and gunboat No. 4, the Bennington; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

Mr. GALLINGER introduced a bill (S. 3396) granting a pension to Col. William H. Brown; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS (by request) introduced a joint resolution (S.

R. 95) concerning the use of alphabetic law in public printing; which was read twice by its title, and referred to the Committee on Printing.

#### AMENDMENTS TO A BILL.

Mr. DANIEL submitted two amendments intended to be proposed by him to the deficiency appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

#### OPENING OF WORLD'S COLUMBIAN EXPOSITION.

Mr. HILL introduced a bill (S. 3394) changing the date for the dedication of the buildings of the World's Columbian Exposition; which was read the first time by its title.

Mr. HILL. I ask that the bill be read at length.

The VICE-PRESIDENT. The bill will be read at length for information.

The bill was read the second time at length, as follows:

*Be it enacted, etc.*, That the date for the dedication of the buildings of the World's Columbian Exposition is hereby changed from the 12th day of October, 1892, to the 21st day of October, 1892.

Mr. HILL. Mr. President, in connection with this bill I desire to make a brief statement.

The act of Congress which became a law April 25, 1890, provided that the dedication of the buildings of the World's Columbian Exposition should take place on the 12th day of October, 1892. There was some question raised at the time as to the propriety of that date. It seems to be now conceded that, strictly speaking, the date should be the 21st day of October according to our present calendar. The 12th day of October was according to the old system.

It has been proposed since the passage of that act that there should be celebrations throughout the country in honor of the discovery of America by Columbus. They are to be held in different parts of the nation. Great preparations have been made in the State of New York for a celebration to take place in the city of New York on the 12th day of October next. That date was fixed by an act of the Legislature of the State of New York, and an appropriation has been made for the celebration. The Legislature has adjourned. It cannot well be reconvened. That celebration would conflict to some extent with the dedications of the buildings in the city of Chicago.

It has now been proposed that the date for the dedication of the buildings at Chicago should be changed. It is desired by the managers on the part of the State of New York that this should be done. It is desired by the citizens of the State of New York. The celebration at New York will be simply a preliminary one to the grand celebration at Chicago. It will attract attention to the one at Chicago. It will certainly aid the one at Chicago. The citizens of New York, especially the public officials of that State, desire to participate in the opening of the Exhibition buildings at Chicago, which they cannot well do unless the date is changed.

I have consulted with the two Senators from the State of Illinois. They inform me that they have no objection to the passage of the bill. I have consulted with the president, secretary, and executive officers of the World's Columbian Exposition, many of whom are now in the city, and they inform me that they have no objection to the passage of the bill. On the contrary, they are disposed to approve it, although they do not desire to take any affirmative action in that respect. They have no power to do it themselves. The act of 1890 absolutely provides that the dedication shall take place on the 12th day of October. There is, therefore, no objection upon the part of the officers of the Exposition; there is no objection on the part of anybody connected with the Exposition; there is no objection anywhere in the country that I am aware of.

Under these circumstances, as the bill is a short one, and as it is desired that the change of date, if made, should be known at once, so that preparations for the various celebrations may be made accordingly, I ask unanimous consent that the bill may now have consideration.

Mr. CULLOM. Mr. President, I do not rise to oppose the request of the Senator from New York, nor do I rise to make any extended remarks in reference to this bill.

My understanding is, from some correspondence with the authorities connected with the World's Columbian Exposition at Chicago, that they are not disposed to interpose any objection to the change of the date indicated by the bill of the Senator from New York. The authorities there feel, as we all feel, that it is a proper thing to accommodate each other in reference to this matter.

As the Senator from New York states, the preparation by the Legislature of that State having been made, and being unchangeable except by a call of the Legislature of the State in special session for that purpose, so far as I know the authorities connected with the World's Fair at Chicago and the people inter-



Mr. ALLISON. I will say to the Senator from Washington that the amendment of the Senator from Idaho [Mr. SHOUP] is in order, it being an amendment to an amendment of the committee, and therefore must be considered at this moment. I do not know but that the amendment of the Senator from Washington is of the same character; if so, it ought to be considered now.

Mr. SHOUP. My amendment is proposed to the amendment of the committee.

Mr. ALLEN. Substantially it is one and the same thing. I suppose the Senator from Idaho has no objection to the amount being further increased as recommended by the Committee on Public Lands. There is no danger of having too generous appropriations for the surveys of the public lands.

Mr. President, the primary disposition of the public domain of the United States is an act of sovereignty, and part and parcel of that system is the survey of the public lands and preparing them for disposition under the land laws of the United States.

No difference what the wish or what the purpose or what the patriotic disposition of the Western States may be to aid the General Government in the survey of the public lands, to place them in a condition where they may be intelligently identified and accurately described and disposed of, is entirely beyond their power. Those States are compelled to await the action of the Government. The expenditure of the General Government in the survey of the public lands is an inevitable and a necessary expenditure. It must be made sooner or later. The work may be delayed and by small and niggardly appropriations it may be done by piecemeal, but the most intelligent manner in which it can be done will be to do it promptly, to do it at once, so as to meet all the exigencies of the advancing civilization of our times and the demands which are constantly made in all places for the preparation of the public lands for private and individual uses.

Mr. President, I was instructed to offer this amendment by the Committee on Public Lands from the fact that correspondence had taken place between that committee and the Interior Department respecting a bill which I introduced, proposing an appropriation of \$200,000 for a survey of the public lands in the State of Washington. On that bill being referred to the Interior Department, a prompt reply came, to which I wish to call the attention of the Senate. This is the letter of the Commissioner of the General Land Office:

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,  
Washington, D. C., May 4, 1892.

Sir: I am in receipt, by departmental reference of April 27, 1892, for report of a copy of Senate bill (S. 2918) "to provide for the survey of public lands in the State of Washington." Said bill was referred to the Department by the chairman of the Senate Committee on Public Lands, with a request for the views thereon of the Department.

Said bill provides, in effect, for the appropriation of the sum of \$200,000, to be immediately available, the same to be expended for surveys of the public lands in the State of Washington at rates of mileage not exceeding the minimum (\$9, \$7, \$5) and the special maximum (\$25, \$22, \$20) for the standard and meander, township, and section lines, respectively; the latter rates to apply only to lands that are heavily timbered, mountainous, or covered with dense undergrowth. Said sum to be expended under the direction of the Secretary of the Interior.

It is further provided in said bill that of the sum herein appropriated an amount not exceeding \$40,000 may be expended for examinations of said public surveys, to test the accuracy of the work and for the necessary office work in connection with said surveys.

In reply I have the honor to report that in view of the fact that the enabling act of February 22, 1889, admitting the State of Washington into the Union, donated lands aggregating 668,000 acres for public buildings, State university, agricultural college, scientific and normal schools, and State charitable, educational, penal, and reformatory institutions. In addition to the school-land grant of sections 16 and 36 in each township, and in land selections connected with said school sections, it is apparent that an early survey of the public lands in said State is necessary in order that the requisite selections may be made before the remaining unsurveyed lands shall have been settled upon.

The appropriations made to the State of Washington of the appropriations for public surveys for the last past and the present fiscal years aggregate \$119,000 (\$85,000 and \$34,000), all of which amounts have been and will be embraced in awarded and approved contracts for surveys within said State in compliance with the terms of the acts making said appropriation giving preference to lands occupied by bona fide settlers. Although said appropriations were by the terms of the acts applicable to the survey of lands granted to the State of Washington by the act of February 22, 1889, it does not appear that to the present date the State has made any formal application to this office for surveys in connection with said selections, and the appropriations were consequently expended in the survey of lands occupied by actual settlers, thus leaving the lands to be surveyed for State purposes to be hereafter provided for.

As the immigration to the State of Washington is annually increasing and the demand for lands for settlement purposes is yearly growing larger, it is obvious that the interests of the State in the matter of said selections should be protected and a special appropriation made for that purpose, and including surveys in the interest of settlers.

I have, therefore, no hesitation in recommending that the appropriation of \$200,000, as embodied in Senate bill 2918, for the purposes therein stated, be made, in order that the State of Washington may be enabled to make selections at an early date of desirable lands in satisfaction of the grants herein referred to and of school-land and indemnity lands; also providing for the survey of lands occupied in whole or in part by actual settlers.

Senate bill 2918 is herewith returned.

Very respectfully,

THOS. H. CARTER, *Commissioner*.

The Hon. the SECRETARY OF THE INTERIOR.

The Secretary of the Interior, in corresponding with the com-

mittee on the subject and transmitting that letter says, after reciting its transmission:

As stated by the Commissioner, the portions of the general appropriations for surveys allotted to the State of Washington "have been and will be embraced in awarded and approved contracts for surveys within said State, in compliance with the terms of the acts making said appropriations, giving preference to lands occupied by bona fide settlers."

This is the same condition in other of the new States, and, as the demand for the survey of lands for settlement purposes is yearly increasing in those States, it is apparent that some measure is necessary in order to protect those States in their grants for university, college, charitable, reformatory, and other institutions, so that the requisite selections are necessary to satisfy those grants may be made before the great body of the available unsurveyed lands shall have been appropriated by settlers.

While I can see no objection to the present bill, yet I am of the opinion that the appropriation should be so increased as to extend the operation of the acts to the other States, and the legislation thus made general, instead of special.

Mr. President, acting upon that information respecting the State of Washington, which is but the counterpart of all the newly admitted States of the Union, the Committee on Public Lands unhesitatingly directed that this proposed appropriation of \$600,000 be made. If one will look at the history of the public surveys he will reach the conclusion very quickly that this is not an exorbitant demand. I think, until the year 1880, appropriations were made special to the particular States, but that about that time a new system was inaugurated, by which a general or lump sum was appropriated for the survey of the entire public domain and apportioned among the different States and Territories in the discretion of the Secretary of the Interior.

In reviewing the history of these appropriations I find this fact: Dating from the inauguration of that system, about the year 1880, the appropriations I find directly made averaged \$350,000 per annum for the succeeding five years, inclusive of 1880 and 1884. But along with this system there was another system far more liberal and far more extensive. Under the special deposit system, which had been inaugurated before and extended by the act of March 3, 1879, persons desiring to make settlement or purchase of the public lands of the United States were permitted to go to the land office and make deposits of money for the purpose of securing the surveys. These deposits became in the nature of negotiable certificates, which the Government of the United States received in payment of the purchase price of its land. The result was, that under that system of special deposit surveys were made in amount exceeding \$1,000,000 per annum. So in the five years beginning with 1880 and closing with 1884, I find by this system alone some \$5,813,368 were expended in the survey of the public lands making, as will be seen, one million and nearly two hundred thousand dollars per annum in addition to the regular annual appropriation of an average of \$350,000.

There were abuses no doubt under that system, but it resulted in extended surveys. It resulted in enabling many States of the Union to complete their surveys and have all the lands in a condition subject to appropriation and disposition by the General Government.

But the new States of the Union, the remote States, were not the beneficiaries of this system. This was before the day of the extension of the railroads into our new States. This was before the admission of our new States. These immense sums of money went to other localities and to other parts of the Government.

Immediately following upon this system, and at the time when our States had the railroads extended to them, and when emigration on a gigantic scale began to move into these regions a radically different system was adopted. The special deposit system was practically repealed and annulled, and has cut no figure in the surveys of the public lands since that date. The annual appropriations were greatly reduced, going down to \$100,000, and even \$50,000 for two or three years, with rates so low that even those amounts had to be covered back into the Treasury in a number of the Western or Pacific Slope States; and particularly was that true in the State which I have the honor in part to represent.

But, Mr. President, we have still the other fact, that the generous system of appropriation had been cut off; that for four or five years preceding the admission of those States they practically had been without appropriations for the survey of their lands. We add to that the fact that in this time of need great systems of transportation were opened out, and means of ingress into that part of the country were afforded so that population from all parts of the Union poured into it by hundreds of thousands, taking up homes on the public domain.

We had had this order of things encouraged by the General Government, that a settler should go on the public domain in advance of all surveys. His presence there was not a trespass, he was there by invitation of the Government and upon a contract, and the assurance that the Government would back him up and in the speediest practical time identify his land, survey it, and enable him to acquire the legal title which he already had by



going in advance and complying with the requirements of the law.

Not only that, but in addition to this immense demand made for the actual settlement of our lands, so great that the public surveys have been running hopelessly behind, in these years we have had the admission of these new States with grants made by the General Government of a most munificent character. I think none of those States but feel that the General Government has dealt generously and largely with them, if by a proper and speedy extension of the public surveys they can avail themselves of the grants. Now, shall the broad generosity of the National Government to all these young States in each of the particulars specified be a substantial donation? Shall it be the realization of our hopes or shall it all be frittered away?

In competition with actual settlement we have been unable to make the selection of our lands because the actual settler has the pre-emptive right. He can go in advance of the public surveys and equity and statute both combine to protect him even against the beneficent grants that the States have for the general purposes mentioned in the enabling acts.

This being our situation, the necessary expenditure for these public surveys being inevitable to the Government, in fact it being not a disbursement but really an advancement for that which comes back to the Government many fold, we feel that we are only asking that which our constituency are urgently and justly and vehemently pressing upon us.

Look for a moment at the position in which these new States are placed. Some enterprising man with a great deal of courage and of hope goes out upon the public domain in advance of the public settlement. He takes up his home; helps build up a new community—a new commonwealth—and yet in doing that he runs all the hazard of uncertainty as to whether the improvements he makes shall fall upon a particular piece of land which he thinks he has selected for his homestead. He must go through all these years with that uncertainty hanging over him by reason of the delay of the Government. He may find out when it is too late that these improvements have been made upon the land of some railroad company; that they have been made outside of the boundary line of the tract which he hopes to acquire for himself, and he is left homeless. His labor and the sacrifices and hardships undergone by his family may go for nothing.

Not only that; he may identify his land, but his position is nothing but that of a squatter upon it. No difference how his relations and condition may have changed; no difference what the intervening years may have brought him; no difference what the wants of his growing family may have become, so that his duty as a father would require that he should go to the town or village for the purpose of educating his children, he is pinned to the land, because if he leaves it, though his compliance may have been complete with the requirements of the law under which he took it or proposes to take it, he becomes an abandoner of the land, and it is subject to the entry of the next man who comes along. So you see the injustice wrought in his case, and it is not an exceptional one. The fact that the land remains an unsurveyed portion of the public domain affords immunity from taxation, and the burdens of government which his neighbors have to pay one person may be exempted from, because although equitably the land is his own and for all practical purposes, technically it is a part of the public domain of the United States, and he escapes the taxation that is visited upon those about him. This is one of the most unjust and irritating discriminations known in government, denounced and forbidden in organic law, and condemned by popular opinion.

For five, ten, or fifteen years I have witnessed just this order of things prevailing. It invites confusion upon the frontier; it invites the violation of law. It places men in controversy as to the identity of claims and the equality of their rights who otherwise would be in good neighborhood; whereas if the Government had extended the survey there could be no uncertainty and no such grounds of contention. I say confusion, disorder, disadvantage, embarrassment are inflicted upon these new States in every particular and their people are the victims at all times of this delay of the Government.

Again, Mr. President, we have not only the awkward condition of things I have suggested, but the States themselves must stand by conscious of the fact that within their domains are the lands that would munificently endow them for all great State purposes of buildings of education, philanthropy, and all the objects that Congress designs they should be possessed of, yet impotent to avail themselves of these royal grants. Our large expectations through the failure of surveys must prove a delusion and a mockery. The Public Land Committee have sought to formulate some plan whereby these grants may be secured to the States, without obstructing and wronging the actual bona fide settler. Their idea is the States must take their chances

with the actual settlers, and the remedy lies in large appropriations for public surveys.

In view of this condition of things, in view of the pressing necessity coming up from every neighborhood, coming up from every community, and in view of the fact that it is no expenditure of public money in reality, but a mere advancement; that the Government is to be abundantly repaid and that it is but meeting a duty on the part of the Government that it sooner or later must meet, I urgently press upon the Senate that the amount of this proposed amendment, which is small indeed compared with the needs of the times, may be allowed as an amendment to the bill.

THE PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on the amendment of the Senator from Idaho [Mr. SHOUP] to the amendment reported by the Committee on Appropriations.

Mr. SANDERS. I understood the Senator from Idaho to accept the amendment offered by the Committee on Public Lands, or in their name, and therefore the vote would be upon that amendment.

THE PRESIDING OFFICER. Does the Senator from Idaho modify his amendment to the amendment?

Mr. SHOUP. I accept the amendment as reported by the Committee on Public Lands.

THE PRESIDING OFFICER. The Senator from Idaho modifies his amendment to the amendment. The Secretary will read the amendment to the amendment as modified.

THE SECRETARY. On page 60, line 9, in the amendment of the committee before the word "thousand," strike out "three hundred and seventy-five" and insert "six hundred," so as to read:

For surveys and resurveys of public lands, \$600,000.

Mr. ALLISON. I ask that the whole of the amendment may be reported. I see there are some other items.

THE PRESIDING OFFICER. The Secretary will report the amendment as it will read if amended.

Mr. ALLEN. The paging has been changed since the proposed amendment was submitted.

THE PRESIDING OFFICER. The amendment to the amendment refers to different lines in the bill. It will have to be looked up.

Mr. ALLISON. I may waive that for the moment.

Mr. ALLEN. The amendment to the amendment itself is plain. It is an increase of the amount of the proposed appropriation, and a corresponding increase in the amount for office work and that for readjusting the work in the field.

Mr. ALLISON. This I see is a substantive amendment by itself.

Now, I desire to say only a word respecting the amendment proposed by the Committee on Appropriations. I agree to every syllable uttered by the two Senators who have spoken upon this subject, but we must deal with this question in a practical way. No one knows better than the Senator from Washington what I mean when I say that.

We have increased this sum \$175,000 over the provision as it came to the Senate, and we have in another place, to meet a most pressing necessity, as we understand in the Northwestern States, added an additional sum of \$250,000 for the survey of railroad lands, which with the \$375,000 here appropriated, makes \$625,000 in all that we have provided for surveys of the public lands, or \$25,000 more than is suggested by the Senator from Washington. I feel that this is about all that can probably be secured at this session.

If the Senator from Washington and the Senator from Idaho will agree to substitute \$450,000 in line 9, and correspondingly increase where the Senator proposes an increase, I shall make no opposition to the amendments to the amendment.

Mr. ALLEN. I appeal a moment to the Senator from Iowa for an inquiry, and then I will give an answer.

I find that in the actual appropriations that were made from 1880 to 1884, inclusive, there was \$1,512,000 annually expended in the surveys of the public lands. I do not know of the existence of any state of affairs at that time which made the demand more pressing, if as much so, as it is now.

But I recognize what the Senator from Iowa has so feelingly brought to my attention, that it may not be possible to sustain the amount at the mark at which it is placed, and therefore, with the understanding that the appropriation is placed at \$450,000 with the proportionate increase, as I understand he suggests, and that the proposed amendment standing in the bill at this time in regard to the survey of the public lands lying within the limits of land grants shall not be affected, I think I can say that I am willing to accept the proposition.

Mr. ALLISON. I will say to the Senator respecting the large amount expended for surveys between 1880 and 1884, that that large expenditure was made, as the Senator so well stated awhile



ago, under the deposit system; and we are now confronted elsewhere with the suggestion that there are 140,000,000 acres of surveyed lands which are unoccupied. A great portion of the surveys made under the deposit system, as the Senator knows very well, were high elevated plains; lands were surveyed in Wyoming and elsewhere that have not been occupied, and the certificates issued for them were used in the Dakotas, Nebraska, etc., in payment of lands. There was a complaint from those States, as well as by the Land Office and the Secretary of the Interior, that there was injustice in the system; that the land surveys ought to follow the necessities of the people, and that the Department here should control the places where the lands should be surveyed; and I think the Senator will quite agree that that ought to be the case.

Mr. PADDOCK. I should like to inquire of the Senator what he means by the term "unoccupied." Does he mean by that, that the lands have been disposed of and segregated from the body of the public lands?

Mr. ALLISON. They have been surveyed and not taken up at the land offices under any of the land laws.

Mr. PADDOCK. That is it.

Mr. SANDERS. I should like to inquire of the Senator from Iowa if the inciting cause of that was not the fact that in the survey of a township it enabled parties to take up the merest fraction of the township along the lines of the streams and leave the rest of it not only unsettled upon but of no value to anybody, as a rule?

Mr. ALLISON. That is absolutely true; and elsewhere and heretofore I have insisted that the fact that there was a large body of land already surveyed which had not been taken up under any of the land laws of the United States was no reason why we should not make reasonable appropriations for the survey of such public lands as the people have settled upon or desire to settle upon for purposes of homes.

Mr. ALLEN. I am glad to hear the Senator make that statement. He will also bear in mind that in the surveys of the lands for which there is an actual and pressing demand in a number of the States the cost of the survey has been very greatly increased over that of the surveys of open lands upon the plains.

The PRESIDING OFFICER. Does the Senator from Idaho modify the amendment so as to fix the amount at \$450,000?

Mr. SHOUP. I accept the modification.

The PRESIDING OFFICER. The Secretary will report the amendment to the amendment as modified.

The SECRETARY. Strike out in line 9, before the word "thousand," the words "three hundred and seventy-five" and insert "four hundred and fifty;" so as to read:

For surveys and resurveys of public lands, \$50,000, at rates not exceeding \$9 per linear mile for standard and meander lines, \$7 for township, and \$5 for section lines.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment as modified.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 60, line 19, after the word "agriculture," to insert "lands valuable for coal;" so as to make the proviso read:

*Provided*, That in expending this appropriation preference shall be given in favor of surveying townships occupied, in whole or in part, by actual settlers and of lands granted to the States by the act approved February 22, 1889, and the acts approved July 3 and July 10, 1890, and other surveys shall be confined to lands adapted to agriculture, lands valuable for coal, and lines of reservations, except that the Commissioner of the General Land Office may allow, for the survey of lands heavily timbered, mountainous, or covered with dense undergrowth, rates not exceeding \$13 per linear mile for standard and meander lines, \$11 for township, and \$7 for section lines, etc.

The amendment was agreed to.

The next amendment was, on page 61, after the words "section lines," at the end of line 61, to insert:

And for the extension of the seventh standard parallel north, in the State of Montana, from its present western terminus, as provided for in surveying contract number 256, being the southwest corner of township 29 north, range 27 west, westward to the western boundary of said State, the Secretary of the Interior may allow a rate not exceeding \$40 per linear mile.

The amendment was agreed to.

Mr. ALLEN. I move, in line 21, to strike out the word "forty," before "thousand," and insert "seventy-five." I think the amount of \$75,000 should be inserted there, and for the reason which I shall state.

It will be noticed that when the other House placed the amount of the field work at \$200,000 they placed the amount of this other work to correspond with it at \$40,000, so that for every \$100,000 of work done in the field \$20,000 of work is required to bring it up. The Senate should increase the amount to correspond with the amendment in the first instance, and to carry it to \$75,000 keeps it within the proportion established by the House of Representatives in the bill as it passed that body.

Mr. ALLISON. I, of course, will not object to the amendment

suggested, but I do not think it follows precisely that because we increase one amount we should correspondingly increase the other, because the reexamination of these surveys if made in large bodies can be made more easily and economically than if made in small bodies.

Mr. ALLEN. Then I should be very glad to have the Senator suggest about what amount should be inserted.

Mr. ALLISON. I will allow \$75,000 to be inserted, and if that is not the correct amount I will modify it.

The PRESIDING OFFICER. The amendment moved by the Senator from Washington will be stated.

The SECRETARY. In line 21, after the word "exceeding," strike out "forty" and insert "seventy-five;" so as to read:

And of the sum hereby appropriated not exceeding \$75,000 may be expended for examination of public surveys, etc.

The amendment was agreed to.

Mr. McMILLAN. During my absence yesterday three amendments connected with the District of Columbia were passed over on objection by the Senator from Missouri [Mr. VEST], who raised a point of order against them. I should like to have them taken up now, as I shall have to go away after a while.

The VICE-PRESIDENT. The question is on the point of order raised by the Senator from Missouri.

Mr. ALLISON. I have no objection, I will say to the Senator from Michigan, to going back if he desires to be absent. I had the amendments postponed yesterday, and I am willing to recur to them at this time.

The VICE-PRESIDENT. The Chair is ready to rule on the point of order.

Mr. ALLISON. I think the Senator from Missouri will perhaps withdraw the point of order.

Mr. VEST. No, I do not think I shall.

Mr. ALLISON. I was hoping the Senator would do so.

Mr. VEST. The point of order, I believe, applies to the last amendment offered by the Senator from Iowa also. I do not want to do anything that will embarrass the collection of taxes here upon a just and equitable basis, but I am compelled to go upon the information I have. In the report of the committee of the House of Representatives, on page 20, the Senator from Iowa will find that in 1889, and that is the assessment he proposes to adopt now in this amendment—

Mr. ALLISON. On what page?

Mr. VEST. On page 20 of the report on the assessment of taxes in the District of Columbia, House Report No. 1469, Fifty-second Congress. It says:

Assessed value of all the taxable land and improvements in the District of Columbia for the fiscal year ending June 30, 1892:

Land.....	\$76,481,028
Improvements.....	69,039,250
Total.....	145,520,278

Mr. MILLS. I will ask the Senator if he is now discussing the amendments on pages 52 and 53 of the bill?

Mr. VEST. On pages 52 and 53, I think.

Mr. MILLS. There was a point of order made against that amendment.

Mr. VEST. There is a point of order against it, but I was simply stating my objection to the last amendment, to which the point of order also applies:

The new assessment being 160 per cent more on land and 7 per cent more on improvements than the old assessment, the probable assessed value for the fiscal year ending June 30, 1893, assuming that the board of equalization make no increase, will be as follows:

Land.....	\$198,772,672
Improvements.....	73,869,367
Total.....	272,642,039

The true land value according to this report, on page 21, is \$423,000,000, and improvements \$73,000,000, making \$500,000,000, instead of \$272,635,000, the probable assessment for 1893, and \$145,481,278, which was the actual assessment. I have read that to accentuate what I said yesterday in regard to the extraordinary and arbitrary and utterly indefensible assessments in this District. Here is a difference between \$272,000,000 and \$500,000,000; and if you take the assessment which is now proposed to be adopted by the Senator from Iowa, the difference would be between \$145,481,258 and nearly \$500,000,000.

Mr. ALLISON. Will the Senator yield to me for just a moment?

Mr. VEST. Certainly.

Mr. ALLISON. I do not propose that any assessment shall be adopted. My suggestion is that if the assessment just made is to be revised by any process whatever, in order to make such revision it will go beyond November 1, when taxes are collected, and therefore unless taxes are collected under the existing valuation there will be no taxes collected on the 1st day of November. Unless the assessment which the Senator from Missouri characterizes as an unjust assessment, the facts about which

I know nothing, is to go on without revision and form the basis of the taxes collected on the 1st of November, there will be no tax collected on that day unless the amendment I propose is adopted.

Mr. VEST. Or unless some other legislation is had.

Mr. ALLISON. But what other legislation is possible, I will ask the Senator, to revise taxation in the District of Columbia between now and the 1st of November? I propose simply that, in view of the criticisms made upon the assessment and in view of the fact that it seems to be conceded that there should be a revisory power, the District shall not be without funds gathered together by means of taxation on the 1st day of November, and therefore, in conversation with the Commissioners of the District of Columbia, I asked them to prepare some amendment that would continue the system of assessment until the new assessment could be revised.

Mr. FAULKNER. On the present basis?

Mr. ALLISON. On the present basis. Therefore, whilst that may be ineffectual and insufficient, it is better to have the present basis than no basis at all. I submit to the Senator from Missouri, and that is all I mean by my amendment.

Mr. VEST. With that explanation of course I will not make the point of order against the last amendment, because I do not want to deprive the District of Columbia of its tax money; but I do make the point of order as to the rest of the proposed amendment.

The VICE-PRESIDENT. Will the Senator from Missouri be good enough to state his point of order again?

Mr. VEST. The point of order is that it is general legislation, and then I understand also, though I know nothing personally about the fact, that the amendment did not go to the Senate from the District of Columbia Committee, but that it went from the District of Columbia Committee directly to the Committee on Appropriations.

Mr. McMILLAN. That is the case, Mr. President. It came from the committee, having passed the committee unanimously, and it was taken to the Committee on Appropriations because there was not time for us to bring it to the Senate before taking it to the Appropriation Committee.

The VICE-PRESIDENT. That is the amendment commencing on page 522?

Mr. VEST. If the Chair will permit me, it is on page 52, commencing at line 15, with the word "that."

The VICE-PRESIDENT. Going down to and including what word?

Mr. VEST. Down to the end of line 19, on page 52.

Mr. McMILLAN. Mr. President, I should like to make a little explanation about this matter. It was found that the new assessment, which has only been completed within a very few days, would result in bringing a very much larger amount of money into the treasury of the District than required, and which would, of course, come out of the taxpayers of the District of Columbia. It was found also that the rate of taxation for the District of Columbia was fixed by law at 1 1/2 per cent, and that there was no possible way, under the law as it now stands, by which that rate could be lowered; that a person owning a piece of property heretofore valued, say, at \$5,000 might legitimately be assessed by the present assessors at a valuation of \$15,000; and in that case the owner would pay three times as much as he did last year. This would in very many cases be a very great burden and hardship to the people here who have small holdings and small houses. In fact it would practically amount to confiscation. A number of these people called on me and drew my attention to this fact. They said their assessments had been raised in a most extraordinary way, and that when they went to the board of assessors they were told that all property in that section was assessed on the same basis; that property had advanced very much; that somebody had bought a piece of property in that neighborhood and paid much more for it, and therefore the assessors had raised the valuations accordingly.

That is the reason why it was suggested by the property-owners in the District of Columbia and by people here generally that a board should be appointed to review the assessments made by the board of assessors. It did not seem right that these men should review their own work as they were doing. Naturally enough, a man who had assessed a piece of property at \$5,000 was not going to put it down to \$1,000 at the mere request of the owners. In other words, I understand, as in my own city, there is a board of review, and people can go to this board of review and make their statements, and they can, if they justify their statements, have some change made in the assessments; but that is almost impossible under the system in vogue here.

Therefore, I put in the second amendment, that a board of five persons, who should serve without compensation, be appointed to review the work of the board of assessors. I think it is of

very great importance that these two amendments should pass at this time.

Mr. MITCHELL. May I ask the Senator a question?

Mr. McMILLAN. Certainly.

Mr. MITCHELL. I wish to inquire if the Committee on the District of Columbia made an investigation of the existing law as to whether the rate of taxation is absolutely fixed at 1 1/2 per cent, or whether that is simply the maximum beyond which the Commissioners may not go?

Mr. McMILLAN. I referred that matter to the attorney for the District of Columbia, and he has reported that there are two laws on the subject; that the two laws conflict in some way; and that the result of the two is that they cannot charge any less than 1 1/2 per cent. They can not fix the rate at any more than one and a half, and they can not fix it at any less.

Mr. MITCHELL. It has been absolutely fixed at one and a half?

Mr. McMILLAN. It has been absolutely fixed. That is the difficulty. This amendment simply places it so that when ever it is needed for the wants of the District of Columbia shall be at a rate of taxation to be fixed in accordance with that need. It may be 1 per cent, it may be 1 1/2 per cent, or whatever rate may be required to raise the money appropriated by Congress. If that is not done, there will be two or three million dollars raised by taxation only to lie idle in the Treasury. It is to avoid any such difficulty that this amendment was proposed.

Mr. MITCHELL. It is to obviate the difficulty arising from a rate fixed inflexibly at 1 1/2 per cent?

Mr. McMILLAN. That is it exactly. I hope the point of order will not be sustained.

Mr. VEST. Mr. President, I labor under one difficulty in the matter. I have not the technical or expert knowledge which enables me to speak accurately, and I am compelled to rely greatly upon the statements of others.

In regard to the amendment of the Senator from Iowa as to which I withdrew the point of order upon his statement, I have just received from the East Washington Citizens' Association the following communication:

DEAR SIR: In behalf of the East Washington Citizens' Association, an organization comprising over 300 of the leading property-owners of this section of the District, I beg of you to prevent the consummation of the gigantic robbery contemplated by extending the assessment of 1889 for another year, which would virtually take over \$1,000,000 from the treasury of this District, which sum is so badly needed for public improvements. This action is wholly in the interest of the wealthy class, which is unfortunately so predominant in the management of our affairs, and which is now complaining over the new assessment because it partially cures the evils of unequal assessments, of which system they are the beneficiaries. Under all circumstances the overwhelming majority of the taxpayers in this community, who are undoubtedly opposed to such extension, should be granted an opportunity to oppose the crying shame of the adoption of such a scandalous proposition. In plain language, it would be a legalized steal.

Very truly yours,

M. I. WELLER,

Chairman.

And signed by a number of others.

In this communication is inclosed a report of the committee of assessment of the East Washington Citizens' Association, and I wish to call attention to the extraordinary state of case that prevails now in this District. The case is here that "on a conservative estimate it would be safe to assume that on an average the assessed value of any of the District's properties," which are enumerated above, "exceeds the best six, is not one-sixth of its true value," and they proceed to make good this statement by specific allusions to lots and squares in the city of Washington, with the assessments and with the real value.

My attention was called last evening after the adjournment of the Senate to a list of opposition to the Habit House, which is assessed at \$12,000 and the corner lot 3600. Property upon the corner lot in the collection of the Capitol has sold for \$20,000. But the statements in this report are from street advertisements I have observed. For instance, there is a piece of property, square 227, lot 1, assessed at \$10,000, which has sold for \$18,000, and a piece of property, square 227, lot 1, assessed at \$10,000, which has sold for \$18,000, and a piece of property, square 227, lot 1, assessed at \$10,000, which has sold for \$18,000, and a piece of property, square 227, lot 1, assessed at \$10,000, which has sold for \$18,000.

Mr. PLATT. I do not understand this proposed amendment extends the present assessment. A bill is introduced in the House and amendment provided for the assessment.

Mr. VEST. The last amendment proposed by the Senator from Iowa is to the assessment of 1889, which I have a big bone—

Mr. WOLFF. That amendment is not in the printed bill.

Mr. VEST. No, it is not in the printed bill; but I am reading from the original assessment which is adopted by the Senate and is in his amendment.

Mr. FRYE. He does not say that it is not in the printed bill, which has been made and existing law; the law can not be more than 1 1/2 per cent, he is right. If the reform is to go on and a strip of the assessors' table of the property of the Dis-

The PRESIDING OFFICER (Mr. PLATT in the chair). The Senator from Arkansas asks for the yeas and nays upon the three amendments from line 12 to line 20, inclusive, on page 114, to be considered as one amendment. Is there objection to considering the three as one amendment?

Mr. ALLISON. I have no objection.

Mr. GEORGE. I should like to have the amendment stated.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 114, after line 11, the Committee on Appropriations report to insert:

To enable the Secretary of the Treasury to pay to the widow of the late Chief Justice Morrison R. Waite, \$10,500.

To enable the Secretary of the Treasury to pay to the widow of the late Samuel F. Miller, a justice of the Supreme Court of the United States, \$10,000.

To enable the Secretary of the Treasury to pay to the widow of the late Joseph P. Bradley, a justice of the Supreme Court of the United States, \$10,000.

Mr. GEORGE. Mr. President—

The PRESIDING OFFICER. Is there objection to treating the three items as one amendment?

Mr. GEORGE. I have none.

The PRESIDING OFFICER. The Chair hears no objection; and the three items will be treated as one amendment, on which the yeas and nays are demanded.

The yeas and nays were ordered.

Mr. GEORGE. I desire simply to say that, however much I may have esteemed, and I did esteem, all these three judges whose widows are to be benefited by this appropriation, I do not believe it is just and right to levy upon the taxpayers of this country the sum of \$30,500 in order that we may make a gift of that sum to these very estimable persons. I do not believe in the propriety of giving money out of the United States Treasury to any person who has no legal claim to it, however meritorious that person may be.

For that reason, and not on any ground personal to any of these ladies, but upon the ground that such appropriations are mere gifts of the people's money, without justification and without warrant, I shall vote against the amendments.

Mr. VOORHEES. Mr. President, I understand these several amounts are simply a year's pay which would have accrued to the justices had they lived. I understand that the custom has been in this Government from its foundation that in the case of the death of a Senator or a Member of the House of Representatives, a year's salary is paid to the family. It is upon the principle, I presume, that nobody is ever ready for death; it is upon the principle, I presume, that preparation is not made for that awful change which must come to us all; and we have dropped into the custom of giving some assistance upon that occasion as if the person had lived another year.

This is not like a pension. It is simply a year's pay to enable these poor women, advanced in life, to meet this dreadful calamity somewhat better than if they were left without it.

With these views, and in accordance with the custom which we have established for ourselves as Senators and Members of Congress, I shall vote for this amendment.

Mr. ALLISON. Mr. President, I do not wish to enter into a discussion of this question. It is a familiar one to the Senate, as respects two of the persons named in the pending amendment. We have been in the habit for a great many years, certainly since I have been a member of this body, and it has been the custom in the House of paying to the families of Senators and Members of the House for the full term of the Congress to which they were elected, although they may have died in the very beginning of the Congress. I have no doubt that this session will not be an exception to that rule. It is undoubtedly based upon the idea, which is a true one, that those who leave their homes and occupations and come here to serve the Government, require that their families should have a brief period to arrange the situation as respects their homes.

It so happens that one person named in this amendment is the widow of that great jurist, Samuel F. Miller, who for twenty-eight years upon the Supreme Bench of the United States served his country with as much distinction as any man has served it in the United States. He resided here as became a Justice of the Supreme Court of the United States. He served more than three years after the term at which the law would have allowed him to retire upon full pay. His widow now lives in a humble home in the city of Keokuk, in Iowa, transferred to that humble home from the home which her husband occupied here for many years. It took a few months, and I think the Senate will say she ought to be allowed one year to transfer the little that she has left from the home which she had in this city to the humble home which she occupies now in Iowa, without income and without revenue.

I will leave it to the Senate to say whether the widows of these eminent men shall not be allowed one year's compensation, which

we allow to the widow of every deceased member of the House of Representatives and of the Senate upon the appropriation bill that passes during every session of Congress.

Mr. BERRY. Mr. President, I want to say that so far as voting money to the widows of Senators and Members is concerned, I have never given such a vote. I have never voted a dollar to them, nor do I believe that we should have any right to vote them a dollar. If the salary of \$5,000 a year fixed by law is not sufficient, the law ought to be changed. If it is the purpose to give the widow of a Senator or a Member \$5,000 at his death, it ought to be so specified in the law before he is elected to the place, and then she would be entitled to it under the law. But we come here and the law provides that we shall receive \$5,000 per annum. It does not say that we shall receive more than that. When we take \$5,000 of money that does not belong to us we take \$5,000 of trust funds and give it to the widow of a Senator or a Member. I assert that we have no right to do it, and it is a wrong upon the people of the United States for men to stick the items in an appropriation bill when they have not got the nerve to vote and put such a provision into the law.

Every word I have said in regard to the widows of the justices of the Supreme Court applies with equal force to the widows of Senators and Members, and we ought not to vote this allowance to either unless we pass a law saying it shall be part and parcel of the salary.

The Senator from Iowa can appeal with great pathos in regard to a widow living in a humble home, and it appeals to the sympathy of every man in the country; but there are hundreds and thousands of widows living in homes which are more humble than that occupied by the wife of the late eminent Justice Miller. They extend throughout every State in the Union. This is the people's money with which we are dealing. We have the same right to take it out and pay it to the most humble widow in Keokuk who lives in a cabin that we have to pay it to Mrs. Miller. If we owed the late Justice Miller a dollar in the world, I say pay it. But you admit that we do not; and when you appeal for his widow in her humble home at Keokuk I appeal for the other widows there, who are poorer than she, who have the same right to ask us to take the people's money and give it to them as to give it to this widow.

I know the Senate is going to vote this appropriation. It has voted it before. It has voted it to the widows of Senators and Members. I have never cast such a vote. I do not believe I have any right under my oath to take the public money and use it in that way, and I shall not vote it in either the one case or the other.

Mr. PALMER. Mr. President, I should like to make a few observations on this question. I have always supposed that one of the very best securities for faithful, earnest, impartial judicial service was that the judge should feel relieved from those anxieties that disturb men who are engaged in active life. I have supposed that a judicial place, such as Justice Waite and Justice Miller had, involved very large expenses and almost forbade the possibility of leaving to a family any satisfactory provision. I have felt that the assurance when a man dies that those whom he leaves would have some provision, has been one of most striking encouragement to faithful, earnest judicial service.

I appreciate the force of the remarks of the Senator from Arkansas [Mr. BERRY], and I sympathize as he does with the fact that there are hundreds of poor widows in the country who need assistance; but I will say to my friend with great sincerity it does not occur to me that that affords any reason in the world why, when we have this opportunity to relieve these three particular widows we should not do it. I should be glad if the chairman of the Committee on Appropriations would agree to amend these several appropriations so as to concede it to be for one year's salary of the late Chief Justice Waite and Justice Miller and Justice Bradley, and put it on that ground.

Mr. ALLISON. I will accept the suggestion of the Senator from Illinois.

Mr. BERRY. Mr. President, I object to any amendment that would tend to show in the bill that a year's salary was due from the Government, and that would be the purpose and effect of it, I presume. We do not owe them any year's salary, and if you put it in the bill as one year's salary it goes out to the country that we were indebted to them. I object to any such amendment going in the bill. If you specify the amount they would have been entitled to if they had lived another year that is sufficient.

Mr. ALLISON. If the Senator will yield to me, I move to insert at the end of each item "being the amount of one year's salary."

Mr. HARRIS. I should prefer the language, "equal to the amount of one year's salary."

Mr. ALLISON. Very well, "equal to the amount of one year's salary."

Mr. BERRY. To that form I have no objection to the modification.

The PRESIDING OFFICER. The Senator from Iowa suggests an amendment to the amendment, which will be stated.

Mr. PALMER. That amendment being accepted I wish to make a single observation.

The PRESIDING OFFICER. The Secretary will first state the amendment to the amendment.

The SECRETARY. After the word "dollars," in line 14, page 114, insert "equal to the amount of one year's salary;" in line 17, after the word "dollars," insert "equal to the amount of one year's salary," and in line 20, after the word "dollars" insert "equal to the amount of one year's salary."

The PRESIDING OFFICER. The amendment to the amendment will be agreed to, if there be no objection. The Chair hears none, and it is agreed to.

Mr. PALMER. Mr. President, I know the reverence that the people of Ohio have for the memory of Chief Justice Waite, and I do not allow the people of Iowa to claim Mr. Justice Miller. Mr. Justice Miller, taking him all in all, was one of the most remarkable men this country has produced. I feel entirely willing to take my full share of responsibility for doing whatever I can to testify my reverence for his memory and to pay this slight tribute to the vast services he rendered to the country. I desire now particularly to say that he had the clearest conception of the true relations between the Federal and State governments of any judge that has been upon the Supreme Bench for many years. I feel that in this I am acting as the people of the State of Illinois would act. I wish I had the power to go much further and meet the opposing claims of those to whom my friend from Arkansas refers, but I trust that the amendment as amended will now be adopted.

Mr. GEORGE. Mr. President, it is not a very pleasant thing to resist an appropriation which appeals to one's sympathies. I knew Judge Miller very well. I esteemed him as a great judge. I think his great judgment in the slaughter-house cases possibly prevented a revolution in our constitutional system. I do not know how to find words strong enough to praise him for that great judgment, which stands out, and will forever stand out, as a landmark in the constitutional history of this country. I knew the other two judges, whose widows are here provided for. I esteemed them as men and as jurists. I have a sympathy for their families if they are in distress.

But, Mr. President, the question before the Senate, I think, rises above and beyond the mere indulgence of our private sympathies for the reliefs of eminent deceased men. This country is a free country, or is supposed to be. It is, I believe, one of the fundamental tenets of our political belief that all men are entitled to equal rights and equal privileges in this country.

Mr. President, I have failed to hear the argument, the fair argument, suggested why the families of these men, great as they were, distinguished for high and good public service as they were, are entitled upon the decease of those men to privileges which are denied to everybody else.

Now, I am going to say something that I believe, and I am afraid I shall shock some man who believes in the sanctity, the dignity, if not the divinity of official station. I believe that the citizen of the United States who does his full duty in that walk of life in which his destiny has placed him, has served his country as well and as faithfully as the man who had the good fortune to be elevated to high and distinguished place and honor in his lifetime. In other words (and I hope nobody will faint when I say so) I believe that the blacksmith who does his duty fairly and well to his country and his family, the farmer who pursues his calling rightly, industriously, and properly, or any other laborer who does his duty in life fairly and well, is just as much entitled to the sympathy of the American Congress and to a largess out of the American Treasury as the highest official who ever filled an office in this country. That is my belief; and when a man above all others in this country had an exceptionally good place, a salary of \$10,000 a year, with the privilege after ten years of service and his arrival at the age of 70 to lay down his official cares and draw his salary to the end of his life, I do not see when above all others he has been thus favored there is any reason or cause to demand from the people of this country further advantages, further privileges, and further emoluments.

We get \$5,000 a year. I will say something now which I believe, and I hope it will shock nobody. There are members of the Senate, plenty of them, who do as faithful and useful public service as any judge of the Supreme Court who gets twice the salary. I am going to talk plainly. When men receive double the salaries which are considered sufficient, and I believe they are sufficient, for Senators and Representatives, and receive them for life instead of for a specified time, I do not see why out of a

sum which is double the salary of Senators and Members a sufficient amount can not be saved to lighten the burden, to lessen the cares of the surviving relatives of the party when he is dead.

Then again, Mr. President, if we are to give the widows of the judges of the Supreme Court a sum equal to one year's salary, what is the reason why we shall not give it to the widows of the circuit judges? There are now, I believe, eighteen circuit judges who will leave widows after awhile, unless their wives die before the husbands. Then, I believe, there are forty-nine or fifty district judges. What is to become of their widows? The circuit judges get less than the Supreme judges; they get only \$6,000, and the district judges get \$5,000 a year; and by the way allow me to say, without hurting anybody's feelings (and I do not want to hurt anybody's feelings), they receive about double as much as the services of about half of them are worth. Now, if we are to go upon the idea that when judges who have these high salaries for their lifetime come to die their widows must have an additional year's salary, why not apply it to these other men? Why not? There is no answer to that question.

Oh, but it is said, we pay it to the widows of Senators and Representatives. I do not know what the practice is on that subject, but I will say right here, if such a custom has grown up, it is a custom that instead of being made a precedent for further aggressions upon the Federal Treasury ought to be abolished.

Now, let me say another thing while I am up. It is just as well to say it. In all that portion of our beloved country south of the Potomac, or at least in all that portion of it commonly called the cotton States, the people are just at this moment, and have been for the last year, in the most dire pecuniary distress. Sir, if you will go into North Carolina, South Carolina, Mississippi, and the other cotton States, there is not one married woman in ten thousand who would not consider herself and her family fortunate if they were the possessors, not yearly, but the possessors, taking it all together, of \$5,000, one-half the amount here proposed to be given. That is the condition. They are in debt, living hard, taxed to increase the already overgrown wealth of millionaires, bearing themselves up bravely against the misfortunes of life—

The slings and arrows of outrageous fortune.

Yet we do not hear one of them coming here and saying, Give me \$5,000, or \$10,000, or any other sum. Not a bit of it.

What is this proposition? It is simply to add to the burden, however small it may be, of these already overtaxed, distressed, and impoverished people another burden in order to make somebody's life far above the lives in comfort, in ease, and elegance still more comfortable, to draw a line and mark it more distinctly between the condition of those who happen to be the favorites of the Government and the condition of those who are the burden-bearers of the Government.

This is no place for sympathy. If it is a place for sympathy, I am in favor of the old-fashioned Scriptural way of showing sympathy, and that is by putting the hand of one who feels the sympathy in his own pocket and giving to the worthy object instead of putting his hand into somebody else's pocket in order to relieve distress. I am opposed to that kind of charity. Oh, what a sweet thing charity is when one contributes from his own earnings and submits to self-denial in order to make the donation! What a miserable humbug it is when the sympathizer discharges his duty of charity by voting or taking the money from somebody else and giving it to the object of charity!

Of course, I am not to be understood about this matter as having any objection personally to either of these three judges. I knew them all; I esteemed them all, and especially did I esteem the one who rendered most conspicuous and valuable service not only to the section of country from which I come but to the whole country in his great judgment in the Slaughter-house Cases. I esteemed him as I did the others, and it is not because they were Republicans that I oppose this appropriation; it is not because they did not live in my own section of the country; it is not because I feel any disposition to criticize what they may have done upon the bench, but it is because I believe it is a perversion of the powers which have been granted to us to take money from those who have but little of it, or even if they have a great deal of it, and give it to any private person whatsoever.

Mr. HARRIS. Mr. President, I am not forgetful of the fact that I have heretofore upon more occasions than one excited a smile of derision in this body by the suggestion that I propose to make now. These amendments propose to appropriate from the Treasury of the United States \$30,500 to objects that command justly and excite the sympathies of all of us. But I have never forgotten, and I do not now forget, and I do not intend in the future to forget, that my commission as a Senator has not authorized me to compel by taxation 65,000,000 people to contribute to charities, no matter how meritorious.

I am aware that I shall be laughed at when I say that the taxing power was given to this Government to enable it to raise the money necessary to perform the duties the Constitution imposed upon it, and it was given for no other purpose; and whenever you use the taxing power for purposes other than these it is a usurpation and an abuse and a wrong in my opinion.

Senators may sneer and may smile at such a construction of our powers. I know that if these be the limitations of power they are every day violated, and I suppose every day will be violated; but I have never seen the time when I felt at liberty, however strongly the charity might appeal to my sympathies and to my desires, to vote money out of the Treasury to a mere charity.

I have as much sympathy with these ladies as any other Senator upon this floor, but I can not and will not, with my construction of my own duties, vote the money out of the Treasury to this or to any other donation, or to any other purpose that is not necessary to the Government itself in the performance of its own duties to the country.

I need not detain the Senate further. I have defined fully in these few words the view that will control my vote. I shall vote against these amendments and all other amendments which involve the same principle.

Mr. CALL. Mr. President, I think it is proper that those of us who entertain the opinion that the Government of the United States has the power to reward a public servant adequately should give some reason for that belief.

The taxing power of the United States is that of a great government, and the objects for which it is bestowed are certainly within the limitations of the Constitution. But they are so mixed and blended with matters which are not always in their entirety of that description that no man can vote and vote intelligently upon that proposition so as to eliminate from it considerations of charity and of justice to individuals. Were not Mr. Justice Miller's services worth \$20,000 to the people of this country, when they gave to these poor widows subsistence, protection, and prosperity which they would not have had without his enlightened interpretations of the law? Were not the services of Mr. Justice Miller of very great value, interposing barriers of judicial authority at a period when public opinion was extreme in one direction? How many widows, their property and their homes, were preserved from scenes of violence, perhaps, by that judicial interpretation that this distinguished jurist put upon the law?

Now, who can say that these poor widows received no benefits from the interpretation of this man and that a compensation is not due to him or his family for his fidelity to these great masses of poor people whose very life and comfort depended upon the ability, the integrity, the impartiality, and the resistance which he made to millionaires and millionaire policies? Who shall say that we are prohibited from giving him adequate compensation because it was not done years ago in the form of a statute? What kind of merit, logic, or reason is in that?

The people of the United States have given to us this taxing power, and they have intrusted it to us for great public policies and public objects. Who shall say that it is not proper for that policy to surround the members of judicial tribunals with such protections as will render them independent of submitting to individual interests or powerful combinations? I take it, no one. I do not see any objection at all to deciding here to-day that Mr. Justice Miller's services to the poor widows and to the women and children of this country entitle him to this compensation. There is none in reason. We can decide it just as well to-day on this bill as we could by making a separate statute, and it is our duty, in my judgment, to so decide it.

But then, Mr. President, there are considerations of public policy. It is no honor to the masses of the people of this country to say to them that those to whom you have intrusted power, whom you have placed in a position where large expense must be maintained because of the very necessity of the position—it is no honor to these Democratic people of this country to say you shall dishonor your public servant and his family, you shall confine them to poverty, you shall make them dependent upon friends and advantages of life, and you shall make themselves and their children dependent upon the liberality or favor of private individuals of wealth and of great associations that command superior means and superior station. It is no honor in the Democratic people of the country to destroy the independence, the character, and the dignity of the public servants whom the people want to represent them and to protect them in their interests as against class legislation.

For these reasons, Mr. President, I think that it is utterly impracticable to establish a system or policy such as my friend from Mississippi [Mr. GEORGE] advocates here, a system which will put the public servant upon the very lowest ground of absolute necessity, upon bread and water, and say to him, If you enter into public life and devote yourself to the policies that will bene-

fit the great mass of the people, your reward shall be, if you die and leave your family, that they shall be outcasts upon the streets, reduced to the lowest condition of poverty; you shall have forgetfulness and neglect, instead of the appreciation of the people and the protection of your family.

I would like to know upon what ground this great amount of pension money is voted, what the reason is, if it is not that those who survive of those who offered life, health, and strength to their country are properly a charge upon those who did not go into the battle, who did not sacrifice their lives, but retained their lives, their property, and their health, because of the sacrifices that those men made. There is no other ground for that public policy. No man can vote for this great pension money upon any other justification than that.

That reason is quite as strong and quite as applicable to the public servant who gives his life to the people and to the policy that make every humble home comfortable and every widow free from poverty in this whole land and give her the opportunity of rejoicing and of comfort. That is the reason why I shall vote for this amendment.

The PRESIDING OFFICER. The Secretary will call the roll on agreeing to the amendment of the committee as amended.

The Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I am paired with the Senator from Colorado [Mr. TELLER]. The Senator from New Hampshire [Mr. GALLINGER] is paired with the Senator from Texas [Mr. MILLS]. We have transferred our pairs so that the Senator from Texas [Mr. MILLS] will stand paired with the Senator from Colorado [Mr. TELLER]. I vote "yea."

Mr. COLQUITT (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY]. If it is agreeable to the Senator from Tennessee [Mr. HARRIS], I will transfer my pair to the Senator from Vermont [Mr. MORRILL], and we will vote. I vote "yea."

Mr. DANIEL (when his name was called). I am paired with the Senator from Washington [Mr. SQUIRE]. Otherwise I should vote "nay."

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH]. If he were present I should vote "nay."

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL], and the Senator from Illinois [Mr. CULLOM] is paired with the Senator from Delaware [Mr. GRAY]. We transfer our respective pairs, and I vote "yea."

Mr. McMILLAN (when his name was called). I am paired on political questions with the Senator from North Carolina [Mr. VANCE]. On this question I feel at liberty to vote. I vote "yea."

Mr. QUAY (when his name was called). I am paired with the junior Senator from West Virginia [Mr. FARMER]. If he were present I should vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON]. If he were present I should vote "nay."

The roll call was concluded.

Mr. HAWLEY. I am paired this week with the Senator from Georgia [Mr. GORDON]. His colleague, however, thinks I may safely vote "yea," and I so vote.

Mr. PASCO. I desire to announce my pair with the Senator from North Dakota [Mr. CASEY].

The result was announced—yeas 44, nays 8; as follows:

YEAS—44.			
Aldrich.	Dawes.	McMillan.	Ransom.
Allen.	Debois.	McPherson.	Sanders.
Allison.	Frye.	Morgan.	Sawyer.
Brice.	Gallinger.	Paddock.	Sherman.
Call.	Gibson, Md.	Palmer.	Shoup.
Cameron.	Gorman.	Puffer.	Stewart.
Carey.	Hansbrough.	Perkins.	Stockbridge.
Carlisle.	Hawley.	Pettibrew.	Voorhees.
Chandler.	Hiscock.	Platt.	Warren.
Cullom.	Huntton.	Power.	White.
Davis.	Jones, Nev.	Pugh.	Wheeler.
NAYS—8.			
Bate.	Blodgett.	Harris.	Turpie.
Berry.	Coke.	Jones, Ark.	Vest.
NOT VOTING—36.			
Blackburn.	Feiton.	Ishy.	Quay.
Butler.	George.	Kenna.	Squire.
Cassey.	Gibson, La.	Kyle.	Stanford.
Cockrell.	Gordon.	Manderson.	Teller.
Colquitt.	Gray.	Mills.	Vance.
Daniel.	Hale.	Mitchell.	Vilas.
Dixon.	Higgins.	Morrill.	Walthall.
Dolph.	Hill.	Pasco.	Washburn.
Faulkner.	Hoar.	Proctor.	Wilson.

So the amendment was agreed to.

The reading of the bill was resumed. The next amendment



of the Committee on Appropriations was, in the clause making appropriations for "building the Library of Congress," on page 115, after the word "law," in line 15, to insert:

*Provided*, That Brig. Gen. Thomas Lincoln Casey, now in charge of the construction of said building, shall continue in said charge until its completion, whether on the active or retired list of the Army.

The amendment was agreed to.

The next amendment was, on page 115, line 23, before the word "thousand," to strike out "three" and insert "five;" so as to make the clause read:

Botanic Garden: For reconstructing with iron frame three plant houses; repairs to heating apparatus, painting large conservatory inside and out; and for general repairs to the various buildings connected with this garden, under the direction of the Joint Committee on the Library, \$5,000.

The amendment was agreed to.

The next amendment was, in the appropriations for "Public printing and binding," on page 119, to strike out the clause from line 4, to line 11, inclusive, as follows:

No report, publication, or document shall be printed in excess of the number of 1,000 of each in any one fiscal year without authorization thereof by Congress, except that of the annual report of the head of the Department without appendices there may be printed in any one fiscal year not to exceed 5,000 copies, bound in pamphlet form; and of the reports of chiefs of bureaus without appendices there may be printed in any one fiscal year not to exceed 2,500 copies, bound in pamphlet form; *Provided*, This restriction or limitation shall not apply to the Department of Agriculture.

The amendment was agreed to.

The next amendment was, on page 119, to strike out the clause from line 15 to line 17, inclusive, as follows:

Heads of Executive Departments shall direct whether reports made to them by bureau chiefs and chiefs of divisions shall be printed or not.

The amendment was agreed to.

The next amendment was, on page 120, after line 20, to insert:

Heads of Executive Departments shall direct whether reports made to them by bureau chiefs and chiefs of divisions shall be printed or not.

The amendment was agreed to.

The reading of the bill was continued to line 2, on page 121.

Mr. ALLISON. We have now reached a point in the bill where there may be some little debate, and before we go further I should like to present several amendments that I think will lead to no discussion. On page 31, after line 5, I move to insert:

#### MISCELLANEOUS, TREASURY DEPARTMENT.

For 600 copies of Lewis Heyl's work, entitled "United States Duties on Imports," edition of 1891, \$1,800, one copy for each Senator, Representative, and Delegate, and the residue for the equal use of the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives.

This is an amendment from the Committee on Finance.

The amendment was agreed to.

Mr. ALLISON. On page 3, after line 6, I move to insert:

For providing naval and coaling stations, \$250,000, to be expended under the direction of the President.

The amendment was agreed to.

Mr. ALLISON. On page 57, after line 2, I move to insert:

To enable the Board of Capitol Police to employ additional policemen during the closing of the national encampment of the Grand Army of the Republic in September, 1893, \$1,200, or so much thereof as may be necessary.

The amendment was agreed to.

Mr. ALLISON. I have no further amendments to offer.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The next amendment of the Committee on Appropriations was, to insert as a new section, beginning at line 3 on page 121, the following:

#### AID TO THE WORLD'S COLUMBIAN EXPOSITION.

SEC. 2. That for the purpose of aiding in defraying the cost of completing the work of preparation for inaugurating the World's Columbian Exposition, authorized by the act approved April 25, A. D. 1890, the Secretary of the Treasury is authorized and directed to have received \$5,000,000 in half-dollar silver coins from the uncurrent subsidiary silver coins already below the limit of tolerance now in the Treasury, which coins shall be of the same weight and fineness and have in all other respects the same qualities as the silver half-dollar now authorized by law; said coins shall also be of such design and be stamped and engraved with such inscriptions and devices as will designate their value as coins of the United States, and also make them suitable souvenirs of said celebration of the four hundredth anniversary of the discovery of America by Christopher Columbus, and there is hereby appropriated from the Treasury the said \$5,000,000 so coined, and the Secretary of the Treasury is authorized to pay the same as lawful money to the World's Columbian Exposition monthly in such amounts as may be needed, in his discretion, upon detailed estimates of the expenditures for the succeeding month certified to him by the president of the World's Columbian Exposition and by the director-general of the World's Columbian Commission, to be approved by the Secretary of the Treasury, for labor to be done, materials to be furnished, and services to be performed in prosecuting said work of preparing said Exposition for opening on May 1, 1893; *Provided*, That before the Secretary of the Treasury shall pay to the World's Columbian Exposition any part of the said \$5,000,000 satisfactory evidence shall be furnished him showing that the sum of \$10,000,000 provided for by the fifth section of the act of April 25, 1890, has been collected and disbursed as required by said act; and that the said World's Columbian Exposition shall furnish a satisfactory guaranty to the Secretary of the Treasury that any further sum actually necessary to complete the work of said Exposition to the opening thereof has been or will be provided by said corporation; but

nothing herein shall be so construed as to authorize the delay or postponement of the preparation of the souvenir coins heretofore provided for, and there is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum of \$100,000, or so much thereof as may be necessary, to reimburse the Treasury for loss on such coinage.

Mr. McMIHAN. Would I be in order to move an amendment to the bill?

The VICE-PRESIDENT. The committee amendments are not yet concluded. The amendment of the committee proposing to insert section 2 will be read.

The Secretary proceeded to read section 2, and read to line 2, on page 122.

Mr. CULLOM. I call the attention of the chairman of the committee to the suggestion of an amendment that I think ought to come in on the first line of page 122, after the word "Exposition." I suggest the insertion of the words "or in his absence or inability to act, by the vice-president;" and then in the next line, after the words "by the director-general of the World's Columbian Commission," to insert "or in his absence by the president of the Commission." I think those two amendments should be inserted.

Mr. ALLISON. Those amendments may be inserted by unanimous consent. They are probably necessary to provide for a condition of things that may arise in the absence of the president or director-general.

Mr. CULLOM. That is the only purpose I have in offering them.

Mr. ALLISON. Though the usual presumption is that they will be present.

Mr. CULLOM. In the first line, on page 122, after the word "Exposition," I move to insert:

Or in his absence or inability to act, by the vice-president

And then in the next line, after the word "Commission," referring to the director-general of the World's Columbian Commission, I move to insert:

Or in his absence, by the president of the Commission

Mr. PALMER. I would suggest to my colleague that it has been suggested to me that the object he has in view might be accomplished by striking out the word "and," in the first line on the one hundred and twenty-second page, and inserting the word "or."

Mr. CULLOM. That would leave only one officer to certify, and the question would be whether that would be regarded as a sufficient guard upon the Treasury. In other words, the theory of the bill is that not only the director-general but the president of the Commission shall certify, to the Secretary of the Treasury.

Mr. PALMER. I yield to the preference of my colleague.

Mr. CULLOM. This is in accord with a letter which I have received from an officer of the Columbian Exposition, suggesting those words.

Mr. PALMER. While I am on my feet I should like to ask a question.

Mr. ALLISON. I suggest to the Senator from Illinois to let the amendments be stated.

Mr. PALMER. Very well.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 122, line 1, after the word "Exposition" insert "or in his absence or inability to act, by the vice-president."

Mr. VEST. Should we not say vice-president of the Exposition?

Mr. CULLOM. It would read: "Certified to him by the president of the World's Columbian Exposition, or in his absence by the vice-president of the World's Columbian Exposition." I do not think it would be necessary to insert that.

The VICE-PRESIDENT. The question is on agreeing to the amendment moved by the Senator from Illinois, to the amendment of the committee.

The amendment to the amendment was agreed to.

The VICE-PRESIDENT. The next amendment moved to the amendment by the Senator from Illinois will be stated.

The SECRETARY. In line 2, on page 122, after the word "Commission" insert:

or in his absence by the president of the Commission

The amendment to the amendment was agreed to.

Mr. PALMER. Mr. President, I desire to call the attention of the Committee on Appropriations to the language of the bill as it relates to the coinage of silver half-dollars that may be issued. A Senator who is not present to-day but who is interested in this provision of the bill, and concurs in its object, yesterday expressed to me some doubt as to whether the effect of this language would confer upon the half-dollars to be issued the legal-tender quality. I myself supposed that the language was sufficient, but he had some doubt about it, and at his request I ask



tion from the Secretary of the Treasury, transmitting an estimate of an appropriation of \$7,500 for repairs, alterations, and improvements in the United States court-house and post-office at Atlanta, Ga.; which was referred to the Committee on Appropriations.

He also laid before the Senate a communication from the Secretary of the Treasury, requesting that the provision in the sundry civil appropriation bill from line 9 to line 17, inclusive, on page 7, relative to the employment of superintendents and other persons in connection with the repair and preservation of public buildings, be eliminated therefrom; which was referred to the Committee on Appropriations, and ordered to be printed.

#### ORDER OF BUSINESS.

The VICE-PRESIDENT. Is there further morning business?

Mr. BUTLER. I gave notice a few days ago that after the routine morning business to-day I should ask the Senate to proceed to the consideration of the bill (S. 67) to transfer the Revenue Cutter Service from the Treasury Department to the Navy Department. Of course I do not wish to interfere with morning business.

Mr. DOLPIL. I hope the Senator will allow me to call up a matter he is familiar with, that will not take time, but will simply require reading.

Mr. QUAY. Mr. President—

The VICE-PRESIDENT. Does the Senator from Pennsylvania rise to morning business?

Mr. QUAY. No, sir. I ask the Senator from South Carolina to yield the floor to me for a moment.

Mr. BUTLER. Mr. President, I can not hear a word the Senator from Pennsylvania says.

The VICE-PRESIDENT. The Senate will be in order.

Mr. QUAY. Will the Senator from South Carolina yield the floor to me for a moment to have a statement printed?

Mr. BUTLER. I should be very glad to do anything the Senator from Pennsylvania desires, if I could hear him; but it is impossible with the conversation going on around me.

The VICE-PRESIDENT. No business will be transacted until order is restored in the Chamber. Senators will cease audible conversation.

#### RIOT AT HOMESTEAD, PA.

Mr. QUAY. I desire simply to present, in order that it may be printed in the RECORD, the official statement of the employees at Homestead, in accordance with the arrangement concluded on Friday last with my friend the Senator from Kansas [Mr. PEPPER].

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Pennsylvania. The Chair hears none, and the matter referred to will be printed in the RECORD.

The statement is as follows:

DEFINING THEIR POSITION—THE EMPLOYEES' CRITICISM OF STATEMENTS BY MR. H. C. FRICK.

PITTSBURGH, PA., July 9.

The following statement was given out to-night by the Homestead iron and steel workers under the head of "Homestead employees' answer to the Carnegie Company's."

The differences existing between the Carnegie Company and their employees at Homestead have drawn from Mr. H. C. Frick a statement of the points in dispute, which makes necessary a reply, in order that wrong impressions of the conditions may not be received by the public. It is asserted that the employees, combined with others of their trade forming the Amalgamated Association, wish absolute control over the Homestead works. This charge can only be supported to the satisfaction of those who deny the right of the employees to enter objection to any conditions offered by the employer.

The workmen at Homestead, or at any other of the hundreds of mills organized into the Amalgamated Association, have no desire to dictate the wages they shall receive, but they see no good reason why they should not exercise the privilege of engaging with their employer in the controversy through which the rate of compensation for their labor is fixed. The workmen are now, as they always have been, prepared to meet the representatives of the company and discuss the provisions contained in the scale submitted by them. If the conference already having been held failed to bring about a settlement, it can not be said that this was the fault of the workmen.

The scale under which the men at Homestead were working was arranged in July of 1889. The rate of wages was fixed according to the selling price of 4 by 1 Bessemer steel billets, the wages advancing and declining with the selling price of that article; it was provided that the minimum should be \$25. Complaint is made that no minimum should have been insisted upon.

It is the experience of the iron and steel workers that some prevention is necessary to protect themselves from being reduced to an extremely low rate of pay by the acceptance by manufacturers of sales below current rates; as the workmen do not sell the product, there must be a point where reduction in wages by reason of low-priced sales shall cease.

It is alleged that labor organizations are injurious alike to the toilers and those by whom they are employed, in substantiation of which it is represented by the firm that there is no organization among their employees at the Braddock or Duquesne steel works; that the men there are satisfied; that they get good wages, and that no strike has occurred at those works since the institution of that management.

It may be said that the satisfaction of which Mr. Frick speaks as existing at the above works is forced rather than voluntary, as may be proven by the many efforts of the men in these mills to organize themselves in secrecy. Knowledge of such intentions coming to the ears of the company would and was followed by discharge. The wages enjoyed by the men at Braddock and Duquesne are the direct result of the rate of compensation sustained by the organized iron and steel workers.

While they are not organized in these mills, the rate of pay for the class of work done by them, fixed by their organized fellow-workmen, determines the pay that can command their services. It is the custom of the employers of nonunion men in the iron and steel trade to pay the rates provided by the Amalgamated scale, in order to secure the services of the men of that trade. It is found, however, to be invariably the case that these employers, while they pay the rates provided by the Amalgamated Association, require the men to accept conditions which are tantamount to a reduced rate, although not appearing on the face. We have reason to believe that the nonunion plants of Braddock and Duquesne can be proven to be no exception to this rule. The introduction of improved machinery, to which reference is made by the company, had displaced men that were necessary before the introduction of such machinery, and in this manner repays the costs of the investment. The output of a mill is always considered when arranging scales, and if increase of output without increase of labor to the workmen is brought about by improvements, there is every opportunity offered by the workmen to arrive through conference at an equitable rate; but when the employer refuses to engage in discussion with the employee on the matter, all hope of a just settlement is lost.

An attempt is made to lead the public into the belief that the number of men affected by the reduction is few. Here again it becomes necessary to impress on the public mind the fact that there are three distinct propositions contained in the dispute, namely:

A reduction in the minimum, another reduction on the proportionate rate of pay (thus making a double reduction), and that the scale terminate December 31, 1893, instead of June 30, 1894. It must be understood that while all of these propositions do not affect the whole of the Homestead workmen, few of the 3,500 employees of that place escape without being affected by one or more of its provisions. What does not affect the one does affect the other, and it might be said instead of the company's proposal altering the condition of employment of 325, the change is general, and the whole are involved. It is stated by the company with much force that it is not their desire to reduce their workmen below others. The cost of production to the Carnegie Company at Homestead is decidedly in favor of the company as compared with mills of that character. It can now be shown that they can not establish a complaint in that direction.

In arranging schedules of wages to govern iron and steel workers there are innumerable things which must receive attention if justice must prevail. The intricacies referred to are such as to render liable erroneous views to be drawn by those not familiar with the trade from their discussion in the public press. There can be no legitimate reason why the Carnegie Company should deny to their Homestead workmen a conference, where the things of which they complain could be analyzed, and, if found unjust, made right. The men make no fairer proposition than this, for the simple reason that no fairer is possible. If argument and honest reasoning were substituted for the reserve and coldness of manner, as seen in the company's present attitude, there can be reason to expect an end to this deplorable state of affairs. Does it not seem strange that the Carnegie Company looks with distrust upon the organization of its Homestead employees, while at several of its large mills it has for several years encouraged the organization of the men, and at this moment they are getting along satisfactorily together?

Surely it will not be charged that the men of Homestead are less intelligent or less entitled to those rights which are the principles of organized labor, and which are inseparable from their citizenship.

There are none who regret the lamentable occurrences of the past few days more than those whom the Carnegie Company charge with having been instrumental in bringing them about. We are willing to allow the public to judge after the evidence is all in, whether their charges are true. We feel that the erroneous statements given out relative to our conduct will be removed by impartial investigation in due time. Until then we prefer to forget our recent sad experience.

#### TRANSFER OF REVENUE CUTTER SERVICE.

Mr. BUTLER. Now, I should like to have Senate bill 67 taken up.

Mr. CULLOM. Mr. President—

Mr. BUTLER. I will state, furthermore, that if I can get the bill taken up I will yield to the Senator from Minnesota [Mr. WASHBURN], who desires to submit some remarks on the anti-option bill.

Mr. CULLOM. May I inquire from the Senator from South Carolina if it is his purpose to press the bill to which he refers to the exclusion of the consideration of appropriation bills?

Mr. BUTLER. Oh, of course not.

Mr. SHERMAN. I call for the yeas and nays on the motion of the Senator from South Carolina. I first call for the reading of the bill for information.

The VICE-PRESIDENT. The title of the bill will be read.

The CHIEF CLERK. A bill (S. 67) to transfer the Revenue Cutter Service from the Treasury Department to the Navy Department.

The VICE-PRESIDENT. The question is on the motion made by the Senator from South Carolina, that the Senate proceed to the consideration of the bill, the title of which has just been read. On that motion the yeas and nays have been demanded.

Mr. SHERMAN. I ask the Chair if the motion is debatable?

The VICE-PRESIDENT. It is not debatable.

Mr. SHERMAN. Then I call for the yeas and nays.

The VICE-PRESIDENT. Is the demand for the yeas and nays seconded?

Mr. BUTLER. I understand that the Senator from Ohio calls for the yeas and nays on the question whether the bill shall be taken up.

Mr. SHERMAN. Yes, sir.

Mr. BUTLER. I have no objection to that.

Mr. MANDERSON. I should like to understand the situation. Is it proposed to call up the bill that the Senator from South Carolina may make some remarks upon it—

Mr. BUTLER. No, sir.

Mr. MANDERSON. Or for general consideration?

Mr. BUTLER. For general consideration: for action by the Senate.

Mr. WASHBURN. Will the Senator from South Carolina yield to me?

Mr. BUTLER. The Senator from Minnesota appeals to me. I have no objection to yielding after the question has been decided by yeas and nays, if he will wait that long.

Mr. WASHBURN. All right.

Mr. HARRIS. I rise for the purpose of appealing to the Senator from South Carolina to let the sundry civil appropriation bill be disposed of before he raises the question he now suggests. Of course, if the Senator's bill is taken up it is informally laid aside and gives way to the appropriation bill, but had we not better dispose of the appropriation bill first?

Mr. BUTLER. I should prefer to have the matter settled as to whether the bill is to be considered.

Mr. ALLISON entered the Chamber.

Mr. CLEVELAND. The chairman of the Committee on Appropriations is now here.

Mr. ALLISON. Has the morning business been concluded?

The VICE-PRESIDENT. The morning business is concluded. The pending question is on the motion made by the Senator from South Carolina, that the Senate proceed to the consideration of the bill (S. 67) to transfer the Revenue Cutter Service from the Treasury Department to the Navy Department.

Mr. BUTLER. I trust the Senator from Iowa will allow this question to be settled by yeas and nays before he calls up the appropriation bill. The only time to be consumed will be the calling of the roll.

Mr. ALLISON. I do not know that I have any power to interfere with the motion of the Senator, but I do not see what advantage it would be to take up this bill, as it certainly cannot be considered now. The Senator from Minnesota [Mr. WASHBURN] gave notice several days ago that he desired to make some observations this morning respecting another bill, and as soon as he has concluded I desire to ask the Senate to continue the consideration of the sundry civil appropriation bill.

Mr. BUTLER. The Senator from Minnesota and I have an understanding about that. I am perfectly aware of the fact that he proposes to address the Senate.

Mr. ALLISON. I understand; but I do not see the practical point the Senator proposes to gain.

Mr. BUTLER. The practical point to be gained is that the Senate will determine whether it is going to consider the bill or not. If it is not, I shall dismiss it; and if it is, then I hope at some future time to have it considered. That is all there is about it. I have been giving notice from time to time that I should ask the Senate to consider the bill and have yielded first to one man and then to another. Now, I should like to have the question settled whether the Senate will consider the bill or not. If the Senate decides in the affirmative, the bill can be informally laid aside and take its chances.

The VICE-PRESIDENT. Is the demand for the yeas and nays seconded?

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS]. That pair was transferred last week, and I was permitted to vote, but I do not see the Senator from Arkansas [Mr. BERRY] in his seat at present, and I withhold my vote.

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL]. If it suits the convenience, however, of the Senator from New Hampshire [Mr. GALLINGER], who announced a pair with the Senator from Texas [Mr. MILLS], we will transfer our respective pairs and vote.

Mr. GALLINGER. I shall be very happy to have that accomplished.

Mr. HARRIS. I vote "yea."

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE], but after consulting with his colleague it is decided that I may vote. I vote "nay."

Mr. MORGAN (when his name was called). I am paired with the Senator from Massachusetts [Mr. DAWES]. If he were present I should vote "yea."

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY].

Mr. QUAY (when his name was called). I am paired generally with the junior Senator from West Virginia [Mr. FAULKNER]. I am not aware of his views upon this question, and therefore withhold my vote. If he were present I should vote "yea."

Mr. TURNER (when his name was called). I am paired generally with the Senator from Minnesota [Mr. DAVIS]. Upon consultation with his colleague, however, who is present, and

from what I know of his views, I feel at liberty to vote. I vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON].

The roll call was concluded.

Mr. GALLINGER. I vote "nay."

Mr. COLQUITT. I am paired with the junior Senator from Iowa [Mr. WILSON].

Mr. CALL. I am paired with the Senator from Vermont [Mr. PROCTOR], and I withhold my vote.

Mr. BERRY. Has a transfer of pair been arranged for me with anyone? Did the Senator from New Hampshire [Mr. GALLINGER] vote?

Mr. GALLINGER. My pair with the Senator from Texas [Mr. MILLS] was transferred to the Senator from Vermont [Mr. MORRILL], and the Senator from Tennessee [Mr. HARRIS] and myself have voted.

Mr. BERRY. Very well. I should have voted "nay" had I been present, and but for my pair with the Senator from Colorado [Mr. TELLER].

The result was announced—yeas 35, nays 24; as follows:

## YEAS—35

Allen	Cole	Horn	Sawyer
Bate	Daniel	Hiscock	Stewart
Blackburn	Dolph	Huntton	Stockbridge
Blodgett	Dunbar	Kenna	Turpie
Brice	Elyse	McCall	Yack
Butler	George	Pecker	Yonkers
Cameron	Gibson, Md.	Platt	White
Carule	Gray	Pugh	Wolcott
Candler	Hanstrough	Ransom	

## NAYS—21

Allen	Gallinger	McMillan	Powers
Albion	Gibson, La.	Murphyson	Sanders
Carey	Gorman	Pa. Black	Sherman
Cook	Hale	Palmer	Shoup
Cullum	Hawley	Parkins	Vilas
Felton	Jones, Ark.	Politzew	Washburn

## NOT VOTING—29

Berry	Gordon	Mills	Teller
Call	Higgins	Morgan	Vance
Cady	Hill	Morrill	Wadsworth
Coleman	Hoar	Pasco	Warren
Davis	Ivey	Proctor	Wilson
Dawes	Jones, Nev.	Quay	
Dixon	Kyle	Sumner	
Edlin	Melrose	Stewart	

So the motion proposed to the consideration of Senate bill 67 was agreed to.

The VICE-PRESIDENT. The bill is before the Senate in Committee of the Whole.

Mr. ALLISON. Now, I move to lay it aside to take up the sundry civil appropriation bill.

Mr. HARRIS. Ask unanimous consent to lay it aside.

Mr. COCKRELL. No, I object to that. [To Mr. ALLISON.] Make your motion. I object to unanimous consent.

Mr. ALLISON. Then I move to lay the bill aside in order that I may move to proceed to the consideration of the sundry civil appropriation bill.

Mr. BUTLER. I understand the Senator moves to lay it aside informally, so that it does not lose its place.

Mr. ALLISON. The Senator from Missouri objects to that.

Mr. BUTLER. I can not consent to laying the bill aside, after the Senate has taken it up. It would lose its place, I understand, and I can not consent to that.

Mr. ALDRICH. I should like to ask the Senator from Iowa a question. In case the sundry civil appropriation bill is taken up, is it his intention to proceed with its consideration or to yield for other purposes? It will make a difference in my vote as to what his purpose is in that regard.

Mr. ALLISON. I will say, in response to the Senator from Rhode Island, that on last Thursday the Senator from Minnesota [Mr. WASHBURN] gave notice that he would desire this morning to call up for consideration the appropriation bill in order that he might submit some remarks upon that subject. I suppose that in accordance with the usual custom of the Senate I should be expected to yield to him, and when he was engaged in committee work in my committee room, proposing that that would occupy a portion at least of the morning hour, but I came into the Senate finding that other business has intervened. Of course I can not get into any controversy about the matter, and if there is objection to the Senator from Minnesota going on, I can not help it.

Mr. ALDRICH. I have no objection to the Senator from Minnesota proceeding in accordance with the ordinary custom of the Senate. He is certainly entitled to that courtesy. My reason for asking the question did not apply to that view of the case, but I

know that the Senator from Iowa has been yielding very liberally to other business during the time the sundry civil appropriation bill has been under consideration, and I wanted to enter my protest as vigorously as I might against any further yielding in that direction.

Mr. ALLISON. In response to the suggestion made by the Senator from Rhode Island [Mr. ALDRICH], I will say that I have not yielded for the intervention of any business which would require much time of the Senate; but I have yielded the usual courtesy for the taking up of resolutions at intervals and for the interposition of morning business and matters of that character. Of course, I do not wish to monopolize the work of the Senate, nor do I think it is fair to ask for the intervention of important bills when appropriation bills are under consideration, unless we all intend that the affairs of the Government shall stop.

Mr. MORGAN. I ask unanimous consent of the Senate that the Senator from Minnesota may be allowed to proceed with his remarks without displacing the order of business.

Mr. ALLISON. I shall object to that. I desire now to test the sense of the Senate whether the appropriation bill which was under consideration on Saturday shall be proceeded with. The Senator from Missouri [Mr. COCKRELL] objects to unanimous consent to laying aside the bill which the Senate has just voted to take up.

Mr. BUTLER. Then, Mr. President, the Senator from Missouri must take the responsibility of objecting to the consideration of the appropriation bill.

I gave notice when I made the motion to take up the bill for the transfer of the Revenue Marine Service that of course I expected appropriation bills would have the right of way, but that when appropriation bills were out of the way I should have the right to ask that the consideration of the bill for the transfer of the Revenue Marine should be proceeded with.

The usual custom of the Senate is where a bill has been taken up to lay it aside informally for the consideration of appropriation bills or other matters. I announced to the Senator from Minnesota [Mr. WASHBURN] that I should with the greatest possible cheerfulness after this question was settled yield to him to proceed with his remarks. The Senator from Iowa now comes in with an appropriation bill. I have no desire to antagonize the appropriation bill; but I do insist that a majority of the Senate having determined that they will proceed with the consideration of the revenue-marine bill, it is not exactly fair to object to the usual request in such cases that it be informally laid aside in order that the appropriation bill may be proceeded with. Therefore, I repeat, if the appropriation bill is obstructed, the responsibility will not be upon my shoulders. I have not the slightest objection to its being proceeded with.

Mr. CHANDLER. I desire to say a word in behalf of a fair hearing on the merits of the bill to transfer the Revenue Marine to the Navy Department. I think that the Senate can not justly refuse a hearing in that case sometime during the present session.

Mr. SHERMAN. Mr. President—

The VICE-PRESIDENT. Debate can only proceed by unanimous consent.

Mr. SHERMAN. I rise to a question of order. When I rose to say a word about this bill I was informed very politely that debate was not in order.

Mr. CHANDLER. I understand the Senator did make an inquiry, and then the vote was taken without any debate.

The VICE-PRESIDENT. The pending question is, as the Chair understands, on the motion made by the Senator from Iowa [Mr. ALLISON], that the Senate proceed to the consideration of the sundry civil appropriation bill.

Mr. CHANDLER. The debate has been proceeding by unanimous consent, and I do not think the Senator from Ohio ought to object to my saying a word on one side.

Mr. SHERMAN. I was informed that debate was not in order.

Mr. PADDOCK. I desire to say for myself, personally, that I voted against the motion of the Senator from South Carolina [Mr. BUTLER] to take up the bill for the transfer of the Revenue Marine Service to the Navy Department, not because I am opposed to that bill, for I am in favor of it, but because I wish to preserve, if possible, a chance for the taking up and consideration of the bill known as the antioption bill. For that I shall make my struggle from this time forward, and I hope that bill may be disposed of.

Mr. BUTLER. I will say to the Senator from Nebraska that I shall join him with a great deal of pleasure in taking up that bill at the proper time.

Mr. PADDOCK. Do I understand the Senator as giving that assurance?

Mr. BUTLER. I do, with great pleasure.

Mr. PADDOCK. I am glad to have that assurance. I hope

the distinguished Senator from Minnesota, who has charge of the antioption bill, may be allowed to proceed.

Mr. BUTLER. I have no objection to the Senator from Minnesota proceeding; but the majority of the Senate has voted this morning to proceed with the revenue marine bill, and now the will of that majority is attempted to be defeated by a collateral motion. For one, I shall not consent to the consideration of any other matter until that bill has had at least a fair opportunity to be considered by the Senate.

Mr. CHANDLER. I ask the Senator from Missouri [Mr. COCKRELL] not to object to taking up the sundry civil bill by unanimous consent. He is a member of the Committee on Appropriations; and why should he object to taking up the sundry civil bill when no one else objects to it? I hope the Senator will not do that.

Mr. COCKRELL. The bill can be taken up at any time on motion.

The VICE-PRESIDENT. The question is on the motion of the Senator from Iowa [Mr. ALLISON] to take up the sundry civil appropriation bill.

Mr. HARRIS. The effect of the vote just taken was to make the revenue-marine bill the unfinished business.

Mr. COCKRELL. There can not be any unfinished business in the morning hour, as the Senator well knows.

Mr. HARRIS. That was evidently the object. The Senator from Missouri is right, that when a bill is taken up during the morning hour it only has the right of way during the morning hour.

Mr. COCKRELL. Until 2 o'clock.

Mr. HARRIS. Until 2 o'clock. That is true. I was going to suggest, however, inasmuch as the vote of the Senate decided to proceed with its consideration, that I know of no instance since I have been in the Senate where there has been an objection to informally laying aside the matter in hand and giving way to an appropriation bill. I hope the Senator from Missouri will not interpose an objection to proceeding with the consideration of the appropriation bill without drifting into the scramble of a ye-and-may vote as to what shall be considered. I ask unanimous consent that the Senate proceed to the consideration of the appropriation bill, the bill which was taken up by vote being informally laid aside.

The VICE-PRESIDENT. Is there objection?

Mr. COCKRELL. I withdraw the objection only until 2 o'clock. The bill was taken up in the morning hour and has no priority or preference. I will withdraw the objection until that time. When the hour of 2 o'clock comes the bill will lose its precedence.

The VICE-PRESIDENT. The objection is withdrawn.

Mr. BUTLER. Then, Mr. President, I understand the present status of the revenue-marine bill is that it is informally laid aside?

The VICE-PRESIDENT. It is informally laid aside.

Mr. BUTLER. As the Senator from Missouri says, until 2 o'clock.

The VICE-PRESIDENT. Until 2 o'clock.

#### SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I now ask that the appropriation bill may be proceeded with.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7520) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes.

Mr. WASHBURN. I ask the chairman of the Committee on Appropriations to consent that the appropriation bill may be temporarily laid aside that I may get unanimous consent to take up House bill 7845 with a view of submitting some remarks thereon.

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. ALLISON. I do.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6875) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1893, and for other purposes.

The message also announced that the House had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7093) making appropriations for the naval service for the fiscal year ending June 30, 1893, and for other purposes; fur-

ther insisted upon its disagreement to the amendments of the Senate to the said bill, asked a further conference with the Senate upon the disagreeing votes of the two Houses thereon, and had appointed Mr. HERBERT, Mr. LAWSON of Virginia, and Mr. DOLLIVER managers at the further conference on the part of the House.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9049) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes; it further insisted upon its disagreement to the amendments of the Senate to the said bill insisted upon by the Senate, agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FORNEY, Mr. DOCKERY, and Mr. HENDERSON of Iowa managers at the further conference on the part of the House.

The message also announced that the House had passed the following bills:

A bill (S. 547) for the relief of Lieut. Col. Charles G. Sawtelle, deputy Quartermaster-General United States Army;

A bill (S. 3273) authorizing St. Joseph's Church in the parish of East Baton Rouge, in the State of Louisiana, to use the land quitclaimed to it by the United States for school purposes; and

A bill (S. 3299) to amend section 7 of the act approved June 22, 1888, entitled "An act to authorize the construction of a bridge over the Missouri River at or near the city of Omaha, Nebr.," and for other purposes.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. 7454) authorizing and directing the sale of certain property belonging to the United States, situate in Pittsburgh, Pa.;

A bill (H. R. 7690) for the local government of the Territory of Utah, and to provide for the election of certain officers in said Territory;

A bill (H. R. 9144) to establish a railroad bridge across the Black River in Arkansas; and

A bill (H. R. 9350) to promote safety of employes and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 1239) for the relief of the Mobile and Girard Railroad Company; and

A bill (H. R. 3726) to authorize the Luke Charles Road and Bridge Company of Luke Charles, La., to construct and maintain bridges across English Bayou and Calcasieu River.

#### DEALING IN "OPTIONS" AND "FUTURES."

Mr. WASHBURN. I now ask that the antioption bill may be taken up.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7845) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such persons engaged in selling certain products to obtain license, and for other purposes.

Mr. WASHBURN. Mr. President, in the early days of the present session of Congress I introduced a bill in the Senate having for its purpose and intent the putting an end to the system of dealing in "options," so called, or selling "future," or, in the parlance of boards of trade, "short selling," which have grown to such monstrous proportions upon the different boards of trade and produce exchanges in this country in the last few years.

This bill was drawn, largely on the lines of the so-called Butterworth bill, and with but few changes, which was introduced in the House of Representatives in the last Congress, and was smothered in the Committee on Agriculture of that body.

At the time of introduction of this bill I did not suppose it to be in any way perfect or that it would satisfactorily cover the case, but I introduced it thus early, in order to invite criticism, comment, and suggestions, so that with all the light which might be acquired, changes would be suggested and made that would enable the preparation of a bill that would more completely meet the exigencies of the situation.

So far as criticism and comment are concerned my expectations have certainly been fully realized: for there has probably

been no great measure before Congress for the last several years that has been more thoroughly discussed and with greater interest throughout the country than this same proposition.

Availing myself of everything that I could learn, from such criticisms and comment, I subsequently introduced another bill (Senate bill 1757) which, I think more completely and satisfactorily meets the situation. The great difficulty in preparing a measure of this character is to accomplish the desired purpose of putting an end to the system of gambling in food and agricultural products, which has grown to such alarming proportions and with such disastrous results to the producers of this country, without interfering with the ordinary and legitimate business transactions. In a word, without interfering substantially with legitimate trade and commerce.

The bill coming from the House, which is now before the Senate, is substantially the same in principle and in its method of dealing with this question as the last bill introduced by myself, and, with the amendments which I have proposed to the bill, will accomplish what the friends of such a measure desire, without interfering with the commerce of the country.

The line between fictitious sales and sales of actual property is very clearly drawn. There has been a persistent effort on the part of those who are opposed to any legislation of this subject to convey the impression that the effect of this bill would be to cripple and interfere with legitimate trade. Most of the arguments in fact that have been made have been on the basis that sales of actual property even can not be made for future delivery, under the provisions of this bill. And in this way very many have been greatly misled and deceived, for no one would think, I imagine, for a moment of passing a law that would substantially interfere with the freedom of trade or commerce.

The merchant and the banker, and the business man to some extent, have been drawn into this controversy and placed thus in seeming opposition to the provisions of the measure under such false misrepresentations and consequent misunderstanding of its purposes and effect, so that we find many people who have never read the bill and know little or nothing of its provisions in apparent antagonism. The professional gamblers on the boards of trade have lost no opportunity to create confusion and false impressions, thinking that if they could bring to their aid the merchant, the banker, or the business man they would at least find themselves in good company, and thereby give their own vocation a respectable standing. I desire right here to distinctly state that it is not the purpose of this bill—neither does it—in any manner whatever to interfere with the bargain, purchase, or sale of any product or property where the party making such sale is the owner thereof or where he has a contract for the ownership or right of possession of the same.

It neither seeks nor does it in any way interfere with the freedom of commerce, but leaves legitimate trade without restriction or hindrance. But it is directed against that gigantic modern invention or system known as "dealing in futures" or so-called "short selling" of the agricultural and food products of the country, a system under which, by misrepresentation, tricks of trade, and fraud it is possible to juggle with values and practically eliminate from the commercial world the operation of the "law of supply and demand"—a system that robs the producer and fills the pocket of the parasite. It is aimed at a system of gambling the most unique, insidious, the most pernicious, and bringing with it the most widespread and disastrous results of any scheme of gambling that the wit and skill of man has ever yet been able to devise.

Mr. President, I will now endeavor to explain the bill as it came from the House, somewhat in detail, but as concisely and clearly as possible.

Section 1 of the bill defines the word "options," which is understood to mean "any contract or agreement whereby a party thereto, or any party for whom or in whose behalf such contract or agreement is made, acquires the right or privilege, but is not thereby obligated, to deliver to another or others at a future time or within a designated period, any of the articles mentioned in section 3 of this act."

Dealing in options as defined in this section is nothing more than gambling, pure, simple, and absolutely cold-blooded. They do not contemplate the delivery or receiving of property, and I do not suppose that there is an instance on record where any property passed, but it is simply a bet on what the value of that property may be at a given time in the future. I think that even those who are opposed to the bill do not claim that there is anything in "dealing in options" except gambling.

Section 2 provides that the word "futures" shall be understood to mean "any contract or agreement whereby a party contracts or agrees to sell and deliver to another or others at a future time, or within a designated period, any of the articles mentioned in section 3 of this act, when at the time of making such

on page 1, line 27, to strike out the word "his" and insert "their."

Mr. CALL. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

#### FOURTH STREET METHODIST EPISCOPAL CHURCH.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1741) to vest the title of public square 102, in the city of Washington, D. C., in the trustees of the Fourth Street Methodist Episcopal Church, and for other purposes.

The amendments of the House of Representatives were read, as follows:

Page 1, line 1, after the word "that," insert:  
"Whenever there shall have been a full compliance with the provisions of section 2 of this act, as evidenced by the certificate of the Commissioners of the District of Columbia."

Page 1, line 24, after the word "authorized," insert "and required."

Page 1, line 25, after the word "remove," insert "within twelve months from the approval of this act."

Mr. FAULKNER. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

#### DAVIS ISLAND DAM.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 402) to establish a division line between land of the United States and the Pittsburg, Fort Wayne and Chicago Railroad Company, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CAMERON. I move that the Senate insist on its amendments and agree to the conference asked for by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. QUAY, Mr. PERKINS, and Mr. FAULKNER were appointed.

#### ALLEYS IN THE CITY OF WASHINGTON.

The PRESIDING OFFICER (Mr. HARRIS in the chair) laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the following bills and asking a conference with the Senate on the disagreeing votes of the two Houses thereon:

A bill (H. R. 5119) to prevent the building of houses along certain alleys in the city of Washington, and for other purposes; and  
A bill (H. R. 3971) to provide for the opening of alleys in the District of Columbia.

Mr. McMILLAN. I move that the Senate insist upon its amendments to the respective bills and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. WOLCOTT, Mr. McMILLAN, and Mr. FAULKNER were appointed.

#### JUDGMENTS AGAINST THE UNITED STATES.

The PRESIDING OFFICER laid before the Senate a communication from the Attorney-General, transmitting, in compliance with a resolution of July 9, 1892, a list of all judgments rendered in the circuit and district courts of the United States under the act of March 3, 1887, in which the findings were adverse to the Government, and which had not heretofore been reported to Congress; which was referred to the Committee on Appropriations, and ordered to be printed.

#### CHANGE OF REFERENCE.

Mr. COCKRELL. I move that the order changing the reference of the bill (H. R. 4270) for the relief of D. P. Abbott, A. S. Keeves, and T. E. Smith from the Committee on Finance to the Committee on Claims, made on April 27, 1892, at my request, may be revoked. It was a mistake in having the order made at the time.

The motion was agreed to.

#### HOUSE BILL REFERRED.

The bill (H. R. 9283) authorizing the Leonard Avenue Street Railway Company to lay tracks upon certain streets abutting United States military reservation in the city of Columbus, Ohio, was read twice by its title, and referred to the Committee on Military Affairs.

#### ENCOURAGEMENT OF SILK CULTURE.

The VICE-PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. The bill (S. 979) for the development and encouragement of silk culture in the United States under the supervision of the Secretary of Agriculture.

Mr. WASHBURN. I ask unanimous consent that House bill 7845 be taken up for immediate consideration, and that the present unfinished business shall take its place next thereto; in other words, that it shall not lose its place, but shall follow the bill I desire to get before the Senate.

Mr. WHITE. What is the bill?

Mr. WASHBURN. It is the antioption bill.

Mr. WHITE. I object.

Mr. WASHBURN. Then I ask that the pending bill be displaced, and that the Senate take up for present consideration House bill 7845, which is the antioption bill.

Mr. GEORGE. I desire to make an explanation.

Mr. ALLISON. I object to debate.

#### DEALING IN "OPTIONS" AND "FUTURES."

The VICE-PRESIDENT. The question is on the motion of the Senator from Minnesota [Mr. WASHBURN], that the Senate proceed to the consideration of House bill 7845. The Chief Clerk will read the title of the bill.

The CHIEF CLERK. A bill (H. R. 7845) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling certain products to obtain license, and for other purposes.

Mr. PADDOCK. I do not think the Senator means a permanent displacement.

Mr. ALLISON. I object to debate.

The VICE-PRESIDENT. Debate is not in order. The question is on the motion made by the Senator from Minnesota.

Mr. GEORGE. I should like to have the question stated before I vote.

The VICE-PRESIDENT. The question is on the motion made by the Senator from Minnesota [Mr. WASHBURN] that the Senate proceed to the consideration of the bill, the title of which has just been read.

Mr. WASHBURN. The present unfinished business to take its place next to it.

The PRESIDING OFFICER put the question, and declared that the yeas appeared to prevail.

Mr. ALLISON. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR]. If he were here I should vote "yea."

Mr. COLQUITT (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS]. The Senator from Arkansas [Mr. BERRY] is paired with the Senator from Colorado [Mr. TELLER]. If agreeable to the Senator from Arkansas our pairs will be transferred, so that the Senator from Texas and the Senator from Colorado will stand paired, and the Senator from Arkansas and myself will vote. I vote "yea."

The PRESIDING OFFICER (when Mr. HARRIS's name was called). The occupant of the chair is paired with the Senator from Vermont [Mr. MORRILL].

Mr. HIGGINS (when his name was called). I am paired generally with the senior Senator from New Jersey [Mr. McPHERSON]. I do not know how he would vote, and in his absence I withhold my vote. If I were at liberty to vote I should vote "yea."

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE]. Understanding that he is in favor of taking up this bill, I vote "yea."

Mr. MITCHELL (when his name was called). On this question I am paired with junior Senator from New York [Mr. HILL]. I do not know how he would vote if present. If I were at liberty to vote I should vote "yea."

Mr. PUGH (when his name was called). If I were not paired with the Senator from Massachusetts [Mr. HOAR] I should vote "yea."

Mr. QUAY (when his name was called). I am paired with the junior Senator from West Virginia [Mr. FAULKNER].

Mr. RANSOM (when Mr. VANCE's name was called). My colleague [Mr. VANCE] is absent. I am satisfied he would vote "yea" if he were present.

Mr. VEST (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY]. I should vote "nay" if he were present.

Mr. VILAS (when his name was called). On this bill I am paired with the Senator from Minnesota [Mr. DAVIS]. If he were present he would vote "yea" and I should vote "nay."

Mr. WALTHALL (when his name was called). I am paired



with the junior Senator from Rhode Island [Mr. DIXON]. If he were present I should vote "yea."

The roll-call was concluded.

Mr. FASCO. I am paired with the Senator from North Dakota [Mr. CASEY]. On consultation with his colleague I am told that he would vote yea on this question, and I record my vote in the affirmative.

Mr. COLQUHITT. I am paired generally with the Senator from Iowa [Mr. WILSON], but I understand his views would concur with my own on this question, and hence I feel at liberty to vote. I vote "yea."

Mr. PUGH. I suggest to the Senator from Wisconsin [Mr. VILAS] that we transfer our pairs so that the Senator from Massachusetts [Mr. HOAR] will stand paired with the Senator from Minnesota [Mr. DAVIS], and the Senator from Wisconsin and myself may vote.

Mr. VILAS. Very well.

Mr. PUGH. I vote "yea."

Mr. VILAS. I vote "nay."

Mr. MORGAN. I am paired with the Senator from Massachusetts [Mr. DAWES], but I am told that he would vote "yea" if he were here, and as my vote is "yea," I will record it. I vote "yea."

Mr. MANDERSON. I desire to know whether the Senator from Kentucky [Mr. BLACKBURN] has voted on this question.

The PRESIDING OFFICER. He is not recorded.

Mr. MANDERSON. I am paired with that Senator, and therefore will abstain from voting. I should vote "yea" if he were present.

Mr. HAWLEY (after having voted in the negative). I have been paired with the Senator from Georgia [Mr. GORDON], and voted without announcing that my pair has been transferred to the junior Senator from Rhode Island [Mr. DIXON], and therefore I was at liberty to vote. The Senator from Rhode Island has been previously paired with the Senator from Mississippi [Mr. WALTHALL].

Mr. ALDRICH. The Senator from Mississippi [Mr. WALTHALL] announced his pair with my colleague [Mr. DIXON].

Mr. HAWLEY. We are correcting that now. I have voted, and the Senator from Mississippi is quite at liberty to vote, inasmuch as the Senator from Rhode Island [Mr. DIXON] and the Senator from Georgia [Mr. GORDON] are paired.

Mr. WALTHALL. The Senator from Rhode Island and the Senator from Georgia stand paired on this question, I understand, and I vote "yea."

Mr. CAMERON. Has the Senator from South Carolina [Mr. BUTLER] voted?

The PRESIDING OFFICER. He is not recorded.

Mr. CAMERON. I am paired with that Senator and withhold my vote.

The result was announced: yeas 33, nays 15, as follows:

YEAS—33.			
Allen,	Dolph,	Kenna,	Ransom,
Allison,	Feltou,	McMillan,	Sheehan,
Berry,	Frye,	Morgan,	Stackbridge,
Blodgett,	Gallinger,	Paddock,	Tamm,
Carey,	George,	Pasco,	Walthall,
Cookrell,	Hale,	Peffer,	Washburn,
Coke,	Hansbrough,	Perkins,	
Columbitt,	Jones, Ark.,	Pettigrew,	
Cullom,	Jones, Nev.,	Pugh,	
NAYS—15.			
Aldrich,	Gray,	Power,	Vilas,
Chandler,	Hawley,	Sanders,	White,
Daniel,	Hiscock,	Sawyer,	Wolcott,
Gibson, Md.,	Platt,	Stewart,	
NOT VOTING—40.			
Bates,	Dixon,	Huntton,	Quay,
Blackburn,	Dubois,	Urby,	Shoup,
Brice,	Faulkner,	Kyle,	Squire,
Butler,	Gibson, La.,	McPherson,	Stanford,
Cull,	Gordon,	Manderson,	Teller,
Cameron,	Gorman,	Mills,	Vance,
Carlsle,	Harris,	Mitchell,	Vest,
Casey,	Higgins,	Morrill,	Voorhees,
Davis,	Hill,	Palmer,	Warren,
Dawes,	Hoar,	Proctor,	Wilson,

So the motion to proceed to the consideration of House bill 7515 was agreed to.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole, and will be read.

Mr. ALLISON. I ask unanimous consent that the bill may be laid aside in order that—

Mr. PADDOCK. That it be laid aside informally.

Mr. ALLISON. Yes; that it be laid aside informally, in order that we may go on with the appropriation bill.

Mr. PADDOCK. This bill remaining as the unfinished business.

The PRESIDING OFFICER. The Senator from Iowa asks the unanimous consent of the Senate that the unfinished business

be informally laid aside in order that the Senate may proceed with the consideration of the appropriation bill.

Mr. WOLCOTT. I can not understand what the purpose was in asking the Senate to vote by yeas and nays on taking up the bill when unanimous consent is asked that it go over for the consideration of something else. If we are to dispose of the appropriation bill I suppose we had better dispose of it at this time. I do not presume there is any objection to it. I do not know why we should not dispose of it. It seems to me a perfect fare; that we should solemnly vote to take it up and then be asked to unanimously agree that we shall not take it up.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Iowa?

Mr. WOLCOTT. I object.

The PRESIDING OFFICER. Objection being made, the bill just taken up will be read as in Committee of the Whole.

#### SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I move that the Senate proceed to the consideration of House bill 7520.

The PRESIDING OFFICER. The Senator from Iowa moves that the Senate proceed to the consideration of the bill H. R. 7520 making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. HAWLEY. Mr. President—

The PRESIDING OFFICER. The Senate will be in order. When Senators resume their seats and cease conversation the business of the Senate will proceed. The Chair will recognize the Senator from Connecticut when order is restored.

Mr. HAWLEY. I do not know that it is a matter of any consequence, but I mistook the question just put and voted in the negative, and I voted rather emphatically and made perhaps all the noise that was made. I intended to vote "aye."

The PRESIDING OFFICER. The pending question is on the amendment of the Senator from Pennsylvania [Mr. QUAY] to the amendment of the committee.

Mr. HISCOCK. Mr. President, I understand that the provisions in the appropriation bill to which the Senator from Iowa has referred are in the nature of a contract with what is known as the World's Columbian Exposition, that the Government undertakes to pay to the World's Columbian Exposition a certain sum of money under certain conditions, and the Exposition undertakes to make certain reports and do certain things. I understand further that the World's Columbian Exposition is a corporation under the laws of the State of Illinois, and that no corporation and no commission have been created by the act of Congress authorized to receive money or to which the Senator from Iowa proposes to pay money.

Mr. GRAY. May I ask the Senator from New York for information whether the bill does not propose to pay this appropriation when made to the Illinois corporation known as the World's Columbian Exposition?

Mr. HISCOCK. I said so.

Mr. GRAY. I thought the Senator said there was no corporation to which it could be paid.

Mr. HISCOCK. I said no corporation had been created by act of Congress to which the money could be paid.

Now, I am in favor of this appropriation. I am in favor of the Exposition having the money. However, since the Government of the United States is a silent partner in this transaction and furnishes the capital, if the people of the United States desire the Government to conduct this business upon the plan of closing it on Sunday, and I believe they do that, I am in favor of providing for that in this bill.

I repeat what I have said before, that there is no condition precedent to the closing of the Exposition on Sunday that would enforce such closure. I would not have any doubt but that it would be closed on Sunday except for the earnest struggle that is being made to prevent legislation which will insure such closing.

I repeat what I think I have said or argued, notwithstanding the judgment and opinion of my distinguished friend from Iowa, that an affirmative provision in this bill, of which he has charge, that the Exposition should be closed on Sunday would have no more effect than an attempt to "whistle down the wind." The Columbian Exposition to which the bill proposes to pay this money can disregard it the day after they have received the money, even if there is put in the bill a provision that the Exposition shall be closed on Sunday. I repeat that your Commission have no control over this property whatever. I hope the Senator from Pennsylvania will hold his proposition in such form that either a guaranty shall be taken from the Illinois corporation that the Exposition shall be closed on Sunday, or that



by his colleague that his views are the same as my own on this subject and I vote "nay."

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR]. If he were present I should vote "nay."

Mr. TELLER (when his name was called). I am paired with the Senator from Texas [Mr. MILLS]. If he were present I should vote "nay."

Mr. TURPLE (when his name was called). I am paired with the senior Senator from Minnesota [Mr. DAVIS].

Mr. WALTHALL (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON]. It has been arranged to transfer my pair to the Senator from Georgia [Mr. GORDON], and I vote "nay."

The roll call was concluded.

Mr. ALLISON. My colleague [Mr. WILSON] is absent from the Chamber on account of illness. If he were present he would vote "nay," and I say this in the presence of the Senator from Georgia [Mr. COLQUITT], that he may be at liberty to vote as he chooses on this question.

Mr. COLQUITT. I vote "nay."

Mr. BUTLER (to Mr. ALLISON). May I pair with your colleague?

Mr. ALLISON. Certainly.

Mr. BUTLER (after having voted in the affirmative). I voted "yea" on the roll call, and have been requested by Senators to pair with the Senator from Iowa [Mr. WILSON], who was paired with the Senator from Georgia [Mr. COLQUITT]. The Senator from Georgia has voted, and voted as the Senator from Iowa would vote. I will therefore withdraw my vote and announce my pair with the Senator from Iowa [Mr. WILSON].

Mr. DOLPH (after having voted in the negative). I am paired with the senior Senator from Mississippi [Mr. GEORGE]. I voted under the impression that he was in the Chamber. I withdraw my vote. I do not know how the Senator from Mississippi would vote on this question.

Mr. WALTHALL. I desire to say that my colleague [Mr. GEORGE], if present, would vote "nay."

Mr. DOLPH. I voted "nay." Then I will allow my vote to stand, if agreeable to the Senator. Let me be recorded "nay," then.

The VICE-PRESIDENT. The Senator is so recorded.

The result was announced—yeas 11, nays 45; as follows:

#### YEAS—11.

Blodgett,	Gibson, Md.	Peffer,	Vest,
Carlisle,	Huntton,	Sanders,	Vilas.
Daniel,	Palmer,	Sawyer,	

#### NAYS—45.

Aldrich,	Dolph,	Jones, Nev.	Ransom,
Allen,	Felton,	Kenan,	Sherman,
Allison,	Frye,	Kyle,	Stewart,
Bate,	Gallinger,	McMillan,	Stockbridge,
Berry,	Gibson, La.	Mitchell,	Voorhees,
Brice,	Gray,	Paddock,	Walthall,
Cameron,	Hale,	Pasco,	Washburn,
Chandler,	Hansbrough,	Perkins,	White,
Cockrell,	Hawley,	Pettigrew,	Wolcott,
Coke,	Higgins,	Platt,	
Colquitt,	Hiscock,	Power,	
Cullom,	Jones, Ark.	Quay,	

#### NOT VOTING—32.

Blackburn,	Dubois,	Irby,	Shoup,
Butler,	Faulkner,	McPherson,	Squire,
Call,	George,	Manderson,	Stanford,
Carey,	Gordon,	Mills,	Teller,
Casey,	Gorman,	Morgan,	Turpie,
Davis,	Harris,	Morrill,	Vance,
Dawes,	Hill,	Proctor,	Warren,
Dixon,	Hoar,	Pugh,	Wilson,

So the Senate refused to lay the amendment to the amendment on the table.

Mr. QUAY. At the suggestion of the chairman of the Committee on Appropriations, with the consent of the Senate, I will modify the amendment already submitted by me, and instead thereof move to insert in section 4, page 124, line 12, after the word "Exposition," the words:

Shall be closed on the first day of the week, commonly called Sunday, and that the said Columbian Exposition will.

The Secretary will read the section as it would stand amended, so that my amendment may be clear to the Senate.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 124, line 12, after the word "Exposition," insert, so as to read:

Shall be closed on the first day of the week, commonly called Sunday, and that the said World's Columbian Exposition will maintain and pay all the expenses, etc.

Mr. COCKRELL. Is it worth while to repeat that "the World's Columbian Exposition will maintain" and "the said World's Columbian Exposition shall be closed?"

Mr. ALLISON. If the Senator will allow me a moment I think he will see that it is necessary to repeat those words. The World's Columbian Exposition is the name of the Exposition, and it is also the name of the corporation; so that the Exposition is to be closed and the corporation is to maintain and pay all expenses. For safety I suggest to the Senator that it is wise to repeat those words.

Mr. COCKRELL. I have no objection, but there can be no necessity, because one embraces both.

Mr. KENNA. The amendment refers to two different subjects.

Mr. COCKRELL. The same words include both of them.

Mr. GRAY. The amendment just offered by the Senator from Pennsylvania [Mr. QUAY] as a substitute for the one which the Senate has refused to lay on the table I think embodies what is intended to be embodied, but fails to secure what is secured by the amendment which I had given notice to the Senate that I should offer to-day, and which is one of the printed amendments lying upon the tables of Senators.

The object, I suppose, of the amendment now offered by the Senator from Pennsylvania, as modified on the suggestion of the chairman of the Committee on Appropriations, is to directly make this appropriation upon condition that the World's Exposition at Chicago shall be closed on Sunday; and yet we heard in debate yesterday on both sides of this Chamber the opinion expressed that no matter what language was used in the act making this appropriation merely conditional, the World's Columbian Exposition, the Illinois corporation, would have the right to and would practically open the gates of the Exposition on Sunday.

There is nothing in the amendment as now proposed, although it clearly indicates the sense of Congress, if it shall become a law, to enforce the will of Congress expressed by the incorporation of this condition into the appropriating act. The amendment which I offered yesterday sought to make practically the purpose of Congress to close the gates of this Exposition on Sunday and by exercising the admitted power of Congress over the commission which it has created.

The World's Columbian Commission is a body created by act of Congress, and that body has the right to modify and alter or make such regulations as it chooses, or such as it is authorized or directed by Congress to make.

I simply propose, in order to effectuate the purpose which a large majority of the Senate seem to have, that we should exercise that power of directing the Commission created by the will of Congress to make such regulations as shall practically enforce the will of Congress as expressed in the incorporation of this Commission.

As to the amendment offered by the Senator from Pennsylvania as modified at the suggestion of the Senator from Iowa, there is nothing more than the expression of the will of Congress that the gates of this Exposition shall be closed on Sunday; there is no attempt to enforce the purpose there disclosed. I therefore would, if it is in order—I do not know that it is now—ask to substitute for the amendment of the Senator from Pennsylvania the amendment which I offered yesterday, and which directs the World's Columbian Commission, created by the act of Congress of April 25, 1890, to make such modifications of the rules of said corporation as shall require the closing of the Exposition on the first day of the week, commonly called Sunday.

That is the only practicable way in which it can be done, or in which Congress can exercise its power in this matter. If we were seeking to evade (which, of course, we are not), or if the Senator from Iowa was seeking to act collusively (which, of course, he is not), we could not do better than to use the language which is used in the amendment now offered by the Senator from Pennsylvania.

Mr. ALLISON. I will say to the Senator from Delaware that his amendment undoubtedly accomplishes what the friends of these amendments desire, but if he will turn to page 125 of the bill he will see that there is a provision there which makes it absolutely obligatory upon this Illinois corporation to do what his amendment proposes, namely:

Said Exposition, by action legally had, shall accept the conditions provided by section 3 of this act in reference to the distribution of whatever net amount shall remain in the treasury of said Exposition at the close of the Exposition, and also the provisions of this section, and shall certify such action to the Secretary of the Treasury.

So that I submit to the Senator, with the clear and distinct acceptance on their part of all the provisions of this section, the suggestions made in his amendment are practically covered now by the amendment suggested by the Senator from Pennsylvania [Mr. QUAY].

Mr. GRAY. Allow me to suggest to the Senator from Iowa that that provision was made in respect of other conditions and other provisions than the appropriation we are now making.

While it is quite possible that the Senator may be correct in saying that the language covers it, I do not think, inasmuch as it is not drawn with reference to the present condition in regard to the appropriation, that it is entirely clear that it does so. Therefore, I do not see why we should not put it beyond all peradventure by substituting for the amendment which he now suggests through the Senator from Pennsylvania the one which I have framed, which puts it beyond all cavil and all doubt. Our objects are the same identically, of course, as I understand.

Mr. ALLISON. I think there is no trouble about it, but this is much shorter, and I will say enables the provisions to apply to the latter clause of the fourth section, which I think, if the Senator will examine it carefully, he will see is a pretty important clause; but if there is any further doubt about it, on page 41 two or three words can be struck out there, the doing of which will absolutely accomplish the purpose in that place.

Mr. GRAY. I submit to the Senator that it would be easier to adopt the language in my amendment, which is not very long, but in too great brevity there is sometimes obscurity and doubt.

Mr. ALLISON. I have no pride of opinion about this matter.

Mr. GRAY. I have none. I merely wish to secure beyond all peradventure or cavil the adoption of what seems to be the will of Congress in this respect.

Mr. SHERMAN. I wish to call the attention of the Senator from Delaware, if he will allow me for a moment, to the language of a proviso, which is said to have been prepared by Justice Strong, late of the Supreme Court, and which was transmitted to me in the letter of a lady. It strikes me it is simpler and stronger than any other language which has yet been read. It proposes to add at the end of the second section, which is the section making the appropriation, the following words:

*Provided, however, That no part of the sum appropriated by this section shall be paid until the corporation organized under the laws of the State of Illinois, known as the World's Exposition of 1892 and said World's Columbian Exposition, shall stipulate in writing that the said Exposition shall not be open to the public on Sunday.*

Mr. GRAY. I think that will secure it absolutely and be copier-fastened, but I drew my amendment with reference to the inconvenientness pointed out yesterday by the Senator from Iowa himself. One of those inconveniences seemed to be, as stated by him and as stated to me by the president of the World's Fair Commission, that there might be some delay in making this appropriation available if the one hundred and odd commissioners constituting the Columbian Commission had to be got together in order to make the regulation which is prescribed by the amendment suggested by Justice Strong. I therefore thought it was simpler, in order to meet the objection made by the Senator from Iowa, which I recognized, that we should by law prescribe that the Columbian Commission, created by act of Congress, should make this regulation and make it mandatory upon them and as if Congress itself made the regulation, and left the discretion to no other body or authority whatever. That is acting directly upon the subject in the way I think Congress desires to act.

Mr. ALLISON. Mr. President, just one word about the suggestions made by Justice Strong. They are wise suggestions, but they are absolutely embodied in the amendment suggested by the Senator from Pennsylvania [Mr. QUAY], with the exception that it requires the World's Columbian Commission to do this thing. They are our co-authors, as suggested by the Senator from Delaware [Mr. GRAY], and we have here clearly indicated what we expect them to do. We have made a condition precedent that this corporation called the Columbian Exposition shall certify to the Secretary of the Treasury. They are not likely to do it verbally, and therefore every suggestion made by the Senator from Ohio [Mr. SHERMAN] from Justice Strong is already in the bill.

Mr. GRAY. I admit that it is not a supposable case, if the Senator from Iowa will pardon me. I should not like to say it is presumable and I do not say so; but suppose as a mere matter of power and authority, the Illinois corporation, after having certified to the Secretary of the Treasury that they had accepted this appropriation upon this condition, a year later or ten months later say that certain conditions had arisen which made it necessary and expedient to abrogate that rule, what authority have we then, Congress not being in session, over the matter at all?

Mr. ALLISON. We propose, in connection with this amendment, on page 41, to absolutely provide for the closing of the Exposition on Sunday.

Mr. FRYE. I desire to call the attention of the Senate to the fact that Rule VII provides that no Senator shall address the Senate more than once on the same subject.

The VICE-PRESIDENT. The Chair was just on the point of calling the attention of Senators to the agreement that the bill was to be discussed under that rule.

Mr. COCKRELL. I suggest that a Senator asking a question is not discussing it, as has been done here oftentimes by Senators.

Mr. PALMER. Mr. President, I rise to ascertain from the Senator from Delaware whether he desires to amend the bill so that his amendment shall extend beyond the mere conditions of the appropriation?

This bill proposes to appropriate a certain sum of money for the use of the managers of the World's Columbian Exposition on certain terms, and in order that the Senator from Pennsylvania, who has an amendment pending, which I take it for granted in substance will be adopted, which makes this appropriation conditional, I desire to inquire of the Senator from Delaware whether he wishes to go beyond making this appropriation conditional, whether he desires to go back and amend and make this requirement upon the managers of the World's Fair wholly independent of this appropriation?

Mr. GRAY. I desire to remove any embarrassment from the World's Columbian Exposition receiving this money by providing that the World's Columbian Commission, the body created by Congress, should make a rule closing the gates of that Exposition on Sunday, if this appropriation is accepted by that Illinois corporation.

Mr. PALMER. Then I wish to add that it seems to me that the amendment of the Senator from Pennsylvania covers the whole ground. While I think that is clear, precise, explicit, and leaves no room for doubt, and to that extent is preferable, I prefer the amendment proposed by the Senator from Delaware.

I desire to say that the sense of the Senate now being fully expressed on this subject, those who have heretofore opposed this restriction now desire very much that the friends of this amendment shall put it in such language as will satisfy them, because it is expected to observe it in good faith. There is no desire to evade it.

Mr. QUAY. Mr. President, as there seems to be some objection among the friends of the closing of the Exposition on the Sabbath day to the substitute in the form in which I presented it, in order to disembarass the situation, I will withdraw the substitute and allow the vote to be taken on my original amendment as presented.

I am frank to say that I prefer the amendment of the Senator from Delaware [Mr. GRAY] to my own, and if he will offer it at the close of the bill, where it seems to me it will come in properly, I shall vote with him to insert it, and if having been inserted, I shall move to strike out my own amendment if it is adopted.

Mr. VEST. Mr. President, I simply wish to say in regard to an observation made by the Senator from Illinois [Mr. PALMER] that while I do not propose to make any faction's opposition to the amendment, which seems to express the sense of the majority of the Senate in regard to this matter, I desire a vote upon an amendment which I had read for information, and which expresses my views relative to this question.

I take it for granted that the Senate proposes to accept the exhortation contained in the numerous telegrams received yesterday by the Senator from Pennsylvania [Mr. QUAY] to stand firm and make no compromise, but there are some of us who do not choose to be put in the category of the immoral and filthy lions and dangerous elements of this country, and who indignantly deny the imputation that there is anything in our vote upon this question which puts us in sympathy with the immoral element of the United States. I do not propose to discuss the question, but I ask the Secretary now to read the amendment which I submitted, upon which I shall, if parliamentary rules permit, insist upon a ye-and-nay vote.

The VICE-PRESIDENT. If the amendment offered by the Senator from Pennsylvania [Mr. QUAY] is adopted to the amendment of the committee, the Senator from Missouri [Mr. VEST] will then be at liberty to offer his amendment to the amendment as amended.

Mr. VEST. Very good. I have no objection to perfecting the amendment as it is proposed to have it. I ask the Secretary to read that amendment, which embodies my views upon the amendment.

The VICE-PRESIDENT. The proposed amendment will be read for information.

The Secretary read as follows:

If the Commission determine to keep the Exposition open on Sunday there shall be an entire cessation on that day of all labor by employees and attendants connected with the Exposition, except such service and attentions as may be absolutely necessary for the management of the Exposition, the preservation of order, and the safe-keeping of articles on exhibition, nor shall any machinery be operated, nor work of any sort be carried on, except as before stated, within the limits of the Exposition. It shall also be the duty of the Commission to provide a hall of sufficient size, with suitable furniture and arrangement for religious exercises; and said Commission shall invite the various religious denominations of the United States to hold such exercises in said hall upon every Sunday during the time the Exposition may be opened, the invitation to be issued impartially and without discrimination, so that equal opportunity may be given to every sect and faith.

Mr. ALLISON. It has made an appropriation—  
The PRESIDING OFFICER. The time of the Senator from Iowa has expired.

Mr. CALL. I ask that the time of the Senator from Iowa may be extended so that he may complete his statement.

Mr. CULLOM. I hope the chairman of the committee will be allowed to complete his remarks so as to explain the situation.

The PRESIDING OFFICER. The Senator from Florida asks unanimous consent that the Senator from Iowa be permitted to continue his remarks. Is there objection? The Chair hears none, and the Senator from Iowa will proceed.

Mr. ALLISON. We have appropriated no money except for our own Government exhibit and for the payment of the expenses of our own Commission. Here we are now on the 1st of August with our own Commission requiring a scale of exhibits not of ten and a half million dollars but of \$18,000,000 or of \$17,000,000.

Mr. BUTLER. What amount of money have we appropriated for the Government exhibit, if the Senator can inform me without trouble?

Mr. ALLISON. We have appropriated up to this moment about \$800,000 for the Government exhibit and the Commission, and there is in this bill nearly or quite \$700,000 more for the Government exhibit. In the original act there was a limit placed upon that of \$1,500,000. I do not care to go into that of course. This enlarges that limit.

Now, the question for us to consider when we came to prepare this amendment was what will be a just distribution of this burden, if it be a burden, of maintaining this international Exposition. The citizens of Chicago have appropriated \$10,000,000, the city of Chicago \$5,000,000, and the subscribers \$5,000,000. We appropriate here \$5,000,000 more, and we require of the Exposition that they shall pay certain expenses which under the act of 1890 we were required to pay. We require that those expenditures shall be paid out of the receipts of the Exposition.

After we have appropriated the \$5,000,000, as the Senator from Louisiana says, there will probably be required \$3,000,000 more. We have provided in this amendment that that \$3,000,000 shall be guaranteed to the Secretary of the Treasury before our \$5,000,000 or any portion of the \$5,000,000 is paid. So either this corporation will be obliged to borrow \$3,000,000 or it will be obliged to subscribe for \$3,000,000 more. I understand that it is in the mind of those controlling it to borrow about half that sum, and that they have or will have subscriptions to the amount of the other half. The scheme of this amendment is that as respects whatever they subscribe hereafter and as respects what they have subscribed heretofore the Government will with them share and share alike, in proportion to the amount contributed, of the net residuum, after all expenses have been paid.

In addition to that, there is involved in this scheme, as Senators will see, the souvenir half-dollar, which is supposed and believed will inure to the benefit of the Government. So, practically, the Government of the United States will receive a certain amount of benefit from that source. Taking all this scheme and machinery together we believed that it was exact justice, or more nearly exact justice, for us to share with this local corporation our subscription with theirs rather than to require them to pay the whole of our debt before receiving anything in return for their investment on this account.

So it seems to me that if we look at this question by and large, and the magnitude and nature of the Exposition, neither the Philadelphia Exposition nor the New Orleans Exposition can be counted as a precedent. I will say, however, that although the New Orleans Exposition was a local exposition in one sense—it had its origin in the Southern States—we did contribute \$1,000,000 to it as a loan. I believe the Senator from Louisiana alluded to that. But after all that was done, the Government of the United States, by appropriation of public money, appropriated more than half a million dollars in addition, because we had obligated ourselves in that Exposition in such a way that the honor of the Government was bound. We appropriated out of the Treasury more than half a million dollars to pay the deficit of the Cotton Exposition in the city of New Orleans.

I think it is wiser and better for us to share and share alike with this corporation the contributions which are to be made as respects the Exposition.

Mr. GRAY. Mr. President, I agree with what the Senator from Iowa has said. Before I could gain my full consent to vote a dollar out of the Treasury of the United States towards this Exposition, I had convinced myself that it was a national undertaking, that it was a national function which the Federal Government and not the States alone could perform in order to put itself in line with the great nations of the world that had come to consider these great expositions as part of the accessories to the civilization of this century. It was not hard to convince myself that as a matter of fact this had been undertaken as a national

function by looking at the enacting clause and the first section of the act of April 25, 1890, where I find this language:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an exhibition of arts, industries, manufactures, and products of the soil, mine, and sea shall be inaugurated in the year 1892, in the city of Chicago, in the State of Illinois, as hereinafter provided.*

The initiation of this great Exposition was made by an act of Congress, and so far as this Government can be committed to an undertaking this act has committed the Government to this undertaking as a national function. Being such, I find myself willing to vote for such appropriation as shall be deemed to be wise and just and proper in order to make the Exposition a national success. I would not vote for a loan to this or any other exposition, or to any corporation or set of individuals in any State, no matter what precedent may be quoted in the past action of the Government in that respect, but I am willing to vote an appropriation of money for this Exposition because it is, in my opinion, a public concern and a public object.

I believe that the United States, in regard to the money to be appropriated by it for this purpose, should stand upon an equal footing with all other persons contributing thereto, and that there should be no preference for the United States in regard to the repayment of the money, or exemption of the United States from the ordinary risks that obtain in an undertaking like this. So I feel impelled to vote against the amendment offered by the Senator from Louisiana, believing that the provision already made by the committee is a wiser one, and one consonant with the public objects and with the theory upon which I believe this whole matter has been at all interfered with by the Government of the United States.

Mr. HAWLEY. Mr. President, I am happy to concur entirely with what the Senator from Delaware has said. I will put directly upon record a correct statement of a similar arrangement with the Philadelphia Exhibition.

The act which created the Centennial Commission and authorized the Exposition of 1876 was approved March 3, 1871. It was very brief, and contained no provision for raising the money or for the general government of the exhibition. It merely created a commission and told it to hold an international exhibition. At the first meeting of that commission it was voted to apply to Congress for the creation of an auxiliary corporation to be called the Centennial Board of Finance. It was to carry on the financial operations, and also the active executive work of putting up buildings, caring for the grounds, receiving and disbursing money, etc. It had an elaborate charter and an elaborate organization. Corporators were named from every State in the Union. A great popular subscription was invited. Subscriptions were made in various parts of the Union and by a number of the States.

But there was a good deal of financial disturbance in the country about 1872, 1873, 1874, and 1875, and it was found impossible to raise the money necessary in that way. The State of Pennsylvania came forward with exceeding generosity and put up a building with its own appropriation. The city of Philadelphia did the same thing. The city of Philadelphia made vast improvements upon Fairmount Park, the site of the exposition, having in view of course the future value of those improvements. But as the time for the exposition approached it was found that it was impossible to carry it to a successful conclusion without more money. Therefore an act was passed, very late, you will see, approved February 16, 1876, less than three months before the opening of the exhibition, giving \$1,500,000 to the Centennial Board of Finance to carry on the work of the exposition in four several drafts. It was intended, and expected, and hoped then that the Government would do just what it is proposed to do now in this bill, that it would share and share alike, as the popular phrase is, with the stockholders, who had already subscribed two or three million dollars.

The bill was drawn in that form: it was likely to pass in that form; when at the last moment a member of the other House proposed a clause which was afterwards construed to make it a loan. The result was that after all the money was collected and all the expenses of the exhibition paid, the Government of the United States, which had ordered the exhibition for the glory of the nation to celebrate its one hundredth anniversary, took every dollar of its million and a half back and put it in its pocket, and left the shareholders to get a dividend of 22 or 23 per cent.

I say, Mr. President, with all respect to my country, it was not a respectable proceeding. It was a very cruel thing to do. The Government ordered that exhibition with a great flourish. With eloquent whereas and preambles it ordered the exhibition to be held, and then, you may say, ordered the people to subscribe. They subscribed with what was then considered very great liberality, and then the Government, to save the nation from what would have been an unquestioned and mortifying disgrace, put in the million and a half, and at the last moment decided to call it a loan.

Now, I think that the people of the State of Illinois, and especially the people of Chicago, deserve the thanks of the nation for the vigor and the liberality with which they have conducted this affair. They feel that the honor of Chicago is at stake. But there is a great deal more than that, sir. The honor and credit of our whole country are at stake in this enterprise, and I do sincerely and most earnestly hope that we shall not deal with it in any narrow spirit. I say if this \$5,000,000 be put in as is proposed in the bill the least that we can do is to put ourselves upon an equality with the shareholders.

Mr. BUTLER. Mr. President, I was under the impression that we had a unanimous agreement yesterday to vote upon the bill at 2 o'clock. It is now nearly half past 2, and we have had three speeches since that time. I do hope—

The PRESIDING OFFICER. The Chair will state to the Senator from South Carolina that he does not understand that there was any agreement as to any time when the vote should be taken, but the agreement was that debate should continue to-day under the five-minute rule, under Rule VIII.

Mr. BUTLER. Up to 2 o'clock.

The PRESIDING OFFICER. The Chair does not understand that there was any time fixed for closing the debate.

Mr. BUTLER. I will ask the Senator from Iowa if it was not agreed that we should vote at 2 o'clock?

Mr. ALLISON. No; the five-minute debate was to go on until this provision was disposed of.

Mr. BUTLER. Then we can be kept here all night, I presume.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. WHITE] to the amendment of the Committee on Appropriations.

Mr. WHITE. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CAREY. Let the amendment to the amendment be read.

The PRESIDING OFFICER. The amendment of the Senator from Louisiana to the amendment of the committee will be read.

The SECRETARY. On page 123, line 25, after the words "United States," insert:

The sum of money appropriated by this act by preference and priority over all sums, except such sums as shall hereafter be subscribed and paid by the stockholders and the city of Chicago for the completion and conduct of said Exposition, up to \$3,000,000 and no more, which sum of three millions to be hereafter subscribed, if subscribed and paid out, shall share in proportion from the assets with the sums appropriated by this act.

The VICE-PRESIDENT. The Secretary will call the roll on agreeing to the amendment of the Senator from Louisiana to the amendment of the Committee on Appropriations.

The Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR]. If he were present I should vote "yea."

Mr. DOLPH (when his name was called). I am paired with the senior Senator from Mississippi [Mr. GEORGE]. I do not see him in the Chamber at this moment, and withhold my vote.

Mr. FAULKNER (when his name was called). I am paired with the Senator from Wyoming [Mr. WARREN].

Mr. WALTHALL (when Mr. GORDON'S name was called). The junior Senator from Georgia [Mr. GORDON] is paired with the junior Senator from Rhode Island [Mr. DIXON].

Mr. COKE (when Mr. MILLS'S name was called). I desire to announce the pair of my colleague [Mr. MILLS] with the Senator from New Hampshire [Mr. GALLINGER].

Mr. PUGH (when Mr. MORGAN'S name was called). I desire to announce the pair of my colleague [Mr. MORGAN] with the Senator from Massachusetts [Mr. DAWES].

Mr. PASCO (when his name was called). I desire to announce again my pair with the Senator from North Dakota [Mr. CASEY].

Mr. TURPINE (when his name was called). I am paired with the Senator from Minnesota [Mr. DAVIS].

The roll call was concluded.

Mr. GALLINGER. I desire to announce my pair with the junior Senator from Texas [Mr. MILLS].

Mr. HIGGINS. I am paired generally with the Senator from New Jersey [Mr. McPHERSON]; but I feel authorized by the statement of his colleague [Mr. BLODGETT] to vote, and I vote "nay."

Mr. DANIEL (after having voted in the affirmative). I beg leave to withdraw my vote. I am paired with the Senator from Washington [Mr. SQUIRE], and I think it best, out of respect to him, not to vote.

The result was announced—yeas 20, nays 38; as follows:

## YEAS—20

Bates.	Butler.	Huntton.	Ransom.
Berry.	Carlisle.	Jones, Ark.	Vest.
Blackburn.	Cockrell.	Kyle.	Voorhees.
Blodgett.	Coke.	Pfeffer.	Walthall.
Briggs.	Gibson, La.	Perkins.	White.

## NAYS—38

Allen.	Gorman.	Kenna.	Sawyer.
Allison.	Gray.	Manderson.	Sherman.
Cameron.	Hale.	Mitchell.	Shoup.
Cary.	Hansbrough.	Padlock.	Stockbridge.
Chandler.	Hawley.	Palmer.	Teller.
Callom.	Higgins.	Pettigrew.	Vilas.
Dubois.	Hill.	Phatt.	Washburn.
Edgton.	Hiscock.	Power.	Wolcott.
Frye.	Irby.	Quay.	
Gibson, Md.	Jones, N-Y.	Sanders.	

## NOT VOTING—30

Aldrich.	Dolph.	McPherson.	Stanford.
Call.	Faulkner.	Mills.	Stewart.
Casey.	Gallinger.	Morgan.	Turner.
Colquitt.	George.	Norrill.	Ames.
Daniel.	Gordon.	Pasco.	Warren.
Davis.	Harris.	Proctor.	Wilson.
Dawes.	Hear.	Pugh.	
Dixon.	McMillan.	Squire.	

So the amendment to the amendment was rejected.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee as amended.

Mr. BERRY. Does this include the entire amendment?

The VICE-PRESIDENT. The entire amendment, inserting section 2 and the following sections, to the end of the bill.

Mr. BERRY. Upon that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BERRY. Mr. President, I simply desire to say that I do not believe it is the proper thing for the United States Government to loan the corporation in Chicago any money for the purposes of making the Exhibition proposed. I do not believe it is the proper thing for the Government of the United States to give to that corporation at Chicago any money for the purposes of making the Exhibition. I do not believe it is the proper thing for the Government of the United States to enter into partnership, either as a partner or as a stockholder, with a corporation in the State of Illinois for the purposes of making the Exhibition. Whether this amendment, as it is framed, falls under either one of these three heads, whether it is a gift, whether it is a loan, or whether it is a partnership or as a stockholder, I believe that the Government is in any case going beyond what we are authorized to go, and that we should not vote this appropriation.

I do not know that it appears in the bill, but it was asserted by people from Chicago, from St. Louis, and from New York that if the Fair was located at any of those cities the Government would not be called upon for one dollar or for one cent, but that if located at Chicago the money would be paid by the State of Illinois and by the people of Chicago. That has been but little more than a year ago, and yet to-day they come and ask that we go into partnership with them or that we give them \$5,000,000 of the money of the people of the United States.

All the arguments that have been made in regard to other questions that have arisen on this amendment apply with equal force to the main proposition. When the Government goes outside of its regular function, and into partnership with any corporation it goes beyond that which was intended by the Constitution of the United States.

A large part of the people of the South and West are to-day clamoring for the Government to loan money to a scheme called the subtreasury, or upon a land-loan bill. I, in common with other Democrats throughout the United States, have told them again and again that we did not believe the Government had any power or authority to lend them money; but we have the same right to loan it to them that we have to loan it to this corporation in the State of Illinois. I can not see how those who stand upon the Constitution and say that the Government can not loan money to anybody, can vote to loan it or give it, or go into partnership with this Exposition in the State of Illinois.

Mr. President, I am opposed to the whole scheme. I want that corporation to run its own show, without any partnership with this Government, or without our giving them a dollar or a dime. If the Government makes its own Exposition there under the law, that is one question; but this is a proposition to take \$5,000,000 of the money of the people of the United States and go into partnership with that concern, or practically to give it to them, because no one ever supposes that a dollar of it will be repaid.

For these reasons I have called for the yeas and nays for the purpose of recording my vote against the whole Chicago scheme, whether there is any other vote recorded against it in the Senate or not.

The VICE-PRESIDENT. The Secretary will call the roll on agreeing to the amendment of the committee as amended.

Mr. PEPPER. Before the roll is called I desire to call the attention of the Senator from Iowa to the fact that a few days ago, I think it was Saturday, when we were considering the committee's amendments, I had the honor to propose an amendment in one place, when it was suggested by the Senator that it would

come in at a better place in another portion of the bill, and I withdrew it for that purpose. If I am in order now, inasmuch as the amendment was discussed and generally agreed to, I will ask permission to have it read and call attention to where I desire it to be inserted; and if it is not out of order I ask that it may be acted upon.

Mr. ALLISON. Will the Senator refrain until we have a vote upon the pending question?

Mr. PEPPER. I understood that we were to take a vote now upon the bill.

Mr. ALLISON. No, we are to vote now upon the amendment of the committee as amended.

Mr. PEPPER. I beg pardon.

Mr. ALLISON. It is to insert the matter beginning on page 121, section 2, and concluding with the end of the bill, which is treated as one amendment.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. FAULKNER (when his name was called). On this and on all other questions upon the bill I am paired with the Senator from Wyoming [Mr. WARREN].

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS]. If he were present I should vote "yea."

Mr. TURPIE (when his name was called). I am paired with the Senator from Minnesota [Mr. DAVIS].

The roll call was concluded.

Mr. WALTHALL. The Senator from Georgia [Mr. GORDON] is paired with the Senator from Rhode Island [Mr. DIXON].

Mr. CALL. I am paired with the Senator from Vermont [Mr. PROCTOR].

Mr. HARRIS. I am paired with the Senator from Vermont [Mr. MORRILL]. If he were present I should vote "nay." If there is any Senator on the other side who is paired and should like to transfer pairs I would be glad to transfer my pair so that I may record my vote.

Mr. GALLINGER. I suggest to the Senator that my pair may be transferred to the Senator from Vermont [Mr. MORRILL] so that he will stand paired with the Senator from Texas [Mr. MILLS].

Mr. HARRIS. Very well; I transfer my pair to the Senator from Texas [Mr. MILLS], and record my vote, "nay."

Mr. GALLINGER. I vote "yea."

Mr. HIGGINS. I understand from the Senator from New Jersey [Mr. BLODGETT] that his colleague [Mr. McPHERSON], with whom I am paired, is in favor of the amendment, and I therefore vote "yea."

Mr. COLQUITT (after having voted in the negative). I voted, supposing that my pair with the Senator from Iowa [Mr. WILSON], with whom I am generally paired, had been transferred, but discovering that it has not, I withdraw my vote, with the announcement that I am paired with the Senator from Iowa [Mr. WILSON].

The result was announced—yeas 51, nays 14, as follows:

YEAS—51.			
Allen,	Gibson, La.	Kyle,	Sanders,
Allison,	Gibson, Md.	McMillan,	Sawyer,
Brice,	German,	Manderson,	Sherman,
Cameron,	Gray,	Mitchell,	Shoup,
Carey,	Hale,	Paddock,	Stewart,
Chandler,	Hansbrough,	Palmer,	Stockbridge,
Cullom,	Hawley,	Peffer,	Teller,
Daniel,	Higgins,	Perkins,	Vilas,
Dolph,	Hill,	Pettigrew,	Voorhees,
Dubois,	Hiscock,	Platt,	Washburn,
Felton,	Huntton,	Power,	White,
Frye,	Jones, Nev.	Quay,	Wolcott,
Gallinger,	Kenna,	Ransom,	
NAYS—14.			
Bate,	Butler,	George,	Vest,
Berry,	Carlisle,	Harris,	Walthall.
Blackburn,	Cockrell,	Irby,	
Blodgett,	Coke,	Jones, Ark.	
NOT VOTING—23.			
Aldrich,	Dixon,	Morgan,	Stanford,
Call,	Faulkner,	Morrill,	Turpie,
Casey,	Gordon,	Pasco,	Vance,
Colquitt,	Hoar,	Proctor,	Warren,
Davis,	McPherson,	Pugh,	Wilson.
Dawes,	Mills,	Squire,	

So the amendment of the committee as amended was agreed to: which was to add to the bill the following additional sections:

#### AID TO THE WORLD'S COLUMBIAN EXPOSITION.

SEC. 2. That for the purpose of aiding in defraying the cost of completing the work of preparation for inaugurating the World's Columbian Exposition, authorized by the act approved April 25, 1890, the Secretary of the Treasury is authorized and directed to have recoined \$5,000,000 in half-dollar silver coins from the uncurrent subsidiary silver coins abraded below the limit of tolerance now in the Treasury, which coins shall be of the same weight and fineness and have in all other respects the same qualities as the silver half-dollar now authorized by law; said coins shall also be of such design and be

stamped and engraved with such inscriptions and devices as will designate their value as coins of the United States, and also make them suitable souvenirs of said celebration of the four hundredth anniversary of the discovery of America by Christopher Columbus, and there is hereby appropriated from the Treasury the said \$5,000,000 so coined; and the Secretary of the Treasury is authorized to pay the same as lawful money to the World's Columbian Exposition monthly in such amounts as may be needed, in his discretion, upon detailed estimates of the expenditures for the preceding month certified to him by the president of the World's Columbian Exposition, or, in his absence or inability to act, by the vice-president, and by the director-general of the World's Columbian Commission, or, in his absence, by the president of the Commission, to be approved by the Secretary of the Treasury, nor labor to be done, materials to be furnished, and services to be performed in preparing said work of preparing said Exposition for opening on May 1st, 1893. *Provided*, That before the Secretary of the Treasury shall pay to the World's Columbian Exposition any part of the said recoinage satisfaction given, he shall be furnished him showing that the sum of \$100,000 provided for by the fifth section of the act of April 25, 1890, has been collected and disbursed as required by said act; and that provision has been or will be made by the proper authority for the closing of the Exposition on the first day of the week, commonly called Sunday; and that the said World's Columbian Exposition shall furnish a satisfactory guaranty to the Secretary of the Treasury that any further sum actually necessary to complete the work of said Exposition to the opening thereof has been or will be provided by said Exposition; but nothing herein shall be construed as to authorize the delay or postponement of the preparation of the coinage herebefore provided for, and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$100,000, or so much thereof as may be necessary, to reimburse the Treasury for loss on such recoinage. The sale of intoxicating liquors on the said Exposition grounds shall be prohibited, except for medical, mechanical, or scientific purposes.

SEC. 3. That monthly reports shall be forwarded by the said World's Columbian Exposition to the Secretary of the Treasury, on or before the 10th day of each month, showing the amount of money expended during the preceding month, accompanied with vouchers showing such expenditures in detail, which vouchers shall be made in duplicate, one to be filed with the Secretary of the Treasury, the other to be retained by the World's Columbian Exposition, which vouchers shall be certified by the president of the World's Columbian Exposition and approved by the director-general of the World's Columbian Commission, and like report shall be made monthly of receipts from all sources, before and during the progress of the Exposition, and within thirty days after the close of the Exposition as now provided by law a statement of all receipts and disbursements by the World's Columbian Exposition shall be made, and a copy filed with the Secretary of the Treasury, provided that no expenditures incurred in the preliminary organization or in securing the location of said Exposition shall be included in such disbursements; and from the net amount received into the treasury of the World's Columbian Exposition from all sources whatsoever, including sale of buildings, which together with all property shall be sold within a reasonable time, to be fixed by the Secretary of the Treasury, and upon due ascertainment thereof there shall be paid to the Secretary of the Treasury of the United States such proportion of said net amount as the sum appropriated and paid out under section 2 of this act shall bear to the aggregate of such sum, and the sum which has been, or shall hereafter be, subscribed and paid by the stockholders and the city of Chicago for the preparation, completion, and conduct of said Exposition. And the dividends so accruing to the United States shall be paid at the same time and in such proportionate installments as they are paid to the shareholders and to the city of Chicago.

SEC. 4. That the appropriation provided in section 2 of this act shall be upon condition that the said World's Columbian Exposition maintain and pay all the expenses, costs, and charges of the great departments organized for the purpose of conducting the work of the Exposition, but subject to the terms of the conference report known as the compact adopted on the 24th and 25th days of November, 1890, by the directors of the World's Columbian Exposition and by the World's Columbian Exposition, respectively, and with the right remaining in the board of directors of the World's Columbian Exposition to reduce or discontinue any expenditures when in their opinion the interests of the Exposition so require, and the per diem and expenses of all judges and juries of awards, the per diem and expenses of the commissioners who are members of the committee on awards of the World's Columbian Commission while engaged in the discharge of their duties as members of said committee, including compensation of clerks, stenographers, stationery, printing, postage, and all the necessary incidental expenses of said judges, juries, and committee on awards of the World's Columbian Commission; all said expenses, costs, and charges to be paid out of the funds of the said World's Columbian Exposition; *Provided*, That the gross expenditures on account of medals and diplomas, the committee on awards, judges and juries of awards, clerks, stenographers, stationery, printing, postage, and all the necessary incidental expenses of the same shall not exceed \$500,000 and shall be made under the direction of the World's Columbian Commission or its board of control, and before any payment of the sum appropriated by section 2 of this act shall be made to the World's Columbian Exposition, said Exposition, by action legally had, shall accept the conditions provided by section 3 of this act in reference to the distribution of whatever net amount shall remain in the treasury of said Exposition at the close of the Exposition, and also the provisions of this section, and shall certify such action to the Secretary of the Treasury.

SEC. 5. That fifty thousand bronze medals and the necessary dies therefor, with appropriate devices, emblems, and inscriptions commemorative of said Exposition celebrating the four hundredth anniversary of the discovery of America by Christopher Columbus, shall be prepared under the supervision of the Secretary of the Treasury at a cost not to exceed \$90,000, and the Bureau of Engraving and Printing, under the supervision of the Secretary of the Treasury, shall prepare plates and make therefrom fifty thousand vellum impressions for diplomas, at a cost not to exceed \$13,000. Said medals and diplomas shall be delivered to the World's Columbian Commission, to be awarded to exhibitors in accordance with the provisions of said act of Congress approved April 25, 1890, and there is hereby appropriated, from any money in the Treasury not otherwise appropriated, the sum of \$100,000, or so much thereof as may be necessary, to pay the expenditure authorized by this section; said sum to be reimbursed to the Treasury from the funds of the said World's Columbian Exposition upon the delivery of the said medals and said diplomas; and authority may be granted by the Secretary of the Treasury to the holder of a medal, properly awarded to him, to have duplicates thereof made at any of the mints of the United States from gold, or silver, or bronze, at the expense of the person desiring the same.

Mr. PALMER. I am so unfortunate as not to fully understand the rules of this body and I shall ask the instruction of the Chair on the point. The Senator from Kansas [Mr. PARKER] introduced an amendment to the bill which I have in my hand, prohibiting the sale of intoxicating liquors on the grounds of the Exposition. I desire in some parliamentary way to submit



that question again to the Senate with an amendment which I propose to offer.

The VICE-PRESIDENT. The amendment can only be reached when the bill is in the Senate. It is now before the Senate as in Committee of the Whole.

Mr. PALMER. It will then be in order?

The VICE-PRESIDENT. It will then be in order to offer the amendment.

Mr. PALMER. I will ask that that amendment be reserved when the bill is reported to the Senate.

Mr. PETTIGREW. I should like to ask the chairman of the committee if we have disposed of the committee amendments?

Mr. ALLISON. All but one or two.

Mr. PETTIGREW. I have some amendments which I wish to offer. Does the Senator from Iowa wish to dispose of the remaining committee amendments now?

Mr. ALLISON. It will take but a moment. On page 3, line 20, I desire to strike out, by unanimous consent, the words "and approaches."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 3, line 20, after the word "building," it is proposed to strike out "and approaches;" so as to read:

For post-office at Beatrice, Nebr.: For completion of building, \$5,000.

The amendment was agreed to.

Mr. ALLISON. In line 7, page 22, after the word "Washington," I move to insert:

Including resurvey of San Francisco Harbor.

The amendment was agreed to.

Mr. ALLISON. On page 55, after line 2, I move an amendment to which I call the attention of the Senator from New Hampshire [Mr. CHANDLER]. It was suggested by him. On page 55, after line 2, to insert:

And the additional sum of \$209,000 is hereby appropriated for the same purpose.

That relates to epidemic diseases.

Mr. CHANDLER. Making it \$350,000 in all.

Mr. ALLISON. About that sum.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Iowa.

The amendment was agreed to.

Mr. ALLISON. There was an amendment passed over on page 71. I will thank the Senator from Arkansas to send to the desk the amendment he proposes there.

Mr. JONES of Arkansas. It is to insert the words "in the discretion of the Secretary of the Interior" after the word "improvement," in line 6, page 71.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 71, line 6, after the word "improvement," insert "in the discretion of the Secretary of the Interior;" so as to make the paragraph read:

Hot Springs Reservation: For the improvement, in the discretion of the Secretary of the Interior, according to suitable plans and estimates to be prepared under the direction of the Secretary of the Interior, of the Government reserve bordering upon Whittington avenue, on the west branch of Hot Springs Creek, Hot Springs, Ark., and to have said improvement completed to make said reserve available in part as a reservoir to retain and retard the flood waters of said creek, and to put said reserve in a suitable state of improvement, \$30,000, or so much thereof as may be necessary, the same to be paid out of any money that may now or hereafter be available from the proceeds of the sales of public lands within the Hot Springs (Ark.) Reservation, and that is required, by existing law, to be held as a special fund for such improvements as may be provided for on Government reservations at said Hot Springs by Congress.

The amendment was agreed to.

Mr. MANDERSON. Now, the committee amendment striking out the paragraph should be disagreed to.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee, striking out the paragraph as amended.

Mr. JONES of Arkansas. Does the Senator from Iowa consent that the committee amendment shall be disagreed to?

Mr. ALLISON. I agree that the committee amendment may be rejected.

The amendment was rejected.

Mr. MANDERSON. I offer an amendment to the bill. On page 88, after line 15, I move to insert:

For the construction, under the direction of the Secretary of War, of suitable building for a military storehouse and offices at the military depot at Omaha, Nebr., \$60,000.

I simply desire to say with reference to this matter that a bill appropriating that amount for this purpose has twice passed the Senate. It passed it during the present session and at the last session of Congress. It is estimated for by the Secretary of the Treasury on the recommendation of the War Department. It is very strongly urged (as will be seen by reference to Executive Document No. 124) by the Secretary of War, and I have lately received a letter, which I have sent to the Committee on Appropriations, from the general commanding the Department of the Platte,

showing the absolute necessity for public economy and for the protection of Government property that this building should be erected. I do not think the amendment will meet with any opposition from the Committee on Appropriations.

The amendment was agreed to.

Mr. QUAY. I offer an amendment to come in after line 10 on page 1. It is an amendment which has been favorably reported from the Committee on Buildings and Grounds, and it has been modified to meet the objection of the Committee on Appropriations.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 1, after line 10, it is proposed to insert:

For purchase of site for the public building heretofore authorized at Allegheny, Pa., \$200,000; *Provided*, That the limit heretofore fixed for the cost of said building shall not be hereby increased.

Mr. ALLISON. There are \$65,000 already appropriated for that purpose. I trust the Senate will not appropriate more than \$135,000 if it appropriates anything. I suggest to the Senator from Pennsylvania to make the amount \$135,000.

Mr. QUAY. One hundred and thirty five thousand dollars in addition to the amount heretofore appropriated. That will be satisfactory. That will make it \$200,000.

Mr. ALLISON. Very well; that will be satisfactory. It is not worth while to add the \$65,000 already appropriated.

Mr. QUAY. That was not the intention.

The VICE-PRESIDENT. The amendment of the Senator from Pennsylvania will be stated as modified.

The CHIEF CLERK. It is proposed to modify the amendment so as to read:

For purchase of site for the building heretofore authorized at Allegheny, Pa., \$135,000; *Provided*—

Mr. QUAY. "In addition to the amount."

Mr. CULLOM. There is no use to put in those words.

Mr. QUAY. Very well.

The CHIEF CLERK (continuing):

*Provided*, That the limit heretofore fixed for the cost of said building shall not be hereby increased.

Mr. QUAY. I think the words I suggested had better go in.

Mr. ALLISON. I do not object to their going in.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment was agreed to.

Mr. PETTIGREW. On page 41, at the end of line 7, I move to insert:

To enable the board of control and management of the Government exhibit to procure, prepare, and compile for publication and to publish statistics pertaining to the moral, industrial, and intellectual development since January 1, 1863, of the colored people of African descent residing in the United States, \$50,000, or so much thereof as may be necessary, to be expended by said board in the same manner and said expenditures to be subject to the same supervision and approval as other funds appropriated for its use, and which shall form a part of the Government exhibit at the World's Columbian Exposition. And the several Executive Departments of the Government are authorized and directed to furnish for or provide access to any and all information and material in their respective Departments appertaining to the subjects of this inquiry and exhibit.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from South Dakota.

Mr. GORMAN. I trust the Senator will not press the amendment. It seems to me that it is very unwise to bring in the question of color or race in the matter of this great Exposition.

Mr. PETTIGREW. I shall certainly insist upon the amendment to the extent of a vote upon it. I think these people are entitled to recognition and consideration in this connection.

Mr. GORMAN. I think all the people of this country are entitled to consideration in the matter. From the beginning I have taken a very lively interest in this matter. I think I introduced the first bill for the Exposition, a bill to locate it in the city of Washington.

Mr. President, I do not care to debate the matter. We have already gone over that part of the bill. I raise the point of order that the amendment is not in order, it not having been reported by any committee.

Mr. PETTIGREW. Do I understand that the Senator raises a point of order against the amendment?

Mr. GORMAN. I do.

Mr. PETTIGREW. I will say as to the amendment that it was reported to the Senate by the Select Committee on the Quadro-Centennial. [A pause.] No; I am mistaken about that. It was not reported by that committee, but it was offered.

Mr. VEST. The Senator is mistaken.

Mr. PETTIGREW. I am mistaken about it. I had another amendment in mind. This amendment, however, was introduced by me and referred to the Committee on Appropriations several weeks ago.

The VICE-PRESIDENT. The question of order is not debatable.



conditions there is no necessity on earth for an increase of this appropriation, in my judgment, so far as the investigation of the lands is concerned. This provision embraces, however, more than one item. If it were simply to meet the expenses "for protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; of protecting public lands from illegal and fraudulent entry or appropriation," if it were for those purposes alone a very small sum would be needed, but here comes in the question of adjusting claims for swamp lands and indemnity for swamp lands, some amount should be appropriated for that, because that work ought to be wound up, and speedily wound up. There is no use of keeping it open for all eternity. The swamp-land law was passed in 1849, and yet all cases under that law have not been adjudicated.

I am satisfied the business of the General Land Office is being gotten into that condition where it can be speedily disposed of. The General Land Office is now current with its work, disposing of cases as they come up. The register and receiver make a different report from what they did previously when so many frauds were charged. No charges of fraudulent entries have been heard of in recent years. All the entries of which the Senator from Florida [Mr. CALL] speaks, of lands granted to foreigners and corporations are past. They have gotten their titles confirmed under this law and under previous action.

We have had special agents for years and years investigating these matters, and I should like to see a few samples of where land-grabbers have been deprived of the public lands they got. I know there have been frauds, and we all know it. They can not well be prevented in the rapid settlement of a new country; but I want to know where these special agents have been instrumental in setting aside entries which have been made evidently for speculative purposes, where cattle ranchmen have had twelve, fifteen, thirty, or one hundred men to take each 160 acres of land under the preemption or homestead laws and completed their entries and got patents, and within a few days after the patents were issued every solitary mother's son of them made a deed to the ranchman for the land.

What are you going to do in such a case? You have to bring a suit to vacate that patent. Tell me where one such suit has been brought and has succeeded? I should like the Senator from Kansas or any other Senator to point to a solitary instance where suit has been brought at the instance of those special agents which has been successful. I doubt whether it can be done. There were some entries made which were fraudulent. Some of them have been set aside by the General Land Office, but I want to know where they have succeeded in setting aside the title in any of the great frauds of which we have heard so much, of foreigners and syndicates and corporations and cattle ranchmen getting titles? I do not think they have succeeded. I do not think they have earned for the public the amount of money which we have paid to them in salaries. It has not been a profitable business for the taxpayer; it has not been a profitable business to the homesteader, to the honest man trying to get a home.

But I say that hundreds and thousands of honest homesteaders have been blackmailed time and again by some of these special agents who have been sent out to investigate the entries. No man who has not made it a point to inquire into those things can tell the number of instances where homesteaders have had to pay blackmail to buy off those who were threatening to have their entries contested.

There will be no occasion for any such thing in the future. Here is a law passed for the express purpose of wiping out this matter and beginning anew, and under it we have no necessity for the appropriation of \$200,000 in my judgment.

Mr. ALLISON. I think this matter is pretty well understood now in the Senate, and I should like to waive any opportunity I may have to explain my views if we can secure a vote.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. CALL. Mr. President, I should like to say a word. I wish to read a little from the official reports of this Government. I do not understand with the Senator from Missouri [Mr. COCKRELL] that there is any law of the United States which protects a man who has committed a willful fraud in acquiring possession of any of the public lands of the United States. There is no such law; there can be no such law which protects a man in the acquisition of land by a willful fraud.

I wish further to say that if the Senator from Missouri is right, it is the imperative duty of this Congress to pass such legislation as will have these cases prosecuted. If our public domain has been taken away from the purpose to which it was dedicated by the law, these are poor excuses the Senator from Missouri makes for not doing our duty in seeing that this land is restored to the use of the people.

Let us see something about what has been the statement offi-

cially made by the officers of this Government charged with this duty, and how it corresponds with the proposition of the Senator from Missouri. In the report of the Commissioner of the General Land Office for 1887 I find the following:

I submit the following extracts from the annual report of the surveyor-general of New Mexico which will be found in full in its appropriate place in this report.

Of the patented and unpatented lands I have referred to aggregating 8,064,965 acres, I think it will be safe to estimate that at least one-half, namely, 4,337,482 acres have been illegally devoted to private uses under invalid grants or unauthorized surveys. If to this sum I add the estimate before mentioned of about 4,000,000 acres unlawfully appropriated in cases pending before Congress, an approximate estimate will be reached covering from 8,000,000 to 9,000,000 acres of the public domain, which are now, and for many years past have been, in the grasp of men who have used and enjoyed the land for their own emolument, and whose earnest prayer is to be let alone in the possession of their ill-gotten gains.

I have taken the trouble of going over these various reports. I find that in the State of California it is reported:

San Miguel del Bado; Lorenzo Marquez *et al*; Preliminary survey 315,700.80 acres. The grant was made to fifty-two persons whose names are appended, and distribution was made in the act of judicial possession among fifty-eight heads of families. The surveyor-general finds the grant valid and recommends confirmation to the heirs and legal representatives of the persons named in the distribution. In reference to quantity, he states that it was not the practice of the Spanish Government to make grants of large tracts of land at the date of this concession. Find upon examining the allotments that the whole area to which title was given to fifty-eight persons was 61 acres, being a house and garden lot for each.

I will not occupy the time of the Senate in reading these extracts to any extent, but I will read this:

In California one agent has been almost exclusively engaged on timber-land entries made upon redwood lands in the Humboldt district and in aiding the United States attorney in procuring and preparing the testimony for the criminal prosecution of some of the parties who committed the frauds. A great majority of the entries investigated were found to have been in the names of poor and ignorant people who had never seen the lands, and who, immediately after the issuance of the final certificates, transferred their respective claims to syndicates or individuals dealing in lumber or timber lands. The facts and circumstances generally indicate that the entrymen were induced for a small consideration to make the entries for the benefit of the persons to whom the lands were conveyed.

The other agent in California has examined a large number of agricultural entries made upon lands valuable chiefly, and in many instances solely, for the timber thereon and for the purpose of transferring the lands to speculators. He also investigated a large number of timber-land entries.

One batch of this class of entries, embracing 12,000 acres of land in the Stockton and Visalia districts, was examined by one of the timber agents, and was found to have been transferred to a San Francisco firm, who, it is alleged, induced the entrymen to take up lands for their benefit.

The report contains specific statements in reference to the different States and Territories. It appears from the report that in the State of Colorado there have been immense appropriations of the mineral lands of that State in positive fraud of the law. Will the Senator from Missouri undertake to tell me that an investigation by this Government should not be made, and those valuable lands restored to the miners of Colorado instead of the foreigners who have by fraud and false oaths appropriated them to their benefit and taken them away from the honest laboring miners to whom the law had dedicated them? If there be such a law, it was not passed in the interests of the people; but it was procured by some designing person having the interest of those capitalists and not the interest of the people of those States in charge.

For that reason and because every administration, Democratic and Republican, has recommended this method of proceeding and vindicated it, and because in the very reason of the thing itself honest and capable men can be seduced for this duty, I object to the withdrawal of these lands by fraud.

Mr. PADDOCK. Mr. President, I desire to say just a word in response to an observation dropped by my distinguished friend from Nevada [Mr. STEWART]. Speaking of Senators and Representatives from the Northwestern States he referred to myself as perhaps not familiar with the situation in the public-land States. The inference to be drawn from what he said was that I lived somewhere in a foreign country or some other remote region. Permit me to say that I, too, am of the Senators of the Northwestern States. I am almost "to the manner born" in a public land State. I have lived in Nebraska more than thirty-five years, and am entirely familiar with the administration of the land laws in that State and the other States which are its neighbors, and know what I was talking about exactly in my discussion of the special agent matter.

The PRESIDING OFFICER (Mr. TURNER in the chair). The question is on the amendment of the Committee on Appropriations.

The amendment was rejected.

Mr. COCKRELL. I move to strike out "one hundred and twenty thousand" and insert "seventy-five thousand."

Mr. ALLISON. I trust the Senator from Missouri will allow this amendment to go now.

The PRESIDING OFFICER. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. In line 3, page 58, it is proposed to strike

out "one hundred and twenty" and insert "seventy-five;" so a to read:

And of adjusting claims for swamp lands, and indemnity for swamplands, \$75,000.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Missouri.

Mr. ALLEN. I wish to make an inquiry of the chairman of the Committee on Appropriation. I very cheerfully voted to reduce the amount of the appropriation to that fixed by the other House, feeling that by reason of the repeal of the preemption law that amount would be fully adequate for any demand which might be made for the ensuing year for this service. I am not willing, however, by my vote to cripple the service. I desire that as much of the appropriation as possible made for the Interior Department shall go to the surveys of the public lands, and yet to attain that purpose, I am not willing to reduce the appropriation for another legitimate purpose so low as to seriously cripple it. I therefore should like to inquire of the chairman of the committee what is the basis of the demand for \$120,000, or whether or not this appropriation can be reduced from \$120,000 to \$75,000 without serious injury to the public service?

Mr. ALLISON. The estimate is \$300,000. After listening to the debate here to-day, I should think about twenty-five or thirty thousand dollars would be enough.

Mr. PERKINS. Nothing.

Mr. ALLISON. Or nothing. But I should think from what I know of this subject, that we had better go slowly down in these investigations.

The amount of the appropriation for the fiscal year which has just expired, is \$240,000. We have cut it down for the coming year one-half. I have no doubt the Department can get on with that, but I should like to submit to my friend from Missouri [Mr. COCKRELL], who is usually careful about such matters, that we had better try \$120,000, the sum fixed by the House, for this year, and next year I will go along with him as rapidly as I can towards a further reduction. Perhaps we shall be able to get along with a less sum next year.

Mr. COCKRELL. As a matter of course we understand how these estimates come in. They are the same estimates that come in year after year.

Mr. ALLISON. We do not always understand, but we generally do.

Mr. COCKRELL. And there was no statement before our committee that there was necessity for any increase of this item or anything of that kind. I do not want to cripple the service.

Mr. ALLISON. I know the Senator does not.

Mr. COCKRELL. I would not have one solitary fraudulent entry confirmed if I could help it, but I do not want to waste the people's money in harassing men and then accomplish nothing. I think \$75,000 is all that the Department can properly expend. I believe it is all that the present Commissioner of the General Land Office would spend under this appropriation, unless he had to keep in his service some of the men already appointed upon reports that there was business for them to do here and there. A special agent hunting up business can always find some kind of business to attract his attention.

I believe the present Commissioner has managed that office just as well as he could. He has done wonderful work in bringing it up to date. That he was enabled to do by reason of the confirmation law of March 3, 1891, which ended the great mass of contests, and by diligent work. I think \$75,000 is all that can be properly expended, but I am willing to say \$100,000, and I know the Commissioner can not possibly expend more than \$100,000 with any profit at all. I will change my amendment so as to make the amount "\$100,000."

Mr. ALLISON. I think the House of Representatives must have looked this matter over very carefully. I read the testimony of the Commissioner of the General Land Office given before the House committee, and in that testimony, as the Senator will remember, he stated that, with the provision in the bill which authorizes him to detail clerks, he might get on with the sum named by the House; but he stated that it was an injudicious thing to take clerks away from their work here and put them to work outside.

I have the same faith in the Commissioner of the General Land Office that the Senator from Missouri has, and if he does not need this money I think we may trust him to waive its expenditure. He will not feel that he is obliged to expend it because it is appropriated.

Mr. WOLCOTT. Mr. President, I desire to make a suggestion to the Senator from Missouri, and that is this: As the bill now stands the entire Appropriations Committee can not tamper any more with this amount. If we vote to reduce it to \$100,000—and I would otherwise cheerfully vote to reduce it to \$100,000 or \$75,000—it will go to a conference committee, which is a peculiar working body; we have had some marvelous experiences of it

and the first thing we know at the end of this session we will find that \$200,000 has been appropriated. [Laughter.] I am willing to give \$120,000, but I should like to stop there for this year. I hope the Senator from Missouri will withdraw his amendment.

Mr. ALLISON. With that suggestion I hope the Senator from Missouri will withdraw the amendment, because there is great danger that there may be some manipulation after this leaves the Senate. [Laughter.]

Mr. COCKRELL. In view of the fact that one of the most important laws we have upon our statute books to-day is the act entitled "An act to repeal the timber culture, and for other purposes," and as that originated in a conference committee and was brought in and made a law upon the report of a conference committee, and as my good friend from Iowa [Mr. ALLISON] is the chairman of the subcommittee, I believe, and he is famous for these things, I shall have to yield, I reckon. [Laughter.]

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. PETTIGREW. I have an amendment which I desire to offer.

Mr. PADDOCK. What is the pending question?

The PRESIDING OFFICER. There is no question before the Senate.

Mr. HARRIS. What has become of the amendment reported by the committee with respect to this appropriation?

The PRESIDING OFFICER. The amendment reported by the committee was agreed to. The amendment of the Senator from South Dakota [Mr. PETTIGREW] will be stated.

The SECRETARY. On page 90, at the end of line 21, it is proposed to insert:

There shall be appointed, in addition to the Commission authorized by the act of Congress to provide for the celebration of the four hundredth anniversary of the discovery of America, two additional commissioners and alternates, to be selected from the five civilized tribes in the Indian Territory, said commissioners and alternates to be appointed by the President within thirty days after the passage of this act and with the authority conferred in said act upon the commissioners appointed under the second section thereof.

Mr. PETTIGREW. This amendment was reported from the Committee on the Quadro-Centennial, and is for the purpose of allowing the five civilized tribes in the Indian Territory two commissioners, so that these people may feel an interest in the Fair, as they are coming to feel an interest in the other people of the United States. It seems to me there can be no objection to the amendment.

The PRESIDING OFFICER. The question is on the amendment of the Senator from South Dakota.

The amendment was agreed to.

Mr. McMILLAN. I offer an amendment to come in on page 54, after line 2.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 54, after line 2, it is proposed to insert:

For the Daisy Chain Hospital, in the District of Columbia, the sum of \$31,000, or so much thereof as may be necessary, to be applied in the purchase of such site as the Commissioners of the District of Columbia shall approve, and for the building of a hospital, according to plans to be approved by the Commissioners of the District of Columbia, for the treatment of persons suffering from contagious and infectious diseases, and that the title to said property shall vest in the United States.

Mr. ALLISON. Does the Senator provide that this sum shall be paid from the funds of the District?

Mr. McMILLAN. I suppose the amount will be paid one-half from the funds of the District and one-half from the funds of the United States. The land is to belong to the United States, according to the amendment.

Mr. ALLISON. How is it to be purchased by the United States?

Mr. McMILLAN. As every purchase is made, one-half by the District of Columbia and one-half by the United States.

Mr. President, we have a number of hospitals in the District of Columbia, but we have not a place where in case of persons being attacked by a contagious disease, like typhoid fever or diphtheria, they can be cared for in a proper manner. It is only a short time since a case of that kind occurred. A young man was taken down with diphtheria. He was taken around to the different hospitals and was not admitted for the very good reason that they were not prepared to isolate a case of that kind. If such a case had been taken into one of the hospitals here, there is no doubt that it might have infected the other patients.

We have had the need for such a building here for a long time, but there has been great difficulty in getting the proper kind of property upon which to place it. Property-owners object to having a hospital of this kind placed upon land adjoining their property. A piece of ground has been obtained, or can be obtained subject, of course, to the approval of the Commissioners of the District of Columbia, for this purpose. A number of ladies and gentlemen in the District of Columbia have formed themselves

into an association for the purpose of taking care of this hospital. Their names are familiar to almost all of us. Miss Morton is one of the ladies, and among the others are Miss Hopkins, Mrs. Hobson, Mr. James Lowdens, Mr. Reginald Fendall, Mrs. Hoeke, Mr. Archibald Hopkins, and Mr. Sidney Ewart.

These ladies and gentlemen have undertaken to form themselves into an association for the purpose of caring for persons afflicted with contagious diseases, and there is great need for it in this District in case of an epidemic of diphtheria or scarlet fever or similar diseases. We have a pesthouse here for cases of smallpox, but not for such diseases as scarlet fever, diphtheria, and other contagious and infectious diseases.

The amendment is reported by the proper standing committee of the Senate, and I hope the chairman of the Committee on Appropriations will not object to it.

Mr. ALLISON. If the Senator will consent to insert the amendment on page 2, after line 9, I shall not object.

Mr. McMILLAN. Very well. I will allow that alteration to be made.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Michigan [Mr. McMILLAN] to be inserted on page 52, after line 9.

The amendment was agreed to.

Mr. HARRIS. I offer an amendment, which was reported by the Committee on Fisheries and referred to the Committee on Appropriations on the 7th of this month, to which I hope there will be no objection.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 37, after line 25, it is proposed to insert:

Fish hatchery in Tennessee: For investigation and report respecting the advisability of establishing a fish-hatching station at some suitable point in the State of Tennessee, \$1,000, or so much thereof as may be necessary.

The amendment was agreed to.

Mr. JONES of Arkansas. I offer the amendment which I send to the desk, to be inserted after the words "Attorney-General," at the end of line 18, on page 80.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 80, after line 18, it is proposed to insert:

Army and Naval Hospital: For the improvement and maintenance of grounds about the Army and Naval Hospital at Hot Springs, Ark., \$7,960.00.

The amendment was agreed to.

Mr. MANDERSON. I offer an amendment to come in on page 86, after line 15.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In the clause making appropriations for "Publication of Official Records of the War of the Rebellion," on page 86, line 15, after the date "1880," it is proposed to insert:

The printing and binding of 500 copies thereof, for the personal use of Senators, Members, and Delegates of the Fifty-second Congress, to be printed and bound under the direction of the Joint Committee on Printing.

Mr. MANDERSON. This makes no increase in the amount of the appropriation fixed in the bill for continuing the publication of the Official Records of the Union and Confederate Armies.

It will be remembered that the Forty-seventh Congress, by an act passed by it, monopolized the distribution of all of these Records of the Rebellion. This proposition is that one set of the entire publication shall be published for the use of the members of the Fifty-second Congress, to be printed and bound in such form as may be prescribed by the Joint Committee on Printing.

There will be, I understand, about eighty volumes of the Records of the Rebellion. I think that this reprinting and rebinding will be at a cost of perhaps 50 cents a volume, as the whole matter is electrotyped, even printing it on a little better paper than that which is now used for the Records of the Rebellion, and the entire cost for each member of Congress will be about \$40, so that the \$3,000 of this very liberal appropriation of \$235,000 will give to each member of the present Congress one set of this very valuable publication. I hope there may be no objection to the amendment.

The VICE-PRESIDENT. The question is on the amendment.

The amendment was agreed to.

Mr. VEST. On page 120, after the word "Departments," in line 20, I offer an amendment from the Committee on Public Buildings and Grounds.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 120, line 20, after the word "Departments," it is proposed to insert:

That to provide a suitable site for a Government Printing Office of such area as will not only admit of a plant equal to the present demands of the Government upon the same, but of such progressive enlargement as the growth of the country shall impose, and the needed storage and distributing warehouses necessary to the economical and efficient conduct of such establishment and the more orderly and prompt distribution of public documents, the Secretary of the Interior be, and he hereby is, empowered and

directed to secure by negotiation the purchase of the south half of square 63, containing about 23,277 square feet, and bounded as follows: Two hundred and seventy-three and three-twelfths feet, fronting on North Capitol street, along the same from the intersection of L street therewith to what is called Pierce street; thence along Pierce street for 782½ feet to First street; thence along the same for 23½ feet to L street, and thence along the same to the point of beginning: *Provided*, That the title thereto shall be approved by the Attorney-General of the United States, or failing to so secure such described property, he is hereby empowered and directed to acquire the same by condemnation proceedings, as provided in the act approved June 25, 1890, to authorize the acquisition of certain parcels of real estate embraced in square numbered 323, of the city of Washington, "to provide an eligible site for a city post-office," and he is hereby empowered and directed to expend for such purchase the money appropriated in the sundry civil appropriation act, approved August 13, 1890, to provide accommodations for the Government Printing Office, or as much thereof as may be required; and such additional sum out of the Treasury, not otherwise appropriated, not exceeding \$5,000, which may be necessary to the consummation of such purchase or acquisition of the said property; and the Treasurer of the United States is hereby authorized and directed, upon the requisition of the said Secretary, to pay the purchase, or, into court, the condemnation price of such property.

Mr. CALL. I ask the Senator from Missouri, as this amendment will probably provoke considerable discussion, to allow me to offer an amendment to the bill which will probably not elicit any opposition.

Mr. VEST. I have no objection.

Mr. CALL. The Senator from Missouri agrees that I may offer an amendment, which I send to the desk, to come in on the sixty-third page, after the twelfth line.

The VICE-PRESIDENT. The amendment moved by the Senator from Florida will be stated.

The SECRETARY. On page 63, after the word "interest" in line 12, it is proposed to insert:

*Provided*, That no part of this sum of money shall be used for the payment of the survey of any lands embraced in a grant to a State when the State made no disposition of the grant within its lifetime, or where the performance of the conditions of the grant to the State were not commenced before the time limited in the act for its expiration; and no adjustment shall be made of land claimed under such granting acts.

Mr. DOLPH. Mr. President—

Mr. VEST. I am afraid that that amendment will lead to debate.

Mr. DOLPH. It contains legislation which is out of order under the rules of the Senate.

Mr. CALL. I hope the Senator from Oregon will not raise the point of order against the amendment at this time.

Mr. MANDERSON. I rise to a parliamentary inquiry. What has become of the amendment proposed by the Senator from Missouri?

The VICE-PRESIDENT. The Senator from Missouri gave way to the Senator from Florida.

Mr. VEST. I gave way with the understanding, on my part at least, that the amendment of the Senator from Florida would lead to no debate.

Mr. CALL. Yes, undoubtedly. I withdraw the amendment for the present.

The VICE-PRESIDENT. The amendment is withdrawn. The question is on agreeing to the amendment of the Senator from Missouri [Mr. VEST].

Mr. MANDERSON. Mr. President, it may be that the amendment of the Senator from Missouri is subject to the point of order as being in the nature of general legislation upon this bill. I do not propose, however, to make the point of order myself, because I realize, as do many others, the great necessity that exists for a new Government Printing Office. This need has been so great for many years that it has led to repeated efforts on the part of Congress to meet it. Time and again in this Chamber and in the other branch of Congress the attention of Congress has been called to the deplorable condition of affairs at the present Government Printing Office. It is a building that is disgraceful to this Government. It is not only obsolete in style; not up to the present methods of conducting business, but we have agreed, those of us who have debated the proposition, that it is dangerous to human life.

This need was so generally recognized that over two years ago on the motion, as I recall it, of the Senator from Maryland [Mr. GORMAN], a member of the Committee on Printing, an amendment was placed upon the sundry civil appropriation bill appropriating \$250,000 for the purpose of purchasing a site for the erection of a new Government Printing Office. While that amendment was under discussion here, not only were the needs and necessities made prominent because of that which I have stated, but it was suggested that speed was required for a proper economical administration of affairs. We seemed all of us to agree not only that a new Printing Office was necessary, but that it should receive a location that would be in the interests of a proper economy; that above all things it should be where a railroad should reach it, so that we could dispense with the large amount of money that is yearly squandered in the transporting of material by wagons; that the crude material to be used in this

great hive of industry could be carried in by rail, and the output of the establishment placed upon the cars, mail cars and others, that could distribute it to those who were entitled to receive it. This want thus recognized led to the legislation upon that appropriation bill by which \$250,000 was appropriated for the purchase of a site.

I recall the fact, as others will recall the fact, that it was because of the protests made by the Senate Committee on Printing that that legislative committee was not charged with the responsibility and duty of the selection of the site; but in that bill the Secretary of the Treasury, then Mr. Windom, the Public Printer, Mr. Palmer, and the Architect of the Capitol, Mr. Clark, were charged with the duty of making the selection. These gentlemen performed that duty, and assuming the responsibility, not sought by them but forced upon them by the action of Congress, made advertisement. In exercise of that, which I think was a judicious and proper discretion, they limited the area upon which the Public Printing Office should be located. They received bids and they opened them. They decided upon a piece of property most admirably fitted in point of area, in point of location, and in point of all sorts of adaptability for this purpose.

There came, however, after they made their report, as I recall it now, a proposition to suspend further action; and the Committee on Printing of the Senate, by a resolution of the Senate, was charged, on the motion of the Senator from Pennsylvania [Mr. CAMERON], with the duty of making inquiry as to whether these three high and trusted officials had faithfully and well performed their duty. It was charged upon the floor of the Senate that they had selected a site entirely unfitted for the purpose for which it was proposed to purchase it; that it did not give the opportunity for foundation or footing for the building that was absolutely necessary for a building that should be or the character the new Government Printing Office should be, with its great machinery and its warehouses filled with that heaviest of material, books and paper. There was an arraignment by that resolution of this commission, and an indirect charge by the resolution that they had failed in the performance of their duty.

Under that resolution the Committee on Printing of the Senate held meeting after meeting and took testimony in very large quantity. I have here the pamphlet which contains that testimony. It is a report made in the second session of the Fifty-first Congress and numbered 2494, made on the 26th of February, 1891. It is very full and exhaustive on the subject.

A majority of the committee reported that this site was in every way desirable for the Government Printing Office; that the charges made against it that it could not afford proper footing for the buildings and would give an unsafe foundation were not true in fact. The testimony of the best experts who could be obtained was taken by the committee. The Architect of the Capitol himself testified as to its fitness. The superintendent of construction or inspector of buildings of the District of Columbia testified as to the fitness of the site. They made, as I recall it now, twelve or thirteen exploring wells, digging down to the original earth for the purpose of investigating as to the fitness of the ground for foundation purposes. Testifying from the evidence of these wells the builders, the architects of this city, declared that the attack upon the site was unwarranted and unmerited.

But the resolution and the exploration made under it accomplished the purpose. I make the charge that that exploration and that delay were in the interest of those who desired that another piece of land other than this should be purchased by the Government under the appropriation. The end was reached. At that session of Congress when this report was made there was in an appropriation bill a suspension of the appropriation of a quarter of a million dollars for the site, and there the matter was left.

Now, mark it, Mr. President, there was no effort on the part of the Committee on Printing of either House of Congress to assume the responsibility of the selection of the site. No member of the committee wanted that duty, but shrank from it and protested against it when the effort was made to throw that duty upon the committee.

But in the early days of the present session, on the 9th day of March, 1892, on a resolution introduced by the Senator from Illinois [Mr. CULLOM], the Committee on Printing of the two Houses by a simple Senate resolution was charged with the duty of exploring for a site. Here is the resolution as it finally passed. The resolution passed the Senate, and the next day, as the Senator from Illinois will recall, upon my motion the vote by which it was adopted was reconsidered because a simple resolution of the Senate could not charge the Joint Committee on Printing with a duty of this character, and it would require the concurrent action of the two Houses. The reason the next day after the passage of the simple resolution I referred to, a concurrent

resolution passed the Senate and finally passed the House of Representatives, and this it was:

That, in pursuance of the legislation heretofore taken for the acquisition of a suitable site for a Government Printing Office, the Committee on Printing acting jointly with the House Committee on the same are hereby empowered and instructed to ascertain the most suitable site for that purpose in the District, looking to the future growth of the country and the growing demands upon the printing establishment, ascertain the fair value of the same, and make report of such investigation and result.

Acting under this duty imposed upon the joint committee by Congress, the joint committee held repeated sessions. They at last decided upon the character of advertisement that should be made, and in due course advertised in the Washington Star and in the Washington Post, three times in each newspaper, reciting the action of Congress and advertising that "the Joint Committee on Printing will receive sealed proposals until 11 o'clock a. m., Monday, April 25, 1892, for the purchase of a site for a new Government Printing Office; said site to be not less than 100,000 nor more than 250,000 square feet, to be located within the District of Columbia, convenient of access to a railroad, and in compact form. Each proposal will state the location of the ground, the number of square feet offered, the price per square foot, and the names and residences of the owner or owners. Proposals must be indorsed 'For a site for the Government Printing Office,'" and directed as follows.

The day came when the proposals were to be opened, the 27th day of April, and there were received in proper form, sealed and duly indorsed, thirty or different proposals of sites. After the day for the opening of the bids other parties, who had not seen the advertisement, came with other propositions of sites, and all of them were received and considered by the Joint Committee on Printing.

Now, Mr. President, let me show what some of these sites were.

Mr. A. M. Dewey offered to donate 270,000 square feet of ground at Langdon, 3 miles from the Capitol.

Mr. John Paul Jones offered 148,555.25 square feet of ground 1 mile north of the Capitol in West Eekington at \$1 per square foot.

Weiler & Rapetti offered 165,421 square feet within 1 mile of the Capitol grounds, one-fourth of a mile from the Pennsylvania Central track, for 75 cents per square foot.

Mr. E. Kurtz Johnson offered for himself and O. G. Staples 103,222.52 square feet near the Metropolitan Branch of the Baltimore and Ohio Railroad, at \$1 per square foot.

J. H. Gray & Co. offered 120,000 square feet at West Eekington, at a price to be fixed by appraisement.

George H. Ray offered a site, as much land as might be needed, at \$1,300 per acre, situated on the Baltimore and Ohio Railroad, seven minutes' walk from Stool's Station, or Brightwood, the name of the site being Potomac.

William Mahony and R. S. Winsor, joint owners, offered 137,000 square feet of the south half of square No. 673, at \$1.30 per square foot; or the entire south half of the square, containing 213,722 square feet, at \$1.35 per square foot, or the sum of \$288,522.20; or "the owners are willing," they state, "that the price may be fixed by the committee or determined by a commission of condemnation;" the land being situated on the Metropolitan Branch of the Baltimore and Ohio Railroad.

Now, I depart for a moment from reading this list of land that was offered to the joint committee to say that this is the land that it is now proposed to purchase for the Government Printing Office site. In other words, this competitor or these competitors now come in to forestall the decision of the Joint Committee on Printing of the two Houses, to wrest from that committee the performance of this duty with which they are charged, to put to one side the others who came with them under sealed proposals and made their bids, and they ask Congress to purchase this piece of ground. Not only that—

Mr. VEST. May I ask the Senator a question?

Mr. MANDERSON. Certainly.

Mr. VEST. Is it or is it not true that the Committee on Printing, through the Senator from Nebraska, has offered an amendment to this bill for the purchase of another one of these competing tracts?

Mr. MANDERSON. Not at all. That is not the fact.

Mr. VEST. I know an amendment has come from the Committee on Printing.

Mr. MANDERSON. Yes, sir; there is an amendment which came from the Committee on Printing, that I propose to offer as a substitute for the amendment proposed by the Senator from Missouri.

Mr. VEST. What is the character of that amendment?

Mr. MANDERSON. That amendment is to resurrect or make available the \$250,000 that now lies dormant in the Treasury, suspended in the air, that the Joint Committee on Printing may perform its duty and use that money for the selection of the site

illustrations are substantially the same. If that is a year's contribution by Prof. Marsh as an employé of the Geological Survey, it is a very meager contribution, because it might have been prepared in a very short time from the originals. I understand that he is one of the scientists carried on the rolls at the rate of \$4,000 a year. I do not know whether he did any other work in that year or not. I have not been able to ascertain as to that. I wish he had stated in his communication whether or not it was only a part of his work, and whether he did anything else to earn the \$4,000. Then his explanation would be complete. He has not, however, stated what compensation he got for this reproduction of a former volume, and I shall wait for further explanations as to whether he did anything more than reproduce 40 pages of a former publication.

Mr. HAWLEY. After Prof. Marsh gets an opportunity to reply, if he sees fit to do so, then the Senator may have something more. Prof. Marsh is a gentleman and everybody knows it.

Mr. PLATT. I can hardly think that the Senator from Nevada [Mr. STEWART] wishes to do Prof. Marsh any injustice. The Senator from Nevada, especially when he is not engaged in an attack on the Geological Survey, is a just man and does not desire to do anyone an injustice.

The truth about Prof. Marsh is that he was not in the employ of the Geological Survey at that time.

Mr. STEWART. When he produced the second book?

Mr. PLATT. When he produced either the first or the second book.

Mr. STEWART. He does not so state in his communication.

Mr. PLATT. That is the truth.

Mr. STEWART. I hope that is correct. He did not so state.

Mr. PLATT. When this charge was made the other day I telephoned to the Director of the Geological Survey and asked him what the explanation was. I have received from him a letter, which perhaps ought to be read in connection with this discussion. It shows, as I understand it, that Prof. Marsh received no pay from the Government either for the work done in collecting the materials which went in the first book or for any work done during the year in which the second paper was published. The matter is all explained in Prof. Marsh's letter to the Senator from Nevada, which has been read, and in this letter from the Director of the Geological Survey, which I ask to have read.

The PRESIDING OFFICER. The letter referred to will be read:

The Secretary read as follows:

DEPARTMENT OF THE INTERIOR.  
UNITED STATES GEOLOGICAL SURVEY.  
Washington, D. C., July 11, 1892.

SIR: In reply to your request, by telephonic message, to be furnished with the facts in relation to alleged duplication of certain publications in the Geological Survey, I have the honor to make the following statement:

In 1880 a volume was published on the Odonornithes, as one of the reports of the Fortieth Parallel Survey, in charge of Clarence King. It is a large quarto volume, with a great many plates to illustrate the text. The report is exceedingly technical and of great value to science, and was prepared by Prof. O. C. Marsh, from fossils collected by himself and not at the expense of the Government; but the report of these fossils was of great importance to the Fortieth Parallel Survey, as the fossils were found in certain rocks mapped by that survey. In 1881 Prof. Marsh informed me that he had discovered some additional evidence on the subject, and had reached some important conclusions therefrom which ought to be published; that this additional matter would not require extensive publication, but that in order to be understood a résumé of some portions of the earlier work ought to go with the statements derived from the new material. The rocks in which these fossils are found are widely spread throughout the Rocky Mountain region, and the Geological Survey is engaged in mapping them and making geological sections of the same, and the new material would manifestly be valuable to the work of the survey. I therefore requested Prof. Marsh to prepare an additional paper on this subject, making the necessary résumé, which he did, and the new paper was published by the Geological Survey in the annual report for 1881-82.

This new paper, which is in part a résumé of certain portions of the large volume published by the King survey, with additional matter, makes a paper of 44 pages. The original volume published by King was illustrated at the expense of Prof. Marsh. The Government did not pay for the work of field investigation, the Government did not pay a salary to Prof. Marsh for writing the report, and the Government did not pay for the illustrations, but paid only for paper and printing. Doubtless Mr. King availed himself of this material for the purpose of economizing in his work, as he thus saved the expense of employing men to do the work; so that altogether it was highly advantageous to the Government.

In the same manner, in the short paper published by the Geological Survey, Prof. Marsh made the investigations without pay from the Government, wrote the report without pay from the Government, and furnished the illustrations without expense to the Government; so that the publication cost the Government only the sum necessary to pay for printing and paper. Prof. Marsh desired to definitely connect this new work with the old, and in making the résumé he took pains to quote the language verbatim when possible, and thus color is given to the statement that it is a republication.

The publication of this small paper of 44 pages by the Geological Survey is in no sense a duplication of the first work, except in so far as it contains a résumé of certain material published in the first volume which was needed to explain the new material.

I am, with great respect, your obedient servant,

J. W. POWELL, Director.

Hon. O. H. PLATT,  
United States Senate.

Mr. CALL. I think it is scarcely fair to the Senate, after we discussed this question a few days ago and by a decided vote of the Senate determined that it was not proper at this time to interfere with the amendment and with the action of the Committee on Appropriations in regard to this Survey, now to attempt to do it again.

If we analyze the propositions which have been made here, they amount to nothing more than that this investigation is either worthless or that it is conducted improperly, that these are incapable men, and that the favorable opinion of them is obtained by the use of patronage.

Mr. President, in regard to the question of whether scientific investigation is of any value or not, it would seem that this is not a subject which ought to be brought to our consideration at this time. The world is too full of all the practical triumphs of applied science. We see it every day in the new motors, in the application of electricity to its thousand uses, and in the discovery of new motive powers. In this connection I wish again to bring to the attention of this body the statement of the great investigator and founder of the schools of investigation in natural science, Lord Bacon, who, in his work in the *Instauratio Magna*, says:

Man, the servant and interpreter of nature, does and understands so far as he may have observed respecting the order of nature in things, or in his mind, and further he has neither knowledge nor power.

Truth is the daughter of time, not of authority. No wonder that these spells, authority, traditions have so bewildered men that they have not dared to hold direct intercourse with things.

It would indeed be disgraceful to mankind if after such parts of the material world had been laid open which were unknown in former times, so many seas traversed, so many countries explored, so many new stars discovered, philosophy or the intelligible world should be circumscribed by the same boundaries as before.

It is manifest that the human understanding creates itself much trouble, nor makes an apt and sober use of such aids as are within the command of man, from whence infinite ignorance of things and innumerable disadvantages arise. \* \* \* With all our industry we should endeavor if haply this same commerce of mind and of things (from which a greater blessing can hardly be found up in earth, at least among earthly felicities), might by any means be entirely restored, or if they might at least be brought to terms of nearer correspondence.

Mr. President, that is the foundation of all the schools of natural science. It has been accepted by the intelligence of the world and its fruits have been produced. How are we to say here and now upon this arraignment of one or two Senators, in defiance of the report of repeated committees of these two bodies, that this investigation is carried on improperly and ignorantly? What evidence is there of that? Every item in this appropriation is examined as carefully as every other appropriation by the proper Department of this Government, and there has never been any complaint the truth of which has been established that there was any misappropriation or unwise use of these funds.

I insist that it is neither fair to the Committee on Appropriations, who have examined carefully this subject, nor to the Director of the Geological Survey that we should pass judgment upon him upon these charges without some evidence. The committee have examined these items and have approved them.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Colorado [Mr. WOLCOTT].

Mr. STEWART. This Survey has grown up and gone on by items in appropriation bills, and the duties and number of its officers have never been defined. It is running on, so to speak, without much knowledge on the part of anybody. We have been promised for many years that it would be overhauled and that we should get some change. If we are going to have a Geological Survey, we ought to have it regulated by law. That has not been done. It is too big a job. It runs on to the end of a session and then when it is proposed to regulate it the excuse is always made that there is not time enough to look into it just now, but that hereafter it will be examined into.

I think it would be well to limit it a little in the amount of its appropriation as we do other branches of the Government. That course may develop investigation. Let us see if we can not economize a little in the amount. No great harm will result from that. By suspending a part of this service we may be able to develop what it is and get a view of it, and if we can get it within the bounds of the law great good will have been accomplished.

I cordially support and shall vote for the amendment of the Senator from Colorado. I hope it will prevail. It will certainly do no harm, and may lead to such laws as will regulate this Bureau as other bureaus are regulated.

Mr. ALLISON. I desire to call the attention of the Chair to Rule VIII, which I hope will be enforced hereafter.

I think we understand the question in relation to the Geological Survey well enough now to vote upon it, and all I ask is a vote.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Colorado.

Mr. STEWART. I call for the yeas and nays.



The yeas and nays were ordered.

Mr. CALL. Let us understand the question exactly.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Colorado [Mr. WOLCOTT] to strike out, on page 65, line 16, "\$562,400" and insert "\$400,000."

The Secretary proceeded to call the roll.

Mr. WALTHALL (when Mr. DIXON's name was called). The Senator from Rhode Island [Mr. DIXON] is paired with the Senator from Georgia [Mr. Gordon].

Mr. GALLINGER (when his name was called). I have been paired with the junior Senator from Texas [Mr. MILLS], but I have authority to pair that Senator with the Senator from Colorado [Mr. TRAILER], and I vote "yea."

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL]. I should vote "yea" if not paired.

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY].

Mr. TURPIE (when his name was called). I am paired with the Senator from Minnesota [Mr. DAVIS]. If he were present I should vote "yea."

The roll call was concluded.

Mr. BUTLER. Is the Senator from Pennsylvania [Mr. CAMERON] recorded as voting?

The PRESIDING OFFICER. He is not recorded.

Mr. BUTLER. I am paired with that Senator, and withhold my vote.

Mr. CARLISLE. Has the the senior Senator from Ohio [Mr. SHERMAN] voted?

The PRESIDING OFFICER. He has not voted.

Mr. CARLISLE. I am paired with that Senator, and withhold my vote.

Mr. BUTLER. I am informed that the Senator from Pennsylvania [Mr. CAMERON], with whom I am paired, if present would vote "yea" on this question. I therefore vote "yea."

Mr. PUGH. I desire to state that my colleague [Mr. MORGAN] is paired with the Senator from Massachusetts [Mr. DAWES].

Mr. GEORGE (after having voted in the negative). Has the Senator from Oregon [Mr. DOLPH] voted?

The PRESIDING OFFICER. He has not voted.

Mr. GEORGE. Then I withdraw my vote, as I am paired with him.

Mr. McMILLAN. I am paired with the Senator from North Carolina [Mr. VANCE], but on this question I am liberty to vote, and I vote "nay."

Mr. HIGGINS. I am paired with the senior Senator from New Jersey [Mr. McPHERSON]. In his absence, I withhold my vote.

Mr. HARRIS. The Senator from Delaware [Mr. HIGGINS] has announced a pair with the Senator from New Jersey [Mr. McPHERSON]. If it is agreeable to the Senator, we will transfer our pairs. I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. HIGGINS. I am content.

Mr. HARRIS. I transfer my pair, so that the Senator from New Jersey [Mr. McPHERSON] will stand paired with the Senator from Vermont [Mr. MORRILL]. I vote "yea."

Mr. HIGGINS. I vote "nay."

The result was announced—yeas 21, nays 28; as follows:

#### YEAS—21.

Allen,	Daniel,	Hansbrough,	Quay,
Berry,	Fenton,	Harris,	Stewart,
Butler,	Gallinger,	Kyle,	Vest,
Caney,	Green, La,	Peffer,	Walthall,
Chandler,	Gray,	Pettigrew,	White,
Cole,	Hale,	Powers,	Woollett,

#### NAYS—28.

Albright,	Boyd,	Platt,
Allison,	Faulkner,	Push,
Bate,	Frye,	Kenna,
Blackburn,	Hawley,	McMullan,
Call,	Higgins,	Manderson,
Cockrell,	Hiscock,	Paddock,
Cullum,	Hutton,	Palmer,
		Warren,

#### NOT VOTING—33.

Blackett,	Dolph,	Mills,	Shoup,
Brace,	George,	Mitchell,	Stanford,
Cameron,	Gibson, Md,	Morgan,	Teller,
Chandler,	Gordon,	Morrill,	Turpie,
Cass,	Gorman,	Pasco,	Vance,
Condit,	Hill,	Perkins,	Voorhees,
Davis,	Hogan,	Proctor,	Vilas,
Dawes,	Jones, Nev,	Ransom,	Washburn,
Dixon,	McPheron,	Sherman,	Wilson,

So the amendment was rejected.

Mr. MANDERSON. I offer an amendment to the bill, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 67, in line 5, after the date "1893,"

it is proposed to strike out "and until the completion of said work," and in line 7, after the word "act," to insert:

And for the printing not to exceed the usual number of any similar reports, the copy of which may be ready for the Public Printer not before the 1st day of January, 1893.

Mr. MANDERSON. The design of this amendment is to make available the appropriation of \$250,000 made in the act of March 3, 1891, for printing the final reports of the Eleventh Census, and adding to the specific works which are mentioned in that act any other reports which may be ready for publication before the 1st day of January, 1893.

This amendment is reached by consultation between the two Committees on the Eleventh Census and on Printing and seems to be what is desired by the Census Office.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

Mr. SANDERS. On page 65, line 13, after the word "meridian," I move to strike out the words "in the States of North Dakota, South Dakota, Nebraska, Kansas, and the Territory of Oklahoma."

The PRESIDENT *pro tempore*. The amendment will be stated.

The SECRETARY. On page 65, line 19, after the word "meridian," it is proposed to strike out:

In the States of North Dakota, South Dakota, Nebraska, Kansas, and the Territory of Oklahoma.

Mr. SANDERS. I should like to inquire if there is any other amendment to this particular part of the bill?

The PRESIDENT *pro tempore*. An amendment has been inserted.

Mr. PERKINS. An amendment has been adopted providing that at least one-half of what remains shall be used west of the one hundred and third meridian.

Mr. ALLISON. That will not affect the amendment of the Senator from Montana, as I understand it. He proposes to strike out the words which have been read, so that this appropriation, I take it, will be west of the ninety-seventh meridian, wherever that meridian may be.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Montana [Mr. SANDERS].

The amendment was agreed to.

Mr. CAREY. I move to strike out all after line 12, on page 64, all of page 65, and down to line 18, on page 66, and to insert in lieu thereof what I send to the desk:

I will suggest that the amendment I propose is a sliding scale to this whole division. If Senators will listen to the reading of the substitute, and follow the print of the bill, they will see just where the reduction comes under each particular item.

Mr. ALLISON. Let the substitute be reported.

The PRESIDENT *pro tempore*. The proposed amendment will be stated. The lines proposed to be stricken out will first be read, and then the lines proposed to be inserted will be read.

Mr. ALLISON. It is unnecessary to read all the words contained on pages 64, 65, and 66. They are well understood.

The PRESIDENT *pro tempore*. The amendment will be stated. The SECRETARY. It is proposed to strike out all of page 64 after line 12, all of page 65, and from line 1 to 18, inclusive, on page 66, and in lieu thereof to insert:

For salaries of the principal assistants of the Geological Survey: For two geologists, at \$4,000 each.

For one geologist, at \$3,000.

For one geologist, at \$2,000.

For two paid-out geologists, at \$2,000 each.

For one chemist, \$3,000.

For one ethnologist, \$2,700.

For one geographer, at \$2,500.

For two topographers, at \$2,000 each.

For general expenses of the Geological Survey: For the Geological Survey and the assistance of the public lands and examination of the geological structure, mineral resources, and the products of the national domain, and to continue the preparation of a geological map of the United States, including the pay of temporary employees in the field, and all other necessary expenses, to be expended under the appropriation of the Secretary of the Interior, namely:

For pay of skilled laborers and workmen, temporary employees, \$100,000.

For topographic surveys in various portions of the United States, \$50,000, of which shall be expended by the Geological Survey in the States of North Dakota, South Dakota, Nebraska, Kansas, and the Territory of Oklahoma, and at least one-half of the remainder shall be expended west of the one hundred and third meridian.

For a geological survey system of transportation of the United States, \$50,000.

For paid-out field researches, including the Geological Survey of the United States, \$10,000.

For chemical and physical researches, including the Geological Survey of the United States, \$5,000.

For the preparation of the report on the mineral resources of the United States, \$10,000.

For the purchase of necessary books for the library, and the payment for the transmission of published documents through the Smithsonian Institution, \$2,000.

For engraving the geological maps of the United States, \$10,000.

For rent of office rooms in Washington, D. C., \$2,000.

In aid of the United States Geological Survey.

The PRESIDENT *pro tempore*. The Secretary has reported



## Vessels of the new Navy in commission, etc.—Continued.

	Guns.	Off- cers.	Sea- men.	Ma- rines.
CLASS 2.— <i>Armored cruisers.</i>				
Number of vessels, 3.....	45	60	1,198	116
Maine.....				
New York, and vessel of New York type under the bill of 1893.....				
CLASS 3.— <i>Rams.</i>				
Number of vessels, 1.....	8	84		
No. 1 harbor-defense ram.....				
CLASS 4.— <i>Armored battle ships.</i>				
Number of ves-cls, 5.....	72	108	1,763	180
Texas.....				
Massachusetts.....				
Indiana.....				
Oregon.....				
The vessel authorized by the bill for 1893.....				
CLASS 5.— <i>Protected cruisers.</i>				
Number of vessels, 13.....	125	206	3,786	450
Chicago.....				
Boston.....				
Atlanta.....				
Newark.....				
Charleston.....				
Baltimore.....				
San Francisco.....				
Philadelphia.....				
Cruiser No. 6.....				
Cincinnati.....				
Raleigh.....				
Cruisers 12 and 13.....				
CLASS 6.— <i>Cruisers.</i>				
Number of vessels, 3.....	30	48	651	75
Cruisers 9, 10, and 11.....				
CLASS 7.— <i>Gunboats.</i>				
Number of vessels, 6.....	38	75	855	84
Yorktown.....				
Concord.....				
Bennington.....				
Petrel.....				
No. 5.....				
No. 6.....				
CLASS 8.— <i>Special class.</i>				
Number of vessels, 5.....	6	35	440	6
Dolphin.....				
Bancroft.....				
Vesuvius.....				
Dynamite cruiser No. 2.....				
Torpedo cruiser.....				
CLASS 9.— <i>Torpedo boats.</i>				
Number of vessels, 3.....	7	85		
Stiletto.....				
Cushing.....				
Torpedo boat No. 2.....				
Total vessels, 45.....	364	683	9,599	911

These figures are only approximate.

It will be seen that we shall have 45 ships, with 364 guns, employing 683 officers, 9,590 seamen, and 911 marines. The situation then will be that with the 364 guns authorized, of which 269 are already completed, there will remain to be constructed only 95 additional guns. The seamen required being 9,590 and there being now authorized by law 8,188, there will be required when these ships are finished an increase of 1,312 seamen.

No increase whatever will be required in the number of naval officers. There are at present on the list 1,316 officers. There will be required for this new fleet of 45 vessels only 683, leaving for shore duty and surplus force 633 officers.

On this showing, Mr. President, assuming that all the old wooden vessels will soon go out of existence and that two years from now we shall have no vessels except the new ones already built or authorized by Congress, there will be a fleet constructed in ten years which will be the equal of any fleet of a similar general and diversified character that can be made up from any navy in the world.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendments of the House of Representatives, on the motion of the Senator from Maine.

The amendments were agreed to.

Mr. HALE. That vote passes the bill?

The PRESIDENT *pro tempore*. It passes the bill.

## EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury transmitting, in

further reply to a resolution of the 9th instant, a supplemental list of judgments rendered by the Court of Claims which require an appropriation for their payment; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

## SHIPMENT OF RUM TO AFRICA.

The PRESIDENT *pro tempore* laid before the Senate the following communication, which was read:

TREASURY DEPARTMENT, BUREAU OF STATISTICS,  
Washington, D. C., July 12, 1892.

DEAR SIR: In reply to the resolution of the Senate of July 12 referred to this office by the Secretary of the Treasury, I have the honor to transmit herewith a table showing the exports of domestic distilled liquors from the United States to countries in Africa during the eleven months ending May 31, 1892.

Returns have not yet been received from the collector of customs at New York and Boston for June last. As soon as received a supplementary statement for that month will be forwarded to the Senate.

Respectfully yours,

S. G. BUCKER, Chief Clerk.

HON. CHARLES F. MANDERSON, President of the Senate.

The PRESIDENT *pro tempore*. This communication is in answer to a resolution introduced by the Senator from Ohio [Mr. SHERMAN].

Mr. SHERMAN. I call attention to the fact that the communication does not give the names of the exporters, which was the principal object I had in view. However, I will call the attention of the Secretary of the Treasury informally to the omission.

The PRESIDENT *pro tempore*. What disposition does the Senator desire made of the communication?

Mr. SHERMAN. I move that it be referred to the Committee on Finance, and printed.

The motion was agreed to.

## PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented petitions of the E. C. Murphy Association; of the Ninth Ward Democratic Association; of the David B. Hill Club, Seventh ward; of the Village Republican Club, Twenty-first ward; of the U. S. Council No. 1; of the National Provident Union; of the Henry Grattan Association; of the Court Prudential, Order of American Forerunners, No. 7504, and of the Harrison and Reid Battalion, Twenty-first ward, all of Brooklyn, N. Y., in regard to the imprisonment in England of Dr. Thomas Gallagher, and asking that steps be taken for his release; which were referred to the Committee on Foreign Relations.

He also presented the petition of Thomas I. Hall, right worthy national grand supreme ruler, Order of Galileans, and 29 other colored citizens of Baltimore, Md., praying that the appropriation for the World's Columbian Exposition be withheld unless ample provision be made for the representation of the colored people's interest at said Exposition; which was ordered to lie on the table.

Mr. COCKRELL presented a petition of citizens of Wheeling, Mo., praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which was referred to the Committee on Epidemic Diseases.

Mr. BATE presented the petition of Mrs. A. A. Gibson, secretary of the Woman's Christian Temperance Union, and sundry other citizens of Athens, Tenn., praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which was referred to the Committee on Epidemic Diseases.

Mr. WASHBURN presented resolutions adopted by the city council of Duluth and the Chamber of Commerce of Duluth, Minn., urging the necessity of a wagon, foot, and street-car bridge between Rice's Point, Duluth, and Connors Point, Superior; which were referred to the Committee on Commerce.

Mr. STOCKBRIDGE presented a memorial of 86 citizens of Jackson County, Mich., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was ordered to lie on the table.

Mr. SAWYER presented the petition of Louis Ellodin and over 40 other members of the Danish Protestant churches of Racine, Wis., praying for the passage of legislation closing the World's Columbian Exposition on Sunday; which was ordered to lie on the table.

Mr. ALLISON presented a petition of the Farmers' Alliance of Springdale, Iowa, praying for the passage of the Hatch anti-option bill; which was referred to the Committee on the Judiciary.

He also presented a petition of 34 citizens of Belmond, Iowa, and a petition of 22 citizens of Land Spring, Iowa, praying for the passage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which were referred to the Committee on Epidemic Diseases.

He also presented a memorial of 3 members of the Seventh-Day Adventist Church, and 6 other citizens of Shenandoah, Iowa, and a memorial of 36 citizens of Hawleysville, Iowa, remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which were ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. VEST. I am instructed by the Committee on the Judiciary, to whom was referred the bill (H. R. 8453) providing when plaintiff may sue as a poor person and when counsel shall be assigned by the court, to report it without amendment. As soon as the pending appropriation bill is disposed of I shall ask the Senate to take the bill up for consideration.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. WOLCOTT, from the Committee on the District of Columbia, to whom was referred the bill (S. 3211) to authorize the establishment of an academy and gallery of art in the District of Columbia, reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 1491) to establish a free public and departmental library and reading room, reported it with an amendment, and submitted a report thereon.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 3391) to incorporate the Protestant Episcopal Cathedral Foundation of the District of Columbia, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2125) to authorize the construction of a bridge over the Anacostia River, in the District of Columbia, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1591) to amend the act entitled "An act for the further protection of property from fire and safety of lives in the District of Columbia," approved January 26, 1887, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 2192) in relation to ways of egress and means of escape from fire in certain buildings within the District of Columbia, reported adversely thereon; and the bill was postponed indefinitely.

Mr. CAREY, from the Committee on Education and Labor, to whom was referred the amendment submitted by Mr. CHANDLER on the 14th instant, intended to be proposed to the general deficiency appropriation bill, reported it without amendment, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 459) for the relief of Alexander Stoddard, of New York, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the following bills, asked to be discharged from their further consideration, and that they be referred to the Committee on Military Affairs; which was agreed to:

A bill (S. 2296) for the relief of the legal representatives of Maj. William Kendall;

A bill (S. 1870) for the relief of Carl F. Kolbe; and

A bill (S. 3351) for the relief of Francis L. Abbott, administrator of the late Thomas J. Treadwell, of the United States Army.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (S. 2730) granting an honorable discharge to William Barnes, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3309) for relief of Catherine E. Whitall, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3185) for the relief of Isaac L. Muschman, of Tennessee, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the bill (S. 2338) for the protection of the rights of owners of lots in Columbian Harmony Cemetery, in the District of Columbia, reported adversely thereon; and the bill was postponed indefinitely.

#### COLUMBUS (OHIO) MILITARY RESERVATION.

Mr. HAWLEY. The Committee on Military Affairs instructed me to report back favorably House bill 9283. I ask that it be read for information, and I should be glad to have it considered now. It is a mere technical assent on the part of the United States to the running of a street railroad on the borders of the Columbus military reservation.

The PRESIDENT *pro tempore*. The Senator from Connecticut reports from the Committee on Military Affairs the bill (H. R. 9283) authorizing the Leonard Avenue Street Railway Company to lay tracks upon certain streets abutting the United States military reservation in the city of Columbus, Ohio, and asks that it may be now considered. Is there objection to the request?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 9090) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes, having met after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 11, 13, 15, 21, 22, 23, 24, 25, 26, 162, 203, 204, and 206.

That the House recede from its disagreement to the amendments of the Senate numbered 107, 108, 109, 211, and 212, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$131,261.90," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$111,364," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: Insert on page 7 of the bill, after line 8, as a new paragraph, the following: "For miscellaneous items on account of the Malby Building, \$11,216.92."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In lieu of the sum proposed to be appropriated by said amendment insert "\$7,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 150, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$11,500," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 151, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$7,250," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 152, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$7,500," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 153, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$10,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 154, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 155, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$550," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 156, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$5,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 157, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$7,500," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 158, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$6,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,800," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 160, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$6,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$8,500," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 163, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$6,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 164, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$8,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 165, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$9,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 166, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$11,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$5,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 168, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$8,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 169, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$10,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 170, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$12,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 171, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$14,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 172, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$16,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 173, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$18,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 174, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$20,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 175, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$22,000," and the Senate agree to the same.

ate numbered 205, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "That so much of section 2 of the act approved March 3, 1891, to establish circuit courts of appeals as authorizes the appointment of a marshal to each of said courts at a salary of \$2,500 be, and the same is hereby, repealed, and the duties and powers imposed upon said marshals under the said act shall be performed by the United States marshals in and for the districts where terms of said courts may be held, and to this end said marshals shall be the marshals of said circuit courts of appeals."

And the Senate agree to the same.

W. B. ALLISON,  
F. M. COCKRELL,  
*Managers on the part of the Senate.*  
WM. H. FORNEY,  
ALEXANDER M. DOCKERY,  
D. B. HENDERSON,  
*Managers on the part of the House.*

Mr. MITCHELL. I inquire of the chairman of the committee what disposition was made of the Senate amendment to the House bill with reference to the provision for marshals of the United States circuit court of appeals?

Mr. ALLISON. The Senate conferees yielded to the House on that point.

Mr. MITCHELL. Then the effect of the bill as it stands, if it shall become a law, will be to abolish that office?

Mr. CAMERON. Have the Senate conferees agreed to dispense with the services of the marshals?

Mr. MITCHELL. They have agreed to abolish the office of United States marshal of the circuit court of appeals.

Mr. CAMERON. I ask the Senate to disagree to the conference report and insist upon that amendment, unless the Senator from Iowa can give very strong reasons why we should not do so.

Mr. ALLISON. That was one of the difficulties and one of the greatest difficulties we had in dealing with this bill. We were confronted by the House conferees with a statement that the Attorney-General had recommended that these officers be abolished. He did state in his testimony before the House conferees that these officers were not necessary and he thought it wiser to devolve upon the regular marshals of the United States the duties now performed by these marshals. Finally, at the last moment, we yielded the point and yielded with regret, so far as I was concerned.

Mr. CAMERON. Then the Senate conferees yielded entirely upon the suggestion of the Attorney-General?

Mr. ALLISON. No, sir; we yielded upon the insistence of the House conferees that they would not yield that point.

Mr. CAMERON. I hope the conference report will not be agreed to.

Mr. MITCHELL. The practical effect, then, is to repeal by a clause in an appropriation bill a specific provision in the act of Congress which was passed a year or two ago, organizing the circuit court of appeals?

Mr. ALLISON. That is the effect of it.

I will state that it is very important that this conference report shall be agreed to. It has already been agreed to by the other House, and unless the bill is signed to-day by the President it will be necessary to provide for an extension of time of the old appropriations. I feel sure that nothing will be gained by rejecting this report.

Mr. MITCHELL. Has the chairman of the committee any hope that the other House would yield on further contention?

Mr. ALLISON. None whatever. I am sure they will not yield this point.

The PRESIDENT *pro tempore*. The question is on agreeing to the report of the committee of conference.

Mr. CAMERON. On that I call for the yeas and nays.

The yeas and nays were ordered.

Mr. BATE. I should like very much to have some gentleman state the reason why he opposes concurrence in the report. We do not understand it over here.

Mr. CAMERON. The reason why I oppose the adoption of the conference report is because the conferees have agreed to abolish the office of marshal of the appellate court. The Senate by a decided majority insisted upon the amendment striking out that provision, and it seems that after a very brief interview with the other House the Senate conferees have agreed to strike it out.

The PRESIDENT *pro tempore*. The Secretary will call the roll on the question of concurring in the conference report.

The Secretary proceeded to call the roll.

Mr. COLQUITT (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON].

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS].

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL]. I should vote "nay" on this proposition if he were here.

Mr. HIGGINS (when his name was called). I am paired generally with the senior Senator from New Jersey [Mr. McPHERSON]. If he were present I should vote "nay."

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE], but on this question I feel at liberty to vote. I vote "yea."

The PRESIDENT *pro tempore*. When Mr. MANDERSON's name was called. The occupant of the chair is paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY].

The roll call was concluded.

Mr. WALTHALL. The junior Senator from Rhode Island [Mr. DIXON] is paired with the junior Senator from Georgia [Mr. GORDON]. I ask that this announcement shall apply to all the yea and nay votes taken to-day.

Mr. CALL. I am paired with the Senator from Vermont [Mr. PROCTOR]. As he is not present, and I do not know how he would vote on this question, I withhold my vote.

The result was announced—yeas 38, nays 12; as follows:

# YEAS—38.

Allison,	Dubois,	McMillan,	Stockbridge,
Berry,	Faulkner,	Paddock,	Turpin,
Blodgett,	Frye,	Palmer,	Vest,
Brier,	Gorman,	Peller,	Viles,
Butler,	Hale,	Power,	Voorhees,
Carey,	Hansbrough,	Ransom,	Walthall,
Cockrell,	Hawley,	Sawyer,	Washburn,
Coke,	Hill,	Sherman,	White,
Cullom,	Huntton,	Squire,	
Daniel,	Kyle,	Stewart,	

# NAYS—12.

Allen,	Chandler,	Mitchell,	Quay,
Bate,	Felton,	Perkins,	Warren,
Cameron,	Gibson, La,	Platt,	Wheeler,

# NOT VOTING—28.

Aldrich,	Gallinger,	Jones, Ark,	Proctor,
Blackburn,	George,	Jones, Nev,	Pugh,
Call,	Gibson, Md,	Kenna,	Sanders,
Carlisle,	Gordon,	McPherson,	Shoup,
Casby,	Gray,	Manderson,	Stanford,
Colquitt,	Harris,	Mills,	Teller,
Davis,	Higgins,	Morgan,	Vance,
Dawes,	Hiscock,	Morrill,	Wilson,
Dixon,	Hoar,	Pasco,	
Dolph,	Irby,	Pettigrew,	

So the report was concurred in.

## ARMY APPROPRIATION BILL.

Mr. STEWART submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 23 to the bill (H. R. 6923) "making appropriations for the support of the Army for the fiscal year ending June 30, 1893, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 23 and agree to the same, with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "Provided, further, That no money herein appropriated shall be used in payment of the transportation of troops and supplies of the Army over any of the nonbonded lines owned by the Union Pacific Railway Company or by the Central Pacific Railroad Company; but this provision shall not withhold payment from lines leased and operated, but not owned, by said companies, and the Senate agree to the same."

WILLIAM M. STEWART,  
W. B. ALLISON,  
*Managers on the part of the Senate.*  
JOS. H. OUTHWAITE,  
H. H. ROCKWELL,  
HENRY H. BINGHAM,  
*Managers on the part of the House.*

The report was concurred in.

## JOHN HENRY LEY.

Mr. TELLER. I am directed by the Committee on the Judiciary to report favorably, without amendment, the bill (S. 333) to relieve and exempt John Henry Ley, of the District of Columbia, from the operation of an act entitled "An act to restrict the ownership of real estate in the Territories to American citizens." As it is a matter of some importance to the individual concerned and will only take a moment, I ask for the present consideration of the bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. COCKRELL. I should like to know the reason why this man should be exempt, and whether he has applied to become a naturalized citizen or has become such?

Mr. TELLER. There is a petition from the applicant, but I can state this case in less time than it would take to have the petition read.

This man is an Englishman. He came to Florida in 1880. His wife having died there, he removed later to this District, and bought 10 acres of land out here, upon which he erected a Ford establishment, spending about \$15,000 or \$16,000, I believe, on the land. He was not aware at the time he purchased the property of the law which prevented him from becoming the pur-

character of property. Since he purchased the property he has applied to become a citizen of the United States, but he is not yet a citizen. He is a laboring man, and a man who put his money in an enterprise which is certainly not injurious, and the committee thought he ought to be relieved, as we have relieved in one or two instances under very nearly the same circumstances.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. MITCHELL introduced a bill (S. 3433) to ratify and confirm certain agreements with the Lower Pend d'Oreille or Calispel Indians, and the confederated bands of Flatheads, Pend d'Oreille, and Kootenai Indians, in Washington, Idaho, and Montana, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. BLOOD-ETTY. At the request of my colleague [Mr. McPherson] I desire to introduce eight bills, and ask that they be respectively referred to the Committee on Pensions.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3434) granting a pension to Eliza Jane McWhood;

A bill (S. 3435) granting a pension to Jacob Dissenger;

A bill (S. 3436) granting a pension to Kate S. Church, widow of Joseph Church, late of Company C, Thirteenth Regiment Massachusetts Volunteers;

A bill (S. 3437) granting a pension to Louise V. Bonford, widow of Gen. James V. Bonford;

A bill (S. 3438) granting a pension to L. W. Barton, widow of R. P. Barton, late a private of Company I, Twenty-eighth Regiment New Jersey Volunteers;

A bill (S. 3439) granting a pension to Charlotte Cable, widow of Walton Cable, late a pilot in the Revenue Marine Service;

A bill (S. 3440) granting a pension to Mary D. McChesney; and

A bill (S. 3441) granting a pension to Harriet B. Cole, widow of Alfred Cole, late a private in Company E, Twenty-second Regiment United States Colored Troops.

Mr. PERKINS introduced a bill (S. 3442) to amend section 11, chapter 106, of "An act to provide a national currency secured by pledge of United States bonds, and to provide for the circulation and redemption thereof," approved June 3, 1861; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 3443) for the relief of G. D. Humphrey; which was read twice by its title, and referred to the Committee on Claims.

Mr. BITTLER introduced a bill (S. 3444) for the relief of James B. McElhose; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. HANSBROUGH introduced a bill (S. 3445) to establish a military post at or near the city of Grand Forks, in Grand Forks County, State of North Dakota; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HAWLEY introduced a bill (S. 3446) to remove the charge of desertion from the military record of Peter Buckley; which was read twice by its title, and referred to the Committee on Military Affairs.

#### ELECTION OF SENATORS BY THE PEOPLE.

Mr. GIBSON of Louisiana. I introduce a joint resolution and give notice that at the proper time I shall offer it as a substitute for the joint resolution reported by the Senator from Oregon (Mr. MITCHELL), with amendments, May 24, 1892, proposing an amendment to the Constitution of the United States providing that Senators shall be elected by the people of the several States. I ask that the joint resolution may be printed and laid on the table.

The joint resolution (S. R. 99) proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States, was read twice by its title, and ordered to lie on the table.

#### OFFICERS AND EMPLOYÉS OF GEOLOGICAL SURVEY.

Mr. CAREY submitted the following resolution; which was considered by unanimous consent and agreed to:

*Resolved*, That the Director of the Geological Survey be, and is hereby, directed to cause forthwith to be sent to the Senate a complete list of all officers and employes who are now or have been within a year past, in any of the work of said Survey, together with the name or employment, the place of employment, and the compensation of each of said persons under said Survey.

#### RELATIONS OF GOLD AND SILVER.

Mr. GIBSON of Louisiana. I offer a resolution, which I ask to have read for information, calling on the Secretary of the Treasury for certain information.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read as follows:

*Resolved*, That the Secretary of the Treasury is hereby requested to report to the Senate:

First. What proportion of the customs duties and internal-revenue taxes

received within the last twelve months, has been paid each month in gold coin, in standard silver dollars in silver certificates, in United States notes, commonly called "greenbacks," in legal-tender Treasury notes issued under the act approved July 14, 1890, national-bank notes, and gold certificates.

Second. The amount of gold coin and gold certificates in the Treasury of the United States at the present time, the amount of gold and gold certificates held by the banks of the United States, and the total amount of gold coin in this country.

Third. Whether, under the act approved July 14, 1890, the Secretary of the Treasury has deemed the notes issued in the remainder for the purchase of silver bullion with gold coin or silver coin, what amount of said notes should be so redeemed in gold coin or silver coin, or in gold or silver bullion, in the last three months.

Fourth. The report, as far as may be practicable, of the amount of gold and silver, respectively, held by the Bank of France, the Bank of Germany, and the Bank of England.

Fifth. To report what ratio should be maintained between the quantity of gold and silver in order to preserve a substantial equality between the coins of the two metals in the United States.

Sixth. Whether or not the bimetallic system, adopted under the Administration of President Washington, and reestablished and maintained under the Administration of President Jackson, might again be established upon a stable basis, by correcting the ratio, and conforming it to the market value of the two metals, either by increasing the metal in the silver unit, or by decreasing the metal in the gold unit, or by dividing the disparity between the two units and standards of value.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. STEWART. I think that resolution had better go over. It will lead to considerable debate.

Mr. PADDOCK. Let it be printed and lie over.

Mr. STEWART. The resolution calls upon the Treasury Department for a financial system. If it was merely asking for information it would be all right, but we do not want the opinions of the Treasury Department upon that subject.

The PRESIDENT *pro tempore*. The resolution will be printed and lie over, its present consideration being objected to.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed a joint resolution (H. Res. 151) to continue the provisions of a joint resolution approved June 30, 1892, entitled "A joint resolution to provide temporarily for the expenditures of the Government," in which it requested the concurrence of the Senate.

#### IRRIGATION AND RECLAMATION OF ARID LANDS.

Mr. WARREN. I desire to give notice that I shall ask the consent of the Senate on next Wednesday, immediately after the morning hour, to call up the bill (S. 2529) providing for the irrigation and reclamation of arid lands, for the protection of forests, and utilization of pastureage, and for other purposes, which now lies on the table, for the purpose of making some remarks.

#### ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. The Chair lays before the Senate under the rules certain resolutions which have come over from a previous day.

Mr. GORMAN. Pending that, I move that the Senate proceed to the consideration of the fortification appropriation bill.

Mr. STEWART. Let those resolutions be first disposed of.

The PRESIDENT *pro tempore*. The Chair recognized the Senator from Maryland, who is entitled to the floor.

Mr. GORMAN. I move that the Senate now proceed to the consideration of House bill 5233, being the fortification appropriation bill.

The PRESIDENT *pro tempore*. The Senator from Maryland moves that the Senate proceed to the consideration of a bill, the title of which will be stated.

The SECRETARY. A bill H. R. 5733, making appropriations for fortifications for the fiscal year ending June 30, 1893, and for prior years, and for other purposes.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Maryland.

#### KENTUCKY RIVER BRIDGE AT KNOXVILLE.

Mr. BATE. I ask the Senator from Maryland to withhold his motion for the present until I can call up a small bill, which will take but a moment. I ask unanimous consent to do it, because it involves the interests of some of the people of Knoxville. The people are anxious to have the bill passed, which merely provides for the extension of the time for constructing the bridge there. I ask for the immediate consideration of the bill.

The PRESIDENT *pro tempore*. Pending the motion of the Senator from Maryland, the Senator from Tennessee asks unanimous consent that the Senate proceed to the consideration of a bill, the title of which will be stated.

Mr. BATE. It will take but a moment.

Mr. PADDOCK. Before that is done I desire to suggest that the Chair lay before the Senate the resolution in relation to the Home-lead trouble in Pennsylvania for a moment, in order that we may act upon it.

Mr. BATE. The bill I refer to will only take a moment. There is an amendment to it in the nature of a substitute.

By unanimous consent, the Senate, as in Committee of the

call up a bill, which was laid aside to accommodate me several weeks ago.

The PRESIDENT *pro tempore*. Pending the motion of the Senator from Maryland [Mr. GORMAN], the Senator from New Hampshire asks the unanimous consent of the Senate for the present consideration of a bill, the title of which will be stated.

The SECRETARY. A bill (S. 145) to authorize the Court of Claims to hear and determine the claim of the Citizens' Bank of Louisiana, etc.

Mr. ALLISON. That bill, I think, must lead to considerable debate. I do not know but the Senator from New Hampshire himself desires to discuss it.

Mr. CHANDLER. I do not think it will take up much time. I desire to offer an amendment.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill? The Chair hears none, and the bill is before the Senate, as in Committee of the Whole, and will be read.

Mr. COCKRELL. I think the bill has already been passed and the question is on its reconsideration. There is no necessity for reading the bill again.

The PRESIDENT *pro tempore*. The Chair was not aware of the condition of the bill.

Mr. COCKRELL. The question is on the motion to reconsider, is it not?

The PRESIDENT *pro tempore*. The bill has been reconsidered, the Chair understands. The Chair will ascertain the preliminary status of the bill in a moment. [A pause.] The bill is in Committee of the Whole, has been read at length, and is now open to amendment.

Mr. CHANDLER. I move an amendment, which I send to the desk.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 11, after the word "court," it is proposed to strike out all down to and including the word "act," in line 14, as follows:

and said cause shall be advanced on the docket and tried without delay by any court which may become invested with jurisdiction thereof by virtue of the provisions of this act.

So as to make the bill read:

*Be it enacted, etc.* That jurisdiction is hereby conferred on the Court of Claims to hear and enter up judgment, as if it had original jurisdiction of said case, on the claim of the Citizens' Bank of Louisiana, without interest thereon, against the United States, growing out of the seizure and covering into the Treasury of the United States of certain moneys of said bank by Gen. B. F. Butler, commanding the United States forces in Louisiana in 1862; and either party shall have the right of appeal to the Supreme Court, and the statute of limitations shall not be pleaded or entertained as a bar to recovery in said cause.

Mr. WHITE. I accept the amendment.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from New Hampshire.

The amendment was agreed to.

Mr. CHANDLER. I desire permission to have printed in the RECORD the views of the minority, submitted by the Senator from Oregon [Mr. DOLPH], against this bill, which he desired might go upon the record.

The PRESIDENT *pro tempore*. The views of the minority will be printed in the RECORD, if there be no objection.

Mr. CHANDLER. It is a minority report, submitted at a former session.

The PRESIDENT *pro tempore*. It is so ordered.

Mr. PLATT. I desire to say about this case, as I remember it when it was formerly before the Senate upon a proposition to pay a large sum of money to the Citizens' Bank of New Orleans, that I do not think it is a case in which the Government ought to be made liable; but as the present bill proposes to refer it to the Court of Claims for adjudication, and as I believe that all such complicated cases ought to be decided in the Court of Claims rather than by Congress, I make no objection to the bill.

Mr. GIBSON of Louisiana. It is a bill which has passed the Senate several times.

Mr. PLATT. I remember the bill very well.

Mr. COCKRELL. Let us vote on it.

Mr. STEWART. Yes, let us vote.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. MITCHELL. I understood the Senator from New Hampshire to ask that a minority report made on a somewhat similar bill at a former session of Congress be printed in the RECORD, and it was so ordered.

Mr. CHANDLER. Yes, views of the minority, submitted by the Senator's colleague [Mr. DOLPH].

Mr. MITCHELL. I ask in this same connection that the report of the committee made at the same time, of which the minority report was a part, be printed also.

The PRESIDENT *pro tempore*. Is there objection to the request made by the Senator from Oregon?

Mr. SHERMAN. I think it would be very bad policy to do that. They are documents which have already been printed. Why print them in the RECORD?

Mr. MITCHELL. I think it is bad policy, but the Senator will appreciate that if the minority report made heretofore is printed, then it ought to be accompanied by the report of the committee.

Mr. SHERMAN. I think so, too; but I hope the Senators will withdraw the request to print in the RECORD.

Mr. CHANDLER. I always yield with deference to the suggestions of the Senator from Ohio, and I withdraw the request that the views of the minority be printed in the RECORD.

Mr. MITCHELL. All right.

The PRESIDENT *pro tempore*. The request being withdrawn, neither of the reports will be printed in the RECORD. The question is on the passage of the bill.

The bill was passed.

#### PROTESTANT EPISCOPAL CATHEDRAL.

Mr. STEWART. I ask unanimous consent to call up a bill reported by the Committee on the District of Columbia to incorporate the Episcopal Cathedral of this city. It is rather in prosecution of its business, and it is necessary that the bill should be passed at the present session. It is a short bill.

The PRESIDENT *pro tempore*. Will the Senator indicate the order of business?

Mr. COCKRELL. Let the order of business be stated.

Mr. STEWART. The bill was reported this morning.

The PRESIDENT *pro tempore*. The Chair is informed that the bill was reported to-day, and is not on the printed Calendar.

Mr. COCKRELL. Then let it be read for information.

The PRESIDENT *pro tempore*. The bill will be read for information.

The Secretary read the bill (S. 3391) to incorporate the Protestant Episcopal Cathedral foundation of the District of Columbia.

Mr. COCKRELL. From what committee did that bill come?

Mr. STEWART. From the Committee on the District of Columbia.

Mr. COCKRELL. I must look at it before I can let it pass. If I understand the bill, the way it was read, it proposes to create a perpetual, eternal corporation, with a right to buy, possess, and own anything on earth, and without any limitation whatever; and it would be only a question of time when it could aggregate to itself the whole United States.

The PRESIDENT *pro tempore*. The bill is objected to.

#### HELEN A. PATTERSON.

Mr. GALLINGER. I ask the unanimous consent of the Senate to proceed to the consideration of the bill (S. 1949) granting a pension to Helen A. Patterson.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, in line 1, after the word "roll," to strike out "subject to the provisions and limitations of the pension laws," and insert "at the rate of \$12 per month;" so as to make the bill read:

*Be it enacted, etc.* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of \$12 per month, the name of Helen A. Patterson, daughter of John T. G. Smart, late a private in Company G, Eighth New Hampshire Volunteers.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### W. H. TIBBITS.

Mr. PADDOCK. I ask leave to call up the bill (S. 3098) to amend an act entitled "An act for the relief of W. H. Tibbits," approved August 8, 1888.

The PRESIDENT *pro tempore*. Is there objection to the request of the Senator from Nebraska?

Mr. COCKRELL. Let it be read for information. We can not tell what the bill is from the title.

The PRESIDENT *pro tempore*. The bill will be read for information.

Mr. PADDOCK. I ask the Secretary to read the preamble, which is a full history of the bill, and will give the Senator from Missouri the information he desires.

The PRESIDENT *pro tempore*. The preamble will be read for information.

The Secretary read the preamble, as follows:

Whereas it appears from the records of the General Land Office that W. H. Tibbits did in good faith, on the 4th day of January, 1872, make homestead entry of the north-east quarter of section 21, township 9 north, range 11 east, in the State of Nebraska, and resided thereon for the full period of time required by existing statutes, and improved and cultivated the same; and Whereas it further appears that the said tract of land was patented to the

Barnett, &c., Messrs. Bayer Railroad at a time subsequent to said home stead entry, and sold by said railroad company to other parties; and whereas it does appear that by act of March 2, 1889, all lands, except in the State of Missouri, were withdrawn from private entry; and it not being the real intent and purpose of said act of August 8, 1888, to compel said Title Trust to remove its land State of Missouri, in order to obtain the benefit of the said act;

*The PRESIDENT pro tempore.* Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes W. H. Tibbitts, or his legal representatives, to locate 160 acres of any of the public lands of the United States subject to homestead entry, or to other entry, at \$1.25 per acre.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

*The PRESIDENT pro tempore.* The Committee on Public Lands report to strike out the preamble. The question is on agreeing to the amendment striking out the preamble.

The amendment was agreed to.

*JOHN McMAHAN.*

Mr. SHERMAN. I ask the unanimous consent of the Senate to proceed to the consideration of the bill (H. R. 4871) for the relief of John McMahan.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the President to revoke so much of general orders, headquarters Department of West Virginia, of April 24, 1861, as relates to and directs the dismissal from the Army of Maj. John McMahan, of the Second Regiment West Virginia Cavalry, and to grant him an honorable discharge as of that date.

Mr. SHERMAN. There is a very full report made by the Senator from Tennessee (Mr. BATE), and also a House report. It is a clear case of injustice done during the war.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

*SEATON NORMAN.*

Mr. VOORHEES. I ask the Senate to take up the bill (S. 2772) for the relief of Seaton Norman.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President to nominate and, by and with the advice and consent of the Senate, appoint Seaton Norman an assistant surgeon in the Marine Hospital Service, that being the rank held by him on the 1st day of July, 1870, when he resigned his position under a misapprehension of his rights in the premises.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

*DABNEY, SIMMONS & CO.*

Mr. GRAY. I ask the unanimous consent of the Senate to consider the bill (H. R. 669) for the relief of Dabney, Simmons & Co.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to examine the claim of Dabney, Simmons & Co., of Boston, Mass., for expenses incurred by them in the testing of 104 cases of opium condemned by the Government, and to repay to them the expense of the reexamination of all of the cases which upon such reexamination were found to contain the standard amount of morphine.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

*DISTRICT STREET RAILROADS.*

Mr. McMILLAN. I ask unanimous consent to call up the joint resolution (H. R. 108) extending the time in which certain street rail roads, compelled by act of Congress, approved August 1, 1887, to change their motive power from horse power to mechanical power, for one year.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which had been reported from the Committee on the District of Columbia with an amendment in line 9, after the word "Provided," to strike out:

"And within thirty days from the passage of this act said Metropolitan Railroad Company shall increase its service to such an extent that it will be able to carry for any of its passengers to stand up. And no rate shall be collected for any passenger in any of its cars until furnished a seat thereon. *Provided*, That overhead wires may be used in propelling the cars by electricity, as a power provided by the Commissioners of the District of Columbia."

And to insert:

"If so fast as the cars now building are equipped with storage batteries they shall be placed on the road. *And provided further*, That pending the change the present equipment of the road shall be put, kept, and maintained in good condition."

Mr. HALE. Let me ask the Senator from Michigan what company this is?

Mr. McMILLAN. It is the Metropolitan Company. There are two companies who accepted the terms of that law, the Washington and Georgetown Company and the Metropolitan Company. The one company adopted the cable system and the other has adopted the storage-battery system. As we all know as to the storage-battery system there has been some delay in getting the patents that were supposed to be suitable for running these cars. The result has been that they are not able to comply with the law on the 1st of June. I have myself examined the plant which they have erected on the other side of the 1st street bridge in Georgetown, and I am satisfied from the large expenditure of money that they have made it will be a delay of only a short time. Still we have extended the time one year.

Mr. HALE. I hope that the Senator, exercising as he does a sort of supervision over these companies, which all of us are very glad that he shall exercise, will look to it a little hereafter that this company furnish better accommodations for the public than they are doing now. This company have practically outraged the public during this entire season. They have withdrawn their open cars and have obliged the public to be confined in hot, unhealthy, and unwholesome box cars, so that every sensible man who wants to come to the Capitol has either to take another route or wait, as I have done some times, for half a dozen box cars to pass before finding one open car. It is an unreasonable thing that these companies should trifle with the public as they do. They impose upon the people here constantly, and this company, particularly, this year has been the chief of the shammers in this regard.

I hope the Senator will look to it hereafter and see that the public has good accommodations on this road.

Mr. McMILLAN. The following provision is proposed to be inserted by the committee in the latter part of the joint resolution:

"That so fast as the cars now building are equipped with storage batteries they shall be placed on the road."

These are the new cars. It is an entire new equipment that they are going to put on the line.

*And provided further*, That pending the change the present equipment of the road shall be put, kept, and maintained in good condition.

I had that put in specially to cover the same point the Senator has made.

Mr. HALE. It is not a matter of much personal importance to us now, because we are to start very soon, and we shall not use this road; but if it were otherwise, I should not want them to keep their present equipment. I should want them to change it. I should want them to furnish cars such as would make it comfortable and healthy to the public to ride in. But it is not a matter of much concern to us now, personally, on account of the limited time we shall be here.

Mr. GORMAN. I wish to say to the chairman of the Committee on the District of Columbia in regard to this joint resolution that I have no doubt the time ought to be extended under the circumstances, but the joint resolution as it came from the other House provided that this road might use overhead wires. That has been stricken out by the recommendation of the Committee on the District of Columbia. I trust we shall have it understood that if in conference this overhead business is insisted upon by the conferee branch, we shall have full notice of it when it comes back here for I never could consent myself to overhead wires on that line.

Mr. McMILLAN. I think I was perfectly safe in making that pledge.

Mr. HALE. I join the Senator from Maryland. If there is any doubt about that let us have a good notice when it comes back.

Mr. McMILLAN. The Committee on the District of Columbia of the Senate were unanimous that that provision should be stricken out.

Mr. VEST. Mr. President, I have found out from long experience that it is utterly useless to attempt to put any limitations upon these railroad companies which they do not accept. Here is an extension of time of one year provided for these companies after they have had two years in which to comply with an act of Congress as to changing their street-car facilities they are for transportation in this District.

Some time ago I introduced a resolution inquiring why the Commissioners of the District of Columbia do not carry out the law. They replied that they are in violation of the law these companies had until the end of the present month to comply with the statute. Some of them have attempted to comply, and a good many of them have not. There are three roads in this District that have not made a single endeavor to comply with the act of Congress. If they did not comply in the two years, which was a very liberal time given them, the Commission as



were ordered then to make these changes in their roads and to pursue the remedy that Congress gave them to enforce the payment. Under the construction of the law which the Commissioners placed upon the act they did not conceive it their duty to adopt these coercive measures until the time had expired, which was the 1st of the present month.

The president or chairman of the Board addressed me a letter in which he called my attention to the fact that it was impossible for some of these companies to comply with the law, stating that some of them had complied with it and others were in the process of complying with it. I replied to him that it was within my personal knowledge that some of them had made not a single movement towards complying with it and absolutely ignored the act of Congress. Not one of them in this District has complied with that law. The Metropolitan road has partly done so, and the Belt line has done a little work, but very little, and possibly one other company; and the rest of them have absolutely trampled the act of Congress under foot.

Mr. COCKRELL. And they have not paved between the tracks.

Mr. VEST. As my colleague says, they have not complied with the act in paving between the tracks and bringing the rails down to a level with the adjacent paving. I am not much in the habit of traveling in private carriages, but I do know from personal experience that there are railroad tracks down in this city with the old-fashioned T rails projecting an inch and an inch and a quarter above the surface, and no attempt is made to remedy it. There is not a city in the United States that would submit to this sort of thing for an hour.

The PRESIDENT *pro tempore*. The Senator from Missouri will please suspend. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (H. R. 5533) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

Mr. McMILLAN. I ask the Senator from Maryland to allow the pending resolution to be disposed of.

Mr. GORMAN. I yield for that purpose.

The PRESIDENT *pro tempore*. The Senator from Maryland yields, and the Senator from Missouri will proceed.

Mr. VEST. I understand the joint resolution gives these companies another year, after they have had their two years and after some of them have not made a single attempt to comply with the law. As a matter of course the measure will pass, and at the end of the year they will not have done anything. I can safely predict that from our experience in the past. Then the Commissioners will come in, when a resolution is offered such as was adopted by the Senate, with the old stereotyped reply that there were great difficulties attending the change in the rails, and it was very expensive to make these alterations in transportation, and there will be another act passed extending the time another year. I do not know how long I shall be in the Senate, probably not much longer, but I think for natural reasons I shall never see any improvement in the condition of affairs here as to street railroads.

Mr. HALE. I should like to ask the Senator from Michigan what this road has actually done in the direction of this change which leads him to believe that during the next year they will carry it out and perfect it and adopt this as their motive power? What have they actually done?

Mr. McMILLAN. I have carefully examined that part of the subject. I find they have erected very large buildings for the purpose of supplying the storage batteries with power. They have put in magnificent engines and boilers, as good as I have ever seen anywhere. They spent some \$275,000 upon the machinery necessary to supply these batteries with electricity. They have erected large buildings for storing the cars, and so as to put batteries in them when they are completed.

There are about thirty-five or forty new cars already built and completed, and we have provided here that just as fast as they have the machinery ready and everything in condition they shall run these cars. We have already seen cars on G street running with the storage battery. It was impossible for the Metropolitan Company to use at that time the cable, and they had to use some such power as this. There has been a great deal of delay in getting a patent that would supply the need. They think they have got it. They have spent this money, and I think they are acting in perfect good faith.

Mr. VEST. I did not apprehend that this matter would come up to-day. I have not time now to send to the document room and get the response of the Commissioners to my resolution, but I would be obliged to the chairman of the committee, presuming that he is entirely cognizant of all the facts, to state how many of these roads have made any attempt to comply with the act of

Congress which we passed two years ago, as to changing their rails, and, when they declined to change the rails, as to changing their mode of transportation.

Mr. McMILLAN. I will state to the Senator that there are only two companies that availed themselves of the law which was passed, the Washington and Georgetown, and the Metropolitan Road. The other companies were not able to comply with the provisions of that law. The Senate committee has called the attention of the Commissioners to the resolution referred to by the Senator from Missouri, and I am sure that the Commissioners the importance of making the Metropolitan comply with all the regulations to which he has referred.

Mr. VEST. I will wait with some curiosity to see the result.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment reported by the Committee on the District of Columbia, to strike out and insert.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

Mr. McMILLAN. I move that the Senate request conference with the House of Representatives on the joint resolution and amendment.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate. Mr. McMILLAN, Mr. HARRIS, and Mr. WOLCOTT were appointed.

ELLEN WILLIAMS.

Mr. CAREY. I ask the Senator from Maryland if he will yield to me that I may call up a bill?

The PRESIDENT *pro tempore*. Does the Senator from Maryland yield to the Senator from Wyoming?

Mr. GORMAN. I will yield to the gentleman from Wyoming.

Mr. SAWYER. I wish to make a report from the Committee on Pensions.

The PRESIDENT *pro tempore*. Does the Senator from Maryland yield to the Senator from Wisconsin?

Mr. GORMAN. I will yield for morning business.

Mr. SAWYER. I am directed by the Committee on Pensions, to whom was referred the bill (S. 12) granting a pension to Ellen Williams, to report it without amendment and submit a report thereon.

Mr. WOLCOTT. If I may beg the indulgence of the Senate a moment, the bill just reported is very brief, and is in favor of Miss Ellen Williams, who was a hospital nurse, a lady who is living in circumstances of very great poverty in Colorado, and it will take but a moment to pass it. If the Senate will listen to it I should like to have it passed. It is very short.

The PRESIDENT *pro tempore*. The Chair understands that the Senator from Maryland has yielded to the Senator from Wyoming [Mr. CAREY] for the consideration of the bill.

Mr. COCKRELL. Let the bill just reported go on the Calendar. The Senator from Colorado can call it up some other time.

Mr. WOLCOTT. If I may be pardoned a moment I will state that if the Senator from Missouri were as familiar as I am with the circumstances surrounding this applicant, he would not object—a woman who is seriously ill, doubtful of recovery, in great pecuniary need. I know of no case that could appeal to the magnanimous and generous heart of the Senator from Missouri, with the strength this would if he were familiar with the circumstances surrounding it. I am sure he would not object.

Mr. COCKRELL. I am not objecting at all.

The PRESIDENT *pro tempore*. There is no objection. The question is whether the Senator from Maryland yields to the Senator from Colorado, he having yielded to the Senator from Wyoming.

Mr. GORMAN. I yield to the Senator from Wyoming for the consideration of the bill he wishes to call up.

EIGHT-THIRTY FIVE.

Mr. CAREY. I ask unanimous consent to read the bill (S. 1276) providing for the appointment and payment of the wages of laborers and mechanics employed on the construction of the

Mr. COCKRELL. That would be to pass an unconstitutional bill.

Mr. BERRY. Let that bill go over.

Mr. CAREY. Will the Senator from Missouri make a statement? The committee have reported a bill to the Senate to refer this matter to the Court of Claims. I don't think there will be any objection to the bill. It is a legitimate bill.

The PRESIDENT *pro tempore*. Is there any objection to the consideration of the bill?

Mr. GORMAN. I understand from Senator Williams that

the bill will lead to debate. Therefore I object to its consideration.

The PRESIDENT *pro tempore*. Objection being made, the bill can not be considered at this time.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the following bills:

An act (S. 1910) to establish an intermediate rate of pension between \$30 and \$72 per month; and

An act (S. 1333) to amend an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, A. D. 1889, by extending the privileges of the first section thereof to the port of Fernandina, Fla.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 23 to the bill (H. R. 6923) making appropriations for the support of the Army for the fiscal year ending June 30, 1893, and for other purposes.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President *pro tempore*:

A bill (H. R. 956) to correct the military record of Lieut. Cornelius McLean;

A bill (H. R. 2401) for the relief of Lydia A. Magill, administratrix;

A bill (H. R. 7624) making appropriations for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1893; and

A joint resolution (H. Res. 451) to continue the provisions of a joint resolution approved June 30, 1892, entitled "A joint resolution to provide temporarily for the expenditures of the Government."

#### FORTIFICATION APPROPRIATION BILL.

The PRESIDENT *pro tempore*. The unfinished business will be proceeded with.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8533) making appropriations for fortifications for the fiscal year ending June 30, 1893, and for prior years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. GORMAN. I ask that in the reading of the bill the amendments of the committee may be first considered.

The PRESIDENT *pro tempore*. The Senator from Maryland asks unanimous consent that the bill may be read as in Committee of the Whole, and that the amendments of the committee be acted upon in their order as they are reached in the reading of the bill. Is there objection? The Chair hears none.

Mr. WOLCOTT. I understood the Senator from Maryland to say that he would yield to have the short bill reported by the Senator from Wisconsin considered when the Senator from Wyoming was through. It will take but a moment.

Mr. GORMAN. I should be very glad to do so, but half a dozen other Senators around me desire to get up bills, and I can not yield. I think later in the day the Senator will have an opportunity to call up the bill.

Mr. WOLCOTT. The trouble is that I am called out of town this afternoon.

Mr. FRYE. The Senator from Colorado is going away.

Mr. MITCHELL. I suggest to the Senator from Maryland that he allow the bill to be called up and proceeded with until half past 2 o'clock.

Mr. WOLCOTT. I withdraw my request. I do not think I have any right to interfere with the public business.

The PRESIDENT *pro tempore*. The appropriation bill will be read.

The Chief Clerk proceeded to read the bill. The first amendment reported by the Committee on Appropriations was, on page 1, line 7, before the word "thousand," to strike out "five hundred," and insert "seven hundred and fifty;" so as to make the clause read:

Guns and mortar batteries. For construction of gun and mortar batteries, \$750,000.

Mr. BERRY. I should like to have the Senator from Maryland explain what is the necessity for this large increase proposed in the bill.

Mr. GORMAN. We have been for the past four years engaged in fortifying the coast, and the construction of these gun and mortar batteries is considered by the Engineer Department and by the War Department as of the first importance. If we are to

continue that work upon the scale on which it has been already inaugurated with the authority of law, we think that it is impossible for them to get along economically with less than \$750,000 during the present fiscal year. The Chief of Engineers, the Secretary of War, and the General commanding the Army all concur in the statement that to continue the work economically there must be at least \$750,000 appropriated. Guns and mortars are being constructed each year, and they are lying idle without being put in place or without carriages to put them on. If this matter is to go on, and the coast to be defended and prepared for defense, then we think that this appropriation is necessary.

Mr. BERRY. The House of Representatives, which it is supposed had at least all the estimates before them, all the information probably in regard to this matter from the officers of the Government that the Senate Committee had, appropriated \$500,000. The Senate committee propose to raise that to \$750,000. In the next paragraph an appropriation is made for the procurement of lands, or rights pertaining thereto. The House of Representatives appropriated the sum of \$250,000, and the Senate committee propose to raise that to \$500,000. There is a difference in those two items between the amount appropriated by the other House and that proposed by the Senate committee of a half million dollars.

It occurs to me that the House of Representatives in making these appropriations must have put in what they thought could be economically expended this year. I can not see the extreme necessity that now exists for raising the amount for these fortifications so as to include 100 per cent in one item and 50 per cent in the other item over and above that which was appropriated by the other House.

As I stated the other day in regard to another bill, it seems that during this session of Congress more than at any time since I have been here there has been a constant effort on the part of the various Senate committees to raise the amounts appropriated by the House of Representatives in every instance, to enlarge and swell the appropriations in almost every bill which comes here, and in almost every item of every bill.

I think that the appropriations made during the last Congress, which amounted to a billion dollars, were more than should have been appropriated for the two years. Unless we pay some regard and attention to the efforts that the House of Representatives is making to economize, I do not see how it will be possible to reduce the enormous expenditures that were made during those two years.

The Senator from Maryland says that the officers say that this increased amount is necessary. Mr. President, invariably in making estimates by the various officers of the Government, so far as I have been able to follow them, they always estimate the very largest possible amount, expecting Congress to cut it down.

I do not think that there is any pressing necessity for increasing these appropriations to the enormous extent that is proposed by the Senate committee. The Senate is thin, and I do not care to call for the yeas and nays on the amendment now, but I shall reserve the right to call them when the bill gets into the Senate.

The PRESIDING OFFICER. Mr. TURPIN in the chair. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The next amendment was, on page 1, line 12, before the word "thousand," to strike out "two hundred and fifty" and insert "five hundred;" so as to make the clause read:

Stores for fortifications and sea-coast defenses. For the procurement of land, or right pertaining thereto, needed for the site, location, construction, or prosecution of work for fortifications and coast defenses, \$300,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, in the appropriations for "Armament of fortifications," on page 2, line 24, before the word "thousand," to strike out "fifteen" and insert "twenty-five;" so as to make the clause read:

For steel field guns of 3.2-inch caliber, \$25,000.

The amendment was agreed to.

The next amendment was, on page 3, line 10, before the word "thousand," to strike out "thirty" and insert "thirty-five;" so as to make the clause read:

For carriages for six-inch breech-loading howitzers of 5-inch caliber, \$35,000.

The amendment was agreed to.

Mr. COCKRELL. There is a little error on page 3, line 12. There are two "r's" there in a word. One of them ought to be stricken out.

The PRESIDING OFFICER. The correction will be made. The next amendment was, on page 3, line 18, before the word "thousand," to strike out "thirty" and insert "forty;" so as to make the clause read:

For powder for issue to service, \$40,000.

The amendment was agreed to.

lieve that information comes from a reliable source. If it is not true, it can do the Postmaster-General and the Department no harm for him to state the facts to the House. If it is true, the House should know it.

Mr. DINGLEY. Mr. Speaker, if the gentleman will pardon me—

Mr. ENLOE. I will retain the floor for the present.

The SPEAKER. Does the gentleman from Tennessee yield to the gentleman from Maine [Mr. DINGLEY]?

Mr. ENLOE. Yes.

Mr. DINGLEY. I will suggest to the gentleman that the resolution seems to call for a great deal more than the information which the gentleman has suggested. It calls for all correspondence relative to railroads. Now, it seems to me that if the Department is called upon to furnish copies of all correspondence relating to mail service on railways—

Mr. ENLOE. On new railways.

Mr. DINGLEY. It will involve a very considerable amount of clerical labor. It seems to me if the gentleman gets simply the facts that he calls for, that will be sufficient. I merely make that suggestion.

Mr. ENLOE. The only reason for calling for the correspondence is to show whether or not there is any ground for the complaint of discrimination or violation of the statute. The correspondence on the subject would set out the facts in regard to the necessity for service up in the different lines of railroads, and it is necessary for the House to have that correspondence in order to show whether or not the Postmaster-General has discriminated. That is the reason I call for it, and it only embraces the new service on railroads. It does not apply to service established prior to the date named in the resolution.

Mr. DINGLEY. March 4, 1889?

Mr. ENLOE. Yes.

Mr. DINGLEY. Why does the gentleman fix that particular date? Why does he draw the line there?

Mr. ENLOE. Because that is the line of demarcation between this Administration and the past Administration.

Mr. DINGLEY. But the Government is a continuity. The same practices that have existed since March 4, 1889, existed before, in many respects.

Mr. ENLOE. I would not be able, and the House would not be able, to remedy the matter, even if we were to go back and find that some such practice had prevailed under a former Administration. I demand the previous question.

Mr. BINGHAM. If the gentleman will allow me, is not the gentleman himself a member of the Committee on Post-Offices and Post-Roads?

Mr. ENLOE. No, sir; I am not.

Mr. BERGEN. I would like to ask the gentleman a question.

Mr. BINGHAM. I do not think there is any objection to it.

Mr. BERGEN. Would the gentleman from Tennessee think it fair to condemn this Administration if it were simply following a practice that had obtained in the previous Administration in regard to the compensation to railroads?

Mr. ENLOE. I do not know that it will develop any fact that will condemn the Administration; but I think there is good ground for complaint that in the exercise of his power the Postmaster-General has discriminated in favor of some railroads as against others, in disregard of the statute. That is the point.

Mr. BERGEN. Contrary to law, you think?

Mr. ENLOE. Contrary to law; and I want to know whether it is true or not. I demand the previous question.

The question was taken on ordering the previous question, and the Speaker announced that the ayes seemed to have it.

Mr. McDONALD. Division.

The House divided; and there were—ayes 44, noes 18.

Mr. BERGEN and Mr. McDONALD. No quorum, Mr. Speaker.

The SPEAKER. The Chair will appoint the gentleman from Tennessee [Mr. ENLOE] and the gentleman from New Jersey [Mr. BERGEN] to act as tellers.

The House again divided; and the tellers reported—ayes 80, noes 9.

Mr. ENLOE. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 169, nays 3, not voting 156; as follows:

YEAS—169.

Alexander.	Blount.	Bunting.	Cate,
Amernhan.	Bowman.	Bussey.	Chipman.
Arnold.	Branch.	Enshnell.	Ciancy.
Babbitt.	Breckinridge, Ark.	Butler.	Clarke, Ala.
Bailey.	Bretz.	Bynum.	Cobb, Ala.
Baker.	Brickner.	Byns.	Cobb, Mo.
Bankhead.	Brookshire.	Cable.	Coburn.
Barwig.	Brown.	Capehart.	Coolidge.
Bentley.	Bryan.	Caruth.	Coombs.
Blanchard.	Buchanan, Va.	Castle.	Covert.
Bland.	Bunn.	Catchings.	Cox, N. Y.

Crosby.	Hayes, Iowa.	Martin.
Culbertson.	Haynes, Ohio.	McClellan.
Cummings.	Heard.	McCreary.
Daniel.	Hemphill.	McGann.
Davis.	Henlerson, N. C.	McKaig.
De Armond.	Henderson, Ill.	McKighan.
Dickerson.	Holman.	McKinney.
Dixon.	Hooker, Miss.	McMillin.
Dunn.	Hook, Ohio.	McRae.
Dokery.	Johnstone, S. C.	Meyer.
Danovan.	Jones.	Mitchell.
Danman.	Keim.	Montgomery.
Dunbarrow.	Kendall.	Moore.
Ellis.	Kilgore.	Moses.
Ellis.	Kribbs.	Mitcher.
Everett.	Kyle.	Newberry.
Farhan.	Lagan.	Oates.
Forman.	Lane.	O'Fercall.
Forster.	Lanham.	O'Neil, Mo.
Fowler.	Lapham.	Ous.
Fyan.	Lawson, Va.	Parrett.
Gantz.	Lawson, Ga.	Patterson, Tenn.
Geisenhainer.	Layton.	Patton.
Goodnight.	Lester, Va.	Paynter.
Gray.	Lester, Ga.	Pearson.
Greenleaf.	Lewis.	Pendleton.
Halvorson.	Little.	Price.
Hamilton.	Livingston.	Sayers.
Hare.	Long.	Scott.
Harries.	Lynch.	Shell.
Harter.	Malbry.	Shively.
	Mansur.	Shragass.

NAYS—3.

Shook.

NOT VOTING—156.

Atkinson.	Sealey.	Johnson, N. Dak.	Richardson.
Abbott.	Crain, Tex.	Johanson, Ohio.	Rife.
Alderson.	Crawford.	Jolley.	Robertson, La.
Allen.	Curtis.	Ketcham.	Robinson, Pa.
Andrew.	Cutting.	Ketcham.	Ro Kwell.
Bacon.	Dadzell.	Lind.	Rusk.
Bartine.	De Forest.	Lockwood.	Russell.
Beeman.	Dingley.	Lodge.	Sanford.
Belden.	Dolliver.	Loud.	Seall.
Belknap.	Dumphy.	Magner.	Simpson.
Beltzhoover.	Edmunds.	McAleer.	Smith.
Bergen.	Elliot.	McDonald.	Springer.
Bingham.	English.	Meredith.	Stahlacker.
Bishop.	Enochs.	Miller.	Stepenson.
Boutelle.	Fellows.	Milliken.	Stoddale.
Bowers.	Fitch.	Morse.	Stone, C. W.
Brawley.	Flick.	Norton.	Stone, W. A.
Breckinridge, Ky.	Funston.	O'Donnell.	Storer.
Broderick.	Geary.	O'Neil, Mass.	Sweet.
Brosius.	Gillespie.	O'Neil, Pa.	Taylor, Ill.
Brunner.	Gorman.	Oathwaite.	Taylor, Tenn.
Buchanan, N. J.	Grisswold.	Owens.	Taylor, E. B.
Bullock.	Grout.	Page, R. I.	Taylor, J. D.
Burrows.	Hall.	Page, Md.	Taylor, V. A.
Calmus.	Hallowell.	Pattison, Ohio.	Townsend.
Caldwell.	Harner.	Payne.	Wadsworth.
Cambetti.	Hatch.	Peel.	Walker.
Campbell.	Hansen.	Perkins.	Ward.
Causey.	Henderson, Iowa.	Pickler.	Wey.
Cheatham.	Herbert.	Peters.	White.
Chapin.	Hermann.	Post.	White.
Clark, Wyo.	Hitt.	Powers.	Wiley.
Clover.	Hoar.	Quackenbush.	Williams, Mass.
Cochran.	Hooker, N. Y.	Raines.	Williams, Pa.
Cogswell.	Hopkins, Pa.	Ranall.	Wilson, Ky.
Compton.	Hopkins, Ill.	Ray.	Wilson, Wash.
Cooper.	Hook, Tenn.	Rayner.	Wilson, Mo.
Cowles.	Huff.	Reed.	Wilson, W. Va.
Cox, Tenn.	Hull.	Reilly.	Wright.
Craig, Pa.	Johnson, Ind.	Reyburn.	

So the previous question was ordered.

The following pairs were announced:

Until further notice:

Mr. RICHARDSON with Mr. JOSEPH D. TAYLOR.

Mr. ALDERSON with Mr. ROBINSON of Pennsylvania.

Mr. COX of Tennessee with Mr. LOUD.

Mr. PEEL with Mr. WILSON of Washington.

Mr. CRAIG of Pennsylvania with Mr. PICKLER.

Mr. ALLEN with Mr. WILSON of Kentucky.

Mr. COWLES with Mr. BELKNAP.

Mr. HERBERT with Mr. BOUTELLE.

Mr. STODDALE with Mr. BRODERICK.

Mr. GEARY with Mr. SANFORD.

Mr. WILSON of Missouri with Mr. HUFF.

Mr. O'NEIL of Massachusetts with Mr. COGSWELL.

Mr. BRECKINRIDGE of Kentucky with Mr. O'DONNELL.

Mr. PIERCE with Mr. EZRA B. TAYLOR.

Mr. ABBOTT with Mr. BELDEN.

For this day:

Mr. CAMPBELL with Mr. WEYER.

Mr. BRUNNER with Mr. ENOCHS.

Mr. NORTON with Mr. STORER.

Mr. BULLOCK with Mr. HOPKINS of Illinois.

Mr. HATCH with Mr. ATKINSON.

Mr. CRAIN of Texas with Mr. LIND.

Mr. BELTZHOOVER with Mr. GRISWOLD.

On this vote:

Mr. BEEMAN with Mr. HARMER.

Mr. EDMUNDS with Mr. HENDERSON of Iowa.

Mr. WILLIAMS of Illinois with Mr. TAYLOR of Illinois, for two days.

Mr. CRAWFORD with Mr. CLARK of Wyoming.

The result of the vote was then announced as above recorded.

The question was taken on the passage of the resolution; and the Speaker announced that the ayes seemed to have it.

Mr. McDONALD. The yeas and nays, Mr. Speaker.

The question was taken on ordering the yeas and nays.

The SPEAKER (after counting). Two gentlemen only have risen, not a sufficient number, and the yeas and nays are refused.

So the resolution was passed.

On motion of Mr. ENLOE, a motion to reconsider the vote by which the resolution was passed was laid on the table.

#### ENROLLED BILL SIGNED.

Mr. WARWICK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (H. R. 976) to correct the military record of Lieut. Cornelius McLean; when the Speaker signed the same.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WOLVERTON, for two days, on account of important business.

To Mr. BRECKINRIDGE of Kentucky, indefinitely, on account of death in his family.

#### CALL OF COMMITTEES FOR REPORTS.

The SPEAKER. The Clerk will now call the committees for reports.

#### RELIEF OF CERTAIN VOLUNTEER AND REGULAR SOLDIERS OF THE LATE WAR AND THE MEXICAN WAR.

Mr. PATTON, from the Committee on Military Affairs, reported back favorably the bill (S. 3154) to amend section 9 of the act for the relief of certain volunteer and regular soldiers of the late war and the war with Mexico, passed March 2, 1890; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### INCREASED PENSION FOR DEAFNESS.

Mr. KRIBBS, from the Committee on Pensions, reported back with a favorable recommendation a bill (S. 349) to increase the rate of pension for certain cases of deafness; which was referred to the Private Calendar, and, with the accompanying report, ordered to be printed.

#### PROTESTANT EPISCOPAL CATHEDRAL FOUNDATION, DISTRICT OF COLUMBIA.

Mr. FELLOWS, from the Committee on the District of Columbia, reported back with a favorable recommendation a bill (H. R. 9417) to incorporate the Protestant Episcopal Foundation of the District of Columbia; which was referred to the Private Calendar, and, with the accompanying report, ordered to be printed.

#### CHANGE OF REFERENCE.

On motion of Mr. HEMPHILL, the Committee on the District of Columbia was discharged from further consideration of the bill (H. R. 7352) to pay John Pope Hodnett for services rendered as counsel to the Government in the investigation of the affairs of the District of Columbia, etc.; and it was referred to the Committee on Appropriations.

#### ACADEMY AND GALLERY OF ART, DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported back with a favorable recommendation a bill (H. R. 9006) to authorize the establishment of an academy and gallery of art in the District of Columbia; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### POST-OFFICE ACCOMMODATIONS IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL also, from the Committee on the District of Columbia, reported back with a favorable recommendation a joint resolution (S. R. 88) to authorize the postmaster of the city of Washington to construct and maintain a platform in the alley in square 454; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### DEPENDENT CHILDREN IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL also, from the Committee on the District of Columbia, reported back with a favorable recommendation a bill (H. R. 5446) to provide for the care of dependent children in the District of Columbia.

Mr. HEMPHILL. Mr. Speaker, that bill has been returned from the Senate with amendments, and I ask that the House nonconcur and appoint a committee of conference.

The SPEAKER. The Chair can not interrupt the call for that purpose, but the bill can lie on the Speaker's table until later.

#### REGULATION OF STEAM VESSELS.

Mr. PATTERSON of Tennessee, from the Committee on Interstate and Foreign Commerce, reported back with a favorable recommendation the bill (S. 744) to amend an act to amend section 4400 of Title LII of the Revised Statutes of the United States concerning the regulation of steam vessels, approved August 7, 1882, and also to amend section 4414, Title LII, Revised Statutes, "Regulation of steam vessels;" which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

He also, from the same committee, reported back the bills, H. R. 403 and H. R. 234, on the same subject, with the recommendation that they lie on the table, and it was so ordered.

#### DR. THOMAS GALLAGHER.

Mr. ANDREW, from the Committee on Foreign Affairs, submitted a report on the resolution to inquire into the cause of the arrest of Dr. Thomas Gallagher by the British Government, with an amendment; which was ordered to be printed.

#### DEPENDENT CHILDREN IN THE DISTRICT OF COLUMBIA.

The SPEAKER laid before the House a bill (H. R. 5446) to provide for the care of dependent children in the District of Columbia, with amendments of the Senate thereto.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the House nonconcur in the Senate amendments and agree to a conference.

There was no objection, and it was so ordered.

#### EXTENSION OF APPROPRIATIONS.

Mr. HOLMAN. Mr. Speaker, I am directed by the Committee on Appropriations to report the joint resolution which I send to the desk.

The joint resolution was read, as follows:

Joint resolution to continue provisions of a joint resolution approved June 30, 1892, entitled "A joint resolution to provide temporarily for the expenditures of the Government."

*Resolved by the Senate, etc.,* That the provisions of the joint resolution, entitled "A joint resolution to provide temporarily for the expenditures of the Government," approved June 30, 1892, be, and the same are hereby, extended and continued in full force and effect to and including the 30th day of July, 1892.

The joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. HOLMAN moved to reconsider the vote by which the joint resolution was passed, and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### RECOMMITTAL OF A BILL.

The SPEAKER. The Committee on Invalid Pensions ask that Senate bill 349, now on the House Calendar, be recommitted to that committee.

There was no objection, and it was so ordered.

#### SUNDRY CIVIL APPROPRIATION BILL.

Mr. HOLMAN. Mr. Speaker, I am instructed by the Committee on Appropriations to report back the sundry civil appropriation bill with the report which I send to the desk.

The report was read, as follows:

Mr. HOLMAN, from the Committee on Appropriations submitted the following report to accompany House bill 539.

The Committee on Appropriations, to whom was referred House bill 532 making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes, together with the amendments of the Senate thereto, having considered the same, beg leave to report as follows:

They recommend that all of the amendments of the Senate be disagreed to.

Mr. HOLMAN. Mr. Speaker, it is very obvious that so large a number of amendments, if considered *seriatim*, would occupy a great deal of time. There are three hundred and twelve amendments by the Senate. There are several of the amendments—eight or nine in number—which apply exclusively to the World's Fair. In view of this state of facts, and inasmuch as gentlemen will very naturally wish to discuss the amendments which refer to the Columbian Exposition, I ask consent that there be a non-concurrence in all of the Senate amendments except those concerning the World's Fair.

Mr. HENDERSON of Iowa. I call the attention of my colleague on the committee [Mr. HOLMAN] to the fact that his motion as made asks for nonconcurrency in all the amendments.

Mr. HOLMAN. Yes, sir.

Mr. HENDERSON of Iowa. That is not the form, as I understand, in which the gentleman wishes it put.

Mr. HOLMAN. The form in which the question is presented by the report is a general nonconcurrency; but inasmuch as

By Mr. SHIVELY: Petition of citizens of Nappanee, Ill., that paper-wrapped cigarettes shall be assessed and collected as internal-revenue tax \$10 per thousand—to the Committee on Ways and Means.

By Mr. TUCKER: Petition of George T. McClintic, postmaster at Covington, Va., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. WIKER: Affidavit for the relief of Henry Harmon, to accompany House bill—to the Committee on Military Affairs.

By Mr. WISE: Petition of Sarah E. Higgins for the estate of Sarah E. Chadwick, deceased, late of New Kent County, Va., praying that her war claim be referred to the Court of Claims under the Bowman act—to the Committee on War Claims.

## SENATE.

SATURDAY, July 16, 1892.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

GEORGE W. CLARK.

Mr. PADDOCK. I desire to enter a motion to reconsider the vote by which the bill (S. 3325) granting an increase of pension to George W. Clark was passed yesterday evening. A committee amendment was inadvertently omitted from the bill in the hurry and pressure of the moment.

The PRESIDENT *pro tempore*. The Senator from Nebraska gives notice of the entry of a motion to reconsider the vote by which the bill indicated by him was passed, and asks that the same may be returned from the House of Representatives to the Senate; which order will be made, if there be no objection.

### EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 12th instant, a report from the Commissioner of Indian Affairs relative to the disposition of moneys appropriated to pay the scouts and soldiers of certain bands of Sioux Indians, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

### PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of the Second National Mining Congress of the United States in session at Helena, Mont. (transmitted by telegram from Francis G. Newlands, president), urging the defeat of House bill No. 561, known as the free lead ore bill, "as its passage would inevitably result in the closing down of numbers of our silver mines of which lead is the principal part, now being operated on a very narrow margin of profit, and the consequent throwing out of employment of thousands of hard-working miners whose very existence is dependent on the continuance of operations in these properties;" which was referred to the Committee on Finance.

He also presented resolutions of the Enterprise Pleasure Club of Yonkers, N. Y., and of the Emmet Club of Brockton, Mass., in regard to the imprisonment in England of Dr. Thomas Gallagher, and praying that steps be taken for his release; which were referred to the Committee on Foreign Relations.

### REPORTS OF COMMITTEES.

Mr. COKE, from the Committee on the Judiciary, to whom was referred the bill (S. 1357) to compensate Elihu Root for services rendered by direction of the Attorney-General, reported it without amendment.

Mr. STOCKBRIDGE, from the Committee on Fisheries, to whom was referred the amendment submitted by Mr. CAREY July 15, intended to be proposed to the general deficiency bill, reported it without amendment, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (H. R. 8124) to extend the privileges of the transportation of dutiable merchandise without appraisement to the port of Dunkirk, N. Y., reported it without amendment.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 3221) to provide for the adjustment and payment of the claim of Thomas Rhys Smith, for work done and materials furnished for the breakwater at Bar Harbor, Me., reported it with an amendment, and submitted a report thereon.

Mr. VILAS, from the Committee on Claims, to whom was referred the bill (H. R. 4827) to confer jurisdiction on the Court of Claims to hear and determine the claim of the heir of Hugh Washington, for his interest in the steamer Eastport, reported it with amendments, and submitted a report thereon.

Mr. QUAY, from the Committee on Public Buildings and

Grounds, to whom was referred the bill (S. 3301) for the erection of a public building at the city of East St. Louis, Ill., reported it without amendment.

Mr. BLACKBURN, from the Committee on Naval Affairs, to whom was referred the bill (S. 3395) to remit the penalties on gunboat No. 3, the Concord, and gunboat No. 4, the Bennington, reported it without amendment, and submitted a report thereon.

Mr. STEWART. I am directed by the Committee on Claims, to whom was referred the bill (S. 3300) for the relief of the estate of Leander C. McLellan, deceased, to report it favorably without amendment.

Mr. SANDERS. I shall file a minority report in that matter. The PRESIDENT *pro tempore*. The Senator from Montana gives notice that he will file the views of the minority in this case.

Mr. STEWART. If there is to be a minority report I ask leave to withdraw the report and refer the whole matter back to the Committee on Claims. If there is to be a difference of opinion we will examine it further. I ask leave to withdraw the report, and have the bill referred again to the Committee on Claims.

The PRESIDENT *pro tempore*. The Senator from Nevada asks that the bill (S. 3300) for the relief of the estate of Leander C. McLellan, deceased, be recommitted to the Committee on Claims. The Chair hears no objection, and it is so ordered.

### IMMIGRATION INVESTIGATION.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. CHANDLER on the 9th instant, reported it without amendment, and it was read as follows:

*Resolved*, That the Committee on Immigration be empowered to investigate the workings of the laws of the United States relative to immigration from foreign countries and the importation of contract labor into the United States, and of the laws and prevailing methods of naturalization; the investigation to be conducted at such times and places as said committee may deem proper, during the present session or the recess of Congress, and the committee is hereby authorized, as a full committee or through subcommittees thereof, to send for and examine persons, books, and papers, and to administer oaths to witnesses; the expenses of the investigation to be paid from the contingent fund of the Senate.

Mr. CHANDLER. I ask for the immediate consideration of the resolution.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. VOORHEES. I desire to offer an amendment to the resolution. In line 4, after the word "naturalization," I move to insert "since the year 1890;" so as to read:

That the Committee on Immigration be empowered to investigate the workings of the laws of the United States relative to immigration from foreign countries and the importation of contract labor into the United States, and of the laws and prevailing methods of naturalization, since the year 1890.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment.

Mr. COCKRELL. That is, the amendment offered by the Senator from Indiana?

Mr. VOORHEES. Yes, sir. I will say to the Senator from Missouri that this amendment meets all the objection that has been made to the resolution by the Senator from New York [Mr. HILL] and others who are on the committee. I am a member of the committee myself, and this makes the resolution acceptable all around.

The amendment was agreed to.

The resolution as amended was agreed to.

### AMELIA R. WEBSTER.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 5019) for the relief of Amelia R. Webster, to report it favorably, without amendment, and I ask for its immediate consideration, the Senate having passed a similar bill at a higher rate. The Senate passed a bill allowing \$30 a month. This bill allows \$20, and the committee desire it to be passed as it has been sent from the other House.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll, at the rate of \$20 per month, the name of Amelia R. Webster, widow of the late Capt. John A. Webster, jr., United States Revenue Marine Service.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

### ACTIONS IN UNITED STATES COURTS.

Mr. VEST. I expect to leave the city in a very short time, and I ask the Senate to consider the bill I reported yesterday from the Committee on the Judiciary, which will give rise, I think, to no debate. It is House bill 8153.



The PRESIDENT *pro tempore*. The Senator from Missouri asks the unanimous consent of the Senate that it now consider the bill (H. R. 8153) providing when plaintiff may sue as a poor person and when counsel shall be assigned by the court. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

*Be it enacted, etc.*, That any citizen of the United States, entitled to commence any suit or action in any court of the United States, may commence and prosecute to conclusion any such suit or action without being required to prepay fees or costs or give security therefor before or after bringing suit or action upon filing in said court a statement under oath, in writing, that, because of his poverty, he is unable to pay the costs of said suit or action which he is about to commence, or to give security for the same, and that he believes he is entitled to the redress he seeks by such suit or action, and setting forth briefly the nature of his alleged cause of action.

Sec. 2. That after any such suit or action shall have been brought, or that is now pending, the plaintiff may answer and avoid a demand for fees or security for costs, by filing a like affidavit, and willful false swearing in any affidavit provided for in this or the previous section shall be punishable as perjury in all other cases.

Sec. 3. That the officers of court shall issue, serve all process, and perform all duties in such cases, and witnesses shall attend as in other cases, and the plaintiff shall have the same remedies as are provided by law in other cases.

Sec. 4. That the court may request any attorney of the court to represent such poor person, if it deems the cause worthy of a trial, and may dismiss any such cause so brought under this act if it be made to appear that the allegation of poverty is untrue, or if said court be satisfied that the alleged cause of action is frivolous or malicious.

Sec. 5. That judgment may be rendered for costs at the conclusion of the suit as in other cases; *Provided*, That the United States shall not be liable for any of the cost thus incurred.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### REMOVAL OF POLITICAL DISABILITIES.

Mr. TELLER. From the Committee on the Judiciary, I report back favorably the bill (S. 3415) for the removal of the political disabilities of William S. Walker, of Atlanta, Ga. I understand it is the custom to pass these bills promptly on being reported, and I ask that the bill be put on its passage.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment.

Mr. DANIEL. Is the bill open to amendment?

The PRESIDENT *pro tempore*. The bill is open to amendment in the Senate.

Mr. DANIEL. I should like to offer an amendment to it. I move to add after the words "William S. Walker, of Atlanta, Ga.," the words "and all other persons." I think more than twenty-five years after the war it is time to have a general amnesty and wiping out of all disabilities imposed by the fourteenth amendment. I believe that is the sentiment of the Senate from my conversation with many gentlemen in it, and I think this would be a good time to adopt the provision.

Mr. TELLER. I think the Senator had better not move that amendment on this bill. It will probably bring up some discussion and end in postponing the bill.

Mr. DANIEL. If there is any objection to it, I do not wish to press the amendment.

Mr. TELLER. There will be objection to it, I am satisfied, and I think it had better come in as a separate bill. If the Senator will introduce a bill of that kind, as far as I am concerned I am willing to support it; but I think that this bill ought not to be encumbered with such a provision.

Mr. DANIEL. I have introduced a bill—

Mr. TELLER. I wish the Senator would withdraw the amendment and let the bill pass.

Mr. DANIEL. I will state that I have introduced a bill of the kind, and I heard such general expression of favor in regard to it, that I anticipated that there would be no objection to adopting the principle at any time. If there is objection by even one person, I shall not insist on the amendment; but unless there is objection, I should rather have a vote upon it.

Mr. PLATT. What is the suggestion of the Senator from Virginia?

The PRESIDENT *pro tempore*. The amendment of the Senator from Virginia will be stated.

Mr. DANIEL. To a bill removing the political disabilities of a particular person I move a general amendment removing all political disabilities imposed by the fourteenth amendment.

Mr. PLATT. Let the amendment be read.

The CHIEF CLERK. In line 7, after the word "Georgia," insert "and all other persons;" so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled (two-thirds of each House concurring therein),* That all legal and political disabilities imposed by the fourteenth amendment of the Constitution of the United States by reason of participation in the late rebellion be, and they are hereby removed from William S. Walker, of Atlanta, Ga., and all other persons.

Mr. PLATT. I trust that the Senator from Virginia will not insist on his amendment. These cases have always been acted on separately, and each one of them presents a different state of facts. For instance, this officer was a quartermaster in the Army,

I believe, and before passing upon the question as to whether his disabilities should be removed we investigated the records, and found that his quartermaster's accounts were all right. So every case presents its own peculiar facts. There never has been any difficulty about removing the disabilities whenever any person has petitioned to have it done if there was a proper case made out. I should be very sorry to bring up the question this morning as to whether there ought to be a general removal of disabilities. At any rate it ought to be done by a general bill, not by an amendment on a particular bill. I hope the Senator from Virginia will withdraw the amendment.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Virginia.

Mr. DANIEL. I will state to the Senator from Connecticut that if any one objects to this and does not want it done I shall not precipitate any discussion on it, because I think such discussions are very disagreeable and unprofitable. But unless there is manifest objection to the passage of the bill with this amendment, it seems to me that, twenty-five years having elapsed, it would be a good and reasonable thing to do.

Mr. PLATT. I object to the adoption of any such general provision upon the pending bill. I object to it.

Mr. DANIEL. Then I withdraw the amendment.

The PRESIDENT *pro tempore*. The amendment is withdrawn. The bill is in the Senate and open to amendment.

The bill was ordered to be engrossed for a third reading, read the third time, and passed (two-thirds of the Senators present voting in the affirmative).

#### WASHINGTON AND ARLINGTON RAILWAY.

Mr. McMILLAN. I introduce a bill, and I should like to call the attention of the Senator from Maine [Mr. HALE] to it. Some time ago the Senator from Maine introduced a resolution of inquiry as to the corporation called the Washington and Arlington Railway Company, which it was said had sold its charter, and there was some difficulty in regard to it. That matter has been investigated, and the result is the bill which I now introduce to amend the charter, and which will put the affairs of the company in better shape so far as the District is concerned. I introduce the bill, and ask its reference to the Committee on the District of Columbia.

The bill (S. 3448) to amend the charter of the Washington and Arlington Railway Company was read twice by its title.

Mr. HALE. I wish to say in reference to the bill just introduced by the Senator from Michigan, to which he called my attention, that I am very glad the committee of which he is chairman has given a faithful examination to that subject. The bill chartering the railroad company in the last Congress was pushed and forced and lobbied through here by constant importunities and by Senators being beset early and late to waive their objections and allow it to pass. After a time, as such things do, in good nature everybody yielded and the bill was passed, upon the statement made on the floor and in private that it was a great public need, that the corporators were men of property, that they meant to build the road, and that it would be opened within a comparatively short time. The upshot was that after we had yielded and allowed the bill to be passed, the men who had the charter, when Congress adjourned, declined to do anything whatever about building the road, sold the franchise outright which they had obtained from Congress, pocketed the money, and refused to move an inch.

I called the attention of the committee in the early part of the session to this subject, and as the Senator from Michigan has stated, they have investigated it and taken this matter in hand, have changed the form of the preceeding and introduced a new bill, and I am very glad it has been done.

Mr. COCKRELL. I should like to call the attention of the Committee on the District of Columbia to the fact that I have heard it stated that quite a large number of individual citizens here, employees in the Departments and others, took stock in this company and paid out their money for it with the expectation that the road would be constructed and completed in proper time and that in the end they would receive a dividend upon their stock—actual cash, not a mere speculation. In consideration of this fact I should like the committee to take it into account. I think there is no doubt of the fact that there are quite a large number of persons here in Washington ill able to lose their subscriptions who have subscribed and paid money into this enterprise.

Mr. McMILLAN. I will state to the Senator from Missouri that this bill is intended to protect those very people.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on the District of Columbia.

#### RAILROAD TRACKS IN THE DISTRICT.

Mr. McMILLAN. I introduce a joint resolution and ask for its immediate consideration.

Mr. COCKRELL. Let it be read for information.



The joint resolution (S. R. 100) to permit the railroads of the District to lay extra tracks to accommodate the traveling public during the Grand Army of the Republic encampment, was read the first time by its title and the second time at length, as follows:

*Resolved, etc.* That the Commissioners of the District of Columbia are hereby authorized to issue to any steam railroad in the said District a permit to lay and use, for a period not to exceed fifteen days in all, and not more than twice in any one calendar year, temporary tracks on streets adjacent to its passenger depot for the purpose of accommodating passengers and baggage coming to or leaving the city of Washington on special occasions when numbers of persons are expected to visit the said District of Columbia.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. COCKRELL. I should like to hear an explanation of this measure. To what roads does it apply: to the steam railroads or the street-car railroads?

Mr. McMILLAN. It relates to the steam railroads, the Baltimore and Potomac and the Baltimore and Ohio Railroads. They will find it necessary to lay extra tracks during the encampment which is to meet and during the inauguration ceremonies.

Mr. COCKRELL. Where are these tracks to be laid?

Mr. McMILLAN. They are to be laid on the streets. As it is now, the Commissioners have no power to allow the railroad companies to lay extra tracks adjacent to the passenger depots. It is to enable them to bring extra trains down as near as possible to the passenger stations during the encampment. It is a matter of only a few days, and it is done to accommodate the public.

Mr. COCKRELL. Are the Commissioners to be authorized to give permission to lay tracks upon private property, or is it to be upon the streets, or where are these extra tracks to be laid?

Mr. McMILLAN. On the streets adjacent to the stations. It has been done heretofore, but the Commissioners have found that really they had no authority for giving the permission, and they ask this authority.

Mr. GORMAN. I should like to ask the chairman whether it would not be wise to confine this authority to the coming of the Grand Army of the Republic and to the next inauguration? It may be wise to do that, but to make a permanent provision of this kind might be considered equivalent to continuing the present inadequate facilities indefinitely.

Mr. McMILLAN. I have no objection.

Mr. GORMAN. I suggest to the Senator that he limit the joint resolution up to and including the 1st of April, 1893.

Mr. McMILLAN. I have no objection to that amendment.

Mr. GORMAN. I make that suggestion.

The PRESIDENT *pro tempore*. Will the Senator from Maryland present his amendment so that it may be stated?

Mr. ALLISON. It can be done by a proviso:

*Provided*, That this authority shall cease on the 1st of April, 1893.

Mr. GORMAN. Yes; that will accomplish the purpose. I thank the Senator from Iowa.

Mr. ALLISON. That covers it.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. Add to the joint resolution the following proviso:

*Provided*, That this authority shall cease on the 1st day of April, 1893.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Maryland.

Mr. CALL. I ask the Senator in charge of this measure whether the language is not general, and does not allow the Commissioners to permit the companies to lay tracks anywhere in any part of the city?

Mr. McMILLAN. No; it states that the track is to be laid on the street adjacent to the railroad station.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Maryland.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5446) to provide for the care of dependent children in the District of Columbia, and to create a board of children's guardians, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEMPHILL, Mr. CADMUS, and Mr. POST managers at the conference on the part of the House.

The message also announced that the House had passed the following bills:

A bill (S. 479) for the relief of Mrs. E. Trask;

A bill (S. 1279) for the correction of the military record of Wilhelm Spiegelberg;

A bill (S. 3201) to provide for holding terms of court in the district of Montana; and

A bill (S. 3447) to extend the privileges of the first and seventh sections of the act of June 10, 1880, to the ports of Bangor and Vanceboro, Me.

#### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution: and they were thereupon signed by the President *pro tempore*:

A bill (S. 726) for the relief of P. B. Sinnott, late Indian agent at Grande Ronde Agency, State of Oregon;

A bill (S. 1129) for the recognition of Henry O. Kent as colonel of the Seventeenth New Hampshire Volunteers;

A bill (S. 1708) for the relief of Mrs. Sarah J. Waggoner;

A bill (S. 2018) granting a pension to Mary E. Law, widow of Capt. Richard L. Law, United States Navy;

A bill (S. 2519) authorizing the Secretary of the Treasury to sell certain lands in the city of Springfield and Commonwealth of Massachusetts;

A bill (H. R. 6323) making appropriations for the support of the Army for the fiscal year ending June 30, 1893, and for other purposes;

A bill (H. R. 9040) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes;

A bill (H. R. 9283) authorizing the Leonard Avenue Street Railway Company to lay tracks upon certain streets abutting United States military reservation in the city of Columbus, Ohio; and

A joint resolution (S. R. 56) to authorize the President to invite certain Governments to send delegates to the Pan-American Medical Congress.

#### BILL INTRODUCED.

Mr. COCKRELL introduced a bill (S. 3449) granting a pension to Dora Sauer, widow of Peter Sauer, deceased; which was read twice by its title, and referred to the Committee on Pensions.

#### ORDER OF BUSINESS.

Mr. STEWART. I ask that the resolution reported from the Committee on Contingent Expenses instructing the Committee on Mines and Mining to report the average cost of the production of gold and silver bullion in the United States, and for other purposes, may be considered now.

Mr. HALE. Let us get through with the morning business first.

Mr. STEWART. That is practically morning business.

Mr. HALE. The resolution is on the Calendar.

Mr. STEWART. Yes; it was put on the Calendar, but resolutions of this character are usually considered when reported. It will take but a moment. I ask the Senate to proceed to its consideration now.

Mr. HALE. I do not object to the resolution, but morning business, which is the regular reports of committees etc., ought to be first concluded. We shall then reach the Calendar, and other things may be attended to. After morning business is concluded, I propose to call up the deficiency bill, after which I will yield to the Senator.

Mr. STEWART. All right.

The PRESIDENT *pro tempore*. The next order is the introduction of bills and joint resolutions. [A pause.] If there be no further bills and joint resolutions that order is closed. Concurrent and other resolutions are now in order. [A pause.] Is there further morning business?

Mr. HALE. Mr. President, I move that the Senate—

The PRESIDENT *pro tempore*. The Chair will call attention to the fact that upon the desk of the Presiding Officer there are a number of resolutions coming over from a previous day, which are really a part of the morning business.

Mr. HALE. Those, I think, can wait. Nobody desires to press them now.

The PRESIDENT *pro tempore*. The Chair recognizes the Senator from Maine.

Mr. HALE. I move to proceed to the consideration of the bill (H. R. 9284) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1892, and for prior years, and for other purposes.

The motion was agreed to.

Mr. HALE. I yield now to the Senator from Nevada.

#### INVESTIGATION BY COMMITTEE ON MINES AND MINING.

Mr. STEWART. The Senator from Maine yields to me to call up the resolution instructing the Committee on Mines and

Mining to report the average cost of the production of gold and silver bullion in the United States, and for other purposes.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. COCKRELL. Let it be read for information.

The PRESIDENT *pro tempore*. The resolution will be reported for information.

The Chief Clerk read the resolution, as follows:

*Resolved*, That the Committee on Mines and Mining be, and it is hereby, authorized and directed to investigate and report the average cost of the production of gold and silver bullion in the United States; and for that purpose the committee is hereby authorized to sit during the recess of the Senate, to employ a clerk, and the necessary expenses to be paid from the contingent fund of the Senate, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. SHERMAN. If the resolution is to pass, I should like to have the word "average" stricken out, so as to know what is the extreme cost.

Mr. STEWART. I will accept that amendment. I should like to say one word in explanation of the resolution.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 4, before the word "cost," it is proposed to strike out "average;" so as to read:

That the Committee on Mines and Mining be, and it is hereby, authorized and directed to investigate and report the cost of the production of gold and silver bullion in the United States, etc.

Mr. SHERMAN. I have no other objection to the resolution than the general objection which I have made two or three times. I do not approve myself, and I have generally declined to serve on committees during the recess, because in many cases they are matters which involve considerable expense without doing any good. While I have no doubt it will be very easy to ascertain the cost of mining silver, I would as soon take the Senator's word for it without this investigation. He knows all about that subject. It seems to me that these committees going around during the recess as a rule are not very useful.

Mr. STEWART. I will say to the Senator that there will be no other expense connected with this than the expense of a clerk. I will do the balance of the work myself.

Mr. SHERMAN. It necessitates the employment of a clerk, and to that extent increases the contingent expenses of the Senate. It is a personal matter to which I do not like to object. I merely wanted to state my general feeling, which is that committees, especially select committees, ought not to be authorized to sit during the recess. I can imagine that a standing committee, having much to do, might desire such an arrangement sometimes.

Mr. STEWART. This is a standing committee; it is no new committee.

Mr. SHERMAN. I do not care to say anything further about it; but I do not think it ought to be done.

The PRESIDENT *pro tempore*. The question is on the amendment to the resolution proposed by the Senator from Ohio.

The amendment was agreed to.

The resolution as amended was agreed to.

The PRESIDENT *pro tempore* subsequently said: A resolution passed by the Senate this morning, by an inadvertence, it is ascertained, read as a joint resolution. If there be no objection the words "by the Senate and House of Representatives of the United States of America in Congress assembled" will be stricken from the resolution, so that it will stand as a simple Senate resolution, it being a matter concerning one of the committees of the Senate. The Chair hears no objection, and that change will be made.

#### BRIGHTWOOD RAILWAY COMPANY.

Mr. McMILLAN. If the Senator from Maine [Mr. HALE] will yield to me, I should like to ask unanimous consent of the Senate for the present consideration of House bill 8579.

The PRESIDENT *pro tempore*. The Senator from Michigan asks unanimous consent of the Senate for the present consideration of a bill the title of which will be stated.

The SECRETARY. A bill (H. R. 8579) to incorporate the Petworth, Brightwood and Takoma Park Railway Company of the District of Columbia.

The PRESIDENT *pro tempore*. If there be no objection the bill will be considered as in Committee of the Whole. The Chair hears none.

Mr. COCKRELL. Let it be reported for information first. We can not tell whether we shall object or not until we hear what it is.

The PRESIDENT *pro tempore*. The Chair calls the attention of the Senator to the fact that the bill will be read at length as in Committee of the Whole, and of course be at any time subject to objection.

Mr. COCKRELL. That is what I wanted to understand.

The PRESIDENT *pro tempore*. That is the rule.

Mr. COCKRELL. If we have that understanding it is all right.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on the District of Columbia with an amendment to strike out all after the enacting clause and insert:

That the charter granted to the Brightwood Railway Company by an act of Congress approved October 18, 1887, be, and the same is, amended as follows:

"That within six months from the date of the approval of this act the said Brightwood Railway Company shall equip and operate its existing line with the overhead trolley system of electric motive power, and shall thereafter maintain the road in first class condition. That the road shall be supplied entirely with new cars of the most approved pattern, which shall be run as the public convenience shall require, but not less frequently than one car every fifteen minutes from each end of the line, between 5 o'clock a. m. and 12 o'clock midnight.

"Sec. 2. That within twelve months from the date of the approval of this act the said Brightwood Railway Company shall extend its tracks to the District line, as provided in the original charter of said company, and shall operate the new portion of the line in the same manner and under the same conditions as hereinbefore provided for the operation of those portions of the road already built. The said company shall also construct and maintain a branch line, beginning at a point to be located by the Commissioners of the District of Columbia, west of the Baltimore and Ohio Railroad track on Fifth street in Takoma Park; thence along Fifth street to Umatilla street; thence west along Umatilla street to and across Piney Branch Road, and thence to Brightwood avenue by such route as the Commissioners of the District of Columbia shall approve. Said branch line shall be operated by the overhead trolley system, the cars used shall be first-class in every respect, and the schedule of the running of cars shall be subject to the approval of the District Commissioners, but cars shall be run as often as one every fifteen minutes between the hours of 5 o'clock a. m. and 12 o'clock midnight. Work on the said branch road shall be begun within two months and completed, with cars running thereon, within one year from the date of the approval of this act.

"Sec. 3. That in the event that the company should not be able to come to an agreement with the owner or owners of any land through which the said road may be located to pass, or upon which any necessary buildings may be required to be located, proceedings for the condemnation for the use of the company of so much of said land as may be required, not exceeding 100 feet in width, for its roadway, and of so much as may be necessary for buildings, etc., may be instituted in the usual way in the supreme court of the District of Columbia, under such rules and regulations as said court may prescribe for such purposes.

"Sec. 4. That any failure to comply with any of the provisions of this act shall work a forfeiture of the original charter of the said Brightwood Railway Company. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

"Sec. 5. That Congress reserves the right to alter, amend, or repeal this act.

Mr. COCKRELL. I should like to hear some explanation of the difference between the House bill and this proposed substitute.

Mr. McMILLAN. The House bill is intended to grant a new charter to a new company because the old Brightwood Railroad Company was running its cars miserably. They were the poorest second-hand cars, and were being run about once every half hour. During part of the winter, when the people wanted to get into the city, the company did not run them at all. Therefore, it was proposed to grant a new charter, which would take away from the Brightwood company the charter which was given to them in 1888. The Committee on the District of Columbia thought it was better not to get into any lawsuit or any trouble with the old company and made this arrangement, which will compel the company chartered in 1888 to put its line in first-class condition and give the people who live out there rapid transit.

Mr. COCKRELL. Brightwood avenue is an extension of Seventh street.

Mr. McMILLAN. Yes. There is a great demand for this road, and many public meetings have been held by the people interested. This is intended to make the company do what they should have done long ago.

Mr. COCKRELL. On the extension of Seventh street was there not some underground system attempted to be carried out for some distance?

Mr. McMILLAN. The company spent \$150,000 in trying the air system, which turned out to be a failure.

Mr. COCKRELL. How far did they construct that system?

Mr. McMILLAN. Only a short distance—about three-fourths of a mile.

Mr. COCKRELL. Was it the Brightwood company which did that work?

Mr. McMILLAN. Yes, sir.

Mr. COCKRELL. This bill is intended to compel the company to complete the road within a given time?

Mr. McMILLAN. The road has fallen into the hands of the bondholders, the stockholders having given up their stock, and this is to compel the bondholders to do what ought to have been done before.

Mr. COCKRELL. I see there is no provision here in relation to the rate of fare or for an exchange of tickets.

Mr. McMILLAN. This is a long run, and the rate of fare, 5 cents, is provided for in the original charter.

Mr. COCKRELL. Is that in the original charter?

Mr. McMILLAN. Yes. The substitute proposed to amend the original charter, and it is provided for there.

Mr. COCKRELL. It was provided for in the bill as it came from the House. I did not know that that provision was in the old charter.

Mr. McMILLAN. It is in the old charter.

Mr. GORMAN. This road, as I understand, by its original charter was to run from a point beginning on Seventh street out to Brightwood, and the company was required to construct its track outside of the Seventh-street road on land that it was to acquire.

If I understand this bill, it will permit the extension of the road from Brightwood to the District line on that great avenue, one of the principal avenues leading out into Maryland. We acquired the road from the old turnpike company, and it has been remodeled by the Government, and will be damaged if this trolley system is to be allowed in the center of it. I suggest to the Senator this is a wide road and it will probably accommodate this railroad, but I should not like to see the trolley system permitted to be used in the center of that splendid drive. The road ought to be constructed under the same conditions as are provided for in the original charter, entirely off the roadway or to one side of it. I trust the Senator, on consideration, will agree to insert a provision that no part of that roadway shall be used in the construction of the extension.

Mr. McMILLAN. I have no objection to that.

Mr. GORMAN. I wish to say to the chairman of the committee in charge of this bill, that that roadway is the only great drive leading out from Brightwood to Maryland in that section of country, and it is one in which our people in Maryland have expended a great deal of money in making an extension 20 or 30 miles up into that delightful country. It is the only drive practically we have now for any distance outside of the city, which is not obstructed by railroads. If this railroad from Brightwood to the District line is to be permitted to occupy the center of that roadway with the trolley system, it will be a great nuisance.

I have no objection to the bill if the Senator will confine the company to one side of the roadway, and require them to put their tracks on the land to be acquired by the company.

Mr. McMILLAN. The road beyond Brightwood has been widened by the people owning property there some 15 or 18 feet, I have forgotten which. It is a very wide road. The company uses now a single track. The Commissioners can at any time change the tracks if they find they are injurious to the public in any way. So we did not put that provision in the substitute.

I have no objection to an amendment to compel the company when they do put in a double track to lay it on one side of the road.

Mr. GORMAN. I hope the Senator will prepare that amendment. He is familiar with the provisions of the bill, and I am not.

Mr. McMILLAN. In line 16 of section 2 of the amendment, after the words "trolley system," I move to insert:

And when the company lays its double tracks from Brightwood to Takoma Park said tracks shall be laid on one side of the said road.

The amendment to the amendment was agreed to.

Mr. SANDERS. I offer an amendment to the amendment of the committee.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. After the word "midnight," in line 16 of section 1 of the amendment of the committee, it is proposed to insert:

And said street railroad company shall arrange for the transfer of its passengers with any other street railroad which it may cross, or with which it connects in the District of Columbia for only one fare.

Mr. McMILLAN. I have no objection to that amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "A bill to amend an act entitled 'An act to incorporate the Brightwood Railway Company of the District of Columbia.'"

Mr. McMILLAN. I move that the Senate insist upon its amendment, and ask for a conference with the House of Representatives.

The motion was agreed to.

By unanimous consent the President *pro tempore* was authorized to appoint the conferees on the part of the Senate; and Mr. McMILLAN, Mr. HARRIS, and Mr. PERKINS were appointed.

#### BLACK RIVER BRIDGE, IN ARKANSAS.

Mr. BERRY. I ask unanimous consent for the present consideration of House bill 9144, the pending bill being informally laid aside for that purpose.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9144) to establish a railroad bridge across the Black River, in Arkansas.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### EXTENSION OF CUSTOMS PRIVILEGES TO DULUTH, MINN.

Mr. WASHBURN. I ask unanimous consent for the present consideration of Senate bill 3188.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3188) to extend to Duluth, Minn., the privilege of immediate transportation of unappraised merchandise.

The bill was reported from the Committee on Commerce, with an amendment in line 3, after the words "provisions of," to insert "the first section;" so as to make the bill read:

*Be it enacted, etc.*, That the provisions of the first section of an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, 1889, be, and the same are hereby, extended to the port of Duluth, Minn.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend to Duluth, Minn., the privileges of the first section of an act entitled 'An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes,' approved June 10, 1888."

#### ADJUSTMENT OF ACCOUNTS UNDER EIGHT-HOUR LAW.

Mr. CAREY. I ask unanimous consent for the present consideration of Senate bill 1276.

The PRESIDENT *pro tempore*. The Senator from Wyoming asks unanimous consent for the present consideration of a bill, the title of which will be stated.

The SECRETARY. A bill (S. 1276) providing for the adjustment and payment of the accounts of laborers and mechanics arising under the eight-hour law.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. SANDERS. Let it be read for information.

Mr. CAREY. As the committee has reported a substitute I suggest that the substitute only may be read.

The PRESIDENT *pro tempore*. That course will be followed in the absence of objection.

The Chief Clerk read the amendment reported by the Committee on Education and Labor, which was to strike out all after the enacting clause of the bill and insert:

That the statute of limitation shall not be interposed in any suit brought by any laborer, workman, or mechanic in the Court of Claims against the United States to recover wages claimed to be due him under the national eight-hour law: *Provided*, That such suits shall be commenced within three years from the passage of this act: *And provided further*, That any number of claimants may join in the same suit, and the court may find in favor of some and against some, as in law and equity may be right, and both the claimants and the United States shall have the right to appeal to the Supreme Court of the United States, irrespective of the amount claimed.

Mr. COCKRELL. I move to amend the amendment in line 8 by striking out the words "three years" and inserting "one year;" so as to read:

*Provided*, That such suits shall be commenced within one year from the passage of this act.

Mr. CAREY. That is satisfactory.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. CALL. I understand that this bill is the old controversy in relation to the payment of a large amount of money for labor in excess of eight hours per day. It has been discussed before the Senate repeatedly, and has been, I believe, the subject of very decided differences of opinion. I should not suppose it is proper that such a bill should be passed under a rule which does not allow any discussion.

Mr. CAREY. If the Senator from Florida will permit me, the committee have not attempted to report a bill to adjust these accounts. They merely want to give the men who are now barred by the statute of limitations the right to go to the Court of Claims. It is not intended even to leave the title of the bill the same as that of the bill which has been here before. It is simply to remove the bar of the statute of limitations.

Mr. CALL. The Court of Claims has no authority whatever to give any judgment upon this subject unless Congress authorizes them to do so, and Congress in authorizing them to do so must affirm the propriety of the claims if the facts are as alleged by the claimants.

The question is whether Congress will authorize the taxation

of the people of this country to the extent of a great many million dollars to pay for extra labor which has been done by a very limited proportion of the people. I think there are very grave grounds of objection to it in the fact of the general distress of the country, and that the taxation which will be levied upon the great mass of the people to pay these few beneficiaries of this law, will be a very great burden to them. For that reason I object to the consideration of the bill, unless we can have full discussion upon it.

The PRESIDENT *pro tempore*. The bill, being objected to, goes over.

HENRY W. LEE.

Mr. VILAS. I ask unanimous consent for the present consideration of Senate bill 2398.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2398) for the relief of Henry W. Lee. It proposes to direct the Secretary of the Interior to inquire into and determine what services were rendered by Henry W. Lee, now of Stevens Point, Wis., to the Winnebago Indians, or to any bands or families thereof, whether such services were rendered at the request of or under any agreement with or acceptance of such Indians, whether such services were of utility and value to such Indians, and deserving of compensation, and to fix upon the proper measure of the value of the same, not exceeding \$10,000 and over and above any sums of money which may have been paid to Lee on account thereof; and if he shall determine that Lee is justly and equitably entitled to any such sum or compensation as he shall so fix, then to deduct the same from the accounts to be paid and distributed to the stray bands of Winnebagoes in Wisconsin, or to such of them as he shall find were justly answerable, in such yearly installments or portions as he shall think fit, and to pay the same to Lee in full discharge of all his claims.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### SALE OF GOVERNMENT PROPERTY AT PITTSBURG, PA.

Mr. QUAY. I ask unanimous consent of the Senate for the consideration of House bill 7454.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7454) authorizing and directing the sale of certain property belonging to the United States situate in Pittsburg, Pa.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### INDIAN REGENTS OF EDUCATION.

Mr. PERKINS. On the 1st day of March I introduced the bill (S. 2412) to provide for the creation of a board of regents of education for the Indian and Oklahoma Territories, to define the powers, duties, and responsibilities of such board, and to provide for the purchase of certain lands from the Government of the United States, for the promotion of the industrial and academic education of Indians and others. The bill was referred to the Committee on Indian Affairs. It has not been considered by that committee since its reference, I think. The bill was prepared by Rev. Dr. McVicker, who has been a missionary and educator of the Indians almost all his life. The bill was recommended by the Commissioner of Indian Affairs and approved by the Secretary of the Interior, and at the request of those gentlemen I introduced it. It is a bill drafted for the purpose which I have stated.

I have no personal interest in the measure, and it does not in any considerable degree affect the people whom I represent. Since the introduction of the bill some feeling has been manifested in opposition to it by those who desire to settle upon the unoccupied Cherokee Outlet, who believe that that section of country should be open to settlement. They have thought that some provisions of the bill were inimical in some way to their interests; that it might in some way retard the opening of that section of country to settlement, and might in some way be construed as unfavorable to the legislation which is pending to ratify the agreement with the Cherokee Indians.

I have been in favor of that legislation from the first. For many years, in fact, I have contended in Congress that the Cherokee Outlet ought to be open to the homesteaders of the country under the provisions of the homestead law; and I would not offer any measure in Congress which tended in any way to embarrass that proposed legislation.

In view of the opposition which has been manifested to this bill and because of the fact I have stated, that I introduced it in the first place at the request of the officers and persons whom I have named, and because my constituency has no considerable interest in it—although I believe in many respects it is a wise measure and in the end would result in good to the people of Oklahoma Territory as well as to the colored people and Indians

who might in time avail themselves of the benefits of the law—I am in view of the circumstances I have stated, I ask unanimous consent that the Committee on Indian Affairs be discharged from the further consideration of the bill and that it may be indefinitely postponed.

The PRESIDENT *pro tempore*. The Senator from Kansas asks unanimous consent that the Committee on Indian Affairs be discharged from the further consideration of the bill named by him. Is there objection?

Mr. PLATT. Mr. President, I believe I find myself the only member of the Committee on Indian Affairs in the Chamber at this time, and I do not like, finding myself in that position, to consent for the Committee on Indian Affairs that this bill, which has been referred to that committee, and which, although it has never been formally considered, has been a matter of considerable discussion before the committee, should be taken away in this summary manner and indefinitely postponed. It seems to me a very strange request.

This is a bill which looks to providing a fund for Indian education in Oklahoma Territory. While there is a great deal in the bill which I should myself criticize, I do not think the committee should be discharged from the consideration of the subject, and I feel bound to enter an objection.

Mr. COCKRELL. I hope, then, the Senator from Kansas [Mr. PERKINS] will have the formal motion entered, so that the Committee on Indian Affairs will not waste their time in considering a bill which the Senate will probably never act upon favorably under any circumstances.

Mr. PERKINS. If in order, then, I move to discharge the Committee on Indian Affairs from the further consideration of the bill, and that it be indefinitely postponed.

Mr. PLATT. Let that motion go on the Calendar, if it is a proper motion to go on the Calendar.

The PRESIDENT *pro tempore*. The unanimous consent asked by the Senator from Kansas being objected to, the Senator enters a motion that the Committee on Indian Affairs be discharged from the further consideration of the bill, which motion, under the rules, will go to the Calendar under the objection made to its present consideration by the Senator from Connecticut [Mr. PLATT].

#### MARYLAND AND WASHINGTON RAILWAY COMPANY.

Mr. HARRIS. I ask for the consideration at this time of House bill 4667.

There being no objection, the bill (H. R. 4667) to incorporate the Maryland and Washington Railway Company was considered as in Committee of the Whole.

Mr. SANDERS. I offer the amendment which I send to the desk, to come in as sections 23 and 24, which will require the renumbering of the last two sections of the bill.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Montana will be stated.

The SECRETARY. It is proposed to insert as new sections the following:

SEC. 23. That said corporation shall not have or issue any greater number of shares of stock than the nominal value of such shares shall equal the actual and necessary cost of the construction of such railroad, which sum shall first be ascertained and authorized upon petition therefor to the supreme court of the District of Columbia, under such rules and regulations as the chief justice and judges thereof shall prescribe efficient to limit the stock of such corporation in the aggregate to the actual and necessary cost thereof.

SEC. 24. That if it shall be desired by such corporation to issue bonds upon its said property, secured by mortgage or otherwise, upon petition therefor to said court, setting forth the necessity thereof and the amount of stock issued and outstanding, it may and shall be lawful for such court, or the chief justice or justices thereof, as the case may be, or one of them, upon public notice to be prescribed by the rules of the court, to permit the issuance of such bonds and mortgage if desired. *Provided, however*, That an amount of stock equal to the bonds so issued shall be first canceled.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Montana [Mr. SANDERS].

Mr. HARRIS. This bill provides that the company shall not issue stock beyond 10 per cent of the actual cost of construction, equipment, and condemnation. It does not provide for the issue of bonds at all, and I do not quite see the necessity for such an amendment as the Senator from Montana suggests. The bill seems to be remarkably well guarded in all respects. I should not favor authorizing the issuance of stock beyond the actual cost of construction, equipment, and the matter of condemnation of the right of way, which is a part of the cost of the roadway of course. Beyond that point I should not favor the issuance of stock.

Mr. FRYE. Will the Senator allow me?

Mr. HARRIS. Yes.

Mr. FRYE. As I heard the amendment read, it did not provide for the equipment as well as construction; but if the amendment is adopted at all, clearly it ought to cover the equipment as well as the construction of the road.

Mr. HARRIS. Of course, but I am inclined to think the Sen-

The amendment was agreed to.

The next amendment was, at the beginning of page 51 to insert:

Relief of George T. Larkin: To reimburse George T. Larkin, late deputy marshal, eastern district of Tennessee, for expenses incurred in his defense in the State and Federal courts on an indictment for killing in self-defense a citizen of said State while resisting arrest, and in full compensation of all claims on account thereof, \$692.55.

The amendment was agreed to.

The next amendment was, on page 51, after line 7, to insert:

Relief of Allen R. English: To pay Allen R. English for services rendered under appointment of the court in defending certain Indians charged with crime at the October term, 1889, of the first judicial district court of the Territory of Arizona, \$800.

The amendment was agreed to.

The next amendment was, on page 51, after line 21, to insert:

#### SENATE.

To reimburse Hon. FRED. T. DUBOIS, Senator from the State of Idaho, for expenses incurred in defending his right to a seat in the Senate as Senator from said State, \$2,000.

The amendment was agreed to.

The next amendment was, on page 52, after line 2, to insert:

To pay William H. Clagett, in full compensation for his time and expense incurred in prosecuting his claims to a seat in the Senate as a Senator from the State of Idaho, \$4,000.

The amendment was agreed to.

The next amendment was, on page 52, after line 6, to insert:

To pay R. H. M. Davidson, in full compensation for his time and expenses incurred in prosecuting his claims to a seat in the Senate as a Senator from the State of Florida, \$1,250.

The amendment was agreed to.

The next amendment was, on page 52, after line 10, to insert:

For payment to the legal representatives of the Hon. John S. Barbour, deceased, late a Senator of the United States from the State of Virginia, \$5,000.

The amendment was agreed to.

The next amendment was, on page 52, after line 13, to insert:

For payment to the widow of the Hon. Preston B. Plumb, deceased, late a Senator of the United States from the State of Kansas, \$5,000.

The amendment was agreed to.

The next amendment was, on page 52, after line 16, to insert:

To pay ex-Senator Alexander McDonald, under Senate resolution of March 3, 1891, \$6,502.29.

The amendment was agreed to.

The next amendment was, on page 52, after line 20, to insert:

To reimburse the Official Reporter of the Senate for moneys paid by him during the present session for clerical hire and extra clerical services, \$5,000.

The amendment was agreed to.

The next amendment was, on page 52, after line 23, to insert:

To pay clerks to Senators and per diem clerks to committees retained in the service of the Senate during the recess of the Fifty-first Congress, under resolution of the Senate of September 30, 1890, \$21,600.

The amendment was agreed to.

The next amendment was, on page 53, after line 3, to insert:

For one month's extra pay to regular officers and employees of the Senate, who were borne upon its annual or session roll for the whole of the second session of the Fifty-first Congress and who were not provided for and paid under the clause in the general deficiency bill, being the act approved March 3, 1891, giving one month's extra pay to the officers and employees of the House and Senate borne on the annual and session rolls both on the 1st day of October, 1890, and the 31 day of March, 1891, \$2,000, or so much thereof as may be necessary.

Mr. HALE. After the word "thousand," in line 14, I move to insert "five hundred and eighty-five;" so as to read, \$2,585.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 53, after line 14, to insert:

To pay Isaac Hamburger, clerk to the Committee to Examine the Several Branches of the Civil Service, for eight days' services, from December 18 to 25, inclusive, 1891, \$48.

The amendment was agreed to.

The next amendment was, on page 53, after line 18, to insert:

To pay William H. H. Hart, in full compensation for his claim for services as janitor under the Sergeant-at-Arms of the Senate during fiscal years 1887 and 1888, \$517.50.

The amendment was agreed to.

The next amendment was, on page 53, after line 23, to insert:

For contingent expenses, namely:

For miscellaneous items, exclusive of labor, \$2,000.

For expenses of inquiries and investigations ordered by the Senate, \$2,000.

For services in cleaning, repairing, and varnishing furniture, \$156.42.

The amendment was agreed to.

The next amendment was, on page 54, under the head of "House of Representatives," after line 7, to insert:

To pay to the widows and legal representatives of deceased members of the House, \$5,000.

The amendment was agreed to.

Mr. HALE. I move to insert, after line 9:

For payment to contestants and contestees in election cases, \$1,000.

Mr. COCKRELL. That is put in at the request of members of the other House?

Mr. HALE. Yes.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 55, line 18, to strike out the name of "Frank T. Doyle" and insert "Frank F. Doyle;" so as to make the clause read:

To Frank F. Doyle, \$24.25.

The amendment was agreed to.

The next amendment was, in the appropriations for "judgments, United States courts," on page 57, line 9, after the number "243," to insert "and Senate Executive Document numbered —;" and in line 10, after the blank, to strike out "eleven thousand six hundred and sixty-five dollars and thirty-three" and insert "thirteen thousand nine hundred and fifty-seven dollars and forty-three;" so as to make the clause read:

For payment of the final judgments and decrees, including costs of suit, which have been rendered under the provisions of the act of March 3, 1857, entitled "An act to provide for the bringing of suits against the Government of the United States," certified to Congress at its present session by the Attorney-General in House Executive Documents numbered 9 and 243 and Senate Executive Document numbered —, \$13,957.43 cents, together with such additional sum as may be necessary to pay interest on the respective judgments, at the rate of 1 per cent per annum from the date thereof until the time this appropriation is made.

Mr. HALE. I move to fill the blank in line 10 with "one hundred and thirty-six."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, in the appropriations "for payment of judgments of the Court of Claims," on page 62, after line 4, to insert:

To the Michigan Central Railroad Company, \$1,521  
 To William S. Rosecrans, \$45.60;  
 To the Alabama Great Southern Railroad Company, \$4,313.61, and interest on this judgment from February 13, 1890, to January 18, 1892, \$335.58;  
 To William H. Woolverton, \$46,580;  
 To William H. Strong, \$122.80;  
 To Sarah A. Harris, administratrix of William P. Harris, \$269;  
 To Philip A. Hoyne, \$540.65;  
 To James J. McNew, \$62.29;  
 To Howard D. Spencer, \$271.10;  
 To Francis Bloodgood, \$3,382.75;  
 To James Brizzolara, \$797.10;  
 To James C. Strong, \$474.70;  
 To Alfred E. Buck, \$2,340.85;  
 To J. M. Brown, \$58.15;  
 To Joseph C. Wilson, \$336.50;  
 To Joseph C. Wilson, \$96;  
 To Grant Jarvis, administrator of John Mefford, \$529.80;  
 To William Wilson, \$190;  
 To Thomas W. Campbell, \$254;  
 To George W. Henderson, \$126;  
 To Robert S. Friend, \$709.80;  
 To Alfred E. Buck, \$330.90;  
 To G. G. Eaves, \$351.95;  
 To Thomas R. Morgan, \$159.85;  
 To John M. Landon, \$371.70;  
 To J. A. Thorn, \$614.30;  
 To A. T. Summey, \$465.50;  
 To Thomas B. Ford, \$259.40;  
 To William H. Strong, \$2,429.52;  
 To Warren Green, \$1,545.83;  
 To William H. Hunter, \$569.15;  
 To Sampson Williams, \$111.70;  
 To Benjamin P. Seals, \$632.75;  
 To George W. Blaukenship, \$116.30;  
 To Anson C. Merrick, \$726.05;  
 To William D. Ramey, \$442.50;  
 To John E. Pount, \$370.75;  
 To Charles C. Waters, \$118.35;  
 To Chapel W. Tweed, \$193.30;  
 To Thomas E. Goodwin, administrator of John C. Moore, \$169.84;  
 To Stephen C. McCandless, \$267.50;  
 To Edward T. Jones, \$59.70;  
 To Alfred B. Getty, \$358.20;  
 To Christopher Dart, \$2,305.45;  
 To Richard A. Donnelly, \$307.60;  
 To John W. Burton, \$384.45;  
 To William G. Cantrell, \$185.15;  
 To Henry H. Kirkpatrick, \$1,184.85;  
 To Henry N. Wayne, administrator *de bonis non* of James M. Wayne, \$1,128.97;  
 To John T. Patterson, \$402.25;  
 To Thomas R. Jernigan, \$2,385;  
 To William G. Bozle, \$860;  
 To Isaac C. Fowler, \$1,361.81;  
 To William N. Payne, \$1,980.45;  
 To James E. Reed, \$975.60;  
 To William H. Fawcett, \$313.70;  
 To Richard P. Morle, \$285.65;  
 To William H. Hunter, \$401.27;  
 To Stanley W. Martin, executor of Charles Martin, \$2,623.95;  
 To Stephen Wheeler, \$1,739.75;  
 To S. B. Noe, \$276;  
 To Mattie H. Leak, administratrix of Joseph E. Leak, \$113;  
 To Bushrod W. Bell, \$372.45;  
 To Henry C. Charles, \$470.56;  
 To Madison J. Julian, \$381.80;  
 To William P. Dryden, \$245;  
 To Angelo C. Scott, \$144.60;  
 To Robert Barber, \$265.05;  
 To John M. Tinney, \$335;  
 To Eugene O'Loke, \$271.10;  
 To McLain Jones, \$1,190.05;  
 To Edward Kurtz, \$386.15;  
 To William W. Gilbert, \$198.95;  
 To William E. Singleton, \$1,091.69;  
 To H. C. Hamilton, \$1,594.95;



To E. K. Cunningham, \$605.35;  
 To William A. La Motte, executor of Robert S. La Motte, \$900;  
 To John J. Allen, \$3,663.20;  
 Mary E. Brazee, administratrix of Andrew W. Brazee, \$382.75;  
 To Bushra W. W. B. H. \$408;  
 To Joseph W. Dinnick, \$1,472.60;  
 To Nathaniel McKay, \$115.19;  
 To Robert Barber, \$949.50;  
 To William A. Allen, \$161.85;  
 To Daniel D. Davies, \$660.20;  
 To Daniel N. Cooper, \$89.24;  
 To Richard Jones, \$33.90;  
 To James W. H. cher, \$575.21;  
 To William Mitchell, \$4,490.64;  
 To Joseph Kicketts, \$255.10;  
 To John I. Devanport, \$1,060;  
 To the Atlantic Great Southern Railroad Company, \$3,413.31;  
 To William D. McKinstry, \$1,723.04;  
 To William L. Goodwin, \$757.10;  
 To Booth Crawford, \$211.70;  
 To Benjamin Z. Herndon, \$460.65;  
 To Andrew McAllister, \$3,320.95;  
 To C. H. Matthews, \$3,332.24;  
 To W. W. White, \$3,000.00;  
 To C. C. Willis, \$2,335.67;  
 To W. Stuart Smith, \$3,311.32;  
 To B. C. Sampson, \$3,743.25;  
 To Kenneth McAlpine, \$5,454.27;  
 To D. C. Redgrave, \$3,367.50;  
 To Albert Moritz, \$3,400.57;  
 To H. G. Leopold, \$2,067.12;  
 To John C. Leonard, \$2,779.12;  
 To Gustave Kaemmerling, \$2,973.61;  
 To R. B. Higgins, \$2,420.15;  
 To W. B. Day, \$2,794.91;  
 To F. H. Conant, \$2,504.80;  
 To Floyd Bankson, \$2,900.91;  
 To Solon Arnold, \$3,692.87;  
 To M. A. Anderson, \$3,295.32;

Mr. HALE. In line 5, on page 71, the name should be "Lloyd" instead of "Floyd;" so as to read "Lloyd Bankson."

The PRESIDING OFFICER. That correction will be made.  
 Mr. HALE. At the end of the amendment, after line 10, I move to insert the following additional claims:

To Amasa A. Redfield, receiver and assignee of William Mitchell, \$15,046.38;  
 To A. J. Houston, \$88.80;  
 To Stephen M. Dickey, \$220;  
 To Henry D. Fitzgerald, \$24.25;  
 To Samuel Henry, \$382.15;  
 To John W. Payne, \$478.50;  
 To Charles L. Smathers, \$107.67.

Mr. COCKRELL. Those judgments were reported since?

Mr. HALE. Yes.

Mr. COCKRELL. They are the same kind of judgments as the others?

Mr. HALE. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine to the amendment of the committee.

The amendment to the amendment was agreed to.  
 The amendment as amended was agreed to.

The next amendment of the Committee on Appropriations was, on page 71, line 10, to increase the total amount of the appropriations "for payment of judgments of the Court of Claims" from "\$97,228.78" to "\$399,635.87."

Mr. COCKRELL. That must be amended.

The PRESIDING OFFICER. The footing will have to be changed.

Mr. COCKRELL. It must be amended by adding to it the amount contained in the amendment to the amendment.

The PRESIDING OFFICER. That will be included. The Clerks will change the footing in the absence of objection.

Mr. HALE. The true total, if the Clerks will make the change, and I call the attention of the Senate to it, will be \$407,049.87.

The PRESIDING OFFICER. The total will be corrected, so as to read "\$407,049.87," and the amendment of the committee as amended will be agreed to.

The reading of the bill was continued to line 22, on page 75.

Mr. HARRIS. I wish to ask the Senator in charge of the bill if the appropriation for fees of district attorneys of the United States courts in the item just read, or any other lump item, includes a balance due Henry W. McCorry, late district attorney for West Tennessee. I am aware of the fact that there is an unpaid balance of \$1,360 or \$1,400.

Mr. HALE. It does include it.

Mr. HARRIS. It does include it in one of these lump sums?

Mr. HALE. Yes.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations in section 2, was, under the head of "Navy Department claims allowed by the Fourth Auditor and Second Comptroller," on page 83, to strike out the clause from line 16 to line 22, inclusive, in the following words:

That hereafter officers serving on receiving ships, training and practice ships, when not cruising, shall be considered as on shore duty, and entitled to shore-duty pay, and the accounting officers of the Treasury are prohibited from allowing credit to any disbursing officers of the Navy who may allow or pay such officers other than shore-duty pay while so serving.

The amendment was agreed to.

The next amendment was, in section 2, on page 85, after line 16, to insert:

For relief of sufferers by wreck of the Huron, \$150.

The amendment was agreed to.

The reading of the bill was continued to line 5, on page 86.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. JAMES KERR, its Clerk, returned to the Senate, in compliance with its request, the bill (S. 3325) granting an increase of pension to George W. Clark.

The message also announced that the House insisted on its amendment to the bill (S. 2174) to amend section 736 of the Revised Statutes of the United States, agreed to the conference; asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GOODNIGHT, Mr. BUCHANAN of Virginia, and Mr. BUCHANAN of New Jersey managers at the conference on the part of the House.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore*:

A bill (H. R. 4871) for the relief of John McMahon;

A bill (H. R. 5396) for the relief of W. H. Howard;

A bill (H. R. 6792) granting to the county of Mariposa, in the State of California, the right of way for a free wagon road or turnpike across the Yosemite National Park in said State; and

A bill (H. R. 7093) making appropriations for the naval service for the fiscal year ending June 30, 1893, and for other purposes.

#### ALLEYS IN THE CITY OF WASHINGTON.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5419) "to prevent the building of houses along certain alleys in the city of Washington, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same amended to read as follows:

"That from and after the passage of this act it shall be unlawful to erect or place a dwelling house on or along any alley in the District of Columbia, where such alley is less than 30 feet wide and is not supplied with sewerage, water mains, and light: *Provided*, That no dwelling house hereafter erected or placed in any alley shall in any case be located less than 20 feet back clear of the center line of such alley, so as to give at least a 50-foot roadway and 5 feet on each side of such roadway clear for a walk or footway, and that it shall be unlawful to erect or place a dwelling house in or along any alley which does not run straight to and open at right angles upon one of the public streets bordering the square in which such alley is located, with at least one exit 15 feet in the clear.

"Sec. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed."

Amend the title to read:

"An act regulating the construction of buildings along alleyways in the District of Columbia."

And that the Senate agree to the same.

E. O. WOLCOTT,

JAMES McMILLAN,

CHAS. J. FAULKNER,

Managers on the part of the Senate.

JNO. J. HEMPHILL,

JNO. T. HEARD,

A. C. HARMER,

Managers on the part of the House.

The report was concurred in.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3871) to provide for the opening of alleys in the District of Columbia, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same, amended as follows:

To section 1 of the Senate amendment add, after the words "necessary for the public health," the words:

"*Provided*, That in the opening, extension, widening, or straightening of an alley it shall be lawful to close any original alley, or part of an original alley, the fee of which is in the United States, which may thereby become useless or unnecessary, and that it shall also, in like manner, be lawful to close any other alleys or parts of alleys, the title thereto to revert to the person or persons who dedicated the same for alley purposes, or to their assigns."

In section 3 of the Senate amendment, line 8, after the word "less," insert the words "per square foot;" also in line 9 after the word "value," insert the words "per square foot."

In section 5 of the Senate amendment, in line 11, after the word "and," insert the following: "in case of failure to pay the amount so appropriated."

Insert to stand as section 9 in the Senate amendment the following:

"If any moneys from the sale of land in which the United States is interested shall remain after carrying out the provisions of the preceding sections of this act such moneys shall be paid into the Treasury of the United States, by the Commissioners of the District of Columbia."

Change the numbering so that section 9, in the Senate amendment, shall stand as section 10.

And that the Senate agree to the same.

E. O. WOLCOTT,

JAMES McMILLAN,

CHAS. J. FAULKNER,

Managers on the part of the Senate.

JNO. J. HEMPHILL,

JNO. T. HEARD,

A. C. HARMER,

Managers on the part of the House.

The report was concurred in.



the late war; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### JURISDICTION OF THE POLICE COURT IN THE DISTRICT OF COLUMBIA.

Mr. BOATNER, from the Committee on the Judiciary, reported back favorably the bill (S. 3011) to amend "An act to define the jurisdiction of the police court of the District of Columbia," approved March 3, 1891; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### ADMISSION OF THE INDIAN TERRITORY AS A STATE.

Mr. ROCKWELL, from the Committee on Indian Affairs, reported back favorably a resolution in lieu of the resolution of inquiry relative to the admission of the Indian Territory as a State; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The original resolution was laid on the table.

#### DONATION FOR SCHOOL PURPOSES, HOT SPRINGS, ARK.

Mr. TERRY. Before the gentleman from Texas [Mr. SAYERS] moves to adjourn I ask unanimous consent for the consideration of a bill to which I am satisfied there will be no objection.

The Clerk read as follows:

A bill (H. R. 5039) to authorize sale of lot 8, block 23, city of Hot Springs, by school directors thereof, and use of proceeds for school purposes.

*Be it enacted, etc.*, That the directors of the school district of the city of Hot Springs, Ark., are hereby authorized to sell and convey, at private or public sale, lot 8 in block 23 on Ouachita avenue in said city, as shown by the survey and plat of the United States Commissioners for Hot Springs, heretofore designated and set apart by the Secretary of the Interior as site for school-house, under act approved June 16, 1880, and to apply the proceeds of such sale for the benefit of common schools of said city.

Mr. TERRY. Mr. Speaker, this bill has been unanimously reported. The lot to which the bill refers has already been given by the United States to the school district of Hot Springs. It was one of several little lots donated for school sites. The school district commissioners have found an opportunity to buy a building for a schoolhouse cheaper than they could put up one; and on account of the location being such that they do not now want to erect a building on this lot, they ask the Government to permit them to sell it and use the money for school purposes.

Mr. BAILEY. The bill carries no charge upon the Treasury?

Mr. TERRY. None at all.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. TERRY, a motion to reconsider the last vote was laid on the table.

#### BRIG RUSSELL.

Mr. MANSUR, from the Committee on Claims, reported back the spoilation claim of the brig Russell, and moved its reference to the Committee on Appropriations; which was agreed to.

And then, on motion of Mr. SAYERS (at 5 o'clock and 15 minutes p. m.) the House adjourned until Monday next.

#### REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. CUMMINGS, from the Committee on the Library: A joint resolution (S. R. 93) granting permission to exhibit in the Capitol the portrait of Gen. Thomas, painted by Caroline L. Ransom. (Report No. 1923.)

By Mr. COBB of Missouri, from the Committee on War Claims: A resolution to refer to the Court of Claims the bill (H. R. 3779) for the relief of John Dieters. (Report No. 1924.)

By Mr. WAUGH, from the Committee on Pensions: A bill (H. R. 4320) granting a pension to Thomas Kennedy. (Report No. 1929.)

By Mr. WILSON of Missouri, from the Committee on Pensions:

A bill (H. R. 8492) granting an increase of pension to Mrs. Levenia D. Athon. (Report No. 1930.)

A bill (H. R. 6718) to increase the pension of L. D. Owen. (Report No. 1931.)

A bill (H. R. 7008) for the relief of Mrs. Susan C. Byrd, widow of Hugh L. Byrd, deceased. (Report No. 1932.)

#### ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table, as follows:

By Mr. MARTIN, from the Committee on Invalid Pensions: A bill (H. R. 1783) granting a pension to Honora Shea. (Report No. 1928.)

#### BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills of the following titles were introduced and severally referred as follows:

By Mr. WHITE (by request): A bill (H. R. 9563) to prohibit the coinage of gold—to the Committee on Coinage, Weights, and Measures.

By Mr. McCREARY: A bill (H. R. 9564) to regulate the terms of the circuit courts of the United States in the district of Kentucky, and for other purposes—to the Committee on the Judiciary.

By Mr. HOUK of Tennessee: A bill (H. R. 9565) to authorize the purchase of the library of historical manuscripts and printed books belonging to the estate of the late George Bancroft—to the Committee on the Library.

By Mr. WHITING: A bill (H. R. 9566) to reduce the duty on certain manufactures of iron and steel—to the Committee on Ways and Means.

By Mr. HOPKINS of Pennsylvania: A resolution asking for information from the Attorney-General as to steps taken to punish members of sugar trusts and others for illegal combination to raise, control, and arbitrarily regulate the price of an article of food—to the Committee on the Judiciary.

By Mr. DALZELL: A resolution calling for information from the Secretary of the Treasury as to amounts of taxes paid by national and other banks, and as to losses by holders of national and of State banks, etc.—to the Committee on Ways and Means.

#### PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. BRYAN: A bill (H. R. 9567) to pension William T. Hutton—to the Committee on Invalid Pensions.

By Mr. BYRNS: A bill (H. R. 9568) for the relief of John Long—to the Committee on Invalid Pensions.

By Mr. CATCHINGS: A bill (H. R. 9569) fixing the compensation of the assistant attorneys in the Department of Justice—to the Committee on the Judiciary.

By Mr. COBURN: A bill (H. R. 9570) for the relief of Mary Murry—to the Committee on Invalid Pensions.

By Mr. GOODNIGHT: A bill (H. R. 9571) for the relief of Mrs. Kate Sohan, of Bowling Green, Ky.—to the Committee on War Claims.

By Mr. RUSK: A bill (H. R. 9572) for the relief of Charles Milke—to the Committee on Military Affairs.

By Mr. STONE of Kentucky: A bill (H. R. 9573) for the relief of John W. Bradburn—to the Committee on Military Affairs.

By Mr. WINN: A bill (H. R. 9574) for the relief of Jones's battalion of Georgia State Troops—to the Committee on War Claims.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BRECKINRIDGE of Arkansas: Petition of 9 citizens of Pine Bluff, Ark., against closing the World's Fair on Sundays—to the Select Committee on the Columbian Exposition.

By Mr. COBURN: Petition of G. Van Steenwyk and others, in favor of an amendment to the Constitution—to the Committee on the Judiciary.

By Mr. CRISP: Letter from the Universal Peace Union, inviting Representatives in Congress to attend the Inter-Parliamentary Peace Conference, to be held in Berne, Switzerland, August 28, 1892—to the Committee on Foreign Affairs.

By Mr. GOODNIGHT: Evidence to accompany House bill for the relief of Mrs. Kate Sohan—to the Committee on War Claims.

By Mr. HARTELL: Papers for the relief of Mrs. Nancy Curran, to accompany House bill 9096—to the Committee on Invalid Pensions.

By Mr. HENDERSON of Iowa: Resolutions adopted at a mass meeting of the colored citizens of Chicago, Ill., July 9, 1892, urging that \$200,000 be set apart by Congress for the purpose of gathering statistics of the colored race—to the Select Committee on the Columbian Exposition.

By Mr. HOPKINS of Pennsylvania: Petition of Local Assembly No. 4798, Knights of Labor, of Marsh Hill, Lycoming County, Pa., praying Congress to appropriate no money for the World's Fair purposes until certain labor difficulties in connection therewith have been settled—to the Select Committee on the Columbian Exposition.

By Mr. HUFF: Petitions of St. Mark's Evangelical Lutheran Church, Washington Township, Armstrong County, Pa.; Mount Pleasant Baptist Church, of Corsica, Jefferson County, Pa.; and from the O. Y. P. S. C. U., of Saltsburg, Indiana County, Pa., praying for the closing of the World's Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. LYNCH: Remonstrance of A. G. Hughes and 56 others of Ogdensburg, Wis., against closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. MITCHELL: The objections proposed by Federated Trades Council of the city of Milwaukee, concerning the practice of carrying out Pinckerton by private corporations, and asking for prohibition of the same—to the Committee on the Judiciary.

By Mr. S. OWY: Petition of citizens of Kaukaee, Kaukaee County, Ill., against legislation in regard to Sunday closing of the World's Columbian Exposition—to the Select Committee on the Columbian Exposition.

By Mr. STONER of Kentucky: Papers to accompany bill for the relief of John W. Bradburn—to the Committee on Military Affairs.

By Mr. VINCENT A. TAYLOR: Petition of citizens of Ark. Ohio, favoring amendment to the Constitution of the United States providing that no State shall pass any law respecting the establishment of a prohibition of religion giving aid in any way to any religious society—to the Committee on the Judiciary.

By Mr. HELLMAN: Petition of R. B. Toole and 17 others of Aiken County, S. C., remonstrating against the passage of the Brooks land bill, H. R. 399, and praying for the passage of the Bradlock proposed bill—to the Committee on Agriculture.

By Mr. WILCOX: Petition of citizens of New Haven, Conn., relating to the opening of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WILSON of West Virginia: Petition of Mary R. Packett, late of Jefferson County, W. Va., praying that her war claim be referred to the Court of Claims under the provisions of the Bowman act—to the Committee on War Claims.

Also, petition of J. S. Brick and others, of Mineral County, W. Va., in favor of House bill 304—to the Select Committee on Immigration and Naturalization.

Also, petition of the Congregation of the Methodist Episcopal Church of Bayard, W. Va., 150 members, against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

## SENATE.

MONDAY, July 18, 1892.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Saturday last was read and approved.

### EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, recommending that authority be given to the accounting officers of the Treasury to audit and allow the claim of James W. Schenck, as requested in a letter of Secretary Folger dated July 11, 1892, directed to the chairman of the Senate Committee on Appropriations; which was ordered to be printed, and, with the accompanying document, referred to the Committee on Appropriations.

### OFFICERS AND EMPLOYEES OF GEOLOGICAL SURVEY.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Director of the Geological Survey, transmitting, in response to a resolution of the 15th instant, certain information in regard to the officers and employees connected with that survey; which was read.

The PRESIDENT *pro tempore*. The Chair calls the attention of the Senator from Colorado [Mr. WOLCOTT] to the communication which has just been read. The recollection of the Chair is that it is transmitted to the Senate in response to a resolution introduced by the Senator from Colorado.

Mr. WOLCOTT. The resolution in response to which the communication was sent to the Senate was introduced by the Senator from Wyoming [Mr. CARY]. In his absence, I move that it lie on the table for the present.

Mr. ALLISON. And be printed.

The PRESIDENT *pro tempore*. The communication, with the accompanying papers, will lie on the table and be printed.

### CONFIRMATION OF APPROPRIATION BILL.

The PRESIDENT *pro tempore* laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 8533) making appropriations for fortifications and other works of defense, for the amendment thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GORMAN. I move that the Senate insist upon its amendments and agree to the conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. GORMAN, Mr. STANFORD, and Mr. ALLISON were appointed.

### MESSAGES FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. Tower, its Chief Clerk, announcing that the House had passed the following bills: in which it requested the concurrence of the Senate:

A bill (H. R. 736) for the relief of Samuel A. Enloe.

A bill (H. R. 1002) granting a pension to Louis Hedinger, of St. Louis, Mo.

A bill (H. R. 1117) for the relief of Mrs. M. E. Arnold.

A bill (H. R. 1687) to correct the military record of Calvin Daniel, deceased.

A bill (H. R. 1742) for the relief of Mrs. Laura E. Skeldest.

A bill (H. R. 1784) granting a pension to James R. O'Neil.

A bill (H. R. 2068) granting a pension to William H. Howson.

A bill (H. R. 2086) granting a pension to Miss Mary E. Hull, dependent sister of John A. Hull, deceased, late of Company F, Eighty-first Regiment of Illinois Volunteer Infantry, in the late war of the rebellion.

A bill (H. R. 2370) granting a pension to John Moreau.

A bill (H. R. 2400) granting a pension to Willis Lattrell.

A bill (H. R. 2421) granting a pension to Mary O'Connor.

A bill (H. R. 2429) granting a pension to Elizabeth Harley.

A bill (H. R. 2432) for the relief of Lansing Shurt.

A bill (H. R. 2655) to remove the charge of desertion from the military record of William N. Prinzelor.

A bill (H. R. 3170) granting a pension to Sarah A. Noble.

A bill (H. R. 3260) granting a pension to Nancy Campbell.

A bill (H. R. 4034) to increase the pension of John D. Prator.

A bill (H. R. 4210) to correct the military record of Capt. William C. Knowlton.

A bill (H. R. 4280) to pension Mary Venard, late hospital nurse.

A bill (H. R. 4385) to pension Nathan Palmer, of Saline County, Ark.

A bill (H. R. 4753) granting a pension to Sarah L. Donaldson.

A bill (H. R. 4898) for the relief of James H. Willey.

A bill (H. R. 4899) granting a pension to James Smith.

A bill (H. R. 4845) granting an increase of pension to Walter Barrett.

A bill (H. R. 4946) to grant a pension to Anna Torrence.

A bill (H. R. 5012) to increase the pension of Thomas Elwell.

A bill (H. R. 5050) to authorize sale of lot 8, block 93, city of Hot Springs, by school directors thereof, and use of proceeds for school purposes.

A bill (H. R. 5068) to place the name of Sabra A. Wolcott upon the pension rolls.

A bill (H. R. 5518) to pension Rabin Riggs.

A bill (H. R. 5519) for the relief of Daniel Eldridge, Company D, Fifteenth Illinois Volunteer.

A bill (H. R. 5649) for the relief of Edward W. Davis and granting him an honorable discharge.

A bill (H. R. 5860) for the relief of Archibald Cad and Charles E. Rogers.

A bill (H. R. 6117) for the relief of Mrs. Mary van Ross, formerly Coats, late of Pike County, Harbarnes, of Macoline, Mo.

A bill (H. R. 6279) granting a pension to Henry J. Alvis.

A bill (H. R. 6302) to increase the pension of Louis Balger, late of the Fourth Indiana Cavalry.

A bill (H. R. 6597) granting a pension to Sarah A. Hagart.

A bill (H. R. 6598) granting a pension to David B. Sharp.

A bill (H. R. 6928) granting a pension to Mary Tucker.

A bill (H. R. 6849) granting a pension to Lewis P. Leonard.

A bill (H. R. 6882) granting a pension to Anna Davis.

A bill (H. R. 6965) to perfect the military record of Warren Alonzo Alden.

A bill (H. R. 7057) granting a pension to Ellen Carpenter.

A bill (H. R. 7095) granting an increase of pension to Addison M. Copen.

A bill (H. R. 7100) to pension Jacob O'Neal.

A bill (H. R. 7117) to increase the pension of Henry Morrill.

A bill (H. R. 7236) granting a pension to Julia S. Tompkins.

A bill (H. R. 7257) granting a pension to James W. Kirby.

A bill (H. R. 7211) granting a pension to Corone, Esther Williams, the blind daughter of Henry D. Williams, late a private in Company F, Sixty-fourth Regiment Illinois Volunteers.

A bill (H. R. 7305) to pension Martin McDonald.

A bill (H. R. 7306) to pension Maud Cass, of Dodge County, Minn.

A bill (H. R. 7331) granting relief to Jeremiah White, of Osage City, Kans.

A bill (H. R. 7843) granting a pension to Mary C. Smith.

A bill (H. R. 8068) granting a pension to William M. Watson, of Walker County, Ga.

The PRESIDENT *pro tempore*. Being objected to, the bill will be placed upon the Calendar with the favorable report of the committee.

Mr. MORGAN. I rise to inquire whether the introduction of bills is in order?

The PRESIDENT *pro tempore*. The introduction of bills is not yet reached. Reports of committees are still in order. Are there further reports of committees?

Mr. FAULKNER. Of course the Chair understands that the bill was objected to within the proper time and under the rules of the Senate? It was read for information with the privilege of objecting to it afterwards?

The PRESIDENT *pro tempore*. The Chair understands that under the practice of the Senate bills which are considered by unanimous consent during the morning hour can be objected to at any time before their passage.

HARRIETT W. SHACKLETT.

Mr. PEPPER. I am instructed by the Committee on Claims, to whom was referred the bill (H. R. 5719) for the relief of Harriett W. Shacklett, to report it favorably without amendment; and inasmuch as it is one of exceptional merit and the claimant is very old, somewhere in the neighborhood of 80 years, and very much in need of the amount for which the bill makes appropriation, and inasmuch, further, as the other House has passed the bill, I ask for its immediate consideration.

Mr. COCKRELL. Let it be read for information.

The Chief Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and required to pay to Harriett W. Shacklett, out of any money in the Treasury not otherwise appropriated, the sum of \$597, which sum shall be taken and accepted and receipted for in full satisfaction of her claim, as found by the Court of Claims.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### FRENCH SPOILIATION CLAIMS.

Mr. HISCOCK. I ask unanimous consent to call up for present consideration Order of Business 733.

Mr. MITCHELL. I hope the Senator from New York will allow me to submit a report.

The PRESIDENT *pro tempore*. The regular order of business being reports of committees, the Senator from Oregon rises to submit a report.

Mr. MITCHELL. I am instructed by the Committee on Claims to report a resolution, and I ask for its present consideration.

The resolution was read, as follows:

Whereas in the judgment of this committee all French spoliation claims reported from the Court of Claims should in the first instance undergo investigation in and report from this committee; and

Whereas, the following order of the Senate was made June 27 last:

*Ordered*, That the Committee on Appropriations be discharged from further consideration of the following French spoliation claims favorably reported by the Court of Claims, and that they be referred to the Committee on Claims:

"Brig Confidence, Thomas Manning, master; Fifty-second Congress, first session. S. Mis. Doc. No. 5, page 17.

"Brig Eleanor, James Treat; *idem*, page 22.

"Schooner Eliza, Thomas Poulson; *idem*, page 25.

"Snow Fanny, Garret Barry; *idem*, page 26.

"Sloop Federal George, George Hussey; *idem*, page 30.

"Schooner Hannah, Philip Bessom; *idem*, page 34.

"Brig Hope, Church; *idem*, page 35.

"Schooner Lucy, Lewis Holmes; *idem*, page 43.

"Ship Patapasco, William Hill; *idem*, page 47.

"Schooner Thankful, William Ward; *idem*, page 53.

"Schooner Alert, Jacob Oliver; S. Mis. Doc. No. 20, page 1.

"Ship Betsey, Josiah Obeir; *idem*, page 4.

"Ship Jane, John Wallace; *idem*, page 10.

"Ship Theresa, Philip Brum; S. Mis. Doc. No. 22.

"Brig Yorick, William Moodle; S. Mis. Doc. 77.

"Schooner Betsey, John Murphy; S. Mis. Doc. 90."

And whereas the claims included in such order did not reach your committee in time to be considered and included in the report on bills theretofore pending in such committee and reported to the Senate June 29 last, and your committee have been unable for want of time to make investigation thereof since that date; and

Whereas all such claims have been incorporated in the deficiency bill now pending in the Senate, by the Committee on Appropriations:

It is the judgment of your committee that while such claims should not ordinarily be included in such deficiency bill until after examination and report from this committee, in order that no invidious distinctions as to investigation and report at this session may be made as to claimants, your committee are willing, under the circumstances, that the same shall be considered in the Senate as a proper amendment to such deficiency bill on such statements as to their proper investigation by that committee as the Committee on Appropriations may feel warranted in making, and for such action of the Senate as may be deemed advisable. And

*Resolved*, That it is the recommendation of the Committee on Claims that there be excepted from the claims so considered in connection with the deficiency bill all those which are presented by insurance companies or the assignees of insurance companies as claims for insurance, and that all the claims for insurance which were included in the report of this committee submitted on the 29th of June, 1892, should be withdrawn from the deficiency bill and the Senate and re-referred to the Committee on Claims for further consideration.

Mr. ALLISON. Mr. President—

Mr. HALE. The resolution is all right.

Mr. ALLISON. I know it is all right, except in one thing. It states that these insurance cases should be withdrawn from the bill. They have already been withdrawn.

Mr. HALE. I so stated to the Senate.

Mr. ALLISON. They are not in the bill. Then it states that these insurance claims should be re-referred to the Committee on Claims. That may mean very little or it may mean a great deal. I do not think the insurance companies should be paid at all, and therefore if the Committee on Claims is to examine that question I want it to examine it with reference to the peculiar obligation of the United States to pay those claims.

Mr. MITCHELL. I will state to the Senator from Iowa that is the very purpose of the motion to recommend them. When the report was made from the Committee on Claims on the 25th of June there was a bare majority of the committee present. Several members of the committee were absent necessarily from the Senate at that time, as the conventions were running. We were pressed to get the report into the Senate, and felt compelled to take action. There was a difference of opinion among the members of the committee then present as to whether the insurance claims should be paid. With a full committee to-day it was the opinion of all the members of the committee unanimously that inasmuch as there is a difference of opinion among the members of the committee and also in the Senate all the claims should be withdrawn from the Senate and recommended to the committee, so that they may undergo careful investigation.

The PRESIDENT *pro tempore*. The Senator from Oregon asks that the resolution reported by him from the Committee on Claims be adopted by the Senate.

The resolution was agreed to.

#### BILLS INTRODUCED.

Mr. SAWYER introduced a bill (S. 3450) granting a pension to Mrs. Mary Murry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MORGAN introduced a bill (S. 3451) to revive and amend and extend the act of Congress of August 15, 1876, to encourage and promote telegraphic communication between America and Asia, across the Pacific Ocean, from the western shores of the United States to the Hawaiian Islands, to Japan, and China; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. FAULKNER introduced a bill (S. 3452) fixing the time for holding the circuit and district courts in the district of West Virginia; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. VEST (by request) introduced a bill (S. 3453) to amend an act entitled "An act authorizing the sale of title of the United States in lot 3 in square south of square 990," approved March 3, 1891; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. McMILLAN introduced a joint resolution (S. R. 101) directing the Commissioners of the District of Columbia to authorize and permit the construction of certain pits or vaults in the public alleys of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

#### WITHDRAWAL OF PAPERS.

On motion of Mr. SHERMAN, it was

*Ordered*, That the papers in the case of Philip Hawk be withdrawn from the files of the Senate, no action having been taken thereon.

#### DIRECT TAX SALE IN FERNANDINA, FLA.

Mr. CALL submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Treasury is hereby directed to communicate to the Senate the names of the persons who were the owners of property in Fernandina, Fla., at the time of the direct-tax sale under the act of Congress in 1863-'65, so far as the same appears in the records of the Treasury Department.

#### ARBITRATION LABOR COMMISSION.

Mr. CALL. I give notice that to-morrow morning I shall ask the indulgence of the Senate to call up the resolution introduced by the Senator from Indiana [Mr. Voorhees] on the 12th instant, for the purpose of submitting some remarks upon it.

#### EMPLOYMENT OF PINKERTON MEN.

Mr. PEPPER. I desire to call up a resolution which was reported a few days ago from the Committee to Audit and Control the Contingent Expenses of the Senate in relation to the employment of Pinkerton men.

Mr. HALE. I suggest to the Senator that if that resolution is called up, it will give rise to some debate. I desire that the Senate shall go on and finish the deficiency appropriation bill in order that we may get it into conference.

Mr. PEPPER. I am perfectly willing that it be laid over temporarily until we dispose of the appropriation bill to which the Senator refers.

# DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I move that the Senate proceed to the consideration of the deficiency appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9284) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1892, and for prior years, and for other purposes.

Mr. HALE. Now, Mr. President, if the Secretary will return to page 113, which we have reached, and will read the remainder of the amendment, as we go along I shall have the insurance claims struck out under the order made by the Senate.

The PRESIDENT *pro tempore*. The pending question, as the Chair understands, is the motion of the Senator from Oregon [Mr. MITCHELL], which probably was disposed of by the passage of the resolution this morning.

Mr. HALE. The Senator from Oregon, I know, withdraws that now, because the Senate adopted the rule of action given by the Senator's resolution.

The PRESIDENT *pro tempore*. The Chair so understands. The reading of the amendment will proceed.

The Secretary proceeded to read the amendment reported by the Committee on Appropriations, beginning at line 1, on page 113, as follows:

On the brig Albert, Robert Gray, master, namely:  
Robert M. Pratt, administrator *de bonis non* of Joseph White, deceased, \$9,245.75.  
William Parker, administrator *de bonis non* of William B. Parker, deceased, \$2,688.58.  
Elizabeth R. Gardner, administratrix *de bonis non* of Jesse Richardson, deceased, \$9,677.16.  
William D. Pickman, administrator *de bonis non* of Dudley L. Pickman, deceased, \$1,500.02.  
Henry O. Benjamin W., and Robert Stone, executors last will, etc., Robert Stone, deceased, \$1,177.16.  
William A. Lander, administrator *de bonis non* of Phineas Dodge, deceased, \$3,172.84.  
Arthur E. Huntington, administrator *de bonis non* of William Orne, deceased, \$1,500.  
Mary P. Witherby, surviving executor of Charles Cleveland, deceased, \$582.71.  
Nathaniel P. Richardson, executor of Joshua Richardson, deceased, \$2,688.50.  
On the brig American, Thomas Towne, master, namely:  
J. Hall Ware, administrator *de bonis non* of John Hall, deceased, \$1,601.  
On ship Bacchus, Richard George, master, namely:  
Henry Pettit, administrator *de bonis non* of Andrew Pettit, surviving assignee of Ambrose Vasse, deceased, \$580.  
George W. Guthrie, administrator *de bonis non* of Alexander Murray, surviving partner of Miller & Murray, \$580.  
J. H. Messchert, administrator *de bonis non* of Jacob Gerard Koch, deceased, \$1,500.  
Samuel Bell, administrator *de bonis non* of John G. Wacksmuth, deceased, \$580.  
James Crawford Dawes, administrator of Abijah Dawes, deceased, \$196.  
Henry Lisle Wahn, administrator of Jacob S. Wahn, surviving assignee of Thomas Murgatroyd, \$580.  
On the schooner Ballahoo, Joseph Ripley, master, namely:  
James E. Leveil, administrator of Frances Breuil, deceased, \$1,508.95.  
On the vessel the snow Boston, Dougherty, master, namely:  
J. Bayard Henry, administrator of George Latimer, deceased, \$3,045.56.  
The Real Estate, Title Insurance and Trust Company of Philadelphia, administrator *de bonis non* of James Campbell, deceased, \$3,045.56.  
J. Bayard Henry, administrator of Andrew Bayard, surviving assignee of Progers & Co., \$580.  
Henry Pratt McKean, surviving executor of Henry Pratt, surviving partner of Pratt & Kintzner, \$580.  
J. Fitzhugh Savage, administrator of John Savage, surviving assignee of Randle & Leach, \$580.  
James Crawford Dawes, administrator of Abijah Dawes, \$400.  
Francis A. Lewis, administrator of the estate of John Lewis, Jr., \$190.  
William A. M. Fuller, administrator of John Leamy, \$190.  
John C. Williams, administrator of Edward Dimant, \$343.  
Arthimion Gilpin, administrator of the estate of Joshua Gilpin, \$343.  
Samuel Bell, administrator of the estate of John G. Wacksmuth, \$1,176.  
Henry Pettit, administrator of Andrew Pettit, surviving assignee of Ambrose Vasse, \$580.  
George W. Guthrie, administrator of Alexander Murray, surviving partner of Miller & Murray, \$580.  
J. Fitzhugh Savage, administrator of John Savage, \$580.  
James S. Cox, administrator of James S. Cox, \$400.  
J. H. Messchert, administrator of Jacob Gerard Koch, \$190.  
Richard C. Murtie, administrator of John Bolden, surviving assignee of Ross & Simpson, \$490.  
Frank R. Pemberton, administrator of John Clifford, surviving partner of Thomas and John Clifford, \$244.  
Henry Lisle Wahn, surviving executor of Jacob S. Wahn, surviving assignee of Thomas Murgatroyd, \$580.  
The Pennsylvania Company for Insurance on Lives and Granting Annuities, administrator of Thomas M. Willing, \$392.  
Thomas P. Bayard, administrator of Thomas W. Francis, \$392.  
The City of Philadelphia, administrator of Stephen Girard, \$400.  
On the brig Confidence, Thomas Manning, master, namely:  
Catherine M. Singleton, administratrix *de bonis non* of Alexander McKim, surviving partner of the firm of Robert McKim & Co., \$1,195.33.  
On the brig Eleanor, James Treat, master, namely:  
George H. Williams, administrator *de bonis non* of Samuel Williams, deceased, \$1,583.59.  
Charles J. Bonaparte, administrator *de bonis non* of Benjamin Williams, deceased, \$1,583.59.

David Stewart, administrator of Francis J. Donnet, surviving partner of Francis Johnson & Co., \$5,723.18.  
On the schooner Eliza, Thomas Poulson, master, namely:  
John Mervyn Carpenter and David Stewart, administrators, etc., \$11,741.93.  
David Stewart, administrator, etc., \$3,781.  
On the vessel, snow Fanny, Garret Berry, master, namely:  
Bayton S. Ward, administrator *de bonis non* of James Berry, deceased, \$500.  
On the sloop Federal George, George Hussey, master, namely:  
Charles Francis Adams, Jr., administrator, on account of the assignments of Good Homer, Hubbard, Sargent, and Pomeroy, \$2,341.84.  
Henry W. Blagge and Susan B. Samuels, administrators, \$3,067.55.  
Harriet L. Senior, administratrix, \$50.  
Charles P. Hunt, administrator of the estate of Joseph Russell, surviving partner of Jenney & Russell, \$168.33.  
On the sloop Fox, Brooks, master, viz:  
Samuel J. Horton, as administrator of the estate of William Wadham, deceased, \$1,500.33.  
Melvin B. Copeland, as administrator of the estate of Nathaniel Clark, deceased, \$511.03.  
George G. Still, as administrator of the estate of William Wadham, deceased, \$1,500.33.  
Charles Francis Adams, as administrator of the estate of Isaac Oliver, deceased, \$400.  
H. Burr Crandall, as administrator of the estate of Thomas Dimant, deceased, \$400.  
David G. H. King, Jr., as administrator of the estate of David Green, deceased, \$500.  
Frank Dabney, as administrator of the estate of Samuel Wally Pomeroy, deceased, \$500.  
Robert Grant, as administrator of the estate of William H. Bond, deceased, \$500.  
William I. Monroe, as administrator of the estate of John Bond, deceased, \$1,000.  
John Wetherbee, as administrator of the estate of James Tisdale, deceased, \$1,000.  
Henry W. Blagge and Susan B. Samuels, as administrators of the estate of Crowell Hatch, deceased, \$500.  
On the schooner Hannah, Philip Besser, master, namely:  
William Gray, administrator of William Gray, deceased, amount of insurance paid, \$2,920.  
Sarah J. Brown, administratrix of Isaac Collier, deceased, for value of 150 quibals of fish, \$1,312.  
Ebenezer D. Secomb, administrator of Philip Besson, value of cargo, less the 164 quibals of fish owned by said Collier, and less also the insurance paid thereon by William Gray, \$23,180.  
On the brig Hope, Church, master, namely:  
John C. Parsons, as administrator of the estate of John Caldwell, deceased, \$1,112.17.  
William Sohler, administrator of the estate of Nathaniel Feltow, deceased, \$1,000.  
Frank Dabney, administrator of the estate of Samuel Wally Pomeroy, deceased, \$1,000.  
John W. Aphorp, administrator of the estate of Caleb H. plans, deceased, \$1,000.  
Lawrence Bond, administrator of the estate of Nathan Bond, deceased, \$500.  
Daniel D. Slade, administrator of the estate of Daniel Daniels, deceased, \$500.  
On the brig Lady Washington, Stephen Solleck, master, namely:  
Henry Pettit, administrator of Andrew Pettit, surviving assignee in bankruptcy of Ambrose Vasse, \$500.80.  
William A. M. Fuller, administrator of John Leamy, \$425.88.  
Robert W. Smith, administrator of Robert Smith, surviving partner of Robert Smith & Co., \$567.84.  
George Willing, administrator of George Willing, \$580.92.  
Francis A. Lewis, administrator of John Miller, junior, \$567.84.  
George Blight, administrator of Peter Blight, \$500.80.  
Craw D. Ritchie, administrator of Joseph Sumner, surviving partner of Sumner & Brown, \$567.84.  
William Brodie-Rawley, administrator of Jesse Wahn, \$500.80.  
Richard C. McMurtrie, administrator of John Bolden, surviving assignee in bankruptcy of Ross & Simpson, \$567.84.  
The Pennsylvania Company for Insurance on Lives and Granting Annuities, administrator of Thomas M. Willing, surviving partner of William & Francis, \$500.80.  
Thomas P. Bayard, administrator of Thomas W. Francis, \$580.92.  
Henry Pratt McKean, surviving executor of Henry Pratt, surviving partner of Pratt & Kintzner, \$580.88.  
Francis R. Pemberton, administrator of John Clifford, surviving partner of Thomas & John Clifford, \$551.90.  
Samuel Bell, administrator of John G. Wacksmuth, \$551.90.  
William Reed Fisher, administrator of Samuel W. Fisher, \$551.90.  
Isaac S. Smyth, administrator of Jacob Baker, surviving partner of Baker & Gomezys, \$567.84.  
George W. Guthrie, administrator of Alexander Murray, surviving partner of Miller & Murray, \$500.80.  
Cedonia C. Smith, administrator of William Jones, surviving partner of Jones & Clarke, \$567.84.  
A. Louis Edlin, administrator of Chandler Price, surviving partner of Morgan & Price, \$500.80.  
Frederick W. Meeker, administrator of Samuel Meeker, \$500.80.  
James C. Fisher, surviving executor of James C. Fisher, \$551.90.  
J. Fitzhugh Savage, administrator of John Savage, surviving assignee in bankruptcy of Randle & Leach, \$500.80.  
On the brig Leonard, William Hackett, master, namely:  
Joseph A. Thibault, administrator of the estate of John Wells, deceased, \$510.  
On the schooner Lucy, Lewis Holmes, master, namely:  
Isaac Brewster, administrator *de bonis non* of the estate of Samuel Jackson, deceased, \$3,567.  
Charles G. Davis, administrator *de bonis non* of William Davis, deceased, \$500.  
On the brig Lydia, John Cook, master, namely:  
Charles B. Allen, administrator *de bonis non* of Zachariah Allen, for loss of cargo and the freight thereon, \$12,291.  
On the ship Patience, William Hull, master, namely:  
William Donnell, administrator *de bonis non* of the estate of John Donnell, deceased, \$6,750.93.  
George W. Brown, administrator of the estate of James A. Buchanan, deceased, \$4,600.99, being his share of vessel and freight.  
Robert Carter, administrator *de bonis non* of the estate of Samuel Smith, deceased, \$4,600.99, being his share of vessel and freight.  
Esther H. Buchanan, administratrix of the estate of William B. Buchanan,

Mr. HALE. That is right.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Maine [Mr. HALE] to the committee's amendment.

Mr. MITCHELL. I simply wish to put this question to the Senator from Maine: Every one of these cases has been passed upon by the Court of Claims. The Court of Claims is *functus officio* so far as these cases are concerned. Now it is proposed by this amendment to have something done in reference to these very cases by that same court before any payments are made. How are you going to do it? How are you going to get hold of such jurisdiction?

Mr. HALE. This is not my project. I am trying to put the amendment in shape so as to carry out the intention of Senators who are not satisfied with this amendment. I want to change it, and, as has been discoverable from the debate, the intention is in accordance with these words. How practicable that is I do not know. It is open to the objection suggested by the Senator from Oregon, and yet I do not think it is an insuperable objection. Then I think there also should be inserted "hereafter awards shall be made on behalf of those parties," so that the court may settle the matter at the time when they hear the case. That will make the bill and the rule of action of the court symmetrical hereafter.

Mr. HIGGINS. I have no objection to that. I think it would be well.

Mr. HALE. Then, after the word "bankrupts," in line 10, I move to strike out the word "the," and after the word "shall," to insert "hereafter," so as to read: "hereafter the awards shall." We do not award the court awards.

The PRESIDENT *pro tempore*. Does the Senator withdraw the amendment last reported?

Mr. HALE. No; I want that adopted.

The PRESIDENT *pro tempore*. Then the question is on that amendment.

The amendment to the amendment was agreed to.

The PRESIDENT *pro tempore*. The amendment now proposed by the Senator from Maine will be stated.

The CHIEF CLERK. In line 10, after the word "bankrupts," it is proposed to strike out "the," and after the word "shall" to insert "hereafter," so as to read:

Awards shall hereafter be made on behalf of the next of kin, instead of to voluntary assignees or to assignees in bankruptcy.

Mr. HIGGINS. That is all right.

The PRESIDENT *pro tempore*. The question is on the amendment to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. McMILLAN. I offer the amendment which I send to the desk.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. On page 25, after line 8, it is proposed to insert:

That the Metropolitan Railroad Company is hereby required to repair the bridge across Rock Creek at P street, in the District of Columbia, at a cost of not exceeding \$15,000, said repairs to make the bridge sufficiently strong to allow the passage of storage-battery cars of the said company, and to be made under the direction of the Engineer Commissioner of the District of Columbia, and in accordance with plans and specifications to be prepared by him.

Mr. HALE. Let me ask the Senator if we have not already provided for that in another bill?

Mr. McMILLAN. A similar provision was stricken out of the District appropriation bill.

Mr. HALE. We inserted it in another bill?

Mr. McMILLAN. It was in the District appropriation bill, but afterwards stricken out.

Mr. HALE. Taken out in conference?

Mr. McMILLAN. Yes.

Mr. HALE. Then I think it ought to go in this bill.

The amendment was agreed to.

Mr. McMILLAN. I offer another amendment, which I send to the desk.

The PRESIDENT *pro tempore*. The amendment will be stated.

The SECRETARY. It is proposed to insert, under the head of "District of Columbia, health department," on page 17, after line 2:

For five garbage inspectors, at a salary of \$900 each, \$4,500, for fiscal year 1893.

The amendment was agreed to.

Mr. VOORHEES. If in order I desire to offer the amendment which I send to the desk, and to be heard for a moment upon it.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Indiana will be stated.

Mr. VOORHEES. I offer it to come in on page 87, after line 18. It is "Under the Treasury Department, miscellaneous." I did not know of any other better place for it.

The SECRETARY. On page 87, after the word "dollars," in line 18, it is proposed to insert:

Authority is hereby granted for the payment of \$750 to St. Julien B. Dapray for special and legal services rendered to the board of control and management, Government exhibit, World's Columbian Exposition, to be held at Chicago, Ill., 1892 and 1893, from monies appropriated.

I have in my hand an elaborate statement made by Edwin Willets, chairman of the board of control of the Government exhibit mentioned in the amendment, which is introduced as follows:

Respectfully forwarded with expression of the opinion that Mr. Dapray should be compensated for the services rendered to the board of management of the Government exhibit.

CHARLES DODD.

It comes here with the authority of the Secretary of the Treasury. I understand that Mr. Dapray is a lawyer of high ability. This is labor which he did not seek; it sought him because of his legal requirements. I have the highest authority for stating that he labored late and early. It was extra work, it is true, he sometimes working until midnight. Although he is a salary officer, I have here the opinion of the Solicitor of the Treasury, which I shall ask to have read.

Mr. Dapray has not sought this in any roundabout way. The Secretary of the Treasury indorses the claim, but the chairman of the Committee on Appropriations, for good and satisfactory reasons to himself, has not had it inserted in the bill. I repeat, however, that I have the opinion of the Solicitor of the Treasury here, which, as I say, I shall ask to have read. I think it is a case of very strong equity which ought to be provided for. I lend the paper to the Secretary's desk to be read.

The PRESIDENT *pro tempore*. The letter referred to will be read.

Mr. VOORHEES. Before the Secretary commences the reading I will state further that this money has already been appropriated for. This amendment does not look to an appropriation. This claim was allowed through all the officials up to a certain point, when a clerk in the Treasury Department failed to initial it, perhaps, in proper form, and thereby it failed. Otherwise it would have been paid at the proper time. The merest trifling technicality kept its payment from being made at the proper time, as recommended by the Secretary of the Treasury. I do not think that advantage ought to be taken of a hard-working officer like this in that way.

I know that Mr. Dapray is better known on the other side of the Chamber than he is to me, and his position is one to warrant all I have said of him. I do not think he should be deprived of what he has earned by hard work by so trifling a technicality as has been interposed in this case.

The PRESIDENT *pro tempore*. The letter will be read, unless there be objection.

The Secretary read as follows:

DEPARTMENT OF JUSTICE  
OFFICE OF THE SOLICITOR OF THE TREASURY  
Washington, D. C., January 11, 1891.

SIR: I have the honor to inclose certain papers received from Mr. St. Julien B. Dapray, chief of the law and contract division, Office of the Supervising Architect of the Treasury Department, relating to his account for \$750 for extra services in connection with the contract for the exhibit of the Navy Department at the World's Columbian Exposition of 1893.

In a communication herewith addressed to the Solicitor, Mr. Dapray says: "I would respectfully request that your opinion be heard to the legality of such a payment being made to me from the special appropriations under the control of the board, after a full and careful consideration of the question, be rendered in an official communication addressed to Hon. A. B. Nettleton, as Assistant Secretary of the Treasury."

Without being hypercritical or ceremonious as to the propriety of the communication addressed directly to the Solicitor of the Treasury by the claimant, it is assumed that this course was taken with the knowledge and approval of Assistant Secretary Nettleton, and reply is made accordingly.

It appears that the service rendered by Mr. Dapray was after the regular office hours, and did not in any way interfere with the proper discharge of his duties as an officer in the Office of the Supervising Architect. Besides, it does not appear that said board is technically within the jurisdiction, or is a part, of any Executive Department.

It appears that in April, 1891, Lieut. E. B. Taussar, United States Navy, assistant to Capt. Richard W. Meade, United States Navy, representative of the Navy Department, on said board, and Mr. E. T. Dickler, Secretary of the board, requested Mr. Dapray to render certain special legal services to facilitate the adoption of a procedure, prepare legal forms, etc., in connection with the conduct of the public business with which, and for which, was charged by law.

No question is raised as to the legality of this employment.

By decision of the Supreme Court in the case of *Congress v. United States*, 21 How. 453, a person holding two compatible offices, or many payments under the Government is not precluded from receiving the salary of both, anything in the general laws prohibiting double compensation, and prohibition in those laws extends to every case where the duties are of a different character, and compensation is claimed are performed without a restriction, and are authorized by law. 10 Op. A. G. 508, 509, 510, 511, 12 Op. A. G. 123, 124.

In the case of the United States v. Saunders, 124 U. S. 127, 128, 8 Supr. Ct. of the United States held:

"We are of the opinion that taking the sections 1563, 1564, and 1565 together the purpose of this legislation was to prevent a person from holding two offices or appointments for which the law provides an independent salary, or way of salary or otherwise which is intended to compensate him for services which, as such officer, he may be called upon to perform. It is not intended to provide compensation, additional allowance, or pay for services performed in connection with the duties of him either by act of Congress, or by act of the board of directors, or

Department or in any other mode, added to or connected with the regular duties of the place which he holds; but that they have no application to the case of two distinct offices, places, or employments, each of which had its own duties and its own compensation, which offices may both be held by one person at the same time. In the latter case he is, in the eye of the law, two officers, or holds two places, or appointments, the functions of which are separate and distinct and according to all the decisions, he is in such case entitled to receive the two compensations." See also 110 U. S. 68, 19 Court of Claims, 46 (Meigs's case), and 130 U. S. 439. Authorities in support of this principle might be further multiplied.

I am of the opinion that the claim of Mr. Dapray falls clearly within the above decisions and opinions, and that he may, therefore, be lawfully paid for the said special service. The papers submitted are herewith referred.

Very respectfully,

HON. A. B. NETTLETON,  
Assistant Secretary of the Treasury.

F. A. REEVE, Acting Solicitor.

Mr. HALE. The committee looked into this case and rejected it. In the first place, it did not appear before the committee and does not appear by this letter, which I am very glad has been read, that any remarkable or extensive service was rendered any way. Here is this man employed by the Government to give his time, for which he gets a large pay.

Mr. GEORGE. How much?

Mr. HALE. Eight dollars a day, twice the amount, I venture to say, that he could get in any private employment. He deals with the form of contracts and gives his advice and suggestions with the little immaterial matters that come up in the Supervising Architect's office, but if any important matter comes up it goes to the Solicitor or to the Attorney-General, each one of whom is giving his days and nights to important questions and asks no extra pay for it.

The reading of the communication shows that the only thing that is claimed for is that there was a contract made by the Navy Department about its exhibition at Chicago, and somebody, not the Secretary, not the Assistant Secretary, nobody having the responsibility about it in any enlarged sense, asked this man to prepare an opinion about that one thing. I venture to say that the Senator from Indiana, who is a good lawyer, or any other good lawyer, would have taken that whole question and in one hour would have given an opinion. There is not a committee of this body which deals with questions of this kind that does not, through the lawyers upon the committee, render opinions and give advice that is taken upon important matters of the law here every day of the meeting of committees, and nobody comes in and asks extra pay. There ought to be a stop to these things. The Chicago Exposition deals with the branches of the Government, and it is the business of the officers of the different branches of the Government to do the writing that is necessary, to furnish opinions upon law questions as a part of the work of their Department.

As to the ingenious argument which has been made at the end of the letter, that this case comes outside of the general proposition which all of us assent to, that a man shall not have extra compensation when he is a salaried employe of the Government, I leave that to men who have more imagination than I have. There is nothing in it.

The committee has examined the case and rejected it. I know how good-natured the Senator from Indiana is. I know how he feels in this matter. He is desirous that this man should have his pay because he is large-hearted and generous. Claimants and applicants and leeches apply to him because he is large-hearted and generous. He comes here, as he has a right to do, and urges these claims. I wish sometimes that he would not do this, but I find no fault with him because I know how generous he is. However, the committee having examined this case and rejected it, I am constrained to make a point of order that it is not reported by a committee nor a regular estimate, and it increases the appropriations on the bill.

Mr. VOORHEES. The Senator will allow me to say a single word?

Mr. HALE. Certainly.

The PRESIDENT *pro tempore*. The point of order is withdrawn for the purpose of allowing the Senator from Indiana to be heard?

Mr. HALE. Certainly.

Mr. VOORHEES. Mr. President, I know that it is difficult to differ successfully from the committee on this floor, but supported by the Secretary of the Treasury, who is a good lawyer, and by the Solicitor of the Treasury, I ventured to do so. The Senator does me far more than justice or injustice, one or the other, perhaps both, in attributing to my kindness of heart that I would support a claim that did not commend itself to my best judgment. I believe this man has been called upon to do work entirely outside of his official duties, and has gone forward and done it, and I belong to a class of people who believe in paying such debts. I do not believe in sponging. I do not believe that the Government is reduced to the necessity of sponging its way to get its work done outside of the proper compensation.

I believe this man ought to have the \$750 here proposed to pay

him. The Secretary of the Treasury thinks so. The Solicitor of the Treasury thinks so. As I said awhile ago, I have been informed by responsible parties that it was very severe work which he did, lasting often late into the night. I have here a mass of information on the subject which I did not choose to detain the Senate by having read. Here is a very lengthy and a very full communication embracing other official papers, communicated to the chairman of the Committee on Appropriations by Edwin Willits, chairman of this Board of Exhibit at the World's Fair, on which, as I have already said, is the following indorsement:

Respectfully forwarded with expression of the opinion that Mr. Dapray should be compensated for the services rendered to the board of management of the Government exhibit.

CHARLES FOSTER, Secretary.

It seems to me this claim comes here too respectfully supported to be thrown on simply the slender ground of my generosity. I seem to be, as it were, handicapped on questions of this kind. I certainly do not pose in that attitude here. This is no generosity. If this man has done this work, the naked legal question is whether he ought to be paid for it. If he did it as part of his official duties of course he ought not to be paid for it. Who is the best judge of whether he did it by reason of his official duties or outside? I take it the head of the Department ought to have some respect shown to him. I know Secretary Foster. He is not a man whose sympathies would betray him, even if mine would. Secretary Foster coolly and deliberately looks into this question and puts his official indorsement upon it, and it does seem to me that it would be only respectful to the Department to concur in his view of it.

The Senator from Maine says that the committee have looked into this matter and rejected it. That is true, but they reported it before the opinion of the Solicitor was before them. The opinion of the Solicitor is for the first time here. It was not before the Committee on Appropriations. I will do that committee the justice to believe that if they can find it legal to pay a man for work of this kind they would do it. I will do them the justice to believe that they would not pinch a Government employe out of extra labor without paying him for it. That is the reason why I submitted the opinion of the Solicitor, to show that there was no legal point to be made against this little item of appropriation. I have already stated that it was once almost through. If the initial had not failed to be put in right by a negligent clerk at one time it would have been paid.

The Senator from Maine has complimented me as belonging to a class of generous people; but, sir, I am not moved by any consideration of that kind at all. I am moved by the consideration of paying a man for work which he has done, and which his official superiors say he ought to be paid for—the Secretary of the Treasury, the Assistant Secretary of the Treasury, the Solicitor of the Treasury. The chairman of the board of management and control of this exhibit strongly indorses his labors. The excellence of their character, the equity of this claim, as well as the law, are beyond assault. If the Senator from Maine makes a point of order—I never did understand the rules of order on questions of this kind, but of course that will be submitted to the Chair, who knows all about that point.

Mr. HALE. Mr. President, only one word. The Committee on Appropriations does not seek to sponge on the employes of the Government. It gives them, as in this case, liberal salaries and believes the Government is entitled to their services. The Senator does not know how many cases of this kind the committee has constantly before it. In every Department, in almost every division and Bureau, somebody is coming in for extra pay for something that he does, and it is the easiest thing in the world for them to get a certification of their superiors. It is difficult for a Secretary or Assistant Secretary to say "no" to a man who comes forward with an entire argument submitted and a personal claim. I have no doubt that if anybody should ask the Secretary of the Treasury in regard to this case he would say, "I do not know anything about it; it was presented to me, and I signed it; I did not want to refuse it." The committees of the Senate have to look into all these things, and it is a growing evil. The committee simply did not believe that this was a case that had so much merit as to make it an exception, and therefore I must insist upon the point of order.

The PRESIDENT *pro tempore*. The amendment proposed adds a new item of appropriation to the bill. The Chair understands that it is not to carry out the provisions of any existing law passed by the Senate at the present session, and that it is not moved by direction of a standing or select committee of the Senate or proposed in the regular estimate.

Mr. VOORHEES. One moment. The language of the amendment is that authority be given to pay. I understand the money has been appropriated. Now, I may be misinformed. I do not pretend to be very intelligent upon that point, but it is my information from the Treasury Department that the money has been



The PRESIDING OFFICER. The Senator from Ohio will state his privileged motion.

Mr. SHERMAN. I move that the Senate do now adjourn. If the pending motion shall fail, the antioption bill will be the unfinished business at 2 o'clock to-morrow.

The PRESIDING OFFICER. The Senator from Ohio moves that the Senate do now adjourn.

Mr. SAWYER. I ask the Senator to withdraw that motion to allow me to substitute a motion for an executive session.

Mr. SHERMAN. With great pleasure.

The PRESIDING OFFICER. The motion of the Senator from Ohio is withdrawn. The Senator from Wisconsin [Mr. SAWYER] moves that the Senate do now proceed to the consideration of executive business.

Mr. BUTLER. I trust that motion will not be pressed now.

The PRESIDING OFFICER. Debate is not in order.

Mr. BUTLER. I am not debating.

The PRESIDING OFFICER. The question is on the motion of the Senator from Wisconsin that the Senate do now proceed to the consideration of executive business.

Mr. BUTLER. Upon that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BLACKBURN. What is the motion?

The PRESIDING OFFICER. The question is on the motion of the Senator from Wisconsin that the Senate proceed to the consideration of executive business.

The Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I am paired with the Senator from Colorado [Mr. TELLER].

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS]. If he were here, I should vote "yea."

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. HARRIS (when his name was called). I have a general pair with the Senator from Vermont [Mr. MORRILL]. I am sure he would not care whether I voted or not on a motion to go into executive session, and I vote "nay."

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. MCPHERSON], who is absent, and I therefore withhold my vote.

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON], and therefore withhold my vote.

The roll call was concluded.

Mr. HISCOCK. Is the Senator from Arkansas [Mr. JONES] recorded as voting?

The PRESIDING OFFICER. He is not recorded.

Mr. HISCOCK. I am paired with that Senator, and withhold my vote.

Mr. STOCKBRIDGE. I am paired with the Senator from Maryland [Mr. GIBSON] and withhold my vote.

Mr. COLQUITT. I wish to announce that I am paired with the Senator from Iowa [Mr. WILSON].

Mr. FAULKNER (after having voted in the negative). I voted not noticing that the Senator from Pennsylvania [Mr. QUAY], with whom I am paired is absent. I therefore withdraw my vote.

Mr. COLQUITT. I am at liberty to vote, as I am assured that the Senator from Iowa [Mr. WILSON], with whom I am paired, would vote as I do if he were present. I vote "nay."

Mr. FAULKNER. I am informed by the Senator who has charge of the bill which was taken up for consideration by the Senate, that the Senator from Pennsylvania [Mr. QUAY], with whom I am paired, would, if present, vote for the bill. I therefore feel at liberty to cast my vote on this question. I vote "nay."

Mr. VOORHEES (after having voted in the affirmative). I did not know there was any question of the antioption bill being involved. If there is I change my vote. I voted "yea," and I now vote "nay."

Mr. McMILLAN (after having voted in the negative). I am paired with the Senator from North Carolina [Mr. VANCE], and not knowing how he would vote on this question, if present, I withdraw my vote.

Mr. PASCO. I am paired with the Senator from North Dakota [Mr. CASEY]. If he were present, I should vote "nay."

The result was announced—yeas 19, nays 32; as follows:

## YEAS—19.

Aldrich,	Dixon,	Hill,	Sherman,
Cameron,	Frye,	Palmer,	Vest,
Carlisle,	Gorman,	Pugh,	White,
Cockrell,	Gray,	Sanders,	Wolcott,
Cullom,	Hale,	Sawyer,	

## NAYS—32.

Allen,	Blackburn,	Call,	Davis,
Allison,	Brice,	Carey,	Faulkner,
Bate,	Butler,	Colquitt,	Felton,

Gordon,  
Hansbrough,  
Harris,  
Irby,  
Keim,

Kyle,  
Manderson,  
Mitchell,  
Morgan,  
Paddock,

Peffer,  
Perkins,  
Janssen,  
Shoup,  
Squire,

Stewart,  
Turpie,  
 Voorhees,  
Wadthall,  
Washburn

## NOT VOTING—37.

Berry,  
Blodgett,  
Casey,  
Chandler,  
Coke,  
Daniel,  
Dawes,  
Dolph,  
Dubois,  
Gallinger,

George,  
Gibson, La,  
Gibson, M I,  
Hawley,  
Higgins,  
Hiscock,  
Hoar,  
Huntton,  
Jones, Ark,  
Jones, Nev,

McMillan,  
McPherson,  
Mills,  
Morrill,  
Pasco,  
Pettigrew,  
Platt,  
Power,  
Proctor,  
Quay,

Seaborn,  
Stockbridge,  
Teller,  
Vance,  
Warren,  
Wilson

So the motion was not agreed to.

The PRESIDING OFFICER. The question recurs on the motion of the Senator from Kentucky [Mr. BLACKBURN] to proceed to the consideration of House bill 3572.

Mr. CULLOM. Mr. President, we have been spending a good deal of time here without any good results, and it is almost night. There are several Senators, I think, who desire to speak on what is known as the antioption bill, but are not quite prepared to do it to-day. I suggest that by unanimous consent, in order to avoid any further wrangle about this question, the suggestion of the Senator from Missouri [Mr. COCKRELL] be acceded to, and that we take up House bills on the Calendar and dispose of them, if we can, this afternoon, the Senator from Tennessee [Mr. BATE] first being allowed to pass his little bill, to which there will be no objection. I think we shall do wisely if we agree to this suggestion.

The PRESIDENT *pro tempore*. The Chair calls the attention of Senators to the fact that a motion to proceed to the consideration of a bill is not debatable.

Mr. CULLOM. I know that.

The PRESIDENT *pro tempore*. The Senator from Illinois, as the Chair understands, was asking unanimous consent—

Mr. CULLOM. Yes, to make this request, so that we may have order, and at the same time do business.

Mr. BLACKBURN (to Mr. CULLOM). You are right.

Mr. CULLOM. I think it is the right thing to do.

Mr. BUTLER. I rise to a parliamentary inquiry. I suppose that is in order.

The PRESIDENT *pro tempore*. The Senator from South Carolina rises to a parliamentary inquiry, which he will state.

Mr. BUTLER. My inquiry is this: If the motion of the Senator from Illinois prevails—

Mr. CULLOM. I have not made any motion. I made a suggestion.

Mr. BUTLER. If we accede to the suggestion of the Senator from Illinois by unanimous consent, how do we that leave the antioption bill?

Mr. BLACKBURN. It does not displace it.

Mr. CULLOM. Not at all. I am not seeking to displace that bill.

The PRESIDENT *pro tempore*. The Chair will state the parliamentary condition as the Chair understands it. The pending bill is what is known as the antioption bill. Pending the consideration of that bill, the Senator from Kentucky [Mr. BLACKBURN] moved that the Senate proceed to the consideration of a bill the title of which will be stated.

The CHIEF CLERK. A bill (H. R. 3572) for the relief of Rich and M. Edwards, of Cleveland, Tenn.

The PRESIDENT *pro tempore*. The result of which motion, if it should prevail, would be to displace the antioption bill and make this bill the pending business.

Mr. CULLOM. I hope that no motion will be made which will in any way involve the displacement of the antioption bill.

Mr. ALDRICH. I hope this discussion will be in order.

The PRESIDENT *pro tempore*. Discussion is not in order except by unanimous consent.

Mr. ALDRICH. And that the proceedings of the Senate will be in order.

Mr. BLACKBURN. I ask unanimous consent—

Mr. ALDRICH. I call for the regular order.

The PRESIDENT *pro tempore*. Senators will be in order.

Mr. BUTLER. I yield to the Senator from Kentucky [Mr. BLACKBURN].

Mr. BLACKBURN. I trust the request of the Senator from Illinois [Mr. CULLOM] will be acceded to, and that by unanimous agreement we may go on with the House bills on the Calendar, which are unobjectionable and favorably reported, without displacing what is known as the antioption bill, but leave it with all its rights of way as unfinished business.

Mr. MORGAN. I object, Mr. President, to going on with the cases from the House unobjectionable.

Mr. WOLCOTT. Regular order!

The PRESIDENT *pro tempore*. The regular order is the next

tion of the Senator from Kentucky [Mr. BLACKBURN] that the Senate proceed to the consideration of House bill 3572, the title of which has been stated. Is the Senate ready for the question? [Putting the question.] The ayes appear to have it.

Mr. WOLCOTT. I call for the yeas and nays.

Mr. BLACKBURN. Yes, let us have the yeas and nays. The yeas and nays were ordered.

The PRESIDENT *pro tempore*. The question is, Will the Senate proceed to the consideration of the bill, the title of which has been stated?

Mr. VOORHEES. Does that involve the displacement of what is known as the antioption bill?

The PRESIDENT *pro tempore*. It does. Under the rules of the Senate it would displace the antioption bill as the unfinished business.

Mr. BATE. But has it not been agreed to by the Senate—

The PRESIDENT *pro tempore*. Debate is not in order.

Mr. BATE. I was rising to a parliamentary inquiry. Has it not been agreed that the antioption bill shall go over until 2 o'clock to-morrow?

Mr. ALDRICH, Mr. WASHBURN, and others. Regular order.

The PRESIDENT *pro tempore*. The Chair understands that a request was made that the antioption bill go over until 2 o'clock to-morrow, and objection was made. So that the pending question is as stated, that the Senate proceed to the consideration of the bill, the title of which has been stated, on which the yeas and nays have been ordered.

Mr. HARRIS. I want to ask unanimous consent to talk just one-half minute.

The PRESIDENT *pro tempore*. The Senator from Tennessee asks unanimous consent of the Senate that he be permitted to address the Senate. Is there objection? The Chair hears none.

Mr. HARRIS. The bill which my colleague has asked the consideration of is for the relief of a man, who I chance to know is about 80 years of age, an old soldier, needy and dependent. I should be exceedingly glad to have the unanimous consent of the Senate to consider the bill and pass it.

The PRESIDENT *pro tempore*. The question is on the motion—

Mr. WASHBURN. I rise to a parliamentary inquiry, which is, if the effect of this motion will be to displace the antioption bill?

The PRESIDENT *pro tempore*. The Senator can only address the Senate by unanimous consent at this time. The Chair did not understand the inquiry of the Senator.

Mr. ALDRICH. Regular order!

Mr. HARRIS. I asked unanimous consent. I did not want to submit a motion.

The PRESIDENT *pro tempore*. The Senator from Minnesota [Mr. WASHBURN] was recognized by the Chair and was understood to rise to a parliamentary inquiry, which the Chair did not understand. Will the Senator repeat his inquiry?

Mr. WASHBURN. I ask unanimous consent that the bill of the Senator from Tennessee [Mr. BATE] may be taken up.

The PRESIDENT *pro tempore*. The Senator from Minnesota asks unanimous consent—

Mr. WASHBURN. Without displacing the antioption bill. The PRESIDENT *pro tempore*. The Chair understands that.

Mr. SHERMAN. That can not be done.

The PRESIDENT *pro tempore*. The Senator from Minnesota asks unanimous consent of the Senate that, pending the unfinished business, it be temporarily laid aside, and that the Senate proceed to the consideration of the bill the title of which will be again stated.

The CHIEF CLERK. A bill (H. R. 3572) for the relief of Richard M. Edwards, of Cleveland, Tenn.

The PRESIDENT *pro tempore*. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to Richard M. Edwards, late captain and commissary of subsistence, the pay and allowance of a captain of cavalry from June 30, 1862, to November 2, 1863.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ORDER OF BUSINESS.

Mr. WASHBURN. Now, Mr. President, I call for the regular order.

The PRESIDENT *pro tempore*. The Senate resumes the consideration of the bill—

Mr. HISCOCK. Pending the regular order, I ask unanimous consent that it be temporarily laid aside, and that Order of Business 733 be taken up for consideration.

Mr. WASHBURN. I object.

Mr. COCKRELL. I hope that will not be done. We shall

not be able to pass that bill this evening. We certainly should have some order and system in the transaction of business.

The PRESIDENT *pro tempore*. Senators will be seated until the Chair states the unanimous consent desired by the Senator from New York [Mr. HISCOCK]. The Senator from New York asks unanimous consent that the Senate do now proceed to the consideration of a bill the title of which will be stated.

The CHIEF CLERK. A bill S. 2454 for the application of the accretions of the Caracas awards of 1868 to the new awards made in 1889 and 1890.

The PRESIDENT *pro tempore*. Is there objection?

Mr. COCKRELL. There is.

Mr. WASHBURN. I shall have to object to the consideration of that bill, but I will state—

The PRESIDENT *pro tempore*. Objection being made, the bill can not be considered at this time.

Mr. WASHBURN. After the antioption bill has been read through, I shall yield for the consideration of unobjectioned cases on the Calendar for the balance of the day.

Mr. WOLCOTT. Mr. President—

The PRESIDENT *pro tempore*. Does the Senator from Minnesota yield to the Senator from Colorado?

Mr. COCKRELL. I hope the Senator from Minnesota will then ask that the unobjectioned House bills on the Calendar may be taken up in their order and disposed of.

The PRESIDENT *pro tempore*. The Senator from Minnesota [Mr. WASHBURN] is entitled to the floor. Does he yield to the Senator from Colorado [Mr. WOLCOTT]?

Mr. WASHBURN. For what purpose?

Mr. WOLCOTT. Mr. President, I rise to a parliamentary inquiry.

The PRESIDENT *pro tempore*. The Chair will recognize the Senator from Colorado if the Senator from Minnesota yields the floor to him for that purpose.

Mr. WASHBURN. I call for the regular order.

Mr. WOLCOTT. The Senator from Minnesota [Mr. WASHBURN] is now in his seat. May I be recognized without the permission of any other Senator, Mr. President? [Laughter.]

The PRESIDENT *pro tempore*. The Chair recognizes the Senator from Colorado [Mr. WOLCOTT] on the pending bill.

Mr. WOLCOTT. I ask for information, if it is in order, to move to pass to the consideration of another order of business?

The PRESIDENT *pro tempore*. It is in order.

Mr. WOLCOTT. I move that the Senate proceed to the consideration of Order of Business 722, being the bill S. 812 granting a pension to Ellen Williams, a hospital nurse, who is in great poverty and suffering. It is a bill which would appeal to the magnanimity and generosity of every Senator here and of infinitely more importance.

The PRESIDENT *pro tempore*. The Chair calls the attention of the Senator from Colorado to the fact that debate is not in order.

Mr. BUTLER. Mr. President—

The PRESIDENT *pro tempore*. The Chair will state the pending question. The Senator from Colorado [Mr. WOLCOTT] moves that the Senate proceed to the consideration of a bill, the title of which will be stated.

The CHIEF CLERK. A bill S. 812 granting a pension to Ellen Williams.

The PRESIDENT *pro tempore*. Which motion is not debatable.

Mr. BUTLER. I simply desire to say that I object. I suppose that I can go that far.

The PRESIDENT *pro tempore*. This is not a request for unanimous consent, but a motion that the Senate proceed to the consideration of a bill, which motion is not debatable.

Mr. WOLCOTT. I did not ask the consent of the Senator from South Carolina.

Mr. PADDOCK. I ask for unanimous consent that the Senate proceed to the consideration of the bill named by the Senator from Colorado.

Mr. WASHBURN. I object, and call for the regular order.

Mr. PADDOCK. And that the regular order may be laid aside informally.

The PRESIDENT *pro tempore*. Objection being made to the request, the question reverts on the motion of the Senator from Colorado that the Senate proceed to the consideration of the bill named, upon which motion debate is not in order.

Mr. GALLINGER. I rise to a parliamentary inquiry.

The PRESIDENT *pro tempore*. The Chair recognizes the Senator from New Hampshire [Mr. GALLINGER].

Mr. GALLINGER. Acknowledging my ignorance, very likely, of the rules of this body, I desire to make this inquiry: A bill having been taken up by vote of the Senate, is it competent to antagonize it by a motion to take up another bill, and so continue with the Calendar, and absolutely obstruct the consideration of that bill?

The PRESIDENT *pro tempore*. Such a motion is in order under the rules of the Senate.

Mr. GALLINGER. I am very glad to learn the fact. It is very extraordinary.

The PRESIDENT *pro tempore*. The question recurs on the motion of the Senator from Colorado [Mr. WOLCOTT].

Mr. WOLCOTT. I hope the Senator from New Hampshire will withdraw the remark about antagonizing the bill. I am not antagonizing it.

Mr. PADDOCK. That is the effect of the Senator's course.

The PRESIDENT *pro tempore*. Debate is not in order on the pending question. [Putting the question.] The yeas seem to have it.

Mr. WOLCOTT and Mr. BLACKBURN called for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I am paired with the Senator from Colorado [Mr. TELLER].

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS]. If he were present I should vote "nay."

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. McPHERSON].

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY]; but after consulting his colleague [Mr. HANSBROUGH] I feel at liberty to vote on this question. I vote "nay."

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON], who is absent to-day on account of sickness. He requested me to observe my pair in all matters, so I withhold my vote.

Mr. STOCKBRIDGE (when his name was called). I am paired with the Senator from Maryland [Mr. GIBSON].

The roll call was concluded.

Mr. GEORGE. I desire to ask the junior Senator from Oregon [Mr. MITCHELL] how his colleague [Mr. DOLPH] would vote on this question if present?

Mr. MITCHELL. My impression is that my colleague, if present, would vote "nay" upon this particular question. He is in favor of the antioption bill, as I understand.

Mr. GEORGE. Then the Senator thinks I would be authorized to vote?

Mr. WASHBURN. The Senator from Oregon [Mr. DOLPH] authorized me to pair him in favor of the bill.

Mr. GEORGE. Then, as I agree with him on this question, I vote "nay."

Mr. WOLCOTT. My colleague [Mr. TELLER] is absent from the Chamber through illness. If present he would vote "yea."

The result was announced—yeas 20, nays 41; as follows:

## YEAS—20.

Aldrich,	Carlisle,	Hiscock,	Sawyer,
Bate,	Dixon,	McMillan,	Vest,
Brice,	Gorman,	Palmer,	Vilas,
Call,	Gray,	Pugh,	White,
Cameron,	Hill,	Sanders,	Wolcott.

## NAYS—41.

Allen,	Faulkner,	Kyle,	Ransom,
Allison,	Felton,	Manderson,	Sherman,
Blackburn,	George,	Mitchell,	Shoup,
Butler,	Gordon,	Morgan,	Squire,
Carey,	Hale,	Paddock,	Stewart,
Chandler,	Hansbrough,	Pasco,	Turpie,
Cockrell,	Hawley,	Peffer,	Voorhees,
Coke,	Irby,	Perkins,	Walthall,
Colquitt,	Jones, Ark.	Pettigrew,	Warren,
Cullom,	Kenna,	Proctor,	Washburn.
Davis,			

## NOT VOTING—27.

Berry,	Frye,	Hunton,	Quay,
Blodgett,	Gallinger,	Jones, Nev.	Stanford,
Casey,	Gibson, La.	McPherson,	Stockbridge,
Daniel,	Gibson, Md.	Mills,	Teller,
Dawes,	Harris,	Morrill,	Vance,
Dolph,	Higgins,	Platt,	Wilson.
Dubois,	Hoar,	Power,	

So the motion was not agreed to.

The PRESIDENT *pro tempore*. The bill resumes its place upon the Calendar without prejudice, in the absence of objection.

Mr. HISCOCK (at 4 o'clock and 40 minutes p. m.). There are several Senators who desire to speak upon the antioption bill, and I have no doubt they will be prepared to do so to-morrow. Therefore, I move that the Senate do now adjourn.

Mr. WASHBURN. If the Senator will withdraw that motion, I will suggest that the antioption bill be now read, and then I will make a motion to adjourn.

The PRESIDENT *pro tempore*. The motion is not debatable.

Mr. WASHBURN. I shall be willing to consent to an ad-

jourment as soon as the antioption bill is read. I hope the motion will be voted down.

Mr. ALDRICH. Is a motion to adjourn debatable, Mr. President?

The PRESIDENT *pro tempore*. It is not. The question recurs on the motion of the Senator from New York that the Senate do now adjourn. [Putting the question.] The yeas appear to have it.

Mr. HISCOCK. I ask for the yeas and nays.

Mr. BUTLER. Let us have the bill read. We can make that much progress this afternoon.

The PRESIDENT *pro tempore*. The yeas and nays are demanded on the pending question, which is the motion of the Senator from New York that the Senate do now adjourn.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I am paired with the Senator from Colorado [Mr. TELLER].

Mr. SHOUP (when the name of Mr. DUBOIS was called). My colleague [Mr. DUBOIS] is absent from the Chamber to-day on account of sickness.

Mr. GALLINGER (when his name was called). I announce again that I am paired with the junior Senator from Texas [Mr. MILLS]. If he were present I should vote "nay."

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. McPHERSON].

Mr. STOCKBRIDGE (when his name was called). I am paired with the Senator from Maryland [Mr. GIBSON].

The roll call was concluded.

Mr. PLATT. I am paired with the Senator from Virginia [Mr. HUNTON].

The result was announced—yeas 20, nays 37; as follows:

## YEAS—20.

Aldrich,	Carlisle,	Gray,	Sanders,
Bate,	Cockrell,	Harris,	Sawyer,
Blackburn,	Coke,	Hiscock,	Vest,
Brice,	Dixon,	Palmer,	White,
Cameron,	Gorman,	Pugh,	Wolcott.

## NAYS—37.

Allen,	Felton,	Manderson,	Squire,
Allison,	Frye,	Mitchell,	Stewart,
Butler,	George,	Morgan,	Turpie,
Call,	Hale,	Paddock,	Vilas,
Carey,	Hansbrough,	Pasco,	Voorhees,
Chandler,	Hawley,	Peffer,	Walthall,
Colquitt,	Hill,	Pettigrew,	Washburn.
Cullom,	Irby,	Proctor,	
Davis,	Jones, Ark.	Ransom,	
Faulkner,	Kyle,	Shoup,	

## NOT VOTING—31.

Berry,	Gibson, La.	McMillan,	Sherman,
Blodgett,	Gibson, Md.	McPherson,	Stanford,
Casey,	Gordon,	Mills,	Stockbridge,
Daniel,	Higgins,	Morrill,	Teller,
Dawes,	Hoar,	Perkins,	Vance,
Dolph,	Hunton,	Platt,	Warren,
Dubois,	Jones, Nev.	Power,	Wilson.
Gallinger,	Kenna,	Quay,	

So the Senate refused to adjourn.

Mr. GRAY (at 4 o'clock and 45 minutes p. m.). I move that the Senate proceed to the consideration of executive business.

Mr. WASHBURN. I call for the yeas and nays on that motion.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CARLISLE (when his name was called). I am paired on this question with the Senator from North Dakota [Mr. CASEY].

Mr. GALLINGER (when his name was called). I again announce my pair with the junior Senator from Texas [Mr. MILLS].

Mr. HIGGINS (when his name was called). I announce my pair with the Senator from New Jersey [Mr. McPHERSON].

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON].

The roll call was concluded.

Mr. GRAY. I wish to announce that I am paired with the Senator from Idaho [Mr. DUBOIS].

The result was announced—yeas 15, nays 34; as follows:

## YEAS—15.

Aldrich,	Coke,	Hiscock,	Vest,
Bate,	Cullom,	Palmer,	White,
Brice,	Dixon,	Pugh,	Wolcott.
Cockrell,	Harris,	Sawyer,	

## NAYS—34.

Allen,	Faulkner,	Kyle,	Squire,
Allison,	Frye,	Manderson,	Stewart,
Blackburn,	George,	Mitchell,	Turpie,
Butler,	Hale,	Paddock,	Vilas,
Call,	Hansbrough,	Pasco,	Voorhees,
Carey,	Hawley,	Peffer,	Walthall,
Chandler,	Irby,	Pettigrew,	Washburn.
Colquitt,	Jones, Ark.	Proctor,	
Davis,	Kenna,	Shoup,	

## NOT VOTING—39.

Beaumont,	Gallinger,	James, Nev.	Ransom,
Blount,	Gibson, La.	McMillan,	Sanders,
Carleton,	Gibson, Md.	McPherson,	Sherman,
Carlisle,	Gordon,	Mills,	Stanford,
Cass,	Gorman,	Morgan,	Stockbridge,
Conner,	Gray,	Morrill,	Teller,
Daniel,	Higgins,	Perkins,	Vance,
Davis,	Hill,	Platt,	Warren,
Dobbin,	Hoar,	Power,	Wilson,
Dubois,	Hunt,	Quay,	
Felt,			

So the motion was rejected.

## DEALING IN OPTIONS AND FUTURES.

The PRESIDENT *pro tempore*. The Senate resumes the consideration of the pending business, being the antioption bill, so called.

Mr. BUTLER. I call for the reading of the bill.

Mr. WHITE (at 4 o'clock and 53 minutes p. m.). I move that the Senate do now adjourn.

Mr. WASHBURN. I ask for the yeas and nays on that motion.

Mr. CULLOM. Let the vote be first taken without the yeas and nays.

The PRESIDENT *pro tempore*. Does the Senator from Minnesota withdraw the demand for the yeas and nays?

Mr. WASHBURN. I withdraw the demand for the yeas and nays for the present.

Mr. WHITE. I renew the demand.

The yeas and nays were ordered.

The PRESIDENT *pro tempore*. The Senator from Louisiana [Mr. WHITE] moves that the Senate do now adjourn.

The Secretary will call the roll.

Mr. WHITE. I will withdraw my motion, Mr. President.

The PRESIDENT *pro tempore*. The yeas and nays having been ordered, the motion can only be withdrawn by unanimous consent.

Mr. WHITE. I ask unanimous consent.

The PRESIDENT *pro tempore*. Is there objection? The Chair hears none.

Mr. WASHBURN. It is very evident that the Senate is not prepared to go on with the discussion of the bill to-night. I therefore move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. The Senator from Minnesota moves that the Senate proceed to the consideration of executive business.

Mr. BUTLER. Before that motion is put, Mr. President, if the Senator will yield for one moment, I should like to have an understanding that to-morrow morning after the regular routine business this bill will be taken up for consideration.

The PRESIDENT *pro tempore*. Pending the motion to proceed to the consideration of executive business, the Senator from South Carolina [Mr. BUTLER] asks the unanimous consent of the Senate that the pending measure, which is the bill (H. R. 7815), defining "options" and "futures," imposing special taxes on dealers therein, and requiring such persons engaged in selling certain products to obtain license, and for other purposes, be made the order at the conclusion of the routine morning business to-morrow. Is there objection?

Mr. ALLEN. Mr. President, I appeal to the Senator from South Carolina [Mr. BUTLER] in behalf of a bill I wish to have taken up to-morrow after the conclusion of the routine business. On several occasions, owing to the sickness of the chairman of the Committee on Indian Affairs, I have been prevented from calling up a bill which very strongly affects my State. It is a bill affecting a large number of people in my State, for the passage of which I have been impeded, and for a hearing of which I have been struggling, and have been delayed on at least half a dozen occasions. I think, owing to the ill-health, or some other such cause, of the chairman of the Committee on Indian Affairs.

The PRESIDENT *pro tempore*. The Chair calls the attention of the Senate from Washington to the fact that a request for unanimous consent is akin to a motion to proceed to the consideration of another bill, and can only proceed by unanimous consent. Is there objection?

Mr. ALDRICH. I object.

The PRESIDENT *pro tempore*. Objection being made, the Senator from Washington can not proceed. Is there objection to the request for unanimous consent made by the Senator from South Carolina [Mr. BUTLER]?

Mr. ALDRICH. I object, Mr. President.

Mr. BUTLER. Objection is quite unnecessary.

The PRESIDENT *pro tempore*. Pending the motion to proceed to the consideration of executive business, the Senator from South Carolina asks the unanimous consent of the Senate that the pending bill, known as the antioption bill, shall be the

order at the conclusion of the routine morning business to-morrow. Is there objection?

Mr. ALDRICH. I entered an objection something ago.

The PRESIDENT *pro tempore*. Objection being made, the unanimous request is denied. The question recurs on the motion of the Senator from Minnesota [Mr. WASHBURN] that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twelve minutes spent in executive session, the doors were reopened, and at 5 o'clock and 8 minutes p. m. the Senate adjourned until to-morrow, Tuesday, July 19, 1892, at 12 o'clock m.

## CONFIRMATIONS.

Executive nominations confirmed by the Senate July 18, 1892.

## POSTMASTERS.

Philip Altshimer, to be postmaster at Highland Falls, in the county of Orange and State of New York.

Charles G. Bacon, to be postmaster at Northville, in the county of Fulton and State of New York.

Bryant S. Palmer, to be postmaster at Carmel, in the county of Putnam and State of New York.

Emory L. Tompkins, to be postmaster at Fishkill-on-the-Hudson, in the county of Dutchess and State of New York.

William H. Wright, to be postmaster at Bath Beach, in the county of Kings and State of New York.

John M. Boyer, to be postmaster at London, in the county of Madison and State of Ohio.

Evan B. Kirg, to be postmaster at Seio, in the county of Harrison and State of Ohio.

J. Eli Good enough, to be postmaster at Montpelier, in the county of Washington and State of Vermont.

George W. Jones, to be postmaster at Falmouth, in the county of Barnstable and State of Massachusetts.

Robert G. Mitchell, to be postmaster at Pacific Grove, in the county of Monterey and State of California.

Briggs C. Farnham, to be postmaster at Paso Robles, in the county of San Luis Obispo and State of California.

Andrie D. Brown, to be postmaster at Madison, in the county of Le Qui Parle and State of Minnesota.

Miss Anna M. Baker, to be postmaster at Millington, in the county of Morris and State of New Jersey.

James H. Leonard, to be postmaster at Atlantic Highlands, in the county of Monmouth and State of New Jersey.

George C. Kessler, to be postmaster at Short Hills, in the county of Essex and State of New Jersey.

David C. Bruhn, to be postmaster at Scrubury, in the county of Northumberland and State of Pennsylvania.

George W. Blackburn, to be postmaster at Columbia, in the county of Maury and State of Tennessee.

Edmund G. Hamilton, to be postmaster at Asbury Park, in the county of Monmouth and State of New Jersey.

William T. Coffey, to be postmaster at Red Bank, in the county of Monmouth and State of New Jersey.

Alysses S. Grant, to be postmaster at Dallas, in the county of Polk and State of Oregon.

Thomas B. A. Watson, to be postmaster at Hartington, in the county of Cedar and State of Nebraska.

William T. McLaughlin, to be postmaster at Stanton, in the county of Stanton and State of Nebraska.

Essie G. Robertson, to be postmaster at Independence, in the county of Polk and State of Oregon.

Henry M. Morris, to be postmaster at Rantoul, in the county of Champaign and State of Illinois.

Edna M. Cass, to be postmaster at Sumner, in the county of Bremer and State of Iowa.

Washington E. Davis, to be postmaster at Keosauqua, in the county of Van Buren and State of Iowa.

Erastus T. Roland, to be postmaster at Eldon, in the county of Wapello and State of Iowa.

Louis J. Plemas, to be postmaster at Day St. Louis, in the county of Hancock and State of Mississippi.

Miss Mary L. Gay, to be postmaster at LaHarre, in the county of Hancock and State of Illinois.

John W. Moore, to be postmaster at Assumption, in the county of Christian and State of Illinois.

Edward L. Goolyear, to be postmaster at North Haven, in the county of New Haven and State of Connecticut.

Daniel T. Curllon, to be postmaster at Arcadia, in the county of De Sota and State of Florida.

## PROMOTIONS IN THE ARMY.

Adjutant-General's Department.

Lieut. Col. Oliver D. Greene, assistant adjutant-general, to be assistant adjutant-general.

Maj. Michael V. Sheridan, acting assistant adjutant-general, to be assistant adjutant-general.

*Infantry arm.*

Lieut. Col. Andrew S. Burt, Seventh Infantry, to be colonel.  
Maj. Daniel W. Benham, Seventh Infantry, to be lieutenant-colonel.

**CORPS OF ENGINEERS.**

*To be additional second lieutenants.*

1. Cadet James B. Cavanaugh.
2. Cadet James P. Jervey.

**ARTILLERY ARM.**

*To be second lieutenants.*

3. Cadet Frank E. Harris, vice Peck, First Artillery.
4. Cadet George Blakely.
5. Cadet Jay E. Hoffer.
6. Cadet Tracy C. Dickson.

*To be additional second lieutenants.*

7. Cadet Arthur W. Chase.
8. Cadet Frank W. Coe.
9. Cadet Kenneth Morton.
10. Cadet William R. Smith.
11. Cadet Henry H. Whitney.
12. Cadet Samuel A. Kephart.
13. Cadet Louis R. Burgess.
15. Cadet James A. Shipton.
16. Cadet Sawyer Blanchard.

**CAVALRY ARM.**

*To be second lieutenants.*

17. Cadet George C. Barnhart.
21. Cadet William G. Fitz-Gerald.
22. Cadet James H. Reeves.
23. Cadet Kirby Walker.
25. Cadet Claude B. Swezey.
28. Cadet Sterling P. Adams.
31. Cadet Alexander M. Davis.
32. Cadet Julian R. Lindsey.
33. Cadet Edmund M. Leary.
35. Cadet Howard R. Hickok.
36. Cadet Samuel B. Arnold.
48. Cadet Samuel McP. Rutherford.

*To be additional second lieutenant.*

34. Cadet Julius T. Conrad.

**INFANTRY ARM.**

*To be second lieutenants.*

14. Cadet Charles C. Jameson.
18. Cadet William Chamberlaine.
19. Cadet John McA. Palmer.
20. Cadet Charles P. Summerall.
24. Cadet John K. Miller.
26. Cadet Jacob H. G. Lazelle.
27. Cadet Henry A. Pipes.
29. Cadet Traber Norman.
30. Cadet Horace M. Reeve.
37. Cadet Willard E. Gleason.
38. Cadet William Newman.
39. Cadet Frank A. Wilcox.
40. Cadet John J. O'Connell.
41. Cadet Henry G. Cole.
42. Cadet George S. Harrison.
43. Cadet Hansford L. Threlkeld.
44. Cadet William H. Anderson.
45. Cadet Peter W. Davison.
46. Cadet Leonard M. Prince.
47. Cadet Marcus B. Stokes.
49. Cadet John H. Parker.
50. Cadet George W. Kirkpatrick.
51. Cadet John E. Woodward.
52. Cadet William W. Haney.
53. Cadet Dennis M. Michie.
54. Cadet Frederick T. Stetson.
55. Cadet James T. Moore.
56. Cadet William D. Davis.
58. Cadet Isaac Erwin.
59. Cadet Samuel V. Ham.
60. Cadet George H. McMaster.
61. Cadet Robert W. Mearns.
62. Cadet Horace G. Hambricht.

**HOUSE OF REPRESENTATIVES.**

MONDAY, July 18, 1892.

The House met at 11 o'clock a. m. Prayer by the Rev. J. H. CUTHBERT, D. D.

The Journal of Saturday's proceedings was read and approved.

**CONFERENCE ON FORTIFICATION BILL.**

Mr. HENDERSON of Iowa. Mr. Speaker, I ask that the gentleman from Massachusetts, Gen. COGSWELL, be indefinitely excused on account of sickness. I wish also to suggest to the Chair that the gentleman from Massachusetts is one of the members on the part of the House upon the fortification appropriation bill, and that the other member of the subcommittee on that bill is the gentleman from Vermont [Mr. GROUT].

The SPEAKER. Without objection, indefinite leave of absence will be granted to the gentleman from Massachusetts [Mr. COGSWELL] on account of sickness. The Chair hears no objection. The Chair appoints as one of the conferees on the fortification appropriation bill the gentleman from Vermont [Mr. GROUT], in lieu of the gentleman from Massachusetts.

**BUSINESS OF COMMITTEE ON FOREIGN AFFAIRS.**

Mr. BLOUNT. I ask unanimous consent that the Committee on Foreign Affairs have leave to sit during the sessions of the House.

There being no objection, leave was granted.

**SENATE BILLS REFERRED.**

The SPEAKER laid before the House Senate bills and a joint resolution of the following titles, which were severally read twice, and referred as stated:

A bill (S. 3325) granting an increase of pension to George W. Clark—to the Committee on Pensions.

A bill (S. 2398) for the relief of Henry W. Lee—to the Committee on Indian Affairs.

A bill (S. 2772) for the relief of Seaton Norman—to the Committee on Naval Affairs.

A bill (S. 3416) regulating licenses in the District of Columbia, and imposing penalties for engaging in any trade, business, or profession without having first obtained a license therefor—to the Committee on the District of Columbia.

A bill (S. 3068) to amend an act entitled "An act for the relief of W. H. Tibbitts," approved August 8, 1888—to the Committee on Private Land Claims.

A bill (S. 1940) granting a pension to Helen A. Patterson—to the Committee on Invalid Pensions.

A bill (S. 3188) to extend to Duluth, Minn., the privileges of the first section of an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," approved June 10, 1888—to the Committee on Interstate and Foreign Commerce.

Joint resolution (S. R. 100) to permit the railroads of the District of Columbia to lay extra tracks to accommodate the traveling public during the Grand Army of the Republic encampment—to the Committee on the District of Columbia.

**WILLIAM S. WALKER.**

The SPEAKER laid before the House the bill (S. 2416) to remove the political disabilities of William S. Walker, of Atlanta, Ga.

Mr. LIVINGSTON. I ask unanimous consent that this bill be now considered. It is for the relief of an old general in the Confederate army.

The bill was read, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of both Houses concurring), That all legal and political disabilities imposed by the fourteenth amendment of the Constitution of the United States by reason of participation in the late rebellion be, and they are hereby, removed from William S. Walker, of Atlanta, Ga.*

Mr. LIVINGSTON. Mr. Speaker, this gentleman was an officer—

Several MEMBERS. No objection.

There being no objection, the House proceeded to the consideration of the bill; which was read three times, and passed (two-thirds voting in favor thereof).

**JOHN A. LYNCH.**

Mr. HARE. I ask unanimous consent for the present consideration of the bill (S. 64) for the relief of John A. Lynch.

The bill was read, as follows:

*Be it enacted, etc., That in accordance with the judgment of the Court of Claims the Secretary of the Treasury be, and he is hereby, authorized and required to pay to John A. Lynch, out of any money in the Treasury not otherwise appropriated, the sum of \$115,366 in full and complete satisfaction for services rendered and expenses incurred and defrayed by him, the said John A. Lynch, to and for the United States at Cincinnati in the State of Ohio, in the years 1861 and 1862.*

Mr. KILGORE. I ask for the reading of the report.

The SPEAKER. The report, which is of a documentary nature, is long. Perhaps the gentleman from Ohio [Mr. HARE] can state the substance of it.

Mr. KILGORE. I presume the gentleman can state the facts of the case. I think the House ought to have some information in regard to it.

Mr. HARE. Mr. Speaker, this bill provides compensation for services rendered by the claimant in Cincinnati in 1861 in organizing and equipping troops under the direction of Gen. Fremont. The understanding was that he should be commissioned as a captain and quartermaster in the United States military service; and he was in November, 1862, so commissioned, but not with rank covering the time during which these services had been rendered. The Court of Claims has found that if he had been actually commissioned as a captain and quartermaster at that time the amount of compensation and allowances to which he would have been entitled would have been \$2,600. The exact figures are given in the report. But inasmuch as he made no claim for greater compensation than one thousand two hundred odd dollars they limit his right of recovery to that sum, and, deducting a credit of \$125, they report in his favor to the amount of \$1,477.93.

Mr. KILGORE. Does the gentleman state that this matter has been passed upon by the Court of Claims?

Mr. HARE. Oh, yes.

Mr. KILGORE. And the amount claimed in the bill is the amount ascertained by the court?

Mr. HARE. Yes, sir.

Mr. KILGORE. I will not object.

Mr. BUSHNELL. Let me ask the gentleman why it is that this claim was not paid before? It seems to have slept some thirty years.

Mr. HARE. I am unable to answer the gentleman's question. It has been pending here before several Congresses, and has been favorably reported more than once. It was not reached, however, for consideration on the Calendar in any previous Congress.

Mr. BUSHNELL. How did it come before the Court of Claims?

Mr. HARE. By a petition filed some years ago. I do not remember precisely when.

Mr. BUSHNELL. Not by a special act?

Mr. HARE. Oh, no.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WATSON. I object.

ARCHIBALD C. LEGG.

Mr. DE ARMOND. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8986) to carry out the findings of the Court of Claims in the case of Archibald C. Legg, deceased, ex. The United States.

The SPEAKER. The bill will be read, subject to objection.

The bill was read at length.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. REED. Let the report be read before consent is given.

The SPEAKER. The report will be read, subject to objection.

The report was read at length.

Mr. REED. Why does not this come under the head of what are known as the 4th of July claims?

Mr. DE ARMOND. I did not understand the question of the gentleman from Maine.

Mr. REED. Why has not this been passed upon by the Quartermaster-General in the usual method prescribed for the consideration of these so-called 4th of July claims?

Mr. DE ARMOND. I can only say in reply to the gentleman from Maine that this gentleman, Mr. Legg, died during the war. But why the claim was not presented and passed upon in the manner he suggests I do not know. Nor do I know that it was not so passed upon, and can not give the information.

It seems to have been presented here years ago and referred to the Court of Claims and passed upon by that body. If anything is to be allowed the claimant it seems to be most reasonable that \$75 a head should be given for these fourteen mules.

Mr. REED. As I understand it, the Government has passed a law by which all claims of this character may be investigated and passed upon by the Quartermaster's Department, and we used to pay, on the ascertainment of the result of the Quartermaster's examination, such claims as were recommended by him. This seems to be a case of that character, and I do not see why it was not so adjudicated. It is now thirty years of age—

Mr. BOATNER. I will say to the gentleman from Maine that I had a resolution referred by the last Congress directing an investigation of this character, and the Quartermaster refused to

conduct the investigation because there was no appropriation. He refused to execute the order of the House.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WATSON. I object.

ARCHIE ST. CLAIR AND CHARLES E. ROGERS.

Mr. QUACKENBUSH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5869) for the relief of Archie St. Clair and Charles E. Rogers.

The SPEAKER. The bill will be read, subject to objection.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sums herein named, respectively, to the parties herein named, in full of all damages sustained by them by reason of the colliding of the United States steam tug Ordinance with the canal boat A. C. Chandler, in the New York Harbor, on June 29, 1887, the United States local inspectors of steam vessels having reported that such collision was due entirely to fault on the part of the Ordinance, namely: To Archie St. Clair, of New York City, for damages to his canal boat A. C. Chandler, \$1,100, and to Charles E. Rogers & Co., of New York City, for damages to lumber then on board said canal boat, \$114, all of which papers of proof are at the Third Auditor's Office on file and subject to perusal.

There being no objection, the bill was considered, and ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. QUACKENBUSH, a motion to reconsider the last vote was laid on the table.

CITY OF RALEIGH, N. C.

Mr. BUNN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9270) for the relief of the city of Raleigh, N. C.

The SPEAKER. The bill will be read subject to objection.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the city of Raleigh, State of North Carolina, the sum of \$134 66, the same being one-third of the cost of paving the streets in front of the United States post-office building in said city.

There being no objection, the bill was considered, and ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. BUNN, a motion to reconsider the last vote was laid on the table.

THE CHEROKEE STRIP.

Mr. SIMPSON. I offer the resolution which I send to the Clerk's desk, and ask unanimous consent for its present consideration.

The SPEAKER. The Clerk will report the resolution, after which the Chair will ask if there be objection to its consideration.

The Clerk read as follows:

*Resolved*, That the Committee on Rules be, and is hereby, authorized to bring in a rule setting a day before the adjournment of this session for the consideration of the bill H. R. 9190, reported from the Committee on Indian Affairs, known as the Ped bill, for the opening of the Cherokee Strip.

Mr. SIMPSON. I ask unanimous consent that I may be allowed five minutes in which to make a statement in regard to this bill.

Mr. DINGLEY. The right to object is reserved, of course.

The SPEAKER. The gentleman from Kansas [Mr. SIMPSON] asks unanimous consent that he may be allowed to make a statement for five minutes, before the question of unanimous consent for the consideration of the resolution is submitted. Is there objection? [After a pause.] The Chair hears none. The gentleman from Kansas is recognized.

Mr. SIMPSON. Mr. Speaker, this is a bill of very great importance. There are people gathered along the southern border of Kansas from all parts of the United States. Many of them have been waiting more than a year for the opening of this territory. The Commissioners appointed have agreed with the Indians, have reported to the President, and the President has furnished the House with this treaty. This bill involves the opening of nearly 5,000,000 acres of the very best land in the United States, and I doubt if it is equaled in the whole world. The people of this country are demanding this land for their homes. They await the action of this House.

The bill involves the appropriation of some \$8,000,000, but it is not an appropriation that will be any loss to the people of the United States. The bill fixes the price of the land, part of it at \$2.50 per acre and part of it at \$1.50 per acre. This will result in a gain to the Government of \$2,500,000 or \$3,000,000 above what the Government will pay for it, and it will be a profitable investment for the people of the United States, so that it is merely loaning the money and not appropriating it.

I understand of course, with the large appropriations the Democratic party has already made, that they may hesitate about appropriating this money, but yet it occurs to me that after you have appropriated such immense sums for building battle ships,



tion is sustained what effect will it have upon the antioption bill at 2 o'clock to-morrow?

The PRESIDENT *pro tempore*. It will have no effect upon it, because at 2 o'clock to-morrow the unfinished business under the rules will be laid before the Senate.

Mr. GEORGE. The special order would have no precedence over it?

The PRESIDENT *pro tempore*. It would not displace it.

Mr. PLATT. I think the Senator from Washington is entitled to the courtesy which he asks of the Senate. This is a bill in which he and his people are very much interested. The chairman of the committee [Mr. DAWES] asked him to postpone its consideration several times on account of illness and he complied with the request, and has been forced into what now appears to be the last of the session. I think he ought to have an opportunity to have the bill considered.

The PRESIDENT *pro tempore*. The Senator from Connecticut will please suspend. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (H. R. 7845) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such persons engaged in selling certain products to obtain license, and for other purposes.

Mr. WASHBURN. Mr. President—

Mr. PLATT. Will the Senator from Minnesota allow the unfinished business to be laid aside long enough to get a vote on the motion of the Senator from Washington?

Mr. WASHBURN. I will do so.

Mr. PEPPER. I wish to say in reference to the motion of the Senator from Washington that I feel like opposing it for the reason that I have asked leave two or three different times to call up a resolution that had come over from a previous day. Finally it was taken up, and I gave way, at the request of other Senators, and the time was occupied until the morning hour had expired. I should like very much, indeed, if any such courtesies are to be extended, that I may be permitted to call up that resolution to-morrow morning during the morning hour.

The PRESIDENT *pro tempore*. The Chair understands the Senator from Minnesota to yield to the Senator from Washington, that a vote may be taken upon the motion made by him?

Mr. WASHBURN. I do.

Mr. ALLEN. I wish to appeal for an instant to the Senator from Kansas.

Mr. CULLOM (to Mr. ALLEN). There will be no objection to your motion, I think.

Mr. ALLEN. Very well; I submit the motion.

Mr. CALL. Mr. President—

The PRESIDENT *pro tempore*. Does the Senator from Minnesota, who is recognized as entitled to the floor, yield to the Senator from Florida, who has addressed the Chair?

Mr. WASHBURN. I do.

Mr. CALL. I desire to state that I gave notice that this morning at the conclusion of the morning hour I would address the Senate upon a resolution I formerly introduced and upon that of the Senator from Indiana [Mr. VOORHEES], in relation to the labor troubles. I desire now to renew the notice that to-morrow morning I desire to submit some remarks on the resolution before the Senate. I give notice that at the conclusion of the routine business, I shall ask the Senate to indulge me in a few remarks. I ask that the Senate Committee on the Judiciary may be discharged from the further consideration of the resolution referred to them, and that it may be printed and lie on the table.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Washington [Mr. ALLEN] that the bill (S. 3056) giving consent of Congress to the removal by the Legislature of the State of Washington of the restrictions upon the power of alienation of a portion of the lands in the Puyallup Indian Reservation, upon certain conditions therein contained, be made a special order for half past 12 o'clock to-morrow.

Mr. MORGAN. I desire to ask whether that would displace the business which goes over until to-morrow from to-day?

The PRESIDENT *pro tempore*. The Chair would construe the rule that the resolution introduced by the Senator from Alabama, having received consideration in the morning hour, will be placed upon the Calendar subject to motion.

Mr. WARREN. Mr. President, I do not wish to antagonize the bill that is sought to be made a special order, but I have given notice that I wish to occupy a little time to-morrow morning at the close of the routine business. I ask that the bill may not displace the notice I have given.

Mr. ALLEN. I think it will take but a very short time to dispose of the bill I wish to have set down for consideration to-morrow.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Washington. [Putting the question.] The

ayes seem to have it. The ayes have it, and the motion is agreed to, two-thirds, as required by the rule, having voted in favor thereof.

RIOT AT HOMESTEAD, PA.

Mr. CALL. I ask the indulgence of the Senator from Minnesota a moment.

The PRESIDENT *pro tempore*. Does the Senator from Minnesota yield to the Senator from Florida?

Mr. WASHBURN. Yes, sir.

Mr. CALL. I introduced a resolution sometime since, which was referred to the Committee on the Judiciary. I ask that the committee be discharged from its consideration, and that it be printed and lie upon the table.

The PRESIDENT *pro tempore*. The Senator from Florida asks that the resolution referred to the Committee on the Judiciary on the 7th day of July be withdrawn from the committee, and lie upon the table.

Mr. PLATT. Let the resolution be reported.

The PRESIDENT *pro tempore*. The resolution will be stated.

The CHIEF CLERK. A resolution, by Mr. CALL, denning the crime of treason and providing for the arrest, indictment, and trial of all persons armed and in the service of the Pinkertons, engaged in the recent attack on the people of the United States at the battle of Homestead.

The PRESIDENT *pro tempore*. Is there objection to the request of the Senator from Florida?

Mr. PLATT. Why does the Senator wish to withdraw the resolution from the Committee on the Judiciary? Is it simply in order that he may make some remarks upon it?

Mr. CALL. First, because I want to have it printed, and second, because I wish to submit some observations to the Senate upon it.

The PRESIDENT *pro tempore*. The Chair hears no objection. The resolution is withdrawn from the committee, and will be printed and lie on the table.

DEALING IN OPTIONS AND FUTURES.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7845) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such persons engaged in selling certain products to obtain license, and for other purposes.

The PRESIDENT *pro tempore*. The bill will be read at length, as in Committee of the Whole.

Mr. WOLCOTT. I know of no more important question than the resolution which was before the Senate until 2 o'clock, and in the middle of the debate upon which this bill was announced as the regular order. I move that the consideration of the resolution of the Senator from Alabama be continued.

The PRESIDENT *pro tempore*. The Senator from Colorado moves that the Senate proceed to the consideration of a resolution which will be stated.

The CHIEF CLERK. A resolution, by Mr. MORGAN, directing the Committee on Finance to report to the Senate a bill to give to all paper money issued directly by the United States as a legal tender for dues, and to all standard silver dollars of the United States, the full legal-tender effect that is given by law to coins of gold.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion of the Senator from Colorado [Mr. WOLCOTT].

Mr. WOLCOTT. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WASHBURN. I rise to a parliamentary inquiry.

The PRESIDENT *pro tempore*. The Senator will state it.

Mr. WASHBURN. What would be the effect of the adoption of the motion on the pending measure?

The PRESIDENT *pro tempore*. It would displace the pending measure.

Mr. COCKRELL (to Mr. WASHBURN). It would kill your bill.

The PRESIDENT *pro tempore*. The Secretary will call the roll on agreeing to the motion of the Senator from Colorado.

The Secretary proceeded to call the roll.

Mr. BERRY (when his name was called). I am paired generally with the Senator from Colorado [Mr. TELLER].

Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR]. I do not know how he would vote. I should vote "nay" if he were here.

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE]. I understand the Senator from Indiana would vote with me on this question, and I vote "nay."

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS]. If he were present I should vote "nay."

Mr. GEORGE (when his name was called). I am paired with

the Senator from Oregon [Mr. DOLPH]. I submit to his colleague [Mr. MITCHELL] whether I would be at liberty to vote on this question.

Mr. MITCHELL. My colleague [Mr. DOLPH] would vote against the pending motion, the anti-option bill being before the Senate.

Mr. GEORGE. I vote "nay."

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. McPHERSON], but I assume that he would be opposed to the present consideration of the resolution of the Senator from Alabama, and therefore I vote "nay."

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE]. On this question I feel at liberty to vote, and I vote "nay."

Mr. MORGAN (when his name was called). I am paired with the Senator from Massachusetts [Mr. DAWES].

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR].

The roll call was concluded.

Mr. CALL. Taking it for granted that the Senator from Vermont [Mr. PROCTOR] would vote "nay," I will vote. I vote "nay."

The result was announced—yeas 7, nays 50; as follows:

YEAS—7.

Brice, Gibson, La.	Gibson, Md. Hiscock,	Sanders, Vest, NAYS—50.	Walcott,
Aldrich,	Dixon,	Jones, Ark.	Ransom,
Allen,	Faulkner,	Jones, Nev.	Sawyer,
Allison,	Frye,	Kenna,	Sherman,
Bate,	George,	Kyle,	Squire,
Butler,	Gordon,	McMillan,	Stewart,
Call,	Gorman,	Manderson,	Stockbridge,
Cameron,	Gray,	Mitchell,	Vilas,
Carey,	Hansbrough,	Paddock,	Voorhees,
Chandler,	Hawley,	Palmer,	Walthall,
Cockrell,	Higgins,	Peffer,	Warren,
Coke,	Hill,	Perkins,	Washburn.
Cullom,	Huntton,	Pettigrew,	
Davis,	Irby,	Platt,	

NOT VOTING—31.

Berry,	Dolph,	Mills,	Shoup,
Blackburn,	Dubois,	Morgan,	Stanford,
Blodgett,	Felton,	Morrill,	Teller,
Carlisle,	Gallinger,	Pasco,	Turpie,
Casey,	Hale,	Power,	Vance,
Calkins,	Harris,	Proctor,	White,
Daniel,	Hoar,	Pugh,	Wilson.
Dawes,	McPherson,	Quay,	

So the motion was not agreed to.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 16th instant approved and signed the following acts:

An act (S. 547) for the relief of Lieut. Col. Charles G. Sawtelle, deputy quartermaster-general United States Army;

An act (S. 3273) authorizing the St. Joseph's Church in the parish of East Baton Rouge, in the State of Louisiana, to use the land quitclaimed to it by the United States for school purposes; and

An act (S. 3299) to amend section 7 of the act approved June 22, 1888, entitled "An act to authorize the construction of a bridge over the Missouri River at or near the city of Omaha, Neb.," and for other purposes.

The message also announced that the President had on this day approved and signed the following act and joint resolution:

An act (S. 1741) to vest the title of public square 1102, in the city of Washington, D. C., in the trustees of the Fourth Street Methodist Episcopal Church, and for other purposes; and

A joint resolution (S. R. 76) to authorize the President to invite certain governments to send delegates to the Pan-American Medical Congress.

#### CIRCUIT COURTS OF APPEALS—VETO MESSAGE.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, on motion of Mr. VEST, referred to the Committee on the Judiciary, and ordered to be printed:

To the Senate:

I return herewith, without my approval, the bill (Senate 2729) entitled: "An act to amend an act entitled 'An act to establish circuit courts of appeals, and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes.'"

The original act to which this amendment is proposed, constituting an intermediate court of appeals, had for its object the relief of the Supreme Court by limiting the cases which might be brought up for hearing in that court. The first section of the bill under consideration allows appeals in criminal cases where the sentence imposes no imprisonment and the fine is as much as one thousand dollars. The effect of this provision will be to

bring to the Supreme Court many cases that, in my opinion, should be finally determined in the intermediate appellate court; and so, in part, to defeat the general purpose of Congress in constituting the intermediate court. But this objection would not alone have sufficient weight in my mind to induce me to return the bill. Section 3 of the bill is as follows:

"That no appeal shall hereafter be allowed from judgments of the Court of Claims in cases under the act of March 3, 1891, entitled 'An act to provide for the adjudication and payment of claims arising from Indian depredations' except where the adjudication involves the construction or application of the Constitution, or the validity or construction of a treaty or the constitutionality of a law of the United States: *Provided, however*, That upon such appeal it shall be competent for the Supreme Court to require, by certiorari or otherwise, the whole case to be certified for its review and determination upon the facts as well as the law."

I am advised by the Attorney-General that under the Indian depredations act eight thousand cases, involving an aggregate of damages claimed of about thirty millions of dollars, have already been filed.

A number of these cases involve as much as \$100,000 each; while a few involve as much as a half million dollars each, and one something over a million of dollars. The damages which may be awarded in these cases by the Court of Claims are to be paid out of the trust fund of the Indians held by the United States, or, if there are no such funds, out of the Treasury of the United States. The law referring these cases to the Court of Claims has had no judicial interpretation and many novel and difficult questions are likely to arise. It is quite a startling proposition and a very novel one, I think, that there shall be absolutely no opportunity for the review in an appellate court in cases involving such large amounts, of questions involving the construction of the statute under which the court is proceeding, or those various questions of law, many of them new, which necessarily arise in such cases. Neither the claimants, the Indians nor the Government of the United States should be absolutely denied opportunity to bring their exceptions to review by some appellate tribunal. I would not suggest that an appeal should be allowed in all cases. Some limitation as to amount would be reasonable, and, perhaps, some discretion might be lodged in the Supreme Court as to granting appeals. The limitations, however, imposed by the section I have quoted are so severe and unreasonable in my judgment that I have felt compelled to return the bill to the Senate with a view to its reconsideration.

BENJ. HARRISON.

EXECUTIVE MANSION, July 19, 1892.

#### HOUSE BILLS REFERRED.

The bill (H. R. 9580) to ratify and approve an act of the Legislature of the Territory of Oklahoma, providing for the funding of county indebtedness in said Territory, was read twice by its title, and referred to the Committee on Territories.

The bill (H. R. 9584) to provide for the improvement of the outer bar of Brunswick, Ga., was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 9592) authorizing the Secretary of the Treasury to obtain plans and specifications for public buildings to be erected under the supervision of the Treasury Department, and providing for local supervision of the construction of the same, was read twice by its title, and referred to the Committee on Public Buildings and Grounds; and

The bill (H. R. 9286) to create the California debris commission and regulate hydraulic mining in the State of California, was read twice by its title, and referred to the Committee on Mines and Mining.

#### COMMITTEE ON IMMIGRATION.

Mr. CHANDLER submitted the following resolution: which was considered by unanimous consent and agreed to:

*Resolved*, That the Committee on Immigration be enlarged by the addition of two Senators thereto, making eleven the number of the full committee.

Mr. CULLOM subsequently said: In pursuance of the resolution adopted by the Senate a little while ago, increasing the membership of the Committee on Immigration, I ask consent that the Chair appoint the two additional members.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). It will be so ordered if no objection is made. The Chair hears none. The additional members of the Committee on Immigration will consist of Messrs. HISCOCK and GRAY.

#### RETAIL PRICES AND WAGES.

Mr. WASHBURN. I yield to the Senator from Rhode Island [Mr. ALDRICH] to submit a report.

Mr. ALDRICH. I submit the report of the Committee on Finance, acting under instruction of the resolution of the Senate of March 3, 1891, in reference to retail prices and wages.

The PRESIDING OFFICER. The report will be received, and printed, and lie upon the table.

Mr. ALDRICH. I ask the Senator from Minnesota to yield that I may submit a motion to print 20,000 extra copies of the report without the appendices. I ask that that motion be referred to the Committee on Printing.

The PRESIDING OFFICER. It is moved by the Senator from Rhode Island that there be printed 20,000 copies of the report just made by him from the Committee on Finance, without the appendices.

Mr. COCKRELL. What report is that?

Mr. ALDRICH. The report on retail prices and wages.

Mr. COCKRELL. Is there any minority report with it?

Mr. ALDRICH. No; it is the unanimous report of the committee.

The PRESIDING OFFICER. The motion to print extra copies will be referred to the Committee on Printing.

Mr. CARLISLE. Do I understand the Senator from Rhode

ments agreed to to-day be printed in the body of the bill in italics, that all the amendments which have been offered to the bill to-day, and all amendments thus far offered and not agreed to, be printed at the end of the bill. I think that will accomplish the object which the Senator from Minnesota has in view.

Mr. WASHBURN. That will cover the case exactly.

Mr. ALLISON. If the amendments could be printed in the order of their being offered they could be taken up in that way, when we come to consider the bill, or they might be printed in the order in which they come in the bill.

Mr. PADDOCK. I should like to inquire of the Senator if the amendments printed to-day are to be printed in italics? I understood they were to be printed in ordinary type.

Mr. WASHBURN. No, in ordinary type.

Mr. ALLISON. In italics: the original text of the bill must be preserved as the bill came from the House.

Mr. WASHBURN. The amendments adopted will be printed in italics.

Mr. PADDOCK. I understand that the amendments offered and not acted upon are to be printed at the end of the bill.

Mr. ALLISON. At the end of the bill, and in ordinary type.

The PRESIDING OFFICER. The Chair understands that the bill as it came from the House is to be reprinted, having in italics the amendments this day adopted; and that following that text are to be the amendments which have been offered to-day in the order of their place in the bill.

Mr. WASHBURN. Following the bill.

Mr. GEORGE. Except the amendment I have offered, being a substitute for the bill.

The PRESIDING OFFICER. Except the substitute of the Senator from Mississippi, which will be printed separately.

Mr. ALLISON. That may as well be printed with the rest.

Mr. GEORGE. Printed with the other amendments?

The PRESIDING OFFICER. At the close of the bill.

Mr. GEORGE. I have no objection to having my amendment printed in that way.

Mr. KENNA. Are there any pending amendments except those offered to-day?

The PRESIDING OFFICER. There are no pending amendments.

Mr. MANDERSON. I move that the Senate proceed to the consideration of executive business.

Mr. WASHBURN. Will the Senator withdraw that motion for a moment?

Mr. MANDERSON. I withdraw it.

Mr. DANIEL. I gave notice of an amendment to come in at the end of this bill proposing to repeal the tax of 10 per cent upon the State banks. I ask that it be printed with the bill. I have not formally offered it, but only gave notice of it.

The PRESIDING OFFICER. The Senator from Virginia requests that an amendment intended to be proposed by him may be printed with the bill. The Chair hears no objection, and it will be so ordered.

Add as a new section the following:  
"SEC. 17. All acts and parts of acts imposing any tax on the circulation of State banks are hereby repealed."

Mr. WASHBURN. I move that when the Senate adjourn to-day it be to meet to-morrow at 11 o'clock a. m.

The PRESIDING OFFICER. It is moved by the Senator from Minnesota that when the Senate adjourn to-day it be until 11 o'clock to-morrow.

Mr. HISCOCK. I hope that will not be done. There are some very important committee meetings which Senators must attend to-morrow.

The PRESIDING OFFICER. The motion is not debatable. The question is on the motion made by the Senator from Minnesota.

Mr. WASHBURN. On the statement of the Senator from New York that there are important committee meetings to be held to-morrow, I withdraw the motion.

The PRESIDING OFFICER. The motion is withdrawn.

#### SATURDAY BANK HALF-HOLIDAY.

Mr. WHITE. I ask unanimous consent to call up at this time Senate bill 3718. It is a District of Columbia bill about holidays. I will state, so that Senators may be informed in regard to it. It was up yesterday, and an objection was made to it on account of the terms of the bill. The Senator from West Virginia [Mr. FAULKNER] has agreed to an amendment which removes the objection I had to it, and leaves the bill, I think, entirely without objection. I should like to have it acted on.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3718) making Saturday a half-holiday where banks and bankers so elect.

Mr. WHITE. I send up certain amendments which I desire to have reported.

The PRESIDING OFFICER. The amendment submitted by the Senator from Louisiana will be read.

The CHIEF CLERK. In line 12, after the word "Sunday," it proposed to insert "without reference to whether any of said banks or trust companies do or do not close as aforesaid;" so as to read:

That it shall be lawful for trust companies, banks, and bankers in the city of Washington to close their doors for business at 12 o'clock noon on each and every Saturday in the year, and every Saturday in the year after 12 o'clock noon shall be a legal half holiday so far as regards the presenting for the payment or acceptance and the protesting and giving notice of the dishonor of bills of exchange, bank checks, drafts, promissory notes, and other negotiable paper, and for these purposes shall be treated and considered as the first day of the week, commonly called Sunday, without reference to whether any of said banks or trust companies do or do not close as aforesaid.

The PRESIDING OFFICER. The question is on the adoption of the amendment.

The amendment was agreed to.

Mr. WHITE. I offer a second amendment which I send to the desk.

The PRESIDING OFFICER. The amendment offered by the Senator from Louisiana will be stated.

The CHIEF CLERK. In line 36, after the word "day," it is proposed to strike out all down to and including the word "day" in line 39, as follows:

And provided further, That in construing this section every half holiday Saturday shall, until 12 o'clock noon, be deemed a secular business day.

The PRESIDING OFFICER. The question is on the amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

On motion of Mr. WHITE, the title was amended so as to read: "A bill making Saturday a half-holiday for banking and trust company purposes in the District of Columbia."

#### CONSIDERATION OF HOUSE BILLS ON THE CALENDAR.

Mr. CULLOM. I ask leave to call up House bill 4827.

Mr. COCKRELL. There are about twenty-five House bills on the Calendar to which there is no objection, and I insist that the Senator shall ask unanimous consent to take up unobjected House bills and pass them all. We can do it in thirty minutes.

Mr. CULLOM. I have not troubled the Senate very much with requests of this nature.

Mr. COCKRELL. There are quite a number of unobjected House bills which may be passed in thirty minutes.

Mr. CULLOM. If the Senator objects, I will withdraw my request.

Mr. WASHBURN. I now ask unanimous consent that the Senate proceed to the consideration of unobjected House bills on the Calendar.

Mr. PADDOCK. I hope that motion will prevail.

The PRESIDING OFFICER. The Senator from Minnesota [Mr. WASHBURN] asks unanimous consent that the Senate do now proceed to the consideration of House bills on the Calendar unobjected to.

Mr. PADDOCK. Under Rule VIII.

Mr. COCKRELL. Certainly.

The PRESIDING OFFICER. Under Rule VIII. The Chair hears no objection, and that will be the order. The Secretary will report the first House bill on the Calendar, subject to objection.

#### MEMORIAL ADDRESSES ON THE LATE SENATOR BARBOUR.

Mr. DANIEL. I ask leave simply to make a statement. A few days ago I gave notice that on Friday next I should offer resolutions in memory of the late Senator John S. Barbour and would call them up at 2 o'clock on that day. In deference to the convenience of some Senators who are compelled to be absent on that day who had expected to participate, and in deference to the wishes of other friends I shall not offer the resolutions on that day, but have thought it best, in view of all the circumstances by which we are surrounded, to allow the matter to go over until the next session of Congress.

#### SALES OF PROPERTY UNDER COURT DECREES.

The PRESIDING OFFICER. The Secretary will report the first House bill on the Calendar, subject to objection.

The bill (H. R. 5816) to regulate the manner in which property shall be sold under orders and decrees of any United States court was announced as first in order, and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The PRESIDING OFFICER. The pending question is on the amendment heretofore offered by the Senator from Colorado [Mr. TELLER], which will be read.

**THE SECRETARY.** It is proposed to add as a new section the following:

Sec. 4. That a writ or order in any of the United States shall be received by any officer of the United States, or of any State or Territory, in payment of any judgment or decree of any court, for the enforcement or collection whereof process of execution shall be in the hands of such officer, when such legal order or money is tendered in payment of such decree, or in payment for any property that he shall sell under such process, or under any order, decree, or judgment of such court.

**THE PRESIDING OFFICER.** The question is on the amendment.

**MR. PLATT.** That amendment can not pass without discussion, and I understood the agreement was to pass unobjected House bills. That bill had better go over.

**THE PRESIDING OFFICER.** The bill being objected to goes over, retaining its place on the Calendar. The next bill will be reported.

**WASHINGTON AND GREAT FALLS ELECTRIC RAILWAY COMPANY.**

The bill (H. R. 9172) to incorporate the Washington and Great Falls Electric Railway Company was announced as next in order.

**MR. COCKRELL.** The Senator from Maryland [Mr. GORMAN] had that bill passed over. Let it pass over now without prejudice.

**MR. HARRIS.** I hope the Senator will not ask to have that bill passed over. It is a bill which should be acted on promptly.

**MR. McMILLAN.** It is a very important bill and should be acted on.

**MR. COCKRELL.** Very well.

**THE PRESIDING OFFICER.** The bill is before the Senate as in Committee of the Whole, and will be read at length.

**MR. McMILLAN.** I have some amendments to propose in addition to those which appear in the bill as reported by the committee, and I ask permission to offer them as the reading of the bill proceeds and the committee amendments are being acted upon.

**THE PRESIDING OFFICER.** The Chair hears no objection, and that course will be pursued.

The Secretary proceeded to read the bill.

The first amendment reported by the Committee on the District of Columbia was, in section 1, on page 3, line 43, after the words "Secretary of War" to insert:

For the safety of travel on said Canal road, and before commencing to run its cars on said elevated railway, and subject to the inspection and approval of the Commissioners of the District of Columbia, the said company shall, at its own expense, construct a substantial masonry wall between said Canal road and the Chesapeake and Ohio Canal throughout the entire distance on said road occupied by said elevated railway; and the said company, also at its own expense and within the same time and subject to the same approval and acceptance, shall pave the said portion of said road with granite blocks in the best manner.

The amendment was agreed to.

The next amendment was, on page 4, section 1, line 68, after the word "road," to strike out:

To the land of the said aqueduct pertaining to the receiving reservoir; thence through said land to a point on the land of said aqueduct near the westerly foot of Dalecarlia Hill; thence westwardly on a route exterior to the land of the United States pertaining to the Conduit road.

So as to read:

Thence westwardly on a route exterior to and on the south side of the land of the United States pertaining to the Conduit road to Cabin John Creek, with the privilege of crossing the Conduit road between the receiving reservoir and said creek, once and no more; returning thence along the same line, by return tracks to the place of beginning, with the privilege of constructing a branch line, with a single or double track, from the Conduit road lands south to Chain bridge, on land to be acquired by the corporation.

The amendment was agreed to.

**MR. McMILLAN.** In line 73, section 1, page 4, I move to strike out the words "with the privilege of crossing the Conduit road between the receiving reservoir and said creek, once and no more."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on the District of Columbia was, on page 4, section 1, line 80, after the word "road," to insert:

And there shall never be more than one double track on or over the Canal road, and all acts or parts of acts granting the use of the surface of the Canal road, or any part thereof, for laying railway tracks thereon and operating cars thereon are hereby repealed.

So as to read:

*Provided*, That there shall be but one railway parallel to and near the Conduit road and there shall never be more than one double track on or over the Canal road, and all acts or parts of acts granting the use of the surface of the Canal road, or any part thereof, for laying railway tracks thereon and operating cars thereon are hereby repealed.

The amendment was agreed to.

The next amendment was, on page 4, section 1, line 86, after the word "railway," to strike out "chartered by Congress;" in line 91, page 4, after the word "companies," to insert "respecting railways parallel to and near the conduit road, whether in the District of Columbia or in Maryland;" and in line 94, page 5, after the words "Secretary of War," to insert "and matter in

dispute between the companies respecting railways on the Canal road shall be determined upon the application of either road to any court in the District of Columbia having competent jurisdiction;" so as to read:

And wherever the route specified in this act is parallel with or coincides with the route of any other railway the two companies shall maintain and use but one set of double tracks, and any violation of this provision by the said Washington and Great Falls Electric Railway Company shall operate as a repeal of this charter; and matters of dispute between the companies respecting railways parallel to and near the Conduit road, whether in the District of Columbia or in Maryland shall be referred to and determined by the Secretary of War and matter in dispute between the companies respecting railways on the Canal road shall be determined upon the application of either road to any court in the District of Columbia having competent jurisdiction.

The amendment was agreed to.

The next amendment was, in section 1, page 5, line 98, after the word "said" to insert "Washington and Great Falls;" so as to read:

The inner rail of said Washington and Great Falls Railway shall not at any place on the line of said railway be less than 50 feet from the middle of the paved portion of the Conduit road.

The amendment was agreed to.

**MR. McMILLAN.** On page 5, line 99, before the word "feet," I move to strike out "fifty" and insert "one hundred."

**THE PRESIDING OFFICER.** The amendment will be stated.

**THE SECRETARY.** On page 5, line 99, before the word "feet," it is proposed to strike out "fifty" and insert "one hundred;" so as to read:

The inner rail of said Washington and Great Falls Railway shall not at any place on the line of said railway be less than 100 feet from the middle of the paved portion of the Conduit road.

The amendment was agreed to.

**MR. McMILLAN.** On page 5, line 102, after the words "United States," I move to strike out "or the Washington Aqueduct;" and in line 103, after the word "works," to insert "or the Washington Aqueduct;" so as to read:

Wherever the said railway shall run over or across any of the lands of the United States or any of the accessory works, or the Washington Aqueduct, as provided in this act.

The amendment was agreed to.

The next amendment of the Committee on the District of Columbia was, on page 5, line 108, section 1, after the word "acceptance," to insert "in writing," so as to read:

And no work shall be done on said railway on any of said lands until after such approval and acceptance in writing.

The amendment was agreed to.

**MR. McMILLAN.** On page 7, line 147, after the word "the," I move to strike out "streams that flow under the Washington Aqueduct through culverts numbers 118 to 24, inclusive, on such of the;" and in line 150, to strike out "lands" and insert "land;" so as to read:

And the said Washington and Great Falls Railway may cross the projections of the United States land, etc.

Then, on page 7, line 150, I move to strike out the words "said culverts and also at," and in line 152 after the word "reservoir," I move to strike out the following words:

As the Secretary of War may approve, and may also cross such of the northward projections of said lands near the stones marked W. A. 2, B. W. A. 3, B. W. A. 64 and W. A. 84, on the plats of the land of said aqueduct, as the said Secretary may approve.

**THE PRESIDING OFFICER.** It will be necessary for the Senator from Michigan to reduce his amendments to writing and have them acted upon separately.

**MR. COCKRELL.** They are all part of the same sentence, and to be stated intelligently they ought to be grouped together.

**THE PRESIDING OFFICER.** The amendments will be taken down by the Secretary, and the question will be taken on all the proposed changes together.

**MR. COCKRELL.** In line 147, section 1, after the word "the," at the end of the line, commencing with the word "streams," strike out down to the word "the," in line 148; in line 150, change the word "lands" to "land," and after the word "at," strike out "said culverts and also at;" then, in line 152, after the word "reservoir," beginning with the word "as," strike out down to and including the word "approve," in line 156.

**THE PRESIDING OFFICER.** The Secretary will read the clause as it will read if amended as proposed by the Senator from Missouri.

**THE SECRETARY.** As proposed to be amended the clause will read:

And the said Washington and Great Falls Railway may cross the projections of the United States land at a point on the south side of the conduit road just west of the distributing reservoir, and the provisions of section 15 of the act of Congress approved February 28, 1881, entitled "An act to incorporate the Washington and Arlington Railway Company of the District of Columbia," etc.

**THE PRESIDING OFFICER.** The question is on the adoption of the amendment.

The amendment was agreed to.

The next amendment of the Committee on the District of Columbia was, on page 7, line 161, section 1, before the word "control," to insert "shall," so as to read:

Shall control and govern all the privileges granted by this act, etc.

Mr. COCKRELL. On page 8, line 177, after the words "District of Columbia," I move to strike out "or across the Conduit road;" so as to read:

And the said Washington and Great Falls Railway Company shall, where its tracks run on or across any street or road which is under the jurisdiction of the Commissioners of the District of Columbia, or across any other road outside of the District of Columbia, etc.

The amendment was agreed to.

The reading of the bill was resumed.

Mr. McMILLAN. On page 11, section 2, in lines 4 and 5, I move to strike out "not to exceed in the aggregate the sum of \$1,000,000" and insert "but not to exceed the actual cost of said road."

The PRESIDING OFFICER. The amendment will be stated.

Mr. HAWLEY. I understand the chairman of the committee proposes to limit the capital to the actual cost of the road. I am very glad to hear that amendment proposed, because I have been intending to say something upon that very question. These companies ought not to be at liberty to make a capital running into the millions and tax the people to secure dividends on such excessive capitalization.

There is a defect in that, for who shall say how much a road is to cost. I have not thought of that in reference to this bill alone, but in reference to others. Is there not some tribunal that will give a reasonable hearing upon the statement of what would be a reasonable expenditure? It should be fixed in some such way.

Mr. McMILLAN. I have no objection to the Senator proposing to this amendment such a provision.

Mr. HAWLEY. All these companies should go to the courts in the District for a reasonable and liberal accounting.

Mr. SANDERS. In pursuance of the suggestion made by the chairman of the Committee on the District of Columbia [Mr. McMILLAN] I have prepared an amendment which carries out the views suggested by him, and to some extent the views suggested by the Senator from Connecticut [Mr. HAWLEY], which I had intended to propose as an addition to section 2.

The PRESIDING OFFICER. The Chair will state that the Senate is now acting on the amendments of the committee.

Mr. SANDERS. I am aware of that. I am only making this suggestion.

The PRESIDING OFFICER. The amendment proposed by the Senator from Michigan [Mr. McMILLAN] will be stated.

The SECRETARY. On page 11, in line 4, after the word "stockholders," it is proposed to strike out "not to exceed in the aggregate the sum of \$1,000,000" and insert "but not to exceed the actual cost of said road."

The PRESIDING OFFICER. The question is on the amendment.

Mr. McMILLAN. I have no objection to hearing the amendment proposed by the Senator from Montana.

Mr. SANDERS. I should like to have it read at least.

Mr. McMILLAN. I should like to hear it read.

The PRESIDING OFFICER. The question is on the amendment submitted by the Senator from Michigan, which has just been reported.

The amendment was agreed to.

Mr. HISCOCK. I desire to inquire whether it is desirable that, as the bill does make provision as to the fixed charges of the road, the stocks and bonds should not be beyond the actual cost of the road?

Mr. McMILLAN. The idea I think is right in this case.

Mr. HISCOCK. I think that is true. Is there anything in the bill with respect to bonding the road?

Mr. McMILLAN. Yes, there is. The bonds and stock must not exceed the cost of the road.

Mr. HISCOCK. I suggest a very sure way to protect the public in cases of that kind, and that is a provision that no bonds shall be issued until the stock subscribed for has been actually paid in. That has been found a very efficacious way.

Mr. McMILLAN. The Senator may propose that amendment. This provides when one-fourth of the capital stock is paid in they may issue bonds.

Mr. HISCOCK. That means that there will never be but a fourth of the stock paid in.

Mr. COCKRELL. To an amount not exceeding the balance of stock unpaid.

Mr. HISCOCK. In other words, that waters the stock three-fourths.

Mr. COCKRELL. Not at all.

Mr. HISCOCK. Oh, yes; it waters it three-fourths. I do not

desire to make any argument against it, but of course all railroads where they are—

Mr. McMILLAN. This provides that 50 per cent of the subscriptions shall be paid at once.

Mr. HISCOCK. And provides that the road shall not be bonded until 25 per cent has been paid in. Even if there is a provision that 50 per cent shall be paid in, as a matter of course they will then bond it, and the stock is watered on the road carries 50 per cent more than has been actually paid in on the stock.

The PRESIDING OFFICER. The Chair will again state that the question is on the motion to amend made by the Senator from Michigan [Mr. McMILLAN].

Mr. HISCOCK. I do not desire to offer an amendment, but I only desire to point out the trouble with these charters in view of what has been said by the Senator from Connecticut [Mr. HAWLEY]. For the purpose of paying dividends and interest upon bonds the companies should not be stock at a large amount or bonded at a larger amount than the road will cost in the aggregate.

The PRESIDING OFFICER. The pending amendment will be stated.

The SECRETARY. On page 11, line 4, after the word "stockholders," it is proposed to strike out "not to exceed in the aggregate the sum of \$1,000,000," and insert "but not to exceed the actual cost of said road."

The amendment was agreed to.

Mr. SANDERS. Now, I ask that the amendment I proposed be read. The chairman of the committee desires to have it read.

Mr. McMILLAN. I desire to have it read.

The SECRETARY. It is proposed to add to section 2, the following:

But the foregoing provisions of this section are subject to the provision that said corporation shall not have or issue any greater number of shares of stock than that the nominal value of such shares shall equal the actual and necessary cost of the construction and equipment of such railroad, which sum shall first be ascertained and authorized upon petition therefor to the supreme court of the District of Columbia, under such rules and regulations as the chief justice and judges thereof shall prescribe, efficient to limit the stock of such corporation in the aggregate to the actual and necessary cost thereof; and when it shall be desired by such corporation to raise a loan upon its said property, secured by mortgage or otherwise, upon petition therefor to said court, setting forth the necessity therefor and the amount of stock issued and outstanding, it may and shall be lawful for such court, or the chief justice or justices thereof, as the case may be or one of them, upon public notice, to be prescribed by the rules of the court, to permit the issuance of such bonds and mortgage if desired. *Provided, however,* That an amount of such stock equal to the bonds so issued shall be first encashed.

The PRESIDING OFFICER. The amendment has been read for information. The question is on agreeing to the amendment moved by the Senator from Michigan.

Mr. SANDERS. I shall press the amendment when we get through with the amendments proposed by the committee, but I do not wish to urge it now against the judgment of the Senator from Michigan.

Mr. McMILLAN. I suggest that the amendment which I offered be acted upon. We can take up that amendment afterwards.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Michigan [Mr. McMILLAN].

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, in section 2, before the words "per cent," on page 11, line 9, to strike out "ten" and insert "fifty;" in the same line, after the words "and the," to strike out "balance" and insert "remainder;" in line 12, before the words "per cent," to strike out "ten" and insert "fifty;" and on page 12, line 13, after the word "the," to strike out "balance" and insert "remainder;" so as to read:

That the capital stock of said company shall be \$500,000, divided into shares of \$100 each, which capital stock may be increased from time to time upon a majority vote of the stockholders, not to exceed in the aggregate the sum of \$1,000,000. The said company shall require the subscribers to the capital stock to pay in cash, to the treasurer appointed by the incorporators, the amounts severally subscribed by them, as follows, to wit: 50 per cent at the time of subscribing, and the remainder at such times and in such amounts as the board of directors shall require, and no subscription shall be deemed valid unless the 50 per cent thereof shall be paid at the time of subscribing, the remainder of said subscription to be paid at such times and in such amounts as the board of directors may require, as hereinbefore provided.

The amendment was agreed to.

The reading of the bill was continued to the bottom of page 13.

Mr. SANDERS. I should like to call the attention of the chairman of the committee to line 16, page 13, which seems to me does not conform to an amendment heretofore made. In line 9, on page 11, the sum required to be paid at the time of subscribing was stricken out and an amendment providing for the payment of 50 per cent was made. That the unities may be maintained, the same change should be made in line 16, page 13.

Mr. McMILLAN. That is right.

Mr. SANDERS. I move that amendment.



The PRESIDING OFFICER. The Senator from Montana proposes an amendment, which will be stated.

The SECRETARY. On page 13, line 16, after the word "subscribing" it is proposed to strike out "ten" and insert "fifty;" so as to read:

That every subscriber shall pay, at the time of subscribing, 50 per cent of the amount by him subscribed to the treasurer appointed by the corporators, or his subscription shall be void.

The amendment was agreed to.

The Secretary resumed and concluded the reading of the bill.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. SANDERS. At the end of section 2 I move as an addition thereto the following:

But this section is subject to the provision that said corporation shall not have or issue any greater number of shares of stock than at the nominal value of such shares shall equal the actual and necessary cost of the construction and equipment of such railroad, which sum shall first be ascertained and authorized upon petition therefor to the supreme court of the District of Columbia, under such rules and regulations as the chief justice and judges thereof shall prescribe efficient to limit the stock of such corporation in the aggregate to the actual and necessary cost thereof.

That it shall be desired by such corporation to issue bonds upon its said property, secured by mortgage or otherwise, upon petition therefor to said court, setting forth the necessity thereof and the amount of stock issued and outstanding, it may and shall be lawful for such court, or the chief justice or justices thereof as the case may be, or one of them, upon public notice, to be prescribed by the rules of the court, to permit the issuance of such bonds and mortgage if desired: *Provided, however*, That an amount of such stock equal to the bonds so issued shall be first canceled and adjudged annulled.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Montana.

Mr. McMILLAN. I have no objection to the amendment, Mr. President.

The amendment was agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. McMILLAN. I move that the Senate request a conference with the House of Representatives upon the bill and amendments.

The motion was agreed to.

By unanimous consent the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. McMILLAN, Mr. HARRIS, and Mr. PERKINS were appointed.

#### DECLARATIONS IN PENSION CLAIMS.

The PRESIDING OFFICER. The next House bill on the Calendar will be proceeded with.

The bill (H. R. 2713) in relation to the execution of declarations and other papers in pension claims was considered as in Committee of the Whole.

The bill was read, as follows:

*Be it enacted, etc.*, That declarations of pension claimants shall be made before a court of record, or before some officer thereof having custody of its seal, or before some officer who, under the laws of his State, city, or county, has authority to administer oaths for general purposes; and said officers are hereby fully authorized and empowered to administer and certify any oath or affirmation relating to any pension or application therefor: *Provided*, That where such declarations or other papers are executed before an officer authorized as above but not required by the laws of his State to have and use a seal to authenticate his official acts, he shall file in the Pension Bureau a certificate of his official character, showing his official signature and term of office, certified by a clerk of a court of record or other proper officer of the State as to the genuineness thereof; and when said certificate has been filed in the Bureau of Pensions his own certificate will be recognized during his term of office.

SEC. 2. That the Commissioner of Pensions may accept declarations and other papers of claimants residing in foreign countries made before a United States minister or consul or other consular officer, or before some officer of the country duly authorized to administer oaths for general purposes, and whose official character and signature shall be duly authenticated by the certificate of a United States minister or consul or other consular officer, and declarations in claims of Indians may be made before a United States Indian agent.

SEC. 3. That any and all declarations or affidavits now on file in the Pension Bureau which are considered informal by reason of not having been executed in conformity to the laws heretofore in force covering such, and in which it is shown or may be hereafter shown by proper evidence that the same were executed by and before an officer who was duly authorized to administer oaths for general purposes at said date of execution, shall be accepted as formal as from date of filing such declarations or affidavits.

SEC. 4. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to some and disagreed to other amendments of the Senate to the bill (H. R. 7520) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes, agreed to the amendment of the Senate numbered 177 to the bill with an amendment in which it requested the concurrence of the Senate, asked a conference with the Sen-

ate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HOLMAN, Mr. SAYERS, and Mr. BINGHAM managers at the conference on the part of the House.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills: and they were thereupon signed by the President *pro tempore*:

A bill (H. R. 945) for the relief of Patrick Hyland;

A bill (H. R. 3572) for the relief of Richard M. Edwards, of Cleveland, Tenn.;

A bill (H. R. 3947) to establish weather-bureau stations on Middle and Thunder Bay Islands in Lake Huron;

A bill (H. R. 5119) regulating the construction of buildings along alleyways in the District of Columbia; and

A bill (H. R. 3114) to establish a railroad bridge across the Black River in Arkansas.

#### MARY ISABELLA HUTCHISON.

Mr. HUNTON. I ask the unanimous consent of the Senate for the present consideration of House bill—

Mr. COCKRELL. I must object to that. We are proceeding under a unanimous consent agreement, and let us go on for awhile.

Mr. HARRIS. We are taking up House bills in their order.

Mr. COCKRELL. We are taking House bills in their order on the Calendar.

Mr. HUNTON. The bill I wish to call up will take but a minute.

Mr. COCKRELL. There are a dozen that will take but a minute.

The PRESIDENT *pro tempore*. The next House bill on the Calendar will be proceeded with.

The bill (H. R. 5377) granting a pension to Mary Isabella Hutchison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Isabella Hutchison, sister of William Hutchison, late of Company A, One hundred and third Regiment Pennsylvania Volunteers, deceased, at the rate of \$18 per month, to be paid to her legal guardian or person legally appointed to have the charge of her person and estate.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### DELIVERY OF ICE ON SUNDAY.

The bill (H. R. 8367) regulating the delivery and sale of ice within the District of Columbia on the Sabbath day, commonly known as Sunday, was announced as the next House bill on the Calendar.

Mr. HARRIS. Let that bill go over.

The PRESIDENT *pro tempore*. Being objected to, the bill will be passed over without prejudice, retaining its place on the Calendar.

#### SAVANNAH RIVER BRIDGE.

The bill (H. R. 7720) to authorize the construction of a bridge across the Savannah River was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with amendments.

The first amendment was, in section 2, line 21, before the word "built," to insert "commenced or;" so as to read:

And until said plan and location of the bridge are approved by the Secretary of War the bridge shall not be commenced or built.

The amendment was agreed to.

The next amendment was, in section 2, line 44, after the word "same," to strike out:

And all the rights conferred by this act shall be forfeited upon said failure, and Congress shall have power to do any and all things necessary to secure the free navigation of said river.

And insert:

And shall thereupon institute proceedings in the circuit court of the United States in and for the district in which any part of said bridge may be located for the recovery of the cost thereof.

So as to read:

And if upon reasonable notice to said company, its successors or assigns, to make such change or improvements, the said company fails to do so, the Secretary of War shall have authority to make the same, and shall thereupon, etc.

The amendment was agreed to.

The next amendment was, in section 3, line 8, after the word "and," to strike out "they" and insert "it;" and in line 11, after the word "telegraph," to insert "and telephonic;" so as to make the section read:

That any bridge built under this act and subject to its limitations shall be a lawful structure, and shall be recognized and known as a post-route, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops and munitions of war of the United States, or passengers or freight over said bridge than the rate per mile paid for the transportation over the railroads or public highways leading to said bridge,



States as the guardian, constituted by its own laws, of the rights and interests of these people.

Therefore the committee reported a bill which will accomplish, if it shall be enacted, every public purpose sought by the Senator from Washington and by the bill which he introduced, and which will prevent in the execution of the public purpose for public interests the injustice and iniquity, which the committee believe lie behind the bill introduced by the distinguished Senator, and now moved to be substituted for the bill of the committee.

As has been well stated by the distinguished Senator from Connecticut [Mr. PLATT], the question which is presented to the Senate is not a question of difference between the Committee on Indian Affairs and the Senator from Washington in respect to a public interest. There is no circumstance of the public interest, in my belief and in the belief of the committee, which will not be perfectly subserved by the enactment of the bill as reported.

Mr. President, I dislike to weary the Senate with protracted details, but I think it very important that the simple facts of this case should be exhibited to this body, and it can be done without very great elaboration.

Attached to Executive Document No. 34 of the Senate of this session is a map which exhibits the Puyallup Indian Reservation as it now exists, and also discloses the fact that it lies in juxtaposition to the city of Tacoma and stretches around the bay known as Commencement Bay, upon which that city is situated. This land becoming the property of the Indians in 1857, under a treaty with the United States, has remained their home from that time to this. But meantime a city, and now a great city, has risen up on the waters of Puget Sound, and it has happened that these Indians have attained to the advantage which has often followed the persistent holding of land by individuals in this country, that by settlement and the development of civilization their land has become very valuable. Let me observe that the precise object, as it seems to me, of the guardianship of Congress was to protect the Indians in securing to them the value of their lands which might accrue by their own steadfast holding of them.

It is said by the Senator from Washington that the situation of this reservation obstructs the entrance into Tacoma of railroads and of public highways; that it would be convenient, perhaps, to build out upon it street-car lines; and that therefore it is desired to enable the Indians to sell it. Granted. The committee's bill provides for selling the land. There is no difference between us in respect to that feature. But let us observe where the point is. It has already been indicated by the Senator from Connecticut, and perhaps fully enough stated. I desire, however, to repeat only briefly. In order to understand that, it is desirable to notice precisely the terms of the treaty under which these Indians hold their lands. It is the treaty of December 23, 1854, and I read from the Statutes, page 1133, only so much as relates to this point. Speaking of the power of the President in relation to these lands, the treaty reads:

And he may further, at his discretion, cause the whole or any portion of the lands hereby reserved, or of such other land as may be selected in lieu thereof, to be surveyed into lots, and assign the same to such individuals or families as are willing to avail themselves of the privilege, and will locate on the same as a permanent home, on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable.

On page 1044 of the same volume will be found that provision, which reads:

And the President may, at any time, in his discretion, after such person or family has made a location on the land assigned for a permanent home, issue a patent to such person or family for such assigned land, conditioned that the tract shall not be aliened or leased for a longer term than two years; and shall be exempt from levy, sale, or forfeiture, which conditions shall continue in force until a State constitution, embracing such lands within its boundaries, shall have been formed and the Legislature of the State shall remove the restrictions.

To which is added:

No State Legislature shall remove the restrictions herein provided for without the consent of Congress.

Mr. MITCHELL. Will the Senator allow me to put a question right there?

Mr. VILAS. Certainly.

Mr. MITCHELL. I desire to submit this inquiry to the Senator from Wisconsin, whether it has been considered at all by the committee or by the Senator from Wisconsin himself. From what the Senator has just read it seems that by the treaty of 1854 with these Indians, the President of the United States, in his discretion, is to have these lands surveyed and allot them to the Indians; and to subsequently issue to them patents under such conditions and restrictions as are to be found in the treaty with the Omahas. The provisions of that treaty were to this effect: That there should be a restriction of the right of alienation until such time as the Legislature of the State might remove the restrictions, but that the Legislature of the State should not remove the restrictions without the consent of Congress.

Now, my question is this: These things having proceeded, not under the enactment, but under these treaties, and the Indians having gone on and had the lands allotted to them, patents having been issued to them in pursuance of these provisions which delegated to the State the right to remove the restrictions, subject only to the permission of Congress, has Congress now the right to remove the restrictions? In view of all these treaty stipulations, contracts made in pursuance of treaty stipulations, and patents issued to them in pursuance of the treaty stipulations, all pointing to the fact that the State, after it should be organized under a State constitution, should have the right to remove the restrictions, subject only to the consent of Congress, has Congress, after all that has been done, the right to remove these restrictions or to prescribe the terms upon which the State shall remove the restrictions? In other words, all that has transpired is there anything left for Congress to do but to say to the State Legislature, "Yes, you can remove these restrictions," or "No, you can not"? Will Congress consent or will it not?

The Senator understands my point?

Mr. VILAS. Perfectly. Mr. President, that is not a new question, but one which was presented to the committee and carefully considered, and while I intended at a later point to address some observations to it, I am ready to answer the Senator's question now.

There must have been some reason why Congress reserved to itself concurrent power over these restrictions. It is more than a concurrent power with the State Legislature; it is a supervisory power. It simply provided, not that the Legislature of the State should have the power to remove the restrictions, but that they should not be removed until the Legislature of the State did it, and that the Legislature of the State should not do it except under the control of Congress, with the consent of Congress to its doing. Thus the action of two bodies became necessary—the action of the State Legislature, the local governing body, and the action of Congress, the Federal Legislature, and the natural guardian of the rights of the Indians.

Congress undoubtedly reserved the right to make this consent in order that it might keep the Legislature from doing what it deemed to be unjust. This power of Congress to impose qualifications or conditions arises from the simple principle that "the greater includes the less." If Congress has power to grant or to withhold consent, Congress has power to specify upon what conditions it is willing to grant its consent.

Mr. ALLEN. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield?

Mr. VILAS. With pleasure.

Mr. ALLEN. If that be the fact, why were there not imported into the statute words of this character, Congress shall give consent upon such conditions as it sees proper? If Congress was to look into the conditions and determine the character of the conveyance, why did it not provide that it should remove the restrictions? In other words, did not Congress turn the whole matter over to the State to say, "When the time has ripened so that you think these restrictions shall be removed, remove them?"

Mr. VILAS. Mr. President, to ask why somebody who was writing an instrument forty years ago did not use other or different words to express his meaning, is to ask a question, it seems to me, not at all likely to elucidate the point under discussion.

If it be true as a simple principle of law in the interpretation of contracts and treaties, that a consent to be given by the National Legislature is a thing which may be given upon such conditions as that legislature chooses to impose, there was no occasion to use any other words. The language employed perfectly carries with it all that is necessary to the case.

Mr. President, just let me ask a moment's attention to the value of these lands. I have shown the title upon which they are held. I read from the communication of the Secretary of the Interior to the President under date of February 6 last, with which he transmits to the President the report of a commission which had been appointed under a law of Congress to examine into the value of these lands, among other things. The Secretary says:

As to the value of the lands, the plan adopted by the commission was a good one to obtain the average value of all the lands, and is no doubt approximately correct. But before any sale could be properly made of particular lots or parts of the reservation, a valuation should be made of each such particular tract or subdivision to be sold, for, as was stated in the instructions to the commission, some of the lands near the city are deemed worth \$6,000 per acre. The water front alone has been estimated to be worth some millions of dollars.

"Wheresoever the carcass is," saith the old scripture, "there will the eagles be gathered together."

The Legislature of the State of Washington in 1890 passed a

law giving its unconditional assent to these Indians dealing with property of such value as this as they might individually see fit each to do with his own. Thereupon "the eagles gathered together," and contracts were made by individuals for, I think, every tract of land held in severalty, at least for nearly all of the tracts held in severalty by those Indians.

Mr. ALLEN. Will the Senator permit me? This is the fact: Contracts I find, according to the report, were made for some 9,200 acres of this land at the average price of nearly \$79 per acre, which, if carried out for the twelve thousand and odd acres, would realize to the Indians \$1,000,000 for the portion they propose to sell.

Mr. VILAS. I should like to ask the Senator from Washington to state right there whether or not those contracts do not embrace nearly every subdivision of this reservation which this bill proposes to permit to be sold?

Mr. ALLEN. I will state that in the reservation there are 18,062 acres of land; they are within what are known as the "heavy black lines," which are exempt from alienation under both bills, fifty-two hundred and odd acres, 598 acres coming down nearest the city of Tacoma, known as the agency grant, which have never been allotted, and some forty-six hundred and odd acres, the quantity of land the Indian Department found, constituting the homes of the Indians of the Puyallup Reservation. That is the quantity reserved that is not subject to either one of the two bills—fifty-two hundred and odd acres.

Mr. VILAS. Of less than 13,000 acres which might become available for sale over 9,000 acres have been contracted, then, within these particular boundaries?

Mr. ALLEN. That is correct; according to a table I find 9,200 acres, I think.

Mr. SQUIRE. Mr. President, I should like to ask the Senator a question.

Mr. VILAS. In one moment. I desire to ask the Senator from Washington [Mr. ALLEN] one other question: Are not the lands so embraced within the contracts already made the lands lying in the northern portion of the reservation and along the shores of Commencement Bay, going clear down to the agency lands?

Mr. ALLEN. I will answer the Senator. The lands are the lands that lie above what are known as the State harbor line lands. All the lands of the State of Washington lying between ordinary low-water and ordinary high-water mark belong to the State of Washington. That conclusion has been reached both by the Interior Department and by the supreme court of the State of Washington, agreeably to what I understand to be the Federal decisions. As the tide rises and falls between 14 and 15 feet on the average in Commencement Bay there is a strip of land, varying in width, extending from a few rods in width at the lower part or entrance of the bay up about a half or three-quarters of a mile at the head of the bay, and lying between the Indians' lands and the deep water, or ordinary low tide. That is the land of the State. Then, as was suggested by the inquiry of the Senator, the lands lying just north come down close to the water on one portion of the reservation and extend into the hills on either side. Some of the lands are very valuable.

Mr. VILAS. The Senator from Washington has answered my question, but in answering it he has introduced another subject which the question did not relate to, and that is the question of the title of the lands in that reservation between high and low water mark, they being subject to tide flow.

The State of Washington claims those lands entirely, he says. I wish to ask the Senator from Washington whether those lands within the lines of high and low water mark do not constitute a portion of the 13,000 acres of land which we have been mentioning as being part of the acreage of the reservation subject to disposition?

Mr. ALLEN. No, they do not; because these lands are all embraced within the meander lines of the high-water mark.

Mr. VILAS. Does not the tide rise above the meander lines?

Mr. ALLEN. The meander line is the line marking ordinary high water.

Mr. VILAS. I will ask the Senator this: Does not the tide rise beyond the meander line, and does not the State claim the lands to the extent that the tide rises?

Mr. ALLEN. The State claims the land up to the line of high-water mark. The surveys now aim to follow the meander line of the ordinary high-water mark.

The VICE-PRESIDENT. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business.

The CHIEF CLERK. A bill (H. R. 7845) defining options and futures, imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling certain products to obtain license, and for other purposes.

Mr. WASHBURN rose.

Mr. ALLEN. Will the Senator from Minnesota yield to me one moment? I wish to ask unanimous consent that after the routine business to-morrow this bill may be considered further.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Washington?

Mr. WARREN. I do not understand the request made by the Senator from Washington, but if it is in line of the agreement made yesterday, which takes from me the time I have asked, I shall feel compelled to object.

Mr. ALLEN. I ask that the consideration of the bill follow after the speech of the Senator from Wyoming to-morrow, instead of after the routine morning business.

Mr. HARRIS. I do not like to object to the request of the Senator from Washington, but I do think the morning hour ought to be devoted to the Calendar.

Mr. CULLOM. So do I.

Mr. HARRIS. And I do not think it ought to be consumed morning after morning by the consideration of bills that take hours to consider or by speechmaking. I think those things ought to come in after 2 o'clock. I will not interpose a formal objection, but I appeal to Senators to leave the morning hour to the Calendar.

Mr. PLATT. Let us dispose of this bill to-morrow morning.

Mr. HARRIS. I shall not object, but I regret that it is to be done.

Mr. MITCHELL. Of course my neighbor here, the Senator from Wyoming [Mr. WARREN], is able to speak for himself, but I want as his neighbor to put in a plea for him. He gave notice many days ago that he desired to address the Senate on an important matter which he has in charge and that time was fixed for yesterday. He was crowded out then, and again this morning.

Mr. PLATT. I understood the Senator from Washington to assent that the Senator from Wyoming should make his speech to-morrow morning.

Mr. MITCHELL. Yes; and I hope he will be permitted to go on to-morrow morning.

Mr. WARREN. I wish in this connection to renew my notice. I shall ask to-morrow, immediately after the morning business, the courtesy of the Senate for a few moments to present my views upon the bill which I called up this morning.

Mr. VILAS. I wish to interpose no objection to the earliest consideration of the bill the Senator from Washington has in charge, but I desire when it is heard to have the opportunity to present fully the views of the committee. It will not occupy perhaps a very long time.

The VICE-PRESIDENT. The Senator from Wisconsin will be entitled to the floor when the consideration of the bill is resumed. The Senator from Washington asks that to-morrow morning, at the conclusion of the remarks of the Senator from Wyoming [Mr. WARREN], the bill that was under consideration at 2 o'clock be proceeded with. Is there objection? The Chair hears none.

#### PETWORTH, BRIGHTWOOD AND TAKOMA PARK RAILWAY.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H. R. 8573, "An act to incorporate the Petworth, Brightwood and Takoma Park Railway Company of the District of Columbia," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of Senate and agree to the same with an amendment as follows: On page 1 of the Senate amendment, strike out all after the word "midnight," in line 11, also strike out lines 12 and 13; and that the Senate agree to the same.

JAMES McMILLAN,

ISHAM G. HARRIS,

B. W. PERKINS,

*Managers on the part of the Senate.*

JNO. J. HEMPHILL,

JNO. T. HEARD,

P. S. POST,

*Managers on the part of the House.*

The report was concurred in.

#### DISTRICT STREET RAILROADS.

Mr. McMILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to joint resolution (H. Res. 108) "extending the time in which certain street railroads compelled by act of Congress approved August 6, 1890, to change their motive power from horse power to mechanical power, for one year," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate, and agree to the same amended to read as follows: "That the time within which the street railroad companies availing themselves of the privileges granted by the act making appropriations to provide for the government of the District of Columbia, and approved August 6, 1890, so far as it extends to the Metropolitan Railroad, is hereby extended for one year from the date of the passage of this act: *Provided*, That so fast as the cars now building are equipped with storage batteries they shall be placed on the road; *And provided further*, That pending the change the present equipment of the road shall be put, kept, and maintained in good condition; and any failure to comply with any of the foregoing requirements as to equipment shall render the said Metropolitan Railway Company liable to a fine of not exceeding

as now proposed, it will be impossible to maintain order in that Territory.

Mr. BUCHANAN of New Jersey. Will the gentleman permit a question? It was difficult in the confusion to understand the exact terms of the bill as read from the desk. Does the bill as it now stands prohibit the introduction of beer into the Indian Territory?

Mr. CULBERSON. Yes, sir.

Mr. BUCHANAN of New Jersey. The reason I ask the question is this: When on a visit to that section some time since, I saw whole trains laden with St. Louis beer going down to Texas. Will the passage of this bill cut off your supply?

Mr. CULBERSON. I can not hear the gentleman.

Mr. BUSHNELL. I wish to inquire of the gentleman from Texas whether under the provision now proposed there will not be much greater expense to the Government than if we leave the law as it is? Under this bill it will be necessary to send the marshal to the Indian Territory to arrest these offenders; and this officer, as well as the district attorney, will have to be paid 10 cents a mile as traveling expenses for attending to this business.

Mr. CULBERSON. The provision which the gentleman has in mind applies specially to the State of Wisconsin.

Mr. BUSHNELL. I am not quite satisfied with the propriety of this proposed change in the law.

The previous question was seconded; and under the operation thereof the amendment reported by the Committee on the Judiciary was agreed to.

The question being taken on ordering the bill as amended to a third reading, there were—ayes 120, noes 7.

Mr. BUSHNELL. No quorum.

Tellers were ordered; and Mr. BUSHNELL and Mr. CULBERSON were appointed.

The House again divided; and the tellers reported—ayes 167.

Mr. BUSHNELL. I will not insist on a further count.

So the bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. CULBERSON, a motion to reconsider the last vote was laid on the table.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCOOK, its Secretary, announced that the Senate had insisted upon its amendments to the bill (H. R. 7520) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes, disagreed to by the House of Representatives, had asked for a conference with the House on the bill and amendments, and had appointed Mr. ALLISON, Mr. HALE, and Mr. GORMAN as the conferees on the part of the Senate.

It also announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 4365) for the relief of Nell Fisher;

A bill (H. R. 1105) for the relief of Henry S. Cohn, late of the One hundred and sixth Ohio Volunteers.

A bill (H. R. 5377) granting a pension to Mary Isabella Hutchison.

A bill (H. R. 3496) for the relief of A. S. Leet, and a bill (H. R. 2713) in relation to the execution of declarations and other papers in pension claims.

It also announced that the Senate had passed with amendments the bill (H. R. 7720) to authorize the construction of a bridge across the Savannah River, asked a conference with the House on the bill and amendments, and had appointed Mr. VEST, Mr. SAWYER, and Mr. CULLOM as the conferees on the part of the Senate.

It also announced that the Senate had passed with amendments the bill (H. R. 5941) to build a bridge across the Tennessee River between a point in Whitesburg precinct, in Madison County, and Morgan County, in the State of Alabama, asked a conference with the House on the bill and amendments, and had appointed Mr. VEST, Mr. SAWYER, and Mr. CULLOM as the conferees on the part of the Senate.

It also announced that the Senate had passed with amendment the bill (H. R. 8122) to prohibit the use of "one-horse" cars within the limits of the city of Washington after the 1st day of January, 1893, and for other purposes, asked a conference with the House on the bill and amendment, and had appointed Mr. McMILLAN, Mr. HARRIS, and Mr. PERKINS as the conferees on the part of the Senate.

It also announced that the Senate had passed with amendment the bill (H. R. 5957) to amend section 2 of an act approved May 14, 1880, being an act for the relief of settlers on public lands, asked a conference with the House on the bill and amendment, and had appointed Mr. PADDOCK, Mr. CAREY, and Mr. PASCO as the conferees on the part of the Senate.

A further message from the Senate, by Mr. PLATT, one of its

clerks, announced that the Senate had passed the bill (S. 3115) for the relief of Clement Reeves; in which concurrence of the House was requested.

It also announced that the Senate had passed the bill (S. 3418) making Saturday a half holiday for banking and trust company purposes in the District of Columbia in which concurrence of the House was requested.

#### ENROLLED BILLS SIGNED.

Mr. WARWICK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles: when the Speaker signed the same:

A bill (H. R. 1105) for the relief of Henry S. Cohn, late of the One hundred and sixth Ohio Volunteers;

A bill (H. R. 4365) for the relief of Nell Fisher;

A bill (H. R. 3496) for the relief of A. S. Leet; and

A bill (H. R. 5377) granting a pension to Mary Isabella Hutchison.

#### JURISDICTION OF POLICE COURT, DISTRICT OF COLUMBIA.

Mr. CULBERSON. I now call up for consideration the bill (S. 3011) to amend "An act to define the jurisdiction of the police court of the District of Columbia," approved March 3, 1891, and yield to the gentleman from Louisiana [Mr. BOATNER].

The bill was read, as follows:

*Be it enacted, etc.*, That an act entitled "An act to define the jurisdiction of the police court of the District of Columbia," approved March 3, 1891, be amended as follows: Strike out all of section 2 of said act and in lieu thereof insert the following:

"SEC. 2. That prosecutions in the police court shall be on information by the proper prosecuting officer. In all prosecutions within the jurisdiction of said court in which, according to the Constitution of the United States, the accused would be entitled to a jury trial, the trial shall be by jury, unless the accused shall in open court expressly waive such trial by jury and request to be tried by the judge, in which case the trial shall be by such judge, and the judgment and sentence shall have the same force and effect in all respects as if the same had been entered and pronounced upon the verdict of a jury. In all cases where the accused would not by force of the Constitution of the United States be entitled to a trial by jury, the trial shall be by the court without a jury, unless in such of said last-named cases wherein the fine or penalty may be \$50 or more, or imprisonment as punishment for the offense may be thirty days or more, the accused shall demand a trial by jury, in which case the trial shall be by jury. In all cases where the said court shall impose a fine it may, in default of the payment of the same, commit the defendant for such a term as the court thinks right and proper, not to exceed one year."

"SEC. 2. That section 1060 of the Revised Statutes relating to the District of Columbia be, and the same is hereby, amended so that said section shall read:

"SEC. 1060. The clerk and the deputy clerks, and such other officers of the court as may be assigned by the judges of the court for that purpose, shall have the power to administer oaths and affirmations."

Mr. BOATNER. I ask that the report accompanying the bill be read, which fully explains it.

The report (by Mr. BOATNER) was read, as follows:

The Committee on the Judiciary, having had under consideration the bill (S. 3011) entitled "An act to amend an act to define the jurisdiction of the police court of the District of Columbia, approved March 3, 1891," report:

The bill proposes to amend section 2 of said act in the following particular:

(1) To permit parties under prosecution in the police court of the District of Columbia to waive a trial by jury "in all prosecutions within the jurisdiction of said court in which, according to the Constitution of the United States, the accused would be entitled to a jury trial."

Under existing law the accused can not in such cases waive a trial by jury. (2) In all cases in which the accused would not, by the force of the Constitution, be entitled to a jury trial, the trial shall be by the court, unless in cases where the fine may be \$50 or the imprisonment thirty days the accused may demand a jury trial and it shall be accorded.

Under the present law this class of cases must be tried by a jury and the accused waives it.

(3) In default of payment of fine and costs the court may commit the defendant for a term of imprisonment not to exceed one year. No means is provided by existing law for the enforcement of sentences of this kind.

(4) Section 1060 of the Revised Statutes relating to the District of Columbia is proposed to be amended so as to authorize the clerk, the deputy clerks, and such other officers as may be assigned by the court to administer oaths and affirmations.

The proposed amendment will facilitate the administration of justice and dispatch of business without impairing in any way the rights of persons under prosecution or depriving them of any proper means of defense, and the passage of the act is therefore recommended. The section of the act proposed to be amended is annexed as a part of this report.

"SEC. 2. That prosecutions in the police court shall be on information by the proper prosecuting officer. In all prosecutions within the jurisdiction of said court in which, according to the Constitution of the United States, the accused would be entitled to a jury trial, the trial shall be by jury. And also in all prosecutions in which such persons would not be by force of the Constitution of the United States entitled to a trial by jury, but in which the fine or penalty may be \$50 or more, or imprisonment for thirty days or more, the trial shall be by jury unless the accused shall in open court, expressly waive such trial by jury and consent to a trial by the judge in which case the trial shall be by such judge, and the judgment and sentence shall have the same force and effect in all respects as if the same had been entered and pronounced on the verdict of a jury."

"In all cases not hereinbefore in this section provided for the trial shall be by a judge."

Mr. BOATNER. I ask the previous question on the bill.

The previous question was ordered, and the operation of which the bill was read a third time, and passed.

On motion of Mr. BOATNER, a motion to reconsider the last vote was laid on the table.

## LEGALIZING DEEDS AND RECORDS, INDIAN OFFICE.

Mr. CULBERSON. I now call up the bill (S. 1733) to legalize the deeds and other records of the Office of Indian Affairs, and to provide and authorize the use of a seal by said office, and yield to the gentleman from Indiana [Mr. BYNUM], who will explain the bill.

The bill was read, as follows:

*Be it enacted, etc.*, That the recording of all deeds and papers heretofore made and done in the office of the Commissioner of Indian Affairs be, and is hereby, continued, approved, and legalized; and said record heretofore made shall be deemed, taken, and held to be good and valid and shall have all the force and effect and be entitled to the same credit as if it had been made in pursuance of and in conformity to law. But shall have no effect whatever upon the validity or invalidity of the deed or paper so recorded, and shall be no evidence of constructive notice to any persons not actually knowing the contents.

Sec. 2. That the Commissioner of Indian Affairs is hereby empowered and directed to continue to make and keep a record of every deed executed by any Indian, his heirs, representatives, or assigns, which may require the approval of the President of the United States or of the Secretary of the Interior, whenever such approval shall have been given, and the deed so approved returned to said office.

Sec. 3. That the Commissioner of Indian Affairs shall cause a seal to be made and provided for the said office, with such device as the President of the United States shall approve, and copies of any public documents, records, books, maps, or papers belonging to or on the files of said office, authenticated by the seal and certified by the Commissioner thereof or by such officer as may, for the time being, be acting as or for such Commissioner, shall be evidence equally with the originals thereof.

Sec. 4. That the Commissioner of Indian Affairs shall have the custody of said seal, and shall furnish certified copies of any such records, books, maps, or papers belonging to or on the files of said office, to any person applying therefor who shall comply with the requirements of said office, upon the payment by such parties at the rate of 10 cents per hundred words, and \$1 for copies of maps or plats, and the additional sum of 25 cents for the Commissioner's certificate of verification, with the seal of said office; and one of the employees of said office shall be designated by the Commissioner as the receiving clerk, who shall give bond in the sum of \$1,000, and the amounts so received shall, under the direction of the Commissioner, be paid into the Treasury of the United States; but fees shall not be demanded for such authenticated copies as may be required by the officers of any branch of the Government or by any Indian who shall satisfy the Commissioner by satisfactory legal evidence that he or she is not able, by reason of poverty, to pay such fees, nor for such unverified copies as the Commissioner in his discretion may deem proper to furnish.

Mr. BYNUM. Mr. Speaker, the only effect of the bill now under consideration is to legalize certain records in the Indian Office, and to authorize and empower the Commissioner of Indian Affairs to have and use a seal in the authentication of copies of such records.

In many of the grants of lands to Indians between 1816 and 1867, the approval of the President or Commissioner of Indian Affairs was necessary in order to enable them to convey title. These deeds were submitted to the Indian Office, were approved by the proper authorities, and recorded; but in many instances the original deeds have been lost without being recorded in proper records of the State. Persons are now applying for certified copies of these deeds and the approvals of the same, and are informed that there is no provision of law by which they can be furnished; nor is there any law on the statute which legalizes the records in that office. This bill legalizes about 10,000 pages of the records of deeds, and authorizes, as I have said, a seal to be prepared and used by the Commissioner in the authentication of copies of the same. It is strongly recommended by the Secretary of the Interior and the Commissioner of Indian Affairs.

Mr. HENDERSON of Iowa. These deeds or copies of deeds are not made *prima facie* evidence under the provisions of this bill?

Mr. BYNUM. I will state to the gentleman that this does not in my judgment enlarge the powers of evidence as far as these papers are concerned, but simply legalizes the records of the deeds, and approvals of the conveyances, and enables the Commissioner to furnish certified copies under seal.

I demand the previous question.

The previous question was ordered, under the operation of which the bill was ordered to a third reading; and being read a third time, was passed.

On motion of Mr. BYNUM, a motion to reconsider the last vote was laid on the table.

## SUITS AGAINST THE GOVERNMENT.

Mr. CULBERSON. I will call up now Senate bill 1111, to amend the act of Congress approved March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," and yield to the gentleman from New York [Mr. RAY].

The SPEAKER. The bill will be read.

The bill was read, as follows:

*Be it enacted, etc.*, That in addition to the jurisdiction conferred upon the Court of Claims and the district and circuit courts of the United States by sections 1 and 2 of the act of Congress approved March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," the Court of Claims shall have jurisdiction to hear and determine claims, to establish or enforce the rights of claimants to patents from the

United States for lands to which the claimant may be entitled under any law or grant of the United States; and where the value of such claim does not exceed \$5,000 the United States district courts shall have concurrent jurisdiction with said Court of Claims, and where the value exceeds \$5,000 the circuit courts of the United States shall have concurrent jurisdiction with said Court of Claims: *Provided*, That no suit shall be maintained against the United States under this act unless the same shall have been brought within six years after the passage of this act if the right shall have heretofore accrued, or otherwise within six years after the right shall have accrued for which the suit is brought.

SEC. 2. That upon the filing in the office of the Commissioner of the General Land Office of a duly certified copy of any final judgment or decree establishing the right of a claimant to a patent for public land, a patent shall be issued in accordance with said judgment or decree.

Mr. DOCKERY. This appears to be a bill that ought to be explained with some particularity. It strikes down the bar of the statute of limitations, and opens up a new avenue for litigation and liability on the part of the Government.

Mr. RAY. Mr. Speaker, this Senate bill proposes to extend the jurisdiction of the Court of Claims to the hearing and determination of claims to establish the right of claimants to patents for land to which the claimant may be entitled, and also to enforce the right of claimants to patents from the United States to lands to which such claimants may be entitled under any law or grant of the United States and gives to the district courts of the United States concurrent jurisdiction in such matters with certain provisos, one of which is—

That no suit shall be maintained against the United States under this act unless the same shall have been brought within six years after the passage of this act, if the right shall have heretofore accrued, or otherwise within six years after the right shall have accrued for which the suit is brought; and all persons having an interest in the subject-matter of the controversy adverse to the plaintiff shall be made parties defendant.

Now, sir, the bill came from the Senate without two provisions which we added to it in the Committee on the Judiciary, and which were deemed advisable and necessary. One is a provision that a suit brought in the district court of the United States shall be brought within the jurisdiction where the lands, the title to which is in question, or some part thereof, shall be located, and a second amendment provides that all persons having an interest in the subject-matter of the controversy, adverse to the plaintiff, shall be made parties defendant. In other words, we regard it as wise and proper that when these matters come into the courts, a final ending shall be made of the disputed questions, and that all parties known to have an adverse interest shall be made parties and have an opportunity to present their claims and assert their rights. We also confine the jurisdiction of this class of cases when a suit is brought in the United States court to the district courts.

We are of the opinion that suits regarding disputed titles to lands should be within the jurisdiction of the Court of Claims of the United States, and that the district courts of the United States should also have jurisdiction of those questions, and that it should be possible, in those cases where the parties think it proper and best for claimants to go into the district courts of the United States, in the district where the land or some part is situated and have such questions of title settled. As the law now stands, as I understand it, they are compelled to come here to Washington to litigate these matters and settle them in the Interior Department, and when they come here the matters are not litigated in any legal or proper form, but more than half of these disputed questions are tried upon letters and affidavits, and in a manner that does not commend itself to the judgment of lawyers, or to the judgment of men of good common sense.

Mr. HENDERSON of Iowa. Do you mean to say that they are only litigated now in the Land Office?

Mr. RAY. I do not mean to say positively that they are litigated exclusively in that way, but too much so, and I think exclusively in the Interior Department.

Mr. HENDERSON of Iowa. The United States courts have jurisdiction of these questions now, have they not?

Mr. RAY. No, they do not; and, as I understand it, no court has jurisdiction, and they are tried here in the Land Office in the Interior Department.

Mr. HENDERSON of Iowa. Is there any statute of limitations now?

Mr. RAY. I think not. None that I am aware of; there may be. I suppose the Department observes some limitation.

Mr. HENDERSON of Iowa. This is an enlargement of the Tucker act, is it not, in one sense, giving the United States district courts larger jurisdiction?

Mr. RAY. Yes, sir; it is.

Mr. BOWERS. It is simply bringing this class of cases into line with ordinary cases at law.

Mr. RAY. It brings disputed land claims within the jurisdiction of the courts of the United States, where they may be tried in a legal manner under legal forms, before a judge, and if necessary before a judge and jury.

Mr. HENDERSON of Iowa. Should not the United States circuit courts also have jurisdiction, as well as the district courts?

The VICE-PRESIDENT. The resolution will be printed as a document, if there be no objection. The Chair hears none, and that order is made.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House insisted upon its amendments to the bill (S. 111) to amend the act of Congress approved March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CUTLERSON, Mr. GOODNIGHT, and Mr. RAY managers at the conference on the part of the House.

The message also announced that the House insisted upon its amendments to the bill (S. 2137) to amend an act entitled "An act amending the pension law so as to remove the disability of those who, having participated in the rebellion, have since its termination enlisted in the Army of the United States and become disabled," approved March 3, 1887, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MARTIN, Mr. HARRIES, and Mr. JOLLEY managers at the conference on the part of the House.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. 7213) to amend an act entitled "An act authorizing the appointment of receivers of national banks, and for other purposes," approved June 13, 1876; and

A bill (H. R. 9502) to authorize the Trinity River Navigation Company to open to navigation the Trinity River in the State of Texas.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

A bill (H. R. 3310) for the relief of Jerome H. Biddle; and  
A bill (H. R. 2713) in relation to the execution of declarations and other papers in pension claims.

#### REPORTS OF COMMITTEES.

Mr. TURPIE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2337) granting a pension to Stark Frazier;  
A bill (H. R. 4800) granting a pension to James Smith;  
A bill (H. R. 6106) granting a pension to Lydia M. Kennedy, sister of Abram Kennedy;

A bill (H. R. 2068) granting a pension to William H. Brewer;  
A bill (H. R. 6561) granting a pension to Susanna Davis; and  
A bill (H. R. 2399) granting a pension to John Mercer.

Mr. SAWYER, from the Committee on Commerce, to whom was referred the bill (H. R. 7974) to authorize the construction of a bridge over the Tennessee River at or near Deposit, Ala., reported it without amendment.

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3167) restoring the pension of Sallie M. Swigart;  
A bill (H. R. 7235) granting a pension to Mary A. Slipp;  
A bill (H. R. 7236) granting a pension to Julia S. Tompkins;  
A bill (H. R. 3165) granting a pension to Orinda Leach;  
A bill (H. R. 8241) granting a pension to William Oscar Stanley;

A bill (H. R. 7237) granting a pension to James W. Kirtley; and

A bill (H. R. 3170) granting a pension to Sarah A. Noble.

Mr. CULLOM. I am instructed by the Committee on Interstate Commerce, to whom was referred the bill (H. R. 9350) to promote the safety of employes and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes, to report it with an amendment in the nature of a substitute for the House bill and recommending the passage of the substitute. In connection with that bill, I may ask leave later, possibly this afternoon, to file a report.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 2337) for the relief of Jacob Kern, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2126) for the relief of Catharine E. Whitall, reported it without amendment and submitted a report thereon.

Mr. SANDERS. I am instructed by the Committee on Claims, to whom was referred the bill (S. 594) for the relief of Ira L. Kimball, to report it adversely.

The VICE-PRESIDENT. The bill will be indefinitely postponed, being adversely reported.

Mr. SANDERS. I ask that it be placed on the Calendar.

The VICE-PRESIDENT. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (S. 2520) for the relief of Joseph C. Williams, reported it with an amendment, and submitted a report thereon.

Mr. KYFFE, from the Committee on Claims, to whom was referred the bill (S. 2150) for the relief of Mrs. Mary P. C. Dooper, reported it without amendment, and submitted a report thereon.

Mr. VILAS. I am instructed by the Committee on Claims, to whom was referred the bill (S. 504) for the relief of Howard Lodge, No. 13, Independent Order of Odd Fellows, of Galatin, Tenn., to submit an adverse report thereon.

Mr. BATE. I ask that that bill may be placed on the Calendar.

The VICE-PRESIDENT. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. PALMER, from the Committee on Military Affairs, to whom was referred the bill (S. 2798) for the relief of Peter Light, reported it with an amendment, and submitted a report thereon.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (H. R. 7294) granting pensions to army nurses, reported it without amendment, and submitted a report thereon.

Mr. DANIEL, from the Committee on Claims, to whom was referred the bill (H. R. 4993) for the relief of the heirs of John R. Trenton, reported it without amendment, and submitted a report thereon.

Mr. PADDOCK, from the Committee on Pensions, to whom was referred the bill (S. 3255) granting a pension to Marion C. Gurney, reported it without amendment, and submitted a report thereon.

Mr. BLODGETT, from the Committee on Pensions, to whom was referred the bill (H. R. 5766) granting a pension to Miss Adda Poolger, of Lockport, N. Y., reported it without amendment, and submitted a report thereon.

#### NATHANIEL LANG.

Mr. WALTHALL. I am directed by the Committee on Military Affairs to report favorably and without amendment the bill (H. R. 2570) for the relief of Nathaniel Lang.

Mr. SHERMAN. I ask unanimous consent of the Senate to put that bill upon its passage at this time, it being a House bill, and a plain case.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to relieve and absolve Nathaniel Lang from the sentence adjudged against him by a court-martial on January 26, 1865, and to restore him as of that date to his rank as captain of Company F, One hundred and twenty-first Pennsylvania Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### THOMAS C. ELLIS.

Mr. TURPIE. I am directed by the Committee on Pensions to report favorably, and without amendment, the bill (S. 2766) granting a pension to Thomas C. Ellis.

Mr. CAILL. I ask unanimous consent for the immediate consideration of that bill. The case is well known to me. The man is very old, almost totally blind, and in very great need. I hope there will be no objection to its immediate consideration.

The being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension rolls the name of Thomas C. Ellis, a soldier of the Florida Seminole Indian war, and to grant him a pension of \$20 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### ADMINISTRATION OF UNITED STATES GOVERNMENT.

Mr. QUAY. I am instructed by the Committee on the Library to report favorably the joint resolution (H. Res. 155) to authorize and direct the Secretary of State to affix the great seal of the United States to a certain document therein stated, and I ask that it be placed upon its passage.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which is a direction to the Secretary of State to affix the great seal of the United States to the document entitled "The Administration of the United States Government at the beginning of the four hundredth anniversary of the discovery of America."



The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. QUAY. In the same connection I report from the Committee on the Library, a concurrent resolution of the House of Representatives bearing upon the same subject, which I desire placed upon its passage.

The VICE-PRESIDENT. The resolution will be read.  
The Chief Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring), That the sanction of Congress is hereby given to the acceptance by the President of the United States, from James D. McBride, for preservation in the archives of the executive department, of one copy of the "State edition" of a memorial entitled "The administrators of the United States Government at the beginning of the second century," also of one copy of the document entitled "The administration of the United States Government at the beginning of the four hundredth anniversary of the discovery of America."*

The resolution was considered by unanimous consent and agreed to.

Mr. QUAY. I am also instructed to ask for the adoption of the order which I send to the desk in connection with the same subject.

The order was read and agreed to, as follows:

*Ordered, That the Secretary of the Senate be, and he is hereby, authorized and directed to affix the seal of the United States Senate to the document entitled "The administration of the United States Government at the beginning of the four hundredth anniversary of the discovery of America."*

#### ADMISSION OF NEW MEXICO.

Mr. CAREY. I am instructed by the Committee on Territories to report the bill (H. R. 7136) to enable the people of New Mexico to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States, with amendments, and recommend its passage.

I am also instructed by the committee to state that it is not desired to ask for the consideration of the bill until the next session of Congress. At an early day in that session I shall ask for its consideration.

Mr. PLATT. I ought to say that this is not a unanimous report and that I have not been able to bring my mind to assent to it. There are various statistics and facts bearing upon the question whether New Mexico is entitled to admission which I have not been able to obtain, and which the committee has not been able to obtain. The Census Office and the Commissioner of Education are not prepared to furnish us with the data for which we ask.

I therefore ask permission if, on behalf of the minority of the committee, I should feel bound to oppose this bill at the next session, that I may at the commencement of the session file a minority report.

The VICE-PRESIDENT. Permission will be granted in the absence of objection.

#### SMITHSONIAN INSTITUTION REPORTS.

Mr. HAWLEY. On behalf of the Committee on Printing, I submit two reports upon concurrent resolutions for the printing of certain documents, and ask for their pre-ent consideration.

The VICE-PRESIDENT. The first resolution reported by the Senator from Connecticut will be stated.

The Chief Clerk read the resolution, which was submitted by Mr. GIBSON of Louisiana, July 14, 1892, as follows:

*Resolved by the Senate (the House of Representatives concurring), That there be printed of the reports of the Smithsonian Institution and of the National Museum for the year ending June 30, 1891, in two octavo volumes, 19,000 extra copies, of which 3,000 shall be for the use of the Senate, 6,000 for the use of the House of Representatives, 7,000 copies for the use of the Smithsonian Institution, and 3,000 for the use of the National Museum.*

Mr. HAWLEY. The committee directing me to report a number of amendments, which I ask the Secretary to read together, that they may be acted upon in gross.

The VICE-PRESIDENT. The Chief Clerk will report the resolution as proposed to be amended by the committee.

The CHIEF CLERK. It is proposed to amend the resolution, so as to read:

*Resolved by the Senate (the House of Representatives concurring), That there be printed of the reports of the Smithsonian Institution and of the National Museum for the year ending June 30, 1891, in two octavo volumes, 19,000 extra copies, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, 5,000 copies for the use of the Smithsonian Institution, and 2,000 copies for the use of the National Museum.*

The VICE-PRESIDENT. The question is on agreeing to the amendments to the resolution.

The amendments were agreed to.

The resolution as amended was agreed to.

#### YORKTOWN MONUMENT PRESENTATION.

Mr. HAWLEY. I now ask for the consideration of the other concurrent resolution which I reported.

The resolution was considered by unanimous consent and agreed to, as follows:

*Resolved by the House of Representatives (the Senate concurring), That there be printed 5,000 copies of the proceedings attendant upon the formal presen-*

tation of the monument at Yorktown, Va., of which 1,000 copies shall be for the Senate, 2,000 copies for the House, and 2,000 copies (each bound in full leather) to be forwarded by the Department of State to the French Government for distribution among the descendants of our French allies participating in the operations which resulted in the surrender of the force of Lord Cornwallis at that point.

#### REPORT OF MONETARY COMMISSION.

Mr. MANDERSON. I am directed by the Committee on Printing to report favorably, with certain amendments, the concurrent resolution which I send to the desk.

The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read as follows:

*Resolved by the Senate (the House of Representatives concurring), That there be printed 20,000 copies of the report of the Monetary Commission created under the joint resolution of August 15, 1876, being Senate Report No. 703, second session Forty-fourth Congress; 20,000 for the use of the Senate and 10,000 for the use of the House of Representatives.*

The VICE-PRESIDENT. The resolution will be reported as proposed to be amended.

The CHIEF CLERK. It is proposed to amend the resolution so as to read:

*Resolved by the Senate (the House of Representatives concurring), That there be printed 30,000 copies of the report of the Monetary Commission created under the joint resolution of August 15, 1876, being Senate Report No. 703, second session Forty-fourth Congress; 10,000 for the use of the Senate and 20,000 for the use of the House of Representatives.*

The amendments were agreed to.

Mr. COCKRELL. Do I understand that it is the report of the committee and not the accompanying documents which it is intended to print?

Mr. MANDERSON. Not the appendices and not the testimony, but the report proper of the committee, which is rather a small volume, for which there is a very great demand, and the edition is entirely exhausted.

The resolution as amended was agreed to.

#### BILLS INTRODUCED.

Mr. JONES of Arkansas introduced a bill (S. 3465) to amend section 22 of an act entitled "An act to regulate commerce," approved February 4, 1887, and amended March 2, 1889, and to permit common carriers to allow reduced rates to persons traveling on missions of mercy or charity, and to commercial travelers, and other persons habitually traveling from point to point on any legitimate business; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. McMILLAN introduced a bill (S. 3466) to remove the charge of desertion against William Cooper; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. QUAY introduced a bill (S. 3467) granting a pension to John W. Bennett; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

#### TEMPORARY ERECTION OF OVERHEAD WIRES IN THE DISTRICT.

Mr. McMILLAN. I introduce a joint resolution, which I ask unanimous consent to have immediately considered.

The joint resolution (S. R. 103) giving authority for the erection of overhead wires for the illumination of the city of Washington during the encampment of the Grand Army of the Republic during September, 1892, was read the first time by its title, and the second time at length, as follows:

Whereas it is proposed during the approaching reunion of the Grand Army of the Republic to make provisions for the suitable illumination of the streets, avenues, and public grounds, which illumination can not be effected unless additional overhead wires for electrical purposes are temporarily strung; and

Whereas the Commissioners of the District of Columbia are prohibited by existing law from authorizing any overhead wires for electrical purposes to be strung on or over any street or avenue of the said city; Therefore

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are hereby authorized to permit the committee on illumination of the citizen's executive committee for the entertainment of the twenty-sixth national encampment of the Grand Army of the Republic to stretch suitable conductors with sufficient supports, whenever necessary for the purpose of effecting the said illumination; Provided, That the said conductors shall not be used for the conveying of electrical currents after September 25, 1892, and shall with their supports be fully and entirely removed from the streets and avenues of the said city of Washington on or before November 1, 1892; Provided further, That the stretching and removing of the said wires shall be under the supervision of the Commissioners of the District of Columbia, who shall see that the provisions of this resolution are enforced; that all needless precautions are taken for the protection of the public; and that the pavement of any street, avenue, or alley disturbed in as good condition as before entering up in the work herein authorized; Provided further, That no expense or damage on account of, or due to the stretching, operation, or removing of the said temporary overhead conductors shall be incurred by the United States or the District of Columbia.*

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.



desertion from the record of Patriek Larkin, submitted an adverse report thereon, which was agreed to, and the bill was postponed indefinitely.

#### DISTRICT MEDICAL SOCIETY.

Mr. GALLINGER. On the 12th day of April last a resolution was sent to the Committee on the District of Columbia, asking that committee to inquire and report "whether the medical society in said District admits to its membership colored physicians or physicians who have been or may be teachers in the medical school of Howard University, being in all respects otherwise qualified, or makes any distinction in its membership by reason of color or official relation to said university.

The committee have investigated the matter committed to them, having taken testimony on both sides. I am instructed to make a report and ask that it be printed.

The VICE-PRESIDENT. It will be so ordered.

#### MEDALS TO OFFICERS AND CREW OF THE BALTIMORE.

Mr. SHERMAN. I am directed by the Committee on Foreign Relations, to whom was referred the joint resolution (H. Res. 80), authorizing the acceptance of medals presented to the officers and crew of the United States steamship Baltimore by the King of Sweden, to report it favorably without amendment, and as it is an act of courtesy by a friendly power to officers of the Navy of the United States, I ask that the joint resolution be read for immediate consideration.

The joint resolution was read, and, by unanimous consent, the Senate, as Committee of the Whole, proceeded to its consideration.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### NICARAGUAN MARITIME CANAL.

Mr. SHERMAN. I am directed by the Committee on Foreign Relations to report a resolution, and I ask for the action of the Senate upon it.

The resolution was read, as follows:

*Resolved*, That the Committee on Foreign Relations is directed to continue the investigation directed by resolution of the Senate of January 7, 1892, in respect to the Maritime Canal Company of Nicaragua, during the recess of the present Congress, with the same powers conferred by said resolution, and to report by bill or otherwise on or before the second Monday of the next session of the Senate.

Mr. COCKRELL. Has the resolution been to the Committee on Contingent Expenses? Does it not properly go to that committee?

Mr. SHERMAN. Early in the present session—

Mr. PADDOCK. Let the resolution be read again.

Mr. SHERMAN. I think it had better be read again. It is simply to continue the inquiry of the Committee on Foreign Relations as to the Nicaragua Canal during the recess, under a resolution which was adopted early in the present session, the committee concluding not to act upon the subject during the present session. It involves no expense, but it simply gives authority for the committee to meet during the recess and to make a report at the next session.

Mr. PADDOCK. It makes no charge on the contingent fund?

Mr. SHERMAN. It makes no charge on the contingent fund.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. TURPIE. I think it would be better to consider the resolution at a later day in the session.

The VICE-PRESIDENT. Does the Senator from Indiana object to its present consideration?

Mr. TURPIE. Yes, sir.

The VICE-PRESIDENT. Objection is made.

Mr. SHERMAN. Does the Senator from Indiana object?

The VICE-PRESIDENT. He does.

Mr. SHERMAN. Then the resolution goes on the Calendar.

The VICE-PRESIDENT. The resolution will be placed on the Calendar.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9172) to incorporate the Washington and Great Falls Railway Company, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEARD, Mr. COBB of Alabama, and Mr. POST managers at the conference on the part of the House.

The message also announced that the House had passed the following bills: in which it requested the concurrence of the Senate:

A bill (H. R. 6973) to authorize the Postmaster-General to provide mail service, and for other purposes; and

A bill (H. R. 9023) to grant the right of way to the Pensacola

Terminal Company through the lands of the naval reservation near Pensacola.

#### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the Vice-President:

A bill (H. R. 2370) for the relief of Nathaniel Lang;

A bill (H. R. 5446) to provide for the care of dependent children in the District of Columbia and to create a board of children's guardians;

A bill (H. R. 5997) to amend section 2 of an act approved May 14, 1880, being "An act for the relief of settlers on public lands;"

A bill (H. R. 6991) to amend "An act to authorize the construction of a bridge across the Tennessee River at or near Knoxville, Tenn.," approved August 9, 1888;

A joint resolution (H. Res. 102) requesting the loan of certain articles for the World's Columbian Exposition;

A joint resolution (H. Res. 108) extending the time in which certain street railroads compelled by act of Congress approved August 6, 1890, to change their motive power from horse-power to mechanical power for one year; and

A joint resolution (H. Res. 155) to authorize and direct the Secretary of State to affix the great seal of the United States to a certain document therein stated.

#### ROCK CREEK SEWERAGE SYSTEM.

Mr. McMILLAN submitted the following resolution: which was considered by unanimous consent, and agreed to:

*Resolved*, That the Engineer Commissioner of the District of Columbia be, and he is hereby, instructed to prepare plans, specifications, and estimates for converting Rock Creek, below the north line of Massachusetts avenue, into a closed sewer and filling in between the banks of the creek; also to prepare an estimate of the value to the Government of the land reclaimed by such work in excess of the probable judgment of condemnation, said report to be made at the beginning of the next session of Congress.

#### PUBLIC FOREST RESERVATIONS.

Mr. PADDOCK submitted the following resolution: which was referred to the Committee on Printing:

*Resolved*, That 5,000 copies of the bill S. 3225, entitled "A bill to provide for the establishment, protection, and administration of public forest reservations, and for other purposes," together with the written report of the Committee on Agriculture and Forestry accompanying the same, be printed and placed in the document room of the Senate for the use of Senators, 1,000 copies of which number shall be for distribution by the Committee on Agriculture and Forestry.

#### RETAIL PRICES AND WAGES.

Mr. CARLISLE. I submit a resolution, and ask that it be read and considered.

The resolution was read, as follows:

*Resolved by the Senate*, That 10,000 copies of the table showing "Retail prices of commodities in England in June, 1889, and September, 1891," prepared under the direction of a subcommittee of the Committee on Finance, be printed for the use of the Senate as a supplement to Report No. 1885 made by said Committee on Finance under the Senate resolution of March 3, 1891.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none, and the question is on agreeing to the same.

Mr. SHERMAN. I ask the indulgence of the Senate to have the resolution read again. I did not hear it, but I have no doubt it is all right.

Mr. CARLISLE. I will state to the Senator what it provides for, if that will answer as well. The subcommittee made inquiry as to the retail prices in England of a large number of articles, something over 200 I believe, on the 1st of June, 1889, and on the 1st of September, 1891. The returns were made to the committee, and are printed in the large volume which accompanies the report.

The committee also ascertained the rates of wages in England in a large number of occupations during that time. The Statistician in his report to the subcommittee, which is printed as an appendix to the committee's report, alludes to both of these tables, but omits to publish the table showing the retail prices, publishing, however, the table which shows the rates of wages. The report as to England is not complete without the publication as a supplement to it of the table showing the retail prices as well as the table showing the rates of wages.

I looked over this report in the Statistician's office when it was in manuscript, or typewritten rather, and thought at that time the table showing the retail prices accompanied it because the sheets were loose and each table was on a separate sheet of paper, and when I came to the tables in my examination, of course they were laid to one side and not carefully examined. But on coming to examine the report in print I find that that table is omitted, and I simply ask the Senate to order the same number of that table printed as of the report itself, 10,000 copies.

Mr. SHERMAN. I now understand it. I am not a member of the subcommittee which reported these papers. I have no doubt what the Senator from Kentucky says is correct, and that

the table ought to be published; but as the Senator from Iowa [Mr. ALLISON] and the Senator from Rhode Island [Mr. ALDRICH] are not in their seats, I ask the Senator from Kentucky to let the resolution be passed over until they come in. I have no doubt it will be satisfactory as soon as they come in.

Mr. MANDERSON. I think the resolution should be referred to the Committee on Printing.

Mr. CARLISLE. Perhaps it is a matter of no importance, but I call the attention of the chairman of the Committee on Printing to the fact that the report as printed purports to be made in response to Senate resolution of March 3, 1892, whereas in fact it is in response to Senate resolution passed March 3, 1891.

Mr. MANDERSON. I think, beyond question, that the table which is referred to should be printed as a part of the report. It seems to be a part of the document. The only embarrassment there is about the passage of the resolution is the statute, which requires that in order to print matter by either House it must be within the limit of cost of \$500. I ask the Senator from Kentucky whether he has made the necessary inquiry to find if this could be added to the number of 16,000 copies within the limit of \$500?

Mr. CARLISLE. The Senate has ordered 16,000 copies of the report to be printed. I am not apprised as to the cost of printing those 16,000. Will the Senator inform me?

Mr. MANDERSON. It will be, as I recall, \$480; within \$20 of the limit of \$500.

Mr. CARLISLE. That report, as printed, contains one hundred and twenty pages. This table covers about seven pages. I am not able, of course, to state what the cost will be.

Mr. MANDERSON. If the Senator will refer the resolution to the Committee on Printing we can make a speedy report upon it.

Mr. CARLISLE. I have no objection.

Mr. HARRIS. Let it be referred, and let the Senator from Nebraska report it back to-morrow, if possible.

Mr. MANDERSON. I will try to do so.

Mr. CARLISLE. It is an important table, and the report will be incomplete without it.

The resolution was referred to the Committee on Printing.

#### HOUSE BILL REFERRED.

The bill (H. R. 9023) to grant the right of way to the Pensacola Terminal Company through the lands of the naval reservation near Pensacola was read twice by its title, and referred to the Committee on Naval Affairs.

#### RELATIONS BETWEEN EMPLOYER AND EMPLOYÉ.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day.

The CHIEF CLERK. A resolution, by Mr. PEPPER, instructing the Committee on the Judiciary to make certain inquiries in regard to the relations between employer and employé, and report the result of the same to the Senate.

Mr. PEPPER. Mr. President, I desire to make a very brief statement of the object and purport of the resolution. I shall not occupy more than five or ten minutes, if I am not interrupted.

Mr. GALLINGER. I ask for the reading of the resolution before the Senator from Kansas proceeds.

The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution, submitted by Mr. PEPPER on the 21st instant, as follows:

*Resolved by the Senate, That the Committee on the Judiciary be, and it is hereby, instructed to inquire and report—*

First, Whether, in the present state of the law as it concerns the relations between employer and employé, the former enjoys the privilege of determining and enforcing the rate or amount of wages to be paid to the employee for work and labor to be performed.

Second, Whether, in case the first query is answered in the affirmative, the resulting condition is conducive to the good of society or tends to promote the general welfare.

Third, Whether, in case the second query is answered in the negative, Congress has jurisdiction over the subject-matter to the extent of providing remedial legislation.

Fourth, And, if the third query is answered in the affirmative, what legislation, if any, is necessary to afford proper relief.

Mr. PEPPER. Mr. President, it is not my purpose to discuss the subject-matter involved in the resolution, but simply to make a few brief statements concerning what is involved in it.

First, it is proposed that the Committee on the Judiciary shall simply examine the state of the law in relation to employer and employé. We have what we call the law of landlord and tenant, and we have many other double relations in the law, with which all lawyers are familiar. But in this case it is a new relation, or rather, it is the presentation of a new phase of an old relation that is submitted.

We have been having labor troubles, as we call them, for a long time; but we have been looking in the wrong direction for a solution of these troubles. The reason of it is that we have been accustomed to regard them as a contest between labor and capi-

tal. That is not the true statement of the situation. The working people of to-day in this country and all other countries have no sort of objection to the accumulation of property by individuals through their own labor and the exertion of their own personal efforts. They have no sort of jealousy against persons who are in the enjoyment of the comforts of this life. What they object to is what they regard as a usurpation upon the part of employers, a usurpation of the rights of the workman; and this that we now call "labor trouble" is simply a resistance to that oppression. It is a contest between two classes of citizens, therefore, the employer and the employé—one made up of a very few of the citizens, comparatively, and the other composed of a vast multitude of the toiling people.

Under the present state of the law the employer has the right, and he exercises the right—perhaps I ought to use the word privilege—he has the privilege, and he exercises the privilege of not only determining the rate and amount of wages to be paid to the employé, but he has and enjoys the privilege of dictating to the employé what rate and amount of wages he shall receive and accept. This seems to be an erroneous statement of the relation, simply because we have been accustomed to looking at it from a different standpoint. It is generally understood and agreed that the employer has a right—not simply a privilege but a right—to manage his own business in his own way. I do not propose to discuss that question, although that is not a truthful statement of it.

In that connection I wish to refer to a few statements made by representative newspaper writers. I gather them from Public Opinion. They are paragraphs from half a dozen different papers, perhaps, and they are marked. I will not take time to read them, simply stating what they are. They make the point that the employer or manager of any business has a perfect right to manage and conduct his business in his own way to please himself, and I shall have them incorporated with my remarks.

The extracts referred to are as follows:

[Harper's Weekly (Independents), July 16.]

It is a disgrace to the nation that the paternal discussion of the affair by the press and by legislators has complicated and obscured the real question at issue. The spirit of the demagogue, who is afraid lest voters of readers be made foes if he dare call murder and robbery by their right names, has been too manifest. The journal or the public man that approves the lawless mob of Homestead or its leaders insults the workmen of the nation by assuming that they are at heart robbers and murderers. No sympathy can be too deep for those and their families who are called to face the loss of life, blood, nor for the men who, in the sincere belief that they are asserting their own rights, destroy themselves in attacks on the rights of others. But personal sympathy with individual aids must not affect our judgment upon a crisis in which the order and the order of society are at stake.

[New York Independent (Independents), July 14.]

The rational mistake of the workmen at Homestead was not in refusing to accept the best terms the company owning the mills would concede; it was in striking in a body and leaving the mills silent at a great daily loss to the proprietors; it was in assuming to control property of which they owned not a single dollar's worth; in usurping the right of the legal owners to possess their own property at Homestead. If capital were to usurp a corresponding right over labor every right-thinking man would instantly condemn it. The employé has a right to the full product of his own labor. This must be maintained as a fundamental principle. Capital has a right to the full control of its own property. This too is a fundamental principle. Whenever either is denied, it is the supreme office of the law to vindicate the violated right.

[Boston Journal (Republicans), July 12.]

The function of the authorities now is not merely to prevent overt acts of violence, but to restore the property which has been jeopardized to its rightful owners. Other questions will have to wait until this is settled. Until access to the Carnegie works is free and unimpeded, and the rioters lay down their arms, it is only force which prevails, even though the method be temporarily quiet. Negotiation, and, if that be possible, arbitration, must come after, not before, the laws are vindicated.

[Baltimore Sun (Democrats), July 13.]

A day must come when the militia will have to be withdrawn, and the citizen soldier suffered to return to his family and his ordinary avocations. A day will shortly come when the unemployed workman will find it necessary either to remove from Homestead and seek work, and wages elsewhere, or else come to some terms with his former employer.

[Pittsburg Independent (Independents), July 12.]

The decision of the wages dispute will thus be left to pacific methods. In the end the workmen can hope for success from two sources, and only two. The first is that with the evident sympathy and aid from labor the whole community over, they may on the one hand be able to maintain their position, while the indisposition of labor generally to take work in the mills will make it difficult to run the works without them. The other possibility, though not a remote one is that which the great majority of the public would regard to be the final reaching of a point where the firm will consent to a joint hearing of the case with a view to a compromise, either by conference or arbitration.

[New York Press (Republicans), July 19.]

The wrong on the part of the workmen has been their interference to prevent the operation of the works. Under the law the company has the right to do as it pleases with its own property, and no one has any right to prevent it. The same law covers the manufactory that covers the home purchased by the workman. The managers of the Homestead works have the undoubted right under the law to employ whom they please at whatever rates of wages their employés are willing to accept.

[Pittsburg Commercial Appeal (Republicans), July 12.]

The only sensible and reasonable course is for the men to make a complete and final surrender of their property, leaving its future use and occupancy at the disposal of its owners.

Mr. WASHBURN. This is not a motion to adjourn. I will yield to the Senator from Montana when it is disposed of.

Mr. SANDERS. All right.

The VICE-PRESIDENT. The question is on the amendment offered by the Senator from New York to the motion made by the Senator from Minnesota. The amendment is that when the Senate adjourn to-day it be to meet on Monday next.

The amendment was rejected.

The VICE-PRESIDENT. The question recurs on the motion made by the Senator from Minnesota, that when the Senate adjourn to-day it be to meet at 11 o'clock to-morrow.

The motion was not agreed to.

#### MARYLAND AND WASHINGTON RAILWAY.

Mr. SANDERS. I ask unanimous consent to call up the bill (H. R. 4667) to incorporate the Maryland and Washington Railway Company.

By unanimous consent, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. SANDERS. The bill has been read and there was an amendment pending to it offered by myself. The Senator from Tennessee [Mr. HARRIS] who has charge of the bill signified the other day his willingness, if I would withdraw the amendment which I had presented, to himself propose another amendment. With that action I will be content if I can have leave to withdraw the amendment which I offered.

Mr. HARRIS. My suggestion was that I would not object to it, but I will offer the amendment. I believe I have a memorandum of it here. It is to that part which limits the issuance of stock, that it shall be so modified as to provide that no greater amount of stock shall be issued than the actual cost of construction, equipment, and procuring the right of way.

The VICE-PRESIDENT. The amendment proposed by the Senator from Montana is withdrawn. The amendment moved by the Senator from Tennessee will be stated.

The SECRETARY. In section 12, line 2, strike out the word "and" and insert "the" before the word "amount;" after the word "amount" strike out "not to exceed 10 per cent;" and in line 3, strike out "over the" and insert "of the actual;" so as to read:

SEC. 12. That the said company is hereby authorized to issue its capital stock to the amount of the actual cost of construction, equipment, and purchase of right of way and ground necessary for its proper working.

Mr. HAWLEY. I should like to add to the provision these words:

Which sum shall first be ascertained and authorized upon petition therefor to the supreme court of the District of Columbia, under such rules and regulations as the chief justice and judges thereof shall prescribe, efficient to limit the stock of such corporation in the aggregate to the actual necessary cost thereof, and 10 per cent added.

Mr. HARRIS. I have no objection to the amendment being incorporated here and now, but I will state to the Senator that precisely the question involved was considered by a conference committee of the two Houses this evening, and with some slight modifications of phraseology the principle was incorporated by the unanimous action of the conference committee. This clause being amended, it will go to conference and the subject-matter will be considered. I have no objection, however, to the Senator's amendment.

Mr. COCKRELL. The words "and 10 per cent added," should not be in.

Mr. HARRIS. No, not 10 per cent added.

Mr. CHANDLER. That has been left out.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

Mr. HAWLEY. I have read it. After the word "working," in line 4 of section 12, add what I have read.

Mr. FRYE. I should like an executive session. We might have one while the Senators are arranging the amendment.

Mr. HAWLEY. The Senator from Tennessee informs me that substantially this amendment is already contained in a proposed act, or do I understand that it will be done in conference?

Mr. HARRIS. Not in this bill, but the principle will be inserted when it goes into conference just as we have agreed to it in another bill.

Mr. HAWLEY. On the assurance that this is likely to be done, or is certain to be done, as has just been done in a previous conference, I will withdraw the amendment.

The VICE-PRESIDENT. The amendment to the amendment is withdrawn. The question is on agreeing to the amendment of the Senator from Tennessee [Mr. HARRIS].

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. HARRIS. I move that the Senate request a conference with House of Representatives on the bill and amendment.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. HARRIS, Mr. McMILLAN, and Mr. PERKINS were appointed.

#### EL RENO, OKLA.

Mr. CAREY. I ask unanimous consent for the present consideration of Order of Business 554, Senate bill 2829.

The VICE-PRESIDENT. The title of the bill will be stated.

The SECRETARY. A bill (S. 2830) for the relief of the inhabitants of the town of El Reno, Okla.

Mr. BERRY. I object to taking up the bill at this hour of the evening.

The VICE-PRESIDENT. Objection is made; and the question recurs on the motion of the Senator from Maine [Mr. FRYE] that the Senate proceed to the consideration of executive business.

Mr. HISCOCK. I wish the Senator from Maine would yield to me to call up a bill.

Mr. FRYE. If I yield to anyone I must yield to the Senator from Nebraska [Mr. PADDOCK], who came to me some time ago and made a similar request.

#### FORT RANDALL MILITARY RESERVATION.

Mr. PADDOCK. I ask unanimous consent of the Senate for the consideration of a bill which is of local concern.

Mr. FRYE. I yield to the Senator from Nebraska.

Mr. PADDOCK. That is very kind of the Senator. I ask unanimous consent for the present consideration of Order of Business 805, being Senate bill 2931, in relation to a matter in my own State, which is approved by the Secretary of the Interior and the Secretary of War, and carries the unanimous report of the Committee on Public Lands in its favor.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2931) to provide for the survey and transfer of that part of the Fort Randall military reservation in the State of Nebraska to said State for school purposes.

The bill was reported from the Committee on Public Lands with an amendment to strike out all after the enacting clause and insert:

That the odd-numbered sections in the portion of the Fort Randall military reservation situated in the State of Nebraska, after the same shall have been surveyed as herein provided, may be selected by the State of Nebraska at any time within one year after the filing of the official plats of survey in the district land office as a part of the lands granted to said State as school indemnity for school lands lost in place under the provisions of "An act to provide for the admission of the State of Nebraska into the Union," approved February 9, 1867; *Provided*, That no existing lawful rights under any of the land laws of the United States providing for the disposition of the public lands shall be prejudiced by this act; *And provided further*, That said lands shall be accepted by said State of Nebraska in full satisfaction of lawful claims now existing, or that may hereafter arise, for school-land indemnity for a corresponding number of acres, upon assignment of the bases of the claims by description and selection in accordance with the regulations of the Interior Department within the period of limitation aforesaid; such selections to be equally distributed, so far as practicable, among the several townships.

SEC. 2. That the even-numbered sections, and all of the odd-numbered sections in said reservation not selected under the provisions of section 1 of this act, shall be open to settlement under the homestead law only.

SEC. 3. That the Secretary of the Interior be, and is hereby, authorized and directed to cause the lands embraced in that part of the said military reservation of Fort Randall in the State of Nebraska to be regularly surveyed by an extension of the public surveys over the unsurveyed portions of the same.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

On motion of Mr. PADDOCK, the title was amended so as to read: "A bill to provide for the survey and transfer of that part of the Fort Randall military reservation in the State of Nebraska to said State for school and other purposes."

#### IMMIGRATION AND CONTRACT LABOR LAWS.

Mr. CHANDLER. I ask unanimous consent of the Senate for the present consideration of Senate bill 3240, Calendar No. 820.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3240) to facilitate the enforcement of the immigration and contract labor laws of the United States.

The Secretary proceeded to read the bill.

Mr. CHANDLER. In line 8, of section 2, I move to strike out the words "oath or affirmation" and insert the word "declara-

tion;" and in line 9, after the word "or," to insert the word "of."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In section 2, line 8, after the words "and the," it is proposed to strike out "oath or affirmation" and insert "declaration;" and in line 9, after the word "or," to insert the word "of;" so as to read:

Each list or manifest shall be verified by the signature and the declaration of the master or commanding officer or of the officer next below him in command, etc.

Mr. GORMAN. This is probably a proper bill, but I suggest to the Senator that at this hour of the evening, and with a thin Senate, it is hardly right to consider such a bill.

Mr. CHANDLER. If the Senator will allow me, I will state that this bill, although of some importance, is not a bill which involves any difference of opinion either in the House or Senate. It is unanimously agreed to by the Senate Committee on Immigration and by the House Committee on Immigration. Under those circumstances I hope the Senator will allow the bill to pass. It has been carefully examined by every member of the Senate committee and by every member of the House committee. It is a carefully prepared bill, which involves no controversy whatever with anyone as to anything in it.

Mr. HAWLEY. It occurs to me to ask whether the bill has been submitted to the commissioners of immigration or the owners of the great ships who are familiar with the subject; for, as I heard the long list of questions read, I could not help thinking how, by whom, and at what expenditure of time these questions should all be answered and these blanks all filled? I think some of the vessels would have to wait two or three weeks before they could get started.

Mr. CHANDLER. I desire to say to the Senator from Connecticut that the bill has been submitted to the steamship owners to whom he refers, and they have not made strenuous opposition to it. If, as the Senator says, it will take three or four weeks for them to make sufficient examination of a dozen immigrants to get started, I should like to ask him how long it will take us to examine them after they get over here. We examine five thousand in one day; and the Senator seems to think that it will take three weeks for them to get on board the ship.

Mr. HAWLEY. I am not making any special fight against the bill.

Mr. CHANDLER. I do not understand that the Senator is.

Mr. HAWLEY. Who fills out the blanks?

Mr. CHANDLER. The steamship companies are to bring a manifest of their passengers, just as they bring a manifest of their merchandise.

Mr. HAWLEY. With all these questions to be answered?

Mr. CHANDLER. They are to answer them, and the clerks on the docks will fill up the blanks. When the blanks are filled up, not more than thirty names on a blank, they are taken on board and the passengers go over them, and when the ship reaches the dock the papers are handed to the inspectors. It is the simplest process in the world. There is no difficulty in conforming to it; and, as I say, the steamship owners, while they do not care to do this, have made no strenuous opposition to it.

Mr. HAWLEY. The idea is a correct one. Looking at this matter some time ago, I thought it probably could be done by our consuls, and then we could be certain of the thoroughness of the returns they made. Of course that will involve some expenditure. I do not see why a consul, who takes great pains to examine and certify to a bill of lading, would not take as much pains with this.

The VICE-PRESIDENT. Is there objection to the consideration of the bill?

Mr. CHANDLER. I no longer understand that the Senator from Maryland [Mr. GORMAN] objects.

Mr. HAWLEY. I make no objection.

Mr. GORMAN. I did not make a formal objection, but I saw that there was not a member of the committee on this side of the Chamber present, and at this hour of the evening I thought it was hardly proper to consider so important a bill.

Mr. CHANDLER. I make the suggestion that, if the Senator will allow the bill to be read through and allow one or two amendments to be adopted, I shall not ask to have the bill passed to-night.

Mr. GORMAN. I make no objection to that course being pursued.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from New Hampshire [Mr. CHANDLER], which has been read.

The amendment was agreed to.

The reading of the bill was resumed.

Mr. CHANDLER. In section 2, line 9, I move to strike out the word "next" and insert "first or second;" and strike out the words "taken before" and insert the words "attested by."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In section 2, line 9, after the word "of-fer," it is proposed to strike out "next" and insert "first or second;" and in the same line, after the word "command," to strike out "taken before" and insert "attested by;" so as to read:

The list or manifest shall be verified by the signature and the declaration of the master or commanding officer or of the officer first or second below him in command, attested by the United States consul or consular agent at the port of departure, before the sailing of said vessel.

The amendment was agreed to.

The reading of the bill was resumed.

Mr. CHANDLER. In section 3, line 3, after the word "make," I move to strike out "oath or affirmation" and insert "declaration;" so as to read, "and make declaration in like manner before said consul or consular agent."

The amendment was agreed to.

The reading of the bill was resumed.

Mr. CHANDLER. In section 8, line 5, before the word "kept," I move to strike out the words "placed, and" and insert "furnished to be;" and also in line 11, to strike out the word "placed" and insert "to be exposed to view."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In section 8, line 5, before the word "kept," it is proposed to strike out "placed, and" and insert "furnished to be;" and in line 11, strike out the word "placed" and insert "to be exposed to view;" so as to read:

SEC. 8. That all steamship or transportation companies, and other owners of vessels, regularly engaged in transporting alien immigrants to the United States, shall twice a year file a certificate with the Secretary of the Treasury that they have furnished to be kept conspicuously exposed to view in the office of each of their agents in foreign countries, authorized to sell emigrant tickets, a copy of the law of March 3, 1891, and of all subsequent laws of this country relative to immigration, printed in large letters, in the language of the country where the copy of the law is to be exposed to view, and that they have instructed their agents to call the attention thereto of persons contemplating emigration before selling tickets to them, etc.

The amendment was agreed to.

The reading of the bill was resumed.

Mr. CHANDLER. I move to strike out section 9.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to strike out section 9, as follows:

SEC. 9. That the temporary removal of alien immigrants prior to examination, provided for in section 8 of the act of March 3, 1891, shall be made in all cases of arrivals at the port of New York where the number of immigrants upon one vessel exceeds one hundred and fifty; and it shall be discretionary with the Commissioner of Immigration to examine a smaller number of immigrants on board the vessel.

The amendment was agreed to.

The reading of the bill was resumed.

Mr. CHANDLER. In section 10, line 1, after the words "after the," I move to strike out "30th day of June, 1892," and insert "1st day of January, 1893."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In section 10, line 1, after the word "the," it is proposed to strike out "30th day of June, 1892," and insert "1st day of January, 1893;" so as to read:

SEC. 10. That after the 1st day of January, 1893, all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with the Ellis Island immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Secretary of the Treasury may prescribe.

The amendment was agreed to.

The reading of the bill was resumed.

Mr. CHANDLER. In section 11, line 3, before the word "days," I move to strike out "thirty" and insert "sixty."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In section 11, line 3, before the word "days," it is proposed to strike out "thirty" and insert "sixty;" so as to make the section read:

SEC. 11. That this act shall not apply to Chinese persons, and shall take effect as to vessels departing from foreign ports for ports within the United States after thirty days from the passage of this act.

The amendment was agreed to.

The VICE-PRESIDENT. The reading of the bill is concluded. The question recurs on the motion submitted by the Senator from Maine [Mr. FRYE] that the Senate proceed to the consideration of executive business.

Mr. CHANDLER. I ask the Senator from Maryland if he would prefer not to have this bill acted on to-night?

Mr. GORMAN. I think it had better go over, under the circumstances.

Mr. CHANDLER. What will be the position of the bill?

The VICE-PRESIDENT. The bill will be returned to the Calendar without prejudice.

JAMES SMITH.

Mr. DUBOIS. I ask the Senator from Maine to yield to me

The PRESIDING OFFICER. The Chair does not understand whether the suggestion of the Senator from New York contemplates taking up of the pending bill immediately after the reading of the Journal or not.

Mr. HISCOCK. My suggestion was that after the conclusion of the Senator's remarks we may then proceed with the business that we are accustomed to transact in the morning hour, by unanimous consent, or go to the Calendar, or anything else.

Mr. GEORGE. I shall be very much obliged to the Senate if it makes that kind of an arrangement.

Mr. CULLOM. The reason for the request is on account of the heat later in the day, I understand.

Mr. GEORGE. Yes, owing to the state of my health.

Mr. WASHBURN. I give notice that immediately after the routine business on Monday I shall move to take up the bill without any reference to the morning hour.

Mr. MITCHELL. I think unanimous consent should be given to the request of the Senator from Mississippi, without reference to the order of business in the morning hour.

The PRESIDING OFFICER. The Chair does not understand what the pending request is.

Mr. GEORGE. The pending request now, as amended by the suggestion of the Senator from New York (and I take his suggestion and amend my request in that way), is that immediately after the reading of the Journal on Monday morning the bill be taken up with a view of allowing me to address the Senate upon it, and after that—

The PRESIDING OFFICER. The Chair understood that to be the modified request, but also understood that objection was made to it.

Mr. CAREY. I did not object.

Mr. PUGIL. There was no objection made.

The PRESIDING OFFICER. The Chair will state the request again. The request of the Senator from Mississippi is that the pending bill be taken up on Monday morning immediately after the reading of the Journal. Is there objection?

Mr. HISCOCK. And at the close of his remarks the morning hour will commence.

The PRESIDING OFFICER. And at the close of the remarks of the Senator from Mississippi the routine business may be received.

Mr. WASHBURN. Yes, the routine business, and after the routine business I shall move to proceed to the consideration of the pending bill.

The PRESIDING OFFICER. After the routine business the pending bill will be the unfinished business.

Mr. PLATT. No, that is not agreed to.

Mr. CULLOM. Let the request of the Senator from Mississippi be put by itself.

Mr. PLATT. The Senator from Minnesota gives notice that after the routine business has been completed he will move to continue the consideration of this bill, but there are numerous Senators here who want to get some time Monday for the business which is usually done in the morning hour.

Mr. CAREY. I wish to make this request to the Senate, that on Tuesday we take up the Calendar before 2 o'clock, after the routine business, and proceed with the Calendar from day to day until we have gone through with it. There are a number of bills on the Calendar—

The PRESIDING OFFICER. The Chair will first submit the pending request. The request now is that the bill be taken up immediately after the reading of the Journal on Monday, and that the routine business be resumed after the remarks of the Senator from Mississippi.

Mr. COCKRELL. For the usual time.

The PRESIDING OFFICER. For the usual time, during the morning hour.

Mr. COCKRELL. I hope that will be agreed to.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CAREY. I ask unanimous consent (though it does not appear to be necessary, as it is the rule) that we proceed to the Calendar on Tuesday and each day thereafter, to be interfered with by appropriation bills only, until we have gone through with the Calendar under Rule VIII. That will only take up the time until 2 o'clock.

Mr. WASHBURN. I give notice that every day after the routine business, until Congress adjourns or this bill is acted upon, I shall move to take it up for consideration.

The PRESIDING OFFICER. The Chair understands the request suggested by the Senator from Wyoming to be now the rule of the Senate, and that after the morning business the Calendar is in order until 2 o'clock.

Mr. CAREY. I am a young member of this body, and I dislike very much to object to bills when they are called up, but they run in on unanimous consent, and we can not consider the

bills on the Calendar regularly. Two or three days ago we considered every House bill that was reported up to the 20th of this month, and it will not probably take over two or three hours to go through the Calendar and pass the bills on it that are unobjectionable.

Mr. CULLOM. The Senate bills?

Mr. CAREY. The Senate bills. It seems to me that we have done a very kind thing to the House bills, and I do not see why a little kindness should not be meted out to members of this body who are interested in getting the Senate bills off the Calendar.

Mr. COCKRELL. Let me suggest to the Senator from Wyoming that what he asks is now the rule and order of the Senate: that as soon as the routine morning business is concluded the presentation of petitions, making of reports, introduction of bills, and so on, the Calendar is in order, to be taken up at the point reached when it was last under consideration. Now, all the Senator has to do is to insist upon that rule being enforced and to give notice of it. I have been trying to get it enforced for a long time, and I am glad that I am going to find some help now.

Mr. CAREY. If I had objected to the request for unanimous consent by any Senator it would have been looked upon as a very discourteous thing, and I want now in some way or other to get the consent of this body so that we shall not be compelled to object and do a discourteous thing.

The PRESIDING OFFICER. The Chair understands that the request of the Senator from Wyoming is merely that the rule of the Senate shall be observed.

Mr. WASHBURN. I do not want any unanimous consent—that is understood—that will deprive me of moving at any time to proceed to the consideration of the pending bill.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9284) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1892, and for prior years, and for other purposes, insisted upon its disagreement to the amendments numbered 18, 44, and 103, had receded from its disagreement to the amendment of the Senate to the bill numbered 110 and agreed to the same; and had receded from its disagreement to the amendment numbered 78, and agreed to the same with an amendment, in which it requested the concurrence of the Senate, agreed to conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SAYERS, Mr. HOLMAN, and Mr. DINGLEY, managers at the conference on the part of the House.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9172) to incorporate the Washington and Great Falls Electric Railway Company.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1498) for the establishment of additional aids to navigation in Tampa Bay, Florida.

The message also announced that the House had passed the joint resolution (S. R. 103) granting authority for the erection of overhead wires for the illumination of the city of Washington during the encampment of the Grand Army of the Republic during September, 1892.

#### WASHINGTON AND GREAT FALLS ELECTRIC RAILWAY COMPANY.

Mr. McHILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9172) to incorporate the Washington and Great Falls Electric Railway Company, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the first amendment of the Senate and agree to the same as amended by inserting, after the words "granite blocks," the words "or vitrified bricks;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 1 and 5. That the House recede from its disagreement to the sixth amendment of the Senate and agree to the same as amended to read as follows: "Respecting railways parallel to the Conduit road and affecting the same, whether in the District of Columbia or in Maryland;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 7, 8, 9, 10, and 11, and agree to the same.

That the House recede from its disagreement to the twelfth amendment of the Senate and agree to the same as amended to read as follows: "Paragraph 1, after 'acceptance,' insert 'in writing,' also, in line 23 strike out 'interest' and insert 'interests,'" and that the Senate agree to the same."

That the House recede from its disagreement to the amendments of the Senate numbered 13, 14, 15, 16, 17, and 18, and agree to the same.



from its disagreement to the nineteenth amendment of the Senate and agree to the same amended as follows: Page 7, line 1, strike out "and be," insert "and be," in line 11, and in line 12, and that the Senate agree to the same.

The House recede from its disagreement to the twentieth amendment of the Senate and agree to the same amended as follows: After "cost of" in the words "right of way, construction, equipment, station-houses and other buildings necessary to the operation of" and the Senate agree to the same.

The House recede from its disagreement to the amendment of the Senate numbered 21, 22, 23, and 24, and agree to the same.

The House recede from its disagreement to the twenty-fifth amendment of the Senate and agree to the same amended as follows: After the word "amended," insert amendment, add: "Provided, That if in the course of the construction and equipment of such railroad it should appear that the amount of stock authorized as provided herein should not be sufficient for the purposes desired, the said court may upon further petition and hearing authorize the issuing of such further stock as in its judgment may be deemed necessary to carry out the purposes of this act. And provided further, That such stock or bonds may be issued as the work progresses."

That the House recede from its disagreement to the twenty-sixth amendment of the Senate and agree to the same amended as follows: Page 12, line 5, strike out "ten," and insert "fifty;" also on page 14, line 21, after "construction," insert "nor shall it cross any steam railroad at grade."

JAMES McMILLAN.

B. W. PERKINS.

ISHAM C. HARRIS.

*Moving on the part of the Senate.*

JOHN T. HEARD.

J. E. COBB.

P. S. POST.

*Moving on the part of the House.*

The report was concurred in.

#### PUBLIC BUILDING AT BUFFALO, N. Y.

Mr. HISCOCK. I ask unanimous consent to call up for present consideration the bill (S. 3463) to fix the limit of cost of the United States post-office building at Buffalo, N. Y.

Mr. FELTON. Will it create any discussion?

Mr. HISCOCK. No, it will not create any discussion.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York?

Mr. COCKRELL. What is the Order of Business?

Mr. HISCOCK. Ten hundred and sixty-nine. The bill does not carry any appropriation, or anything of that kind.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### GEN. CULLUM'S WEST POINT MEMORIAL.

Mr. HAWLEY. I beg the Senate to take up a formal joint resolution making a grateful acknowledgement of the magnificent bequest of Gen. Cullum. It was suggested by the President in a brief message, and approved unanimously by the Committee on Military Affairs. It is a short resolution.

The PRESIDING OFFICER. The joint resolution will be read subject to objection.

The joint resolution (S. R. 103) relating to bequests made by the late Gen. Cullum was read, as follows:

*Resolved, etc.* That the Government of the United States makes grateful acknowledgment of the generous bequests to the Government and to the Academic Board of the United States Military Academy, contained in the will of the late Maj. Gen. George W. Cullum, amounting to more than \$300,000, to be devoted to a memorial hall and the purchase of statues, paintings, tablets, and trophies appropriate thereto, and to the decennial publication of a biographical register of the officers and graduates of the Academy. No other monument can be erected to the memory of that true and gallant soldier and gentleman.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. COCKRELL. I should like to ask the Senator if it would not be better in referring to this decennial publication to refer to it by the title that Gen. Cullum mentions in his will?

Mr. HAWLEY. Cullum's Biographical Register. I think that is the title.

Mr. COCKRELL. I have the title here in the report. I think that would be a grateful recognition, as he desires it to be named.

Mr. HAWLEY. Very good; that is all right; put in the words.

Mr. COCKRELL. In line 10, after the word "of," I move to strike out "a" and insert "Gen. Cullum's;" after the word "the," at the end of line 11, to insert "United States Military," and after "Academy," in line 12, to insert "at West Point, N. Y.," so as to read:

Tablets and trophies appropriated there to and to the decennial publication of Gen. Cullum's Biographical Register of the officers and graduates of the United States Military Academy at West Point, N. Y.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

#### EXTENSION OF NORTH CAPITOL STREET.

Mr. McMILLAN. I ask unanimous consent to call up the bill (S. 2557) to extend North Capitol street to the Soldiers' Home.

Mr. COCKRELL. What is the Calendar number?

Mr. McMILLAN. No. 687. It was passed over the other day, just to find out something about the cemetery business. It has all been fixed.

Mr. COCKRELL. That bill is away back on the Calendar.

Mr. McMILLAN. It is a short bill, and will take but a moment.

Mr. COCKRELL. I think the Senator ought to remember very distinctly that that bill met with very zealous opposition on the part of my colleague.

Mr. McMILLAN. Let me explain to the Senator—

Mr. COCKRELL. I can not consent to have the bill taken up unless my colleague is here.

Mr. McMILLAN. The Senator's colleague has given his assent to the measure in the form which it now is, and so has the Senator from Connecticut [Mr. HAWLEY], and so have the trustees. It has all been fixed, and is satisfactory to them.

The PRESIDING OFFICER. The Chair will state to the Senator from Michigan that when the bill was before the Senate on a previous occasion sundry amendments were adopted, and the clerks find it difficult to adjust the amendments which he now proposes to those amendments.

Mr. McMILLAN. I move to reconsider the action of the Senate agreeing to the amendments heretofore.

The PRESIDING OFFICER. Without objection, the amendments will be reconsidered.

Mr. McMILLAN. I will state that the bill as it is now proposed is entirely satisfactory to the cemetery people, to the Senator from Missouri [Mr. VEST], and the Senator from Connecticut [Mr. HAWLEY], who objected to it.

The PRESIDING OFFICER. Unless there be objection, the amendments already adopted will be reconsidered, and the amendments now proposed by the Senator from Michigan will be stated.

Mr. COCKRELL. Now let the amendments be proposed with the text standing in the bill. My colleague is not here. He was here a moment ago.

The PRESIDING OFFICER. The amendments are reconsidered without objection.

Mr. COCKRELL. With the understanding and the assurance, as a matter of course, that if it is not entirely satisfactory to my colleague a motion will be made to reconsider the action of the Senate.

Mr. McMILLAN. I have his positive assurance that it is satisfactory to him in the form in which it will be presented.

Mr. COCKRELL. I do not dispute that, but I simply want to reserve to my colleague the right to reconsider should he not be satisfied.

Mr. VEST entered the Chamber.

Mr. COCKRELL. My colleague is now present.

The PRESIDING OFFICER. The bill will first be read in its original form.

The Secretary read the bill; and the Senate, as in Committee of the Whole, proceeded to its consideration.

The PRESIDING OFFICER. The amendments now submitted by the Senator from Michigan will be stated in their order.

The SECRETARY. In line 4, before the word "grade," insert the words "open and;" in line 6, after the word "condemn," strike out the words "any land not donated that" and insert "in the manner provided by law for the condemnation of land in the District of Columbia, such of the lands of the Prospect Hill Cemetery and of Annie E. Barbour as;" in line 10, before the word "street," strike out "this" and insert "said;" and in the same line, after the word "street," strike out "and the sum of \$25,000 is hereby appropriated for the same" and insert "and to carry out the provisions of this act the amount of money necessary to pay the judgment of condemnation, the cost of grading, and the cost of building a retaining wall along the line of the land of said cemetery, if in the judgment of the said Commission as such a wall shall be deemed necessary, is hereby appropriated out of any moneys in the Treasury not otherwise appropriated;" so as to make the bill read:

*Resolved, etc.* That the Commissioners of the District of Columbia are hereby directed to open and grade North Capitol street from T street to the Soldiers' Home, and are hereby authorized and directed to condemn, in the manner provided by law for the condemnation of land in the District of Columbia, such lands of the Prospect Hill Cemetery and of Annie E. Barbour as may be necessary for the extension of said street; and to carry out the provisions of this act the amount of money necessary to pay the judgment of condemnation, the cost of grading, and the cost of building a retaining wall along the line of said cemetery, if in the judgment of the said Commissioners as such a wall shall be deemed necessary, is hereby appropriated out of any moneys in the Treasury not otherwise appropriated.

The amendments were agreed to.

Mr. TURPIE. I object to the further consideration of the bill.

Mr. COCKRELL. I wish to say to the Senator from Michigan in this connection that I think there ought to be a limit on the amount to be paid for the condemnation of property. I do not



believe that there will be a particle of injury done to that portion of it. There will be an absolute benefit and advantage and a large enhancement of the selling price of the property, and the people of this District and of the United States ought not to be made to pay for improvements which largely enhance private property.

The PRESIDENTING OFFICER. Being objected to, the bill goes over and will take its place on the Calendar.

CHARLES T. GARRARD.

Mr. CULLOM. I ask the Senate to proceed to the consideration of the bill (H. R. 2932) for the relief of Charles T. Garrard.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to remove the charge of desertion appearing on the records of the Adjutant-General United States Army against Charles T. Garrard, late quartermaster-sergeant Sixth Regiment United States Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### FOREIGN CORPORATIONS IN THE DISTRICT OF COLUMBIA.

Mr. COCKRELL. As a matter of simple justice to the Senator from North Dakota [Mr. HANSBROUGH], who is not here, and as it is a House bill which I asked to have passed over, and will only take a moment, I ask the Senate to proceed to the consideration of the bill (H. R. 6793) to provide for semi-annual statements by foreign corporations doing business in the District of Columbia. I understand it is an important matter and should be passed. It will only take a moment. The Senator from North Dakota was anxious to have the bill passed and I asked that it should go over.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on the District of Columbia with an amendment, in section 2, line 5, after the word "District," to add the following proviso:

*Provided*, That fraternal beneficiary associations or societies doing business on the lodge plan and paying death benefits be exempted from the provisions of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CAPT. EDWARD WHEELER.

Mr. SQUIRE. I ask the Senate to proceed to the consideration of the bill (S. 3213) authorizing the Secretary of War to correct the military record of Capt. Edward Wheeler, Fifty-sixth New York Volunteers.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. The preamble recites that Capt. Edward Wheeler, Fifty-sixth New York Volunteers, was dismissed from the military service of the United States by an erroneous order dated September 4, 1862, while absent from his command sick, and reinstated December 24, 1862, upon the discovery that an error had been committed. The bill directs the Secretary of War to revoke the order dismissing the officer and to correct his military record to show a continuous service covering the period named.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

#### PUBLIC BUILDING AT WALLA WALLA, WASH.

Mr. ALLEN. I ask unanimous consent for the present consideration of the bill (S. 1137) providing for the erection of a public building at the city of Walla Walla, in the State of Washington.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### ESTATE OF JOHN ROACH.

Mr. MITCHELL. I ask the Senate to proceed to the consideration of Order of Business 799, the bill (S. 457) for the relief of the assignees or legal representatives of John Roach, deceased to pay balance due on the United States steamer Dolphin.

Mr. COCKRELL. Pending that, I move that the Senate adjourn. It is too late in the evening to consider that bill. It might lead to some discussion.

Mr. SANDERS. I do not know as to the objection to that

bill, but I wish to call up a bill that I am satisfied will not lead to discussion.

Mr. COCKRELL. I am almost sure the bill the Senator from Oregon desires to call up will lead to a little discussion.

Mr. MITCHELL. It was reported unanimously from the Committee on Claims after very careful consideration.

The PRESIDENTING OFFICER. The bill called up by the Senator from Oregon will be read by title.

The SECRETARY. A bill (S. 457) for the relief of the assignees or legal representatives of John Roach, deceased, to pay balance due on the United States steamer Dolphin.

Mr. COCKRELL. I must insist on my motion to adjourn. I want time to look over that bill. I must object to it. The bill will retain its place on the Calendar.

Mr. MITCHELL. All right.

Mr. COCKRELL. Let it retain its place on the Calendar. It will be reached very soon in regular order.

The PRESIDENTING OFFICER. The bill will retain its place on the Calendar.

#### ADOLPH LOSCHMIDT.

Mr. SAWYER and others addressed the Chair.

Mr. SANDERS. I ask the Senator from Missouri to withdraw his motion to a Journal that an unobjected bill may be considered.

Mr. COCKRELL. I withdraw the motion for the present.

The PRESIDENTING OFFICER. The Senator from Wisconsin [Mr. SAWYER] has been recognized.

Mr. SAWYER. I ask unanimous consent to proceed to the consideration of the bill (S. 1131) for the relief of Adolph Loschmidt.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Military Affairs with an amendment, in line 4, after the word "and," to strike out the remainder of the bill in the following words:

The records of the Adjutant-General's Office so as to show Adolph Loschmidt, late private in Company G, Sixty-first Regiment Indiana Volunteers, as honorably discharged from the service of the United States, and to issue to said Adolph Loschmidt an honorable discharge.

And insert:

And correct the military record of Adolph Loschmidt, late a mustered in Company G, Sixty-first Regiment Indiana Volunteers, afterwards Thirty-ninth Regiment Indiana Volunteers, and late a private in the Eighth Battery Indiana Light Artillery, and remove the charge of desertion. That said Adolph Loschmidt was and is the identical Adolph Smith described in various companies and battery, and absented himself from his said company on November 5, 1862, without any proper leave or authority, and on March 25, 1863, enlisted in said Eighth Battery Indiana Light Artillery, served faithfully, and was honorably discharged July 10, 1865, and to issue to said Adolph Loschmidt a certificate of such record and service.

So as to make the bill read:

That the Secretary of War be, and he is hereby, authorized and directed to amend and correct the military record of Adolph Loschmidt, etc.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### SALARIES OF REGISTERS AND RECEIVERS.

Mr. ALLISON. I move that the Senate adjourn.

Mr. SANDERS. I have a bill here to abolish an office and save some money that I desire to have passed.

Mr. WARREN. I desire to call up the bill (S. 1720) to amend section 2237 of the Revised Statutes, in relation to the salaries of registers and receivers of United States land offices.

Mr. SANDERS. Unfortunately the Senator from Iowa is recognized. I am trying to get him to withdraw his motion to adjourn.

Mr. ALLISON. Very well.

The PRESIDENTING OFFICER. The Chair has recognized the Senator from Wyoming [Mr. WARREN].

Mr. COCKRELL. Pending that, as the bill the Senator from Wyoming wishes to call up would lead to discussion, I move that the Senate adjourn. There is no quorum present.

The PRESIDENTING OFFICER. It is moved by the Senator from Missouri that the Senate do now adjourn.

The motion was agreed to; and at 6 o'clock and 50 minutes p. m. the Senate adjourned until Monday, July 25, 1892, at 12 o'clock m.

#### CONFIRMATION.

*Ex officio nomination confirmed by the Senate July 22, 1892.*

#### CONSUL.

Adam Everly, of Pennsylvania, to be consul of the United States at Birmingham.

## HOUSE OF REPRESENTATIVES.

SATURDAY, July 23, 1892.

The House met at 11 o'clock a. m. Prayer by Rev. J. H. CUTLER, D. D.

The Journal of the proceedings of yesterday was read and approved.

## SURRENDER OF LAND PATENTS TO INDIANS.

The SPEAKER laid before the House a letter from the Secretary of the Interior, submitting a draft of an amendment to section 2 of the act of October 19, 1888, entitled "An act authorizing the Secretary of the Interior to accept the surrender of and cancel land patents to Indians in certain cases;" which was referred to the Committee on Indian Affairs, and ordered to be printed.

ELIZABETH BOWDEN.

The SPEAKER also laid before the House the bill (H. R. 5829) granting a pension to Elizabeth Bowden, with a Senate amendment.

Mr. WILSON of Missouri. I move that the Senate amendment be concurred in.

The motion was agreed to.

JOSEPH WACKERLY.

The SPEAKER also laid before the House the bill (H. R. 4833) to correct the military record of Joseph Wackerly, with a Senate amendment.

Mr. WEADOCK. Mr. Speaker, I move that the amendment be concurred in.

Mr. ROCKWELL. Mr. Speaker, I move that the amendment of the Senate be concurred in.

The motion was agreed to.

MICHAEL KEEFE, DECEASED.

The SPEAKER also laid before the House the bill (H. R. 1084) to remove the charge of desertion now standing against Michael Keefe, deceased, with a Senate amendment.

Mr. ROCKWELL. Mr. Speaker, I move that the House disagree to the Senate amendment, and agree to the conference asked. The motion was agreed to.

The SPEAKER announced as conferees on the part of the House Mr. ROCKWELL, Mr. PATTON, and Mr. BOWERS.

HEIR OF HUGH WORTHINGTON.

The SPEAKER also laid before the House the bill (H. R. 4827) to confer jurisdiction on the Court of Claims to hear and determine the claim of the heirs of Hugh Worthington for his interest in the steamer Eastport, with a Senate amendment.

Mr. SMITH of Illinois. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

GEORGE W. BARR.

The SPEAKER also laid before the House the bill (H. R. 4113) to grant an honorable discharge to George W. Barr, from the Army, with a Senate amendment.

Mr. HOOKER of New York. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

## REPORT OF MONETARY COMMISSION.

The SPEAKER also laid before the House the following Senate concurrent resolution: which was read a first and second time, and referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring), That there be printed 30,000 copies of the report proper of the Monetary Commission created under the joint resolution of August 15, 1876, being Senate report No. 703, second session Forty-fourth Congress, 10,000 for the use of the Senate and 20,000 for the use of the House of Representatives.*

## REPORTS OF SMITHSONIAN INSTITUTION AND NATIONAL MUSEUM.

The SPEAKER also laid before the House the following Senate concurrent resolution: which was read a first and second time, and referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring), That there be printed the reports of the Smithsonian Institution and of the National Museum for the year ending June 30, 1891, in two octavo volumes, 10,000 extra copies of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, 5,000 copies for the use of the Smithsonian Institution, and 2,000 copies for the use of the National Museum.*

## SENATE BILLS REFERRED.

The SPEAKER also laid before the House Senate bills of the following titles; which were severally read a first and second time, and referred as indicated below:

A bill (S. 2766) granting a pension to Thomas C. Ellis—to the Committee on Pensions.

A bill (S. 3301) for the erection of a public building at the city of East St. Louis, Ill.—to the Committee on Public Buildings and Grounds.

## ILLUMINATION OF WASHINGTON DURING GRAND ARMY ENCAMPMENT.

The SPEAKER also laid before the House the Senate joint resolution (S. R. 104) giving authority for the erection of overhead wires for the illumination of the city of Washington during the encampment of the Grand Army of the Republic, during September, 1892.

Mr. HEARD. Mr. Speaker, at the request of the Commissioners of the District, I ask unanimous consent of the House that this resolution be now considered.

The SPEAKER. The Clerk will report the resolution, after which the Chair will ask if there be objection.

The joint resolution was read, as follows:

Whereas it is proposed during the approaching reunion of the Grand Army of the Republic to make provision for the suitable illumination of the streets, avenues, and public grounds, which illumination can not be effected unless additional overhead wires, for electrical purposes, are temporarily strung; and

Whereas the Commissioners of the District of Columbia are prohibited by existing law from authorizing any overhead wires for electrical purposes to be strung on or over any street or avenue of the said city; Therefore,

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are hereby authorized to permit the committee on illumination of the citizens' executive committee for the entertainment of the twenty-sixth national encampment of the Grand Army of the Republic, to stretch suitable conductors, with sufficient supports, wherever necessary, for the purpose of effecting the said illumination: *Provided*, That the said conductors shall not be used for the conveying of electrical currents after September 27, 1892, and shall, with their supports, be fully and entirely removed from the streets and avenues of the said city of Washington on or before November 1, 1892; *Provided further*, That the stretching and removing of the said wires shall be under the supervision of the Commissioners of the District of Columbia, who shall see that the provisions of this resolution are enforced, that all needful precautions are taken for the protection of the public, and that the pavement of any street, avenue, or alley disturbed is replaced in as good condition as before entering upon the work herein authorized; *Provided further*, That no expense or damage on account of, or due to the stretching, operation, or removing of the said temporary overhead conductors shall be incurred by the United States or the District of Columbia.*

Mr. HEARD. As the reading of the resolution shows, the object is simply to authorize the Commissioners to grant permission to the committee on entertainment of the Grand Army of the Republic encampment to stretch wires across the avenues for the purpose of illuminating the city during the said encampment, to be removed immediately after, at the expense of this committee, without any expense to the United States or the District.

Mr. SIMPSON. Reserving the right to object, I desire to ask the gentleman from Missouri whether this involves any expense to the District?

Mr. HEARD. Not a dollar.

Mr. SIMPSON. It is to be done by the committee?

Mr. HEARD. Yes; by the committee of citizens; that is all.

The SPEAKER. Is there objection to the present consideration of the joint resolution. [After a pause.] The Chair hears none.

The joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. HEARD, a motion to reconsider the vote by which the joint resolution was agreed to was laid on the table.

## BLUE MOUNTAIN IRRIGATION AND IMPROVEMENT COMPANY.

The SPEAKER also laid before the House the bill (S. 3048) granting to the Blue Mountain Irrigation and Improvement Company a right of way for reservoir and canals through the Umatilla Indian Reservation in the State of Oregon.

The SPEAKER. This bill will be referred to the Committee on Indian Affairs.

Mr. HERMANN. Mr. Speaker, I ask unanimous consent that it be considered at the present time.

The SPEAKER. The gentleman from Oregon asks unanimous consent for the present consideration of this bill.

Mr. DOCKERY. What is it?

The SPEAKER. The Clerk will report the title of the bill.

The title was again reported.

Mr. DOCKERY. I think that had better go to the committee.

Mr. SIMPSON. To save time, I will call for the regular order.

Mr. HERMANN. Maybe the gentleman from Kansas will permit me to make a brief explanation of the bill.

The SPEAKER. The bill will be referred to the Committee on Indian Affairs.

Subsequently

Mr. HERMANN said: Mr. Speaker, I ask unanimous consent that the Senate bill which has just been laid before the House be permitted to lie on the Speaker's table for the present.

There was no objection and it was so ordered.

## LEAVE TO WITHDRAW PAPERS.

Mr. SMITH of Illinois, by unanimous consent, obtained leave to withdraw from the files of the House the evidence and papers

This bill was introduced in the House by the gentleman from Illinois [Mr. CABLE] at the request of an association of public-spirited citizens of this District who desire to establish an association for the encouragement and promotion of art. The measure asks no appropriation, and simply proposes to grant to these people an act of incorporation. If any further explanation is desired, I ask the gentleman from Illinois to give it. In view of the fact that there was no opposition to the bill in committee, and also on account of the character of the bill, and by reason of the fact that the District Committee will not in all probability have another day during this session, I ask that the bill be now considered.

The bill was read.

The SPEAKER. Is there objection to the immediate consideration of this bill?

Mr. ENLOE. Upon the assurance of gentlemen here that it will not take any time, or that if it does the bill will be withdrawn, I do not object; otherwise I should.

There being no objection, the House proceeded to the consideration of the bill; which was read three times, and passed.

On motion of Mr. CABLE, a motion to reconsider the last vote was laid on the table.

#### SENATE BILLS REFERRED.

The SPEAKER also laid before the House Senate bills of the following titles; which were severally read a first and second time, and referred as indicated below:

A bill (S. 2454) for the application of the accretions of the Caracas awards of 1868 to the new awards made in 1889 and 1890—to the Committee on Foreign Affairs.

A bill (S. 2931) to provide for the survey and transfer of that part of the Fort Randall military reservation, in the State of South Dakota, for school and other purposes—to the Committee on the Public Lands.

A bill (S. 2799) to provide for the dedication of the statue erected to the memory of the Marquis Marie Jean Paul Roch Yves Gilbert Motier de Lafayette, a major-general in the Army of the United States—to the Committee on Public Buildings and Grounds.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills and joint resolutions of the following titles: in which concurrence of the House was requested:

A bill (S. 3463) to fix the limit of cost of the United States post-office building at Buffalo, N. Y.;

A bill (S. 3213) authorizing the Secretary of War to correct the military record of Capt. Edward Wheeler, Fifty-sixth New York Volunteers;

A bill (S. 1137) providing for the erection of a public building at the city of Walla Walla, in the State of Washington;

A bill (S. 1131) for the relief of Adolph Loschmidt; and

A joint resolution (S. R. 103) relating to bequests made by the late Gen. Cullum.

It also announced that the Senate had passed with amendment the bill (H. R. 6793) to provide for semiannual statements by foreign corporations doing business in the District of Columbia; in which the concurrence of the House was requested.

It also announced that the Senate had passed without amendment the bill (H. R. 2932) for the relief of Charles T. Garrard.

It also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9172) to incorporate the Washington and Great Falls Electric Railway Company.

The SPEAKER. The regular order is the call of committees for reports.

The committees were then called in their regular order.

#### ADVERSE REPORT.

Mr. BROOKSHIRE, from the Committee on the Post-Office and Post-Roads, submitted the following adverse report:

The Committee on the Post-Office and Post-Roads, to whom was referred a certain memorial (and evidence) with reference to a proposed "pneumatic postal communication" at Philadelphia, Pa., have considered said memorial and evidence and do not think the same sufficient to warrant an investigation by a committee of the House of Representatives, and request to be discharged from the consideration of the above matter and that this report do lie upon the Speaker's table.

The SPEAKER. In the absence of objection the memorial will lie on the table and the committee will be discharged from its further consideration.

There was no objection, and it was so ordered.

#### MICHAEL KEEFE, DECEASED.

Mr. ROCKWELL. Mr. Speaker, I desire to submit a conference report on the bill (H. R. 1084) to remove the charge of desertion now standing against Michael Keefe, deceased.

The SPEAKER. The Clerk will read the statement accompanying the report.

The Clerk read as follows:

Statement to accompany conference report on H. R. 1084.

The House agrees to Senate amendment which fixes the date for the honorable discharge of the beneficiary named in the bill with an amendment that no pay or emoluments shall inure to the beneficiary on account of the passage of the act.

The conference report was adopted.

On motion of Mr. ROCKWELL, a motion to reconsider the last vote was laid on the table.

#### ORDER OF BUSINESS.

The SPEAKER. The Clerk will report the special order fixed for to-day.

The Clerk read as follows:

*Resolved*, That Monday, July 25, next immediately after the call of committees for reports, be set apart for the consideration of the resolution reported from the Special Committee on the Investigation of the Pension Office; this order not to interfere with revenue or appropriation bills or conference reports.

Mr. MEREDITH. Mr. Speaker, the Committee on the District of Columbia was called just now. I do not see the chairman of the committee in his seat, but I would like to have an opportunity for that committee to call up its business to-day.

The SPEAKER. By order of the House to-day is set apart for the consideration of the resolution reported from the special committee to investigate the Pension Office.

Mr. MEREDITH. I move to pass that resolution by for the present. There are District matters which ought to be considered to-day, this being the only day at our disposal, and the matter in connection with the Pension Office can be just as well considered to-morrow.

The SPEAKER. But the Chair could not entertain that motion except by unanimous consent, this order being fixed by the House.

Mr. MEREDITH. Then I ask unanimous consent to pass it by for the present, and let its consideration be taken up to-morrow.

Mr. WHEELER of Michigan and Mr. ENLOE objected.

Mr. DALZELL. Mr. Chairman, I wish to call up a privileged matter, to which I think there will be no objection, and which will occupy but a very few minutes. I refer to a resolution introduced on Saturday a week ago by myself and sent to the Ways and Means Committee, but not yet reported—a resolution of inquiry addressed to the Secretary of the Treasury.

Mr. ENLOE. That can go over until to-morrow. It is not pressing.

Mr. BURROWS. It will take but a moment to dispose of it.

Mr. ENLOE. It is not so urgent that it can not wait.

Mr. DALZELL. It will not take any time, I can assure the gentleman.

Mr. ENLOE. I must object, Mr. Speaker.

Mr. DALZELL. Let it be acted upon now. It will take but a moment.

The SPEAKER. The resolution will be read, after which the Chair will ask for objection.

The resolution, relating to the taxes paid by national-banking associations to the United States and to States and municipalities and losses by holders of national bank notes, as compared with losses by holders of State bank notes by reason of failure of such banks, under the act of March 26, 1867, was read at length.

Mr. DALZELL. I move the adoption of the resolution.

The SPEAKER. That motion can only be entertained by unanimous consent at this time, there being a privileged matter before the House for its consideration.

Mr. DALZELL. I ask unanimous consent for the present consideration of the resolution. This is a privileged matter, I will state, under the rules.

The SPEAKER. It is not privileged as against a special order, which assigned to-day to the resolution proposed by the Select Committee Investigating the Pension Office. It could only be entertained by unanimous consent.

Mr. BYNUM. I object.

Mr. DALZELL. I will withdraw the resolution for the present.

#### REPORTS OF COMMITTEES.

The following reports of committees were handed in at the Clerk's desk, referred to their appropriate Calendars, and otherwise disposed of as indicated below:

RETIRED LIST FOR ENLISTED MEN AND APPOINTED PETTY OFFICERS OF THE UNITED STATES NAVY.

Mr. MEYER, from the Committee on Naval Affairs, reported back with amendments the bill (H. R. 290) to authorize a retired list for enlisted men and appointed petty officers of the United States Navy who have served for a period of thirty years or up-

wards; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### PORT BROWN MILITARY RESERVATION.

Mr. OUTHWAITE, from the Committee on Military Affairs, reported back, in the nature of a substitute for resolution relative to the purchase of Port Brown military reservation, the bill (H. R. 9649) to provide for the purchase of the Fort Brown military reservation, Texas, and to extinguish all claims for the use and occupation of said reservation; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The original resolution was laid on the table.

#### PUBLIC BUILDING AT THE CITY OF PLATTSBROUGH, NEBR.

Mr. TARSNEY, from the Committee on Public Buildings and Grounds, reported back with an amendment the bill (H. R. 3616) providing for the erection of a public building at the city of Plattsburgh, Nebr., and for other purposes; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### DAMAGES DONE TO PLANTED OYSTERS AND OYSTER BEDS IN RARITAN BAY.

Mr. FOWLER, from the Committee on Merchant Marine and Fisheries, reported back favorably the bill (H. R. 8532) authorizing the Secretary of the Treasury to appoint commissioners to estimate damages done to planted oysters and oyster beds in Raritan Bay and adjoining waters in New York and New Jersey and to make compensation therefor; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### TEMPORARY GOVERNMENT FOR THE TERRITORY OF OKLAHOMA, ETC.

Mr. TERRY, from the Committee on Territories, reported back, in the nature of a substitute for House bill 6929 the bill (H. R. 9652) to amend "An act to provide a temporary government for the Territory of Oklahoma and to enlarge the jurisdiction of the United States court in the Indian Territory, and for other purposes," approved May 2, 1890; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Platt, one of its clerks, announced that the Senate had agreed to the report of the committee of conference; had further insisted upon its amendments numbered 124, 127, 128, 129, 130, 131, 132, 133, 177, 308, 309, 310, and 311, disagreed to by the House of Representatives; had disagreed to the amendment of the House to the amendment of the Senate numbered 177; asked a further conference with the House on the bill and amendments, and had appointed Mr. ALLISON, Mr. HALE, and Mr. GORMAN as conferees on the part of the Senate.

It also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1084) to remove the charge of desertion now standing against Michael Keefe, deceased.

It also announced that the Senate had passed the following concurrent resolution; in which the concurrence of the House was requested:

*Resolved by the Senate (the House of Representatives concurring). That permission is hereby granted to the ladies of Washington to give a reception in the rotunda of the Capitol, September 19, 1892, to the members of the Grand Army of the Republic, the Woman's Relief Corps, and all other visiting organizations who may attend the national encampment of the Grand Army of the Republic in September next.*

#### ENROLLED BILLS SIGNED.

Mr. WARWICK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles: when the Speaker signed the same:

A bill (H. R. 4827) to confer jurisdiction on the Court of Claims to hear and determine the claim of the heir of Hugh Worthington, for his interest in the steam-railroad Eastport;

A bill (H. R. 5684) to authorize the Denison and Northern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes;

A bill (H. R. 9923) to grant the right of way to the Pensacola Terminal Company through the lands of the naval reservation near Pensacola;

A bill (S. 1498) for the establishment of additional aids to navigation in Tampa Bay, Florida; and

A joint resolution (S. R. 104) giving authority for the erection of overhead wires for the illumination of the city of Washington during the encampment of the Grand Army of the Republic, during September, 1892.

#### MESSAGE FROM THE PRESIDENT.

A message from the President, by Mr. PRUDEN, one of his secretaries, announced that the President had approved and signed bills and joint resolutions of the following titles:

On July 25, 1892:

An act (H. R. 9283) authorizing the Leonard Avenue Street Railway Company to lay tracks up in certain streets abutting United States military reservation in the city of Columbus, Ohio;

An act (H. R. 649) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department;

An act (H. R. 4874) for the relief of John McMahon;

An act (H. R. 5719) for the relief of Harriet W. Shacklett; and

An act (H. R. 669) for the relief of Dabney, Simmons & Co.

On July 22, 1892:

An act (H. R. 5119) regulating the construction of building along alleyways in the District of Columbia;

An act (H. R. 5019) for the relief of Amelia R. Webster;

An act (H. R. 3947) to establish Weather Bureau stations on Middle and Thunler Bay Islands, in Lake Huron;

An act (H. R. 3971) to provide for the opening of alleys in the District of Columbia; and

Joint resolution (H. Res. 108) extending the time in which certain street railroads compelled by the act of Congress approved August 6, 1890, to change the motive power from horse power to mechanical power for one year.

On July 23, 1892:

An act (H. R. 7154) authorizing and directing the sale of certain property belonging to the United States situate in Pittsburgh, Pa.;

An act (H. R. 402) to establish a division line between lands of the United States and the Pittsburgh, Fort Wayne and Chicago Railroad Company;

An act (H. R. 8533) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes;

An act (H. R. 945) for the relief of Patrick Hyland;

An act (H. R. 9144) to establish a railroad bridge across the Black River, in Arkansas;

An act (H. R. 3572) for the relief of Richard M. Edwards, of Cleveland, Tenn.;

An act (H. R. 9322) granting a pension to Joseph J. Granberry;

Joint resolution (H. Res. 102) requesting the loan of certain articles for the World's Columbian Exposition; and

Joint resolution (H. Res. 155) to authorize and direct the Secretary of State to affix the great seal of the United States to a certain document therein stated.

On July 25, 1892:

An act (H. R. 5377) granting a pension to Mary Isabella Hutchison.

#### INVESTIGATION OF THE PENSION BUREAU.

The SPEAKER. The Clerk will report the resolution submitted by the committee appointed to investigate the Pension Office.

The Clerk read as follows:

*Resolved*, That it is the judgment of the House that Commissioner of Pensions Green B. Raum should be removed from office by the President for the following reasons:

1. Because he has demonstrated his unfitness to supervise and govern a large number of employes on account of his hasty temper, strong prejudices, and unreasonable animosity, which impel his action in matters of the gravest consequence, as evidenced in the cases of Engle, Howard, Taylor, Jennings, Renaud, Hayward, Payne, De Arnaud, Peyton, and others, and his pursuit of Hon. GEORGE W. COOPER, following upon an unsuccessful attempt to injure his reputation.

2. Because he has prostituted his office for the purposes of private gain.

3. Because he has prostituted his office for political purposes, using the same as a political machine, notably in the matter of furnishing the Congressional facilities of the Pension Office to one J. G. Dunbar, a private citizen of Indiana, at one time a candidate for Congress against Hon. GEORGE W. COOPER.

*Resolved*, That it is the judgment of the House that Harvey G. Ellis and Dr. J. W. Little should be dismissed, for the reason that they refused to answer legitimate and proper questions put to them by the committee.

The SPEAKER. The gentleman from Michigan [Mr. WHEELER] is recognized.

Mr. ENLOE. Mr. Speaker, I would like to make some arrangements with gentlemen on the other side with regard to the time that is to be consumed in the debate on this resolution. I suggest to gentlemen representing the minority, that we fix upon two hours on a side for the debate. Will that be agreeable?

Mr. HENDERSON of Illinois. Mr. Speaker, if I may be allowed a single remark, I am unwilling now to fix upon any time when a vote shall be taken on these resolutions. I think the better way is to go on with the discussion for a time at least, and see what time will be necessary for a fair and proper discussion of these resolutions.

Mr. ENLOE. I think I anticipate the difficulty that is in the gentleman's mind, Mr. Speaker, and I will say to him that this

Byrns,	Fithian,	Long,	Russell,
Cable,	Forney,	Lynch,	Sayers,
Caldwell,	Goodnight,	Mallory,	Scott,
Cammetti,	Grady,	Mansur,	Seall,
Castle,	Greenleaf,	Martin,	Seelye,
Cate,	Groat,	McClellan,	Shively,
Causey,	Hallowell,	McCreary,	Shonk,
Cheatham,	Halvorson,	McKaig,	Simpson,
Clover,	Hamilton,	McKeghan,	Sperry,
Cobb, Ala.	Hare,	McMillin,	Stone, W. A.
Coburn,	Harner,	McKae,	Stout,
Coombs,	Hatch,	Meyer,	Stump,
Cooper,	Hayes, Iowa,	Montgomery,	Taylor, Ill.
Crosby,	Haynes, Ohio,	Moses,	Terry,
Culberson,	Heard,	Mitchler,	Tillman,
Cummings,	Henderson, N. C.	O'Neill, Pa.	Townsend,
Curtis,	Holman,	Otis,	Turner,
Dalzell,	Houk, Ohio,	Page, R. I.	Van Horn,
Davis,	Johnstone, S. C.	Page, Md.	Walker,
De Armond,	Jolley,	Parrett,	Warner,
De Forest,	Jones,	Patterson, Tenn.	Warwick,
Dickerson,	Kilgore,	Patton,	Washington,
Dingley,	Kribbs,	Paynter,	Watson,
Dixon,	Kyle,	Pearson,	Wheeler, Ala.
Doan,	Lagan,	Pendleton,	White,
Dockery,	Lane,	Perkins,	Wike,
Donovan,	Lanham,	Pierce,	Williams, Ill.
Dungan,	Lapham,	Quackenbush,	Wilson, Mo.
Edmunds,	Lawson, Ga.	Ray,	Wilson, W. Va.
Enloe,	Lester, Ga.	Reel,	Wolverton,
Epes,	Lind,	Reilly,	
Everett,	Little,	Robinson, Pa.	

## NAYS—8.

Alexander,	Hull,	McGann,	Powers,
Forman,	Lockwood,	Payne,	Steward, Ill.

## NOT VOTING—174.

Abbott,	Coolidge,	Houk, Tenn.	Rife,
Alderson,	Covert,	Huff,	Robertson, La.
Allen,	Cowles,	Johnson, Ind.	Rockwell,
Andrew,	Cox, N. Y.	Johnson, N. Dak.	Rusk,
Arnold,	Cox, Tenn.	Johnson, Ohio	Sanford,
Atkinson,	Craig, Pa.	Kem,	Shell,
Bacon,	Crahn, Tex.	Kendall,	Smith,
Baker,	Crawford,	Ketcham,	Snodgrass,
Bartine,	Cutting,	Lawson, Va.	Snow,
Beaman,	Daniell,	Layton,	Springer,
Belden,	Dolliver,	Lester, Va.	Stabinecker,
Belknap,	Dunphy,	Lewis,	Stephenson,
Beltzhoover,	Durborow,	Livingston,	Stevens,
Bergen,	Elliot,	Lodge,	Stewart, Tex.
Blanchard,	Ellis,	Lou,	Stockdale,
Blair,	English,	Magner,	Stone, C. W.
Blount,	Enochs,	McAtee,	Stone, Ky.
Boatner,	Fellows,	McDonald,	Storer,
Boutelle,	Fitch,	McKinney,	Sweet,
Brawley,	Flick,	Meredith,	Tarsney,
Breckinridge, Ark.	Fowler,	Miller,	Taylor, Tenn.
Breckinridge, Ky.	Funston,	Milliken,	Taylor, E. B.
Brickner,	Fyan,	Mitchell,	Taylor, J. D.
Broderick,	Gantz,	Moore,	Taylor, V. A.
Buchanan, N. J.	Geary,	Morse,	Tracey,
Hullcock,	Geissenhainer,	Nowberry,	Tucker,
Hunting,	Gillespie,	Norton,	Turnpin,
Burrows,	Gorman,	Oates,	Wadsworth,
Busey,	Griswold,	O'Donnell,	Waucho,
Bushnell,	Hall,	O'Ferrall,	Weadock,
Cadmus,	Harries,	O'Neil, Mass.	Wever,
Campbell,	Harter,	O'Neill, Mo.	Whedder, Mich.
Capehart,	Haugen,	Onthwaite,	Whiting,
Caruth,	Hemphill,	Owens,	Willcox,
Catchings,	Henderson, Iowa	Pattison, Ohio	Williams, Mass.
Chapin,	Henderson, Ill.	Peel,	Williams, N. C.
Chipman,	Herbert,	Pickler,	Wilson, Ky.
Clancy,	Hermann,	Post,	Wilson, Wash.
Clark, Wyo.	Hitt,	Price,	Winn,
Clarke, Ala.	Hoar,	Rames,	Wise,
Cobb, Mo.	Hooker, Miss.	Randall,	Wright,
Cockran,	Hooker, N. Y.	Rayner,	Yonmans,
Cogswell,	Hopkins, Pa.	Reynolds,	
Compton,	Hopkins, Ill.	Richardson,	

So further proceedings under the call were dispensed with.

On motion of Mr. CASTLE, Mr. HARRIES was excused on account of sickness.

On motion of Mr. SIMPSON, Mr. BAKER was excused on account of sickness.

The result of the vote was then announced as above recorded.

Mr. CAMPBELL. It is evident that no business can be transacted to-day, and I move that the House do now adjourn.

Mr. SAYERS. Mr. Speaker, I understand a motion to adjourn is now pending.

The SPEAKER. There is pending a motion of the gentleman from Tennessee [Mr. ENLOE] that the House take a recess; and pending that a motion to adjourn is in order.

Mr. CAMPBELL. I make that motion.

The question was taken; and on a division there were—ayes 43, noes 68.

So the House refused to adjourn.

Mr. CAMPBELL. I ask the yeas and nays.

The yeas and nays were not ordered.

The SPEAKER. The question now recurs on the motion of the gentleman from Tennessee that the House take a recess until to-morrow morning at half past 10 o'clock; on which motion the yeas and nays have been ordered, and the Clerk will call the roll.

Mr. SAYERS. Mr. Speaker, would a motion to adjourn be in order?

The SPEAKER. It would not be in order. The motion has just been voted down. Of course the motion could be entertained by unanimous consent.

Mr. SAYERS. I ask consent to make that motion.

There being no objection, the motion was considered and agreed to; and accordingly (at 4 o'clock and 20 minutes p. m.) the House adjourned.

## BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills of the following titles were introduced and severally referred as follows:

By Mr. O'NEILL of Missouri: A bill (H. R. 9650) for the protection of persons performing work and labor upon or furnishing materials for public works—to the Committee on Expenditures in the Treasury Department.

By Mr. MEREDITH: A bill (H. R. 9651) to amend the charter of the Washington and Arlington Railroad Company—to the Committee on the District of Columbia.

By Mr. WILSON of Washington: A bill (H. R. 9653) making an appropriation for the construction of a ship canal connecting Lakes Union and Washington with Puget Sound—to the Committee on Interstate and Foreign Commerce.

By Mr. CHIPMAN: A resolution for an investigation of the stone furnished for the Detroit public building—to the Committee on Rules.

By Mr. ENLOE: A resolution to set apart Tuesday, July 26, 1892, for the consideration of the report from the committee on the investigation of the Pension Office, said report to take precedence of all the business not excepting conference reports nor the reading of the Journal—to the Committee on Rules.

By Mr. SIMPSON: A resolution in regard to report of violations of law as to the holding of cattle and of the receiving of money therefor by officers of the Government upon certain Cherokee lands—to the Committee on the Territories.

## PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. CLOVER: A bill (H. R. 9654) for the relief of John W. Baker—to the Committee on Pensions.

Also, a bill (H. R. 9655) for the relief of Isaac Frye—to the Committee on Pensions.

Also, a bill (H. R. 9656) for the relief of John Smith—to the Committee on Pensions.

Also, a bill (H. R. 9658) for the relief of James W. Phelps—to the Committee on Pensions.

By Mr. DICKERSON: A bill (H. R. 9657) to provide for lowering the height of a bridge proposed to be constructed across the Ohio River between Cincinnati and Covington by the Rapid Transit Bridge Company—to the Committee on Interstate and Foreign Commerce.

By Mr. PAYNE: A bill (H. R. 9659) for the relief of Robert M. Crocker, late of One hundred and forty-third Company, Second Battalion, Veteran Reserve Corps—to the Committee on Military Affairs.

By Mr. STONE of Kentucky: A bill (H. R. 9660) for the relief of William M. Fussell, of Lauderdale County, Ala., formerly of Tishomingo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 9661) for the relief of Edward D. Pickett, of Sequatchie County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9662) for the relief of William Line, of Jefferson County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9663) for the relief of John T. Rawlings, deceased, late of Adams County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 9664) for the relief of James A. G. Winston, of Adams County, Miss.—to the Committee on War Claims.

By Mr. WILLIAMS of North Carolina: A bill (H. R. 9665) for the relief of William Remmel—to the Committee on Military Affairs.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BRANCH: Paper in regard to the matters of fact as found in regard to the brig Russell—to the Committee on Claims.

By Mr. CHIPMAN: Medical evidence in the claim of Patrick Culhan, to accompany bill for relief—to the Committee on Invalid Pensions.

Also, certificate, etc., to accompany bill for the relief of Julia C. Sharpe—to the Committee on Invalid Pensions.

Also, petition of Detroit Stone Cutters' Union, relative to the use of convict labor on Detroit public buildings—to the Committee on Labor.

Also, petition of the International Machinist Association, No. 82, against the use of convict-labor stone in public buildings at Detroit—to the Committee on Labor.

Also, resolutions of the International Association of Machinists against the use of prison-cut stone in the new public buildings at Detroit, Mich.—to the Committee on Labor.

Also, petition of Orlando B. Wheeler, for the enforcement of the metric system of weights and measures—to the Committee on Coinage, Weights, and Measures.

Also, petition of Florence Nightingale Association, No. 1, American Federation of Labor 5462, against closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. CLOVER: Petition of 250 citizens of Wisefield, Kans., and vicinity, against any legislation by Congress in regard to opening or closing the World's Columbian Exposition on Sunday, or in any manner committing the Government of the United States to a recognition of any form of religious belief—to the Select Committee on the Columbian Exposition.

By Mr. CROSBY: Petition of the Labor Protective Union of Holyoke, Mass., in favor of keeping the World's Columbian Exposition open on Sundays—to the Select Committee on the Columbian Exposition.

By Mr. DICERSON: Papers to accompany the bill for lowering the height of a bridge to be constructed across the Ohio River at Cincinnati, Ohio, and Covington, Ky., by the Rapid Transit Bridge Company—to the Committee on Interstate and Foreign Commerce.

By Mr. DIXON: Preamble and resolution of the Portland Federated Trades Assembly, denouncing employment of Pinkertons and asking Congressional investigation of troubles in Coeur d'Alene Shoshone County, Idaho—to the Committee on Labor.

By Mr. GANTZ: Petition of citizens of Darke County, Ohio, praying for legislation to close the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HERBERT: Petition of citizens of Butler County, Ala., remonstrating against the passage of the Brashear bill, H. R. 395, and praying for the passage of the Paddock pure-food bill—to the Committee on Agriculture.

By Mr. HERMANN: Petition of Roseburg, Oregon, asking that pensions be provided for those who were Union prisoners of war in Confederate prisons—to the Committee on Invalid Pensions.

By Mr. MALLORY: Petition of J. Francis Le Baron and others, praying adoption of the metric system of weights and measures authorized by act of Congress of July 28, 1866—to the Committee on Coinage, Weights, and Measures.

By Mr. O'DONNELL: Four petitions of citizens of Michigan, as follows: Of 39 citizens of Battle Creek, of 86 citizens of Jackson County, of 82 citizens of Barry County, and of 120 citizens of Battle Creek, all protesting against any religious legislation by Congress—to the Select Committee on the Columbian Exposition.

By Mr. SHIVELY: Petition of Charles H. Reeve, of Plymouth, Ind., concerning the disposition that should be made of the surplus public documents—to the Committee on Accounts.

By Mr. STONE of Kentucky: Petition of E. D. Pickett, executor of J. A. Pickett, deceased, of Marion County, Tenn., for reference of claim to the Court of Claims—to the Committee on War Claims.

By Mr. TOWNSEND: Resolution of the Lake County Mines Assembly, No. 2625, of Leadville, Colo., that no appropriation be granted to the World's Fair until agreement is arrived at between the management of the Fair and organized labor in regard to the employment of labor—to the Select Committee on the Columbian Exposition.

Also, resolution of the Local Assembly 3218, Knights of Labor, of Denver, Colo., to oppose appropriation to the World's Fair until agreement is made between the World's Fair Commissioners and the executive board of the Knights of Labor regarding the employment of labor at the Exposition—to the Select Committee on the Columbian Exposition.

By Mr. WASHINGTON: Petition of L. B. Austell, of Prairie Plains, Coffee County, Tenn., praying Congress to refer his Southern Claims Commission claim to the Court of Claims under the so-called Bowman act—to the Committee on War Claims.

By Mr. WILSON of Missouri: Petition of surviving soldiers and widows of the Mexican war from the Seventh Congressional district of Missouri, praying for relief—to the Committee on Pensions.

## SENATE.

TUESDAY, July 26, 1892.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Vice-President being absent, the President *pro tempore* took the chair.

The Journal of yesterday's proceedings was read and approved.

## EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, in response to a resolution of the 18th instant, relative to the names of persons who were owners of property in Ferdinandina, Fla., at the time of the direct-tax sale; which was ordered to lie on the table.

## PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 23d instant, approved and signed the following acts:

An act (S. 726) for the relief of P. E. Simnett, late Indian agent at Grande Ronde Agency, State of Oregon;

An act (S. 1918) to amend sections 2139, 2140, and 2141 touching the sale of intoxicants in the Indian country, and for other purposes;

An act (S. 2549) authorizing the Secretary of the Treasury to sell certain lands in the city of Springfield and Commonwealth of Massachusetts;

An act (S. 2968) to provide for a May term of the district court of the United States for the eastern district of South Carolina;

An act (S. 3011) to amend "An act to define the jurisdiction of the police court of the District of Columbia," approved March 3, 1891; and

An act (S. 3406) to accept a bequest made by Gen. George W. Cullum for the erection of a memorial hall at West Point, N. Y., and to carry the terms and conditions of the same into execution.

## EXECUTIVE SESSION.

Mr. QUAY. Mr. President, it is important that the pending nomination of a justice of the Supreme Court should be disposed of. For that purpose, and for that purpose only, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

## PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a resolution of the American Association L. A. No. 5521, of Brooklyn, N. Y., in regard to the imprisonment in England of Dr. Thomas Gallagher, and praying that steps be taken for his release; which was referred to the Committee on Foreign Relations.

Mr. SANDERS presented a petition of citizens of Wolf Creek, Mont., praying for the imposition of a tax upon dealers in articles to be delivered in the future, such as are covered by the bill now pending in the Senate; which was ordered to lie on the table.

Mr. PEFFER presented a petition of citizens of Osage County, Kans., praying for the prohibition of the sale of liquor at the Soldiers' Home at Leavenworth, Kans.; which was referred to the Committee on Military Affairs.

He also presented a petition of 42 citizens of Concordia, Kans., praying for the closing of the World's Columbian Exposition on Sunday; which was ordered to lie on the table.

Mr. ALLEN presented a petition of the Epworth League of the First Methodist Episcopal Church of the city of Tacoma, Wash., praying for an insertion in the clause making appropriation for the Columbian Exposition of a provision preventing the sale of intoxicating drinks within the limits of the Fair; which was ordered to lie on the table.

He also presented a petition of the grand encampment of Indian war veterans, held on the 15th day of June, 1892, at Vancouver, Wash., praying for the extension of the bounty-land law for services in the Indian wars, in force prior to the 3d of March, 1855, to the 1st day of December, 1857, and that provision be made for the payment of the balance of the Indian war debt as awarded by Commissioners Grover, Ingalls, and Smith, and also for the payment of pensions to all those who participated in those wars, and to their widows and orphans; which was referred to the Committee on Pensions.

He also presented a petition of the Washington State Grange, Patrons of Husbandry, praying for the election of the President, Vice-President, and United States Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

Mr. PETTIGREW presented the petition of Mrs. D. M. Colton, and other citizens of Hudson, S. Dak., praying for the pas-



sage of legislation prohibiting the sale, manufacture, and importation of cigarettes in the United States; which was ordered to lie on the table.

#### REDEMPTION OF NATIONAL-BANK NOTES.

Mr. SHERMAN. There are two bills which I am directed by the Committee on Finance to report, relating to national banks. They are House bills, which are precisely similar to bills that have already received the favorable consideration of the Finance Committee and also of the Treasury Department. As these bills are not, I believe, objected to by anybody, and yet are of considerable importance, I ask that they be read, and if there is no objection to them I should like to have them acted upon at this time.

Mr. CULLOM. I will inquire of the Senator if one of them is the bill to which I called his attention some days ago?

Mr. SHERMAN. It is.

Mr. CULLOM. I hope it will be passed.

Mr. SHERMAN. Both bills have passed the other House and both have received the sanction of the Committee on Finance. They are both important, and I think no one will object to them.

The PRESIDENT *pro tempore*. The Senator from Ohio submits favorable reports from the Committee on Finance, which will be received.

Mr. SHERMAN. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 6183) to amend the national-bank act in providing for the redemption of national-bank notes stolen from or lost by banks of issue, to report it without amendment.

The PRESIDENT *pro tempore*. The Senator from Ohio asks unanimous consent that the bill be now considered.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that the provisions of the Revised Statutes of the United States for the redemption of national-bank notes shall apply to all national-bank notes that have been or may be issued to or received by any national bank, notwithstanding such notes may have been lost by or stolen from the bank and put in circulation without the signature or upon the forged signature of the president or vice-president and cashier.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### RECEIVERS OF NATIONAL BANKS.

Mr. SHERMAN. I am directed by the Committee on Finance to report back favorably the bill (H. R. 7213) to amend an act entitled "An act authorizing the appointment of receivers of national banks, and for other purposes," approved June 30, 1876.

The PRESIDENT *pro tempore*. The Senator from Ohio asks the unanimous consent of the Senate that the bill be now considered. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PROMOTION IN THE MARINE CORPS.

Mr. CHANDLER. I report back favorably from the Committee on Naval Affairs the bill (H. R. 9022) to provide for the examination of certain officers of the Marine Corps, and to regulate promotion therein, and I ask for its present consideration.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. HARRIS. Is it a Senate bill?

The PRESIDENT *pro tempore*. It is a House bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that hereafter promotions to every grade of commissioned officers in the Marine Corps below the grade of commandant shall be made in the same manner and under the same conditions as now are or may hereafter be prescribed, in pursuance of law, for commissioned officers of the Army. Examining boards to determine the fitness of officers of the Marine Corps for promotion shall in all cases consist of not less than five officers, three of whom shall, if practicable, be officers of the Marine Corps, senior to the officer to be examined, and two of whom shall be medical officers of the Navy.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### AGREEMENT WITH CHEROKEE NATION.

Mr. PLATT. I am directed by the Committee on Indian Affairs, to whom was referred the bill (S. 2870) to ratify and confirm an agreement with the Cherokee Nation of Indians of the Indian Territory, to make appropriation for carrying out the same, and for other purposes, to submit a report thereon and recommend its passage with amendments.

This is a very important bill. It is to ratify the agreement

made for the purchase of the Cherokee Outlet. If the ratification does not take place by the 14th of March, 1893, it fails. Therefore I will ask the unanimous consent of the Senate —

Mr. VOORHEES. Mr. President —

Mr. PLATT. I ask the unanimous consent of the Senate that the bill be made a special order for the second Monday in December next.

Mr. VOORHEES. I have no objection to that. I want to say, however, that committees have been reporting here this morning, commencing with the Senator from Ohio [Mr. SHERMAN] and then the Senator from New Hampshire [Mr. CHANDLER], passing bills at the expense of the proper treatment of the Calendar. There are Senators here who have waited for the last ten days regularly every day to get a chance to have bills on the Calendar passed, bills that have had the consideration of committees, and have been on the Calendar for months, and instead of the Calendar having its proper time it has been crowded out by action on measures just such as we have seen here this morning. I have never been known to object to the consideration of anyone's bill in this body, and I have been here a good many years. I never did, and I would not now if the Senator from Connecticut was pressing action for his bill at this time, but there being no request for the consideration of a bill before the Senate, I give notice that unless the Calendar has a fair chance I shall object to this consideration of bills that are for the first time reported by committees.

Mr. PLATT. I do not ask for the present consideration of the bill.

Mr. VOORHEES. I know the Senator does not.

Mr. PLATT. I simply ask that an order be made that the bill be considered on the second Monday of December next.

Mr. VOORHEES. That is right.

The PRESIDENT *pro tempore*. At what hour.

Mr. PLATT. Two o'clock.

The PRESIDENT *pro tempore*. The Senator from Connecticut asks the unanimous consent of the Senate that the bill (S. 2870) to ratify and confirm an agreement with the Cherokee Nation of Indians of the Indian Territory, to make appropriation for carrying out the same, and for other purposes, be made the special order of the Senate for consideration on the second Monday of December next at 2 o'clock. Is there objection?

Mr. PERKINS. I do not object to the request, and I only regret that the bill can not be considered at an earlier date because of the very great importance of this measure to the people who live in that vast area of country. I hope it can be considered at the very earliest date possible.

Mr. MORGAN. I understand the Senator from Connecticut has submitted a report this morning in favor of the bill. I do not know that I shall object to that report, at least I shall not put in a minority report upon it, but I wish to say that the disbursement of so large a sum of money as is covered by this bill among the Cherokee Indians is a very severe temptation to the sin of authority in that nation, and I am not willing to act upon this case until the Cherokee Legislature have passed a law for the distribution of the money after it has been paid over, so that Congress may scrutinize that law and see whether it is likely to carry the money to the right places or whether it is probable or possible that speculators among the Indians and elsewhere shall line their pockets at the expense of this fund.

I merely wish to say that I hope the Cherokee Nation, through its Legislature, will make a provision of law under which the money, when received by them, shall be distributed into the hands of the Cherokees individually, or in such manner as they see proper, so that we may know exactly what they are going to do with it before we vote it.

The PRESIDENT *pro tempore*. Is there objection to the request made by the Senator from Connecticut? The Chair hears none, and the special order is entered.

#### REPORTS OF COMMITTEES.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (H. R. 7095) granting an increase of pension to Addison M. Copen, reported it without amendment and submitted a report thereon.

Mr. McMILLAN. I am directed by the Committee on the District of Columbia, to whom was referred the bill (S. 3412) to amend the charter of the Washington and Arlington Railroad Company, to report it with amendments, and I ask for its present consideration.

The bill was read as proposed to be amended by the committee.

Mr. VEST. It is impossible for us to tell where the train is to run from the reading at the desk. I object to the consideration of the bill.

The PRESIDENT *pro tempore*. Being objected to, the bill will be placed on the Calendar.

Mr. VEST. I want to look into the bill, and I intend to look

at every one of the railroad bills for this District from now on as long as I am in the Senate.

Mr. PASCO, from the Committee on Claims, to whom was referred the bill (S. 709) for the relief of the Potomac Steamboat Company, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 3888) for the relief of Samuel Howard, reported it with an amendment, and submitted a report thereon.

Mr. MITCHELL. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 6262) fixing the fees of jurors and witnesses in the United States courts in certain States and Territories, to report it without amendment.

I desire to state that this bill is substantially similar to Senate bill No. 1842, which passed the Senate some time since. The bill is very short; it occupies a page; it is a House bill, and I ask for its present consideration. It is reported unanimously from the Committee on the Judiciary.

The PRESIDENT *pro tempore*. The Senator from Oregon asks the unanimous consent of the Senate for the present consideration of the bill.

Mr. VOORHEES. I object.

The PRESIDENT *pro tempore*. Objection being made, the bill will be placed on the Calendar.

Mr. VOORHEES. It is in the interest of the Calendar that I object.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (S. 2639) granting a pension to Catharine W. Tennis, reported it without amendment, and submitted a report thereon.

Mr. PETTIGREW. I am instructed by the Select Committee on the Quadro-Centennial, to whom was referred the joint resolution (S. R. 106) authorizing foreign exhibitors at the World's Columbian Exposition to bring to this country foreign laborers for the purpose of preparing for and making their exhibits, to report it with amendments, and I ask unanimous consent for its immediate consideration.

The joint resolution was read.

Mr. VEST. Has the joint resolution been modified?

Mr. PETTIGREW. Yes, sir. I think it will cover the objection which the Senator from Missouri raised to it.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the joint resolution?

Mr. CARLISLE. Does the Senator from South Dakota answer that the joint resolution has been modified?

Mr. VOORHEES. Let it go over, so that we may understand it.

The PRESIDENT *pro tempore*. Being objected to, the joint resolution will be placed on the Calendar.

Mr. CULLOM. May I be allowed to say a word before it gets out of the control of the Senate?

The PRESIDENT *pro tempore*. By unanimous consent, the Senator from Illinois will proceed.

Mr. CULLOM. I think some such measure as this is very important, if the scope and plan that has been mapped out by the World's Columbian Exposition managers is carried out; and whatever is passed at all will have to be acted upon very soon.

Mr. CARLISLE. The Senator will allow me to say that I have no objection to a proper law upon that subject, but the joint resolution as read seems to provide no guaranty whatever that these laborers will not remain here continuously after the Exposition is over.

Mr. CULLOM. I understand that the chairman of the select committee has some amendments which he desires to have agreed to, which will probably remove all objection.

Mr. HARRIS. Let the joint resolution go over until to-morrow, and we can look at it.

Mr. VEST. I object to further debate. It has gone over.

Mr. SHERMAN. I think if it goes over until to-morrow every Senator will see the necessity of passing the joint resolution, and also of amending it.

Mr. CULLOM. I have no objection to its going over, provided we can get it acted upon in time.

The PRESIDENT *pro tempore*. The joint resolution will be placed on the Calendar.

Mr. CULLOM, from the Committee on Interstate Commerce, to whom was referred the bill (S. 3368) to create a national highway commission, and to prescribe its duties, reported it with an amendment.

#### BANKING STATEMENTS.

Mr. SHERMAN. I report a resolution from the Committee on Finance, which I ask to have read.

The resolution was read, as follows:

*Resolved*, That the Secretary of the Treasury be directed to report to the Senate at the earliest day practicable—

First. The yearly and aggregate amount of taxes collected from each source by the United States from national banks since 1863.

Second. The amount of taxes collected each year since 1863 from each source from State banks or banking associations and savings banks.

Third. The amount of outstanding circulating notes of State banks and banking associations and savings banks each year since 1830.

Fourth. The number and names of State banks, banking institutions or savings banks that have suspended or failed since 1830 and the loss severally of stockholders, noteholders, and other creditors of said banks.

Fifth. The number and names of national banks that have suspended or failed, and the loss severally to stockholders, noteholders, and other creditors of each of such banks.

Sixth. The distribution by States and sections of State banks and national banks, banking associations, and savings banks, showing the capital and circulation of each system of banking in each State since 1830.

Seventh. The rates of exchange on New York and the current value of the circulating notes of State and national banks as between the State where issued and the city of New York from 1830.

Eighth. The prevailing rates of interest in State banks, banking associations, savings banks, and national banks since 1830, and the legal rates of interest prescribed or authorized by the respective States for the same period.

Ninth. The net earnings or profits each year since 1863 of national banks authorized by States.

Mr. SHERMAN. I ask for the present consideration of the resolution. It calls for a comprehensive statement of our national banks since 1863, and of savings banks and State banks since 1830.

Mr. CHANDLER. From whom?

Mr. SHERMAN. From the Secretary of the Treasury.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. COCKRELL. I should like to have just a short explanation of the resolution. I did not hear the first part. What information does it call for?

Mr. SHERMAN. It calls for information from the Secretary of the Treasury giving a comprehensive statement in regard to the circulation, rates of interest, profit and loss, losses by individuals, etc., of the State banking system and savings banks from 1830, and the national banking system from 1863. It is a resolution the Committee on Finance thought proper to present, so that the Secretary of the Treasury may give the information.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

The resolution was agreed to.

#### BILLS INTRODUCED.

Mr. SANDERS introduced a bill (S. 3475) to provide for the construction of a public building at Miles City, Mont.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a joint resolution (S. R. 109) for the payment of an account to W. F. Niederlinghaus, contractor for furnishing beef to the Indians; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

#### SELECT COMMITTEE ON RELATIONS WITH CANADA.

Mr. ALLEN. I submit a resolution, and ask for its immediate consideration.

The resolution was read, as follows:

*Resolved*, That the Select Committee on Relations with Canada be authorized to continue its investigations, with all the duties and powers authorized by the resolutions of the Senate relating to that committee of July 31, 1888; December 6, 1888; December 4, 1889; September 23, 1890, and February 14, 1891, during the coming recess, and report to the next session of the Senate; the expenses of such investigations to be paid from the contingent fund of the Senate.

The PRESIDENT *pro tempore*. The Senator from Washington asks the unanimous consent of the Senate that the resolution be now considered.

Mr. VOORHEES. I object.

Mr. HARRIS. The resolution has to go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. ALLEN. Then I ask for its reference.

The PRESIDENT *pro tempore*. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

#### GRAND TRUNK RAILWAY COMPANY.

Mr. CHANDLER. I submit a resolution, and ask for its present consideration.

The resolution was read, as follows:

Whereas the Grand Trunk Railway Company, a Canadian corporation having its executive offices in the city of Montreal and its head offices in the city of London, is the owner of upwards of 1,000 miles of railways, more than 1,200 miles of which lines are located in the United States traversing in the West the States of Michigan, Indiana, and Illinois, and in the East the States of New York, Vermont, New Hampshire, and Maine, and owning and operating the International and Suspension bridges over the Niagara River connecting Canada with the State of New York, and also the railway tunnel under the St. Clair River connecting Canada with the State of Michigan, thus bringing the lines of this corporation in connection not only with the States above mentioned, but with all the commercial centers of the United States; and

Whereas said corporation has enjoyed in the past and still continues to enjoy the privileges to solicit and to carry on business, not alone in the interest of its American lines, but more especially in the interest of its Canadian

them up, a potato at a time, but I do not see how that logically proves that the price was increased by the tariff.

Mr. PALMER. It increased the price. It absolutely increased the price.

Mr. HISCOCK. Were there foreign potatoes there?

Mr. PALMER. Foreign potatoes were brought from Canada, from Manitoba.

Mr. HISCOCK. My recollection is that those potatoes came from Europe. I think they were imported from Europe during that time.

Mr. PALMER. Oh, they were.

Mr. HISCOCK. Not from Canada.

Mr. PALMER. The tariff, then, took bread out of the mouths of these hungry people, and made them pay an extra price.

Mr. HISCOCK. I remember the discussion we had here when it was insisted that the effect of the tariff was to increase the price to the extent of the tariff upon all of the goods produced in this country of the same class and character, the same articles, and some one up on this side asked a question of the other side, whether that rule applied to potatoes, and I think it was disputed then.

Mr. PALMER. I speak of a fact within my knowledge. That after all brings me to my principal objection to this delusive doctrine of protection. It is a fraud. It is a sham. It promises what no legislation can ever achieve. It is an attempt, by taking hold by legislation of the vast interests involved in our foreign commerce as well as our domestic production and commerce, to control these mighty conditions; and the result has been that no public good has been produced. My observation is that it has enabled particular persons to accumulate large fortunes. It has no doubt benefited many; but as a fact it is not in the power of human legislation to fulfill the promises of the protection party. Therefore I take it that the Democratic doctrine that tariffs shall be levied for revenue only furnishes the only solid, sensible ground for the imposition of tariff duties upon imports, because we have seen that these efforts are fallacious. I shall not trouble the Senate now with an attempt to show the particular conditions and circumstances all over the country where the protection policy has failed. It is a signal, outrageous, shameful failure. The only surprising thing to my mind is that men still talk about it as having in it any element of good. Is this country of ours, with 65,000,000 inhabitants, which has just commenced its career practically of the commercial domination of the world, to still consent to wear the shackles of childhood?

I tell you, Mr. President, in my judgment the remedy for our condition is not to attempt to build a Chinese wall around us and secure a little two-penny protection for some two-penny interest as compared with the whole product of the country.

That is not the policy of a great nation like ours. It is that we look abroad over the world with our 65,000,000 inhabitants, with resources that have no example in history. No country in the world has the resources of this, and instead of adopting this timid policy, let us seek the commerce of the world. Let us have the largest freedom of trade, the largest freedom of industry. I venture to say that that will be the solution of this trouble very soon. The old policies that existed years ago are passing away with the old men and with the wolves, and the bears, and the Indians, and new policies are being inaugurated based upon the present condition of this magnificent continent which the North Americans will at no distant day dominate.

Mr. HISCOCK. I move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. The Chair understands that the resolution was taken up for debate only. It will lie on the table. The Chair lays before the Senate the unfinished business.

The CHIEF CLERK. A bill (H. R. 7815) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling certain products to obtain license, and for other purposes.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from New York [Mr. HISCOCK].

Mr. DAVIS. I hope the Senator from New York will withdraw that motion for a few moments.

The PRESIDENT *pro tempore*. Does the Senator yield to the request of the Senator from Minnesota?

Mr. HISCOCK. I yield.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the report of the second committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 18, 44, 78, and 109 to the bill (H. R. 9284) making appropriations to supply deficiencies in the appropriations for

the fiscal year ending June 30, 1892, and for prior years, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8122) to prohibit the use of one-horse cars within the limits of the city of Washington, after the 1st day of January, 1893, and for other purposes.

The message further announced that the House had passed a bill (H. R. 7730) reserving from entry certain lands in Oklahoma, and for other purposes; in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 267) for the preservation of the public peace and the protection of property within the District of Columbia.

#### ONE-HORSE CARS IN WASHINGTON.

Mr. Mc MILLAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8122) an "Act to prohibit the use of one-horse cars within the limits of the city of Washington, after the 1st day of January, 1893, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same.

JAMES McMILLAN,

R. W. PERKINS,

ISHAM C. HARRIS,

*Managers on the part of the Senate.*

JNO. T. HEARD,

J. E. COBB,

P. S. POST,

*Managers on the part of the House.*

The PRESIDENT *pro tempore*. The report requires no action on the part of the Senate.

#### BUILDING STONE ON PUBLIC LANDS.

Mr. PETTIGREW submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1273) "to authorize the entry of lands chiefly valuable for building stone under the placer-mining laws," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House and agree to the same.

WM. M. STEWART,

R. F. PETTIGREW,

WM. B. BATE,

*Managers on the part of the Senate.*

THO. C. McRAE,

J. W. BAILEY,

*Managers on the part of the House.*

The report was concurred in.

#### PENSIONS TO ARMY NURSES.

Mr. DAVIS. I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 7294) granting pension to army nurses.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That all women employed by the Surgeon-General of the Army as nurses, under contract or otherwise, during the late war of the rebellion, or who were employed as nurses during such period by authority which is recognized by the War Department, and who rendered actual service as nurses in attendance upon the sick or wounded in any regimental, post, camp or general hospital of the armies of the United States for a period of six months or more, and who were honorably relieved from such service, or who, prior to the completion of such term of service, were disabled in such service and honorably relieved by reason of such disability, and who are now or may hereafter be unable to earn a support, shall, upon making due proof of the fact according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of pensioners of the United States and be entitled to receive a pension of \$12 per month, and such pension shall commence from the date of the filing of the application in the Pension Office after the passage of this act: *Provided*, That no person shall receive more than one pension for the same period.

SEC. 2. That no fee, compensation, or allowance shall be paid to, received, or accepted by any agent, attorney, or other person instrumental in the prosecution of any claim for pension under this act; and any person who may make any claim upon any applicant for any fee, compensation, or allowance shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding \$500, or imprisoned at hard labor not exceeding one year, or both, in the discretion of the court; and it shall be the duty of the Interior and War Departments to render all proper aid to applicants under this act.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Committee on Pensions in the nature of a substitute.

Mr. BERRY. Does that propose to pay a pension of \$12 a month to nurses during the late war? Does it apply to all nurses?

Mr. DAVIS. No; it grants a pension to all nurses who, under contract or authority from the office of the Surgeon-General or other recognized military authority, served for six months and were honorably discharged. It also grants a pension to those who did not serve so long, but were disabled in the course of duty. It confers this pension only upon those who are in need and dependent upon their own exertions for support.

Mr. BERRY. First, do I understand the Senator to say that all those who were employed by the Surgeon-General and had been honorably discharged are to get a pension absolutely whether they are disabled or not? Is it a service pension to that class?

Mr. DAVIS. It is not a service pension. They must be dependent upon their own exertions for support.

Mr. BERRY. If I understand the Senator's statement, the difference between those who served for six months and those who served for a less time—

Mr. DAVIS. Those who served less than six months can only get a pension in case they became disabled in the service.

Mr. BERRY. How as to the others?

Mr. DAVIS. They must have served six months and be dependent upon their own exertions for a livelihood.

Mr. BERRY. If they are dependent they get the pension whether disabled or not. Is that correct?

Mr. DAVIS. Certainly.

Mr. BERRY. Do I understand the Senator to say they get the pension whether disabled or not?

Mr. DAVIS. The persons who served six months and are dependent upon their own exertions for support get \$12 a month whether disabled or not.

Mr. BERRY. Then it is a service pension to those who are unable to make a living?

Mr. DAVIS. The Senator's abstract curiosity having been satisfied, I suppose it is.

Mr. BERRY. At \$12 a month?

Mr. DAVIS. Yes, sir.

Mr. CULLOM. The bill passed the Senate once before.

Mr. DAVIS. The same bill passed the Senate two years ago.

Mr. BERRY. Is this a House bill?

Mr. PADDOCK. Yes, and the substitute reported is more carefully guarded than was the bill as it came from the House.

Mr. GALLINGER. The bill reported is a substitute for the bill as it came from the House, which is the same bill that passed the Senate in the last Congress.

Mr. BERRY. I can not help what passed in the last Congress, so far as my own vote goes. There are a great many bills which passed the Senate and the other House, too, during the last Congress for which I was not responsible.

It seems to me a strange proceeding that these persons, who are not soldiers, should be put upon the pension roll at \$12 a month, while the old soldiers who served long before these services occurred were only put on the pension roll at \$8 a month. That is one thing that I can not understand about it.

It seems to me also that there can be no justice in placing persons upon the pension roll who were not soldiers, but were simply nurses during the late war. I can not see by what rule of justice or equity a claimant can be put upon the pension roll and continued there to increase the enormous pension list which we already have.

Something over two years ago when the bill which the Senator from Minnesota [Mr. DAVIS] had in charge passed, I stated that, in my opinion, if that bill became a law, inside of three years the cost of pensions to this Government would be \$150,000,000 a year, and within five years it would reach the enormous sum of \$200,000,000 annually. When I made that statement the Senator from Minnesota ridiculed the idea, and said that it could not amount to any such sum, that it would never (as I remember his speech) reach \$150,000,000. Yet to-day it has reached \$150,000,000, and the present Commissioner of Pensions boasts that he has been putting pensioners on the rolls at the rate of one for every twenty-two seconds during the last year, as I remember the statement, and there is not a Senator on this floor who doubts that within the next two years it will go to the sum of \$200,000,000 annually.

Not satisfied with this, they are seeking to increase that list now by attaching to it persons who were not soldiers; who were simply nurses during the war. How far that principle may extend, as to what numbers may be able to prove that they acted in the capacity of nurses—and this bill applies to some I understand who were not appointed by the Surgeon-General—no man can tell and no one can know.

The proposition is to place these nurses on the roll at \$12 a month, and I apprehend that if the Republican party is continued in power and we have the same Pension Committee we have now when these nurses are placed on the roll the effort will be made to increase these pensions from \$12 to \$15 a month.

I know, Mr. President, it is said that it is not popular to speak against any class of pensions which any individual may come before Congress and ask, but it seems to me that there ought to be some limit, there ought to be some time when this expense is to be discontinued, and we ought not to be adding additional classes year by year until the pension list is almost bankrupting the country in which we live. Senators know to what extent it is

going, but what the end will be no man can tell unless a check is put on this system somewhere.

I am opposed to pensioning army nurses. These ladies, it may be true, did many acts of kindness, and Senators can make an appeal for them with great sympathy, but there is no precedent in the past for pensioning them, and I venture to say that there is no country in the world where any, save and except those who were actual soldiers, are ever put upon the pension roll. I, for one, am opposed to the bill.

Mr. GRAY. I do not exactly understand the ground upon which this bill is advocated, or why army nurses should be selected out of a great number of worthy women, noble women, in this country who are daily making their business in life that of ministering to the sickness and distress of humanity.

If I understand the rationale, the *raison d'être* of the pension law and the pension system of the country, it is that the soldiers who performed service in the Army, taking their lives in their hands, risking life and limb, have performed an extraordinary service, which the country properly recognizes by protecting them from want by moderate pensions where they are disabled or where, in case of service pension, they have become old or where they are unable to support themselves. But the duty and service performed by an army nurse differs in no respect from that performed daily by the worthy women in our hospitals who are day and night ministering to the sick, disabled, and wounded who need their kind and womanly ministrations. The service of a nurse in an army hospital does not differ in peril from the services of women to-day who in this city and in every city of the land are performing like services; and the great body of trained nurses in this country have just as much ground for appeal to the American people to pension them when they become unable to earn their living, or are disabled from any cause, as these worthy women who are now sought to be placed on the pension rolls of the country. I do not depreciate their patriotism nor detract at all from what is due to them on account of the services they have rendered; but they stand apart from every reason that is urged in favor of a pension.

I see no reason why the labor of the country, why the woman who works for her living at her sewing machine early and late should contribute any portion of her earnings, however small, to support her sister who has done a service no more worthy and no more deserving of regard than that which she herself is performing. It is different with the pension of a soldier.

I know how many things go to the support of an application of this kind. It appeals to the chivalry and appeals to the gallantry of the men of the country, and we are all willing to do a kindness for these people; but we are doing it not out of our pockets, but out of the pockets of the American people. We are trustees here of an express trust, and have no right to dissipate in this way the fund with the protection of which we are charged, however small the item may be.

I therefore am opposed to the passage of this bill, however unpopular such a position may be. Although the amount of money may be small, it is opening up a line of conduct in regard to the pension business which will plague us in the future. I agree with what the Senator from Arkansas [Mr. BERRY] has said.

Mr. DAVIS. Mr. President, I had sincerely hoped that the necessity would not devolve upon me of saying anything in support of this measure. It is known to some that I rise to address the Senate with great reluctance on all occasions; and inasmuch as session after session since I have had the honor to hold the very onerous position of chairman of the Committee on Pensions we have been passing individual bill after individual bill, putting these women on the pension roll by name in each special case without objection; and especially considering that this same bill passed the Senate two sessions ago after much discussion, I had hoped not to hear the character of objections which have been advanced against it.

Mr. President, those who have had opportunity to know are fully aware that there is a vast difference, inappreciative to the Senator from Delaware, between the services which nurses in civil life perform in city hospitals and the services of those women who followed our Army into the field, who were the very angels of battle and desolation. The services of those two classes of women can not be for a moment compared. In civil life the whole ranks of womanhood are drafted upon to render that care, but in the Army they were "like angel visits, few and far between." They were implored by those in the front to come and render their service of benefaction and care. They did not do it in the bosom of peace; it was done sometimes under fire, in hospital tents, under every disadvantage, rendering to the sick and wounded soldiers those ministrations of mercy which come from none but women's hands; and not only to the soldier of one side, but to the soldier of both indiscriminately. In the hospitals he was clad in the blue and he who was clad in the gray received their ministering care.

to look upon the most marvelous nation which has existed since creation's dawn. The gentleman from Ohio [Mr. OUTHWAITE] says that it is a mere private corporation asking this aid. He overlooks the fact that the National Commission created by Congress is urging this appropriation that the Exposition may be all that the people of this country demand it shall be.

Some gentleman says: "How about the Constitution?" As to the constitutional question I will say, let the gentlemen thus solicitous settle that question when they vote for river and harbor bills, and for other enterprises which are not recognized specifically by name in the Constitution. There may be questions of that kind raised here by some gentlemen, but I am not going to argue them. The clause of the Constitution providing for the expenditure of public moneys for the general welfare of the United States is sufficiently broad to include this great undertaking. This House, the Senate, and the President evidently so construed it when the law was passed establishing the National Commission and appropriating money therefor. The Exposition being a public enterprise and for the benefit of the whole people, is clearly within the scope of the Constitution and not within its inhibition.

It is insisted that Chicago will receive benefit from the World's Fair. This is conceded. The same applies to the improvement of every river and harbor and every public work in the country. The people living in the vicinity where public improvements are made receive largest benefits. This, however, does not render it improper on that account to make the improvement. The legitimate purpose of any expenditure of public money is that it be primarily for the benefit of the people. That individuals or municipalities may reap incidental benefits can not be urged against it. To do so would defeat every public improvement.

It hardly be seriously contended that the great Exposition to commemorate the four hundredth anniversary of the discovery of the New World and display the achievements, present great power, and future illimitable possibilities of this modern Hercules among nations is not chiefly for the public welfare of our country. That conceded and other considerations must influence gentlemen in denying Government aid at this time.

It has been clearly shown that Chicago has done more than she agreed. Few cities could or would have done as much. More than ten millions have been provided. Illinois has appropriated \$800,000. Much of this, probably about one-third, comes out of the taxpayers of Chicago. Now, to carry on the preparations on the scale prescribed by the Federal Commission and to meet the reasonable and just expectations of the most progressive of peoples, even more than these large sums raised by Chicago and Illinois is absolutely demanded to insure such success as alone would comport with our dignity and greatness.

It is sincerely to be hoped, Mr. Speaker, that gentlemen will rise above questions of mere local consideration and vote the assistance so imperatively demanded, that this Exposition may truly display the greatness of our great country.

Mr. BINGHAM. I yield ten minutes to the gentleman from Louisiana [Mr. BOATNER].

Mr. BOATNER. Mr. Speaker, I understand the objections to this appropriation are twofold: First, that we have no power under the Constitution to appropriate money for purposes of this kind; next that if we have constitutional power, we ought not to exercise it. I propose, Mr. Speaker, to discuss these two questions in their inverse order. The argument made by gentlemen who cite the declarations of members from Illinois and Chicago in the last Congress that Chicago would not ask any additional appropriation, but would be perfectly satisfied if the Government would pay the expense of its own exhibits, would be overwhelmingly sufficient as a reason why we should not vote this appropriation if this were a Chicago fair. But, Mr. Speaker, it is not a Chicago fair. This is not a question which affects the local interests of the city of Chicago, or even of the State of Illinois. It is an international exhibition, to which the Government of the United States has invited the nations of the world.

It is an exhibit to which the nations of the world have been invited by the President of the United States, acting pursuant to the authorization given to him in a special act of Congress, and for this reason, sir, the Congress of the United States can not shirk its duty in respect to this international exhibit, because of the fact that some members in this House from the city of Chicago declared on this floor that that city would ask no additional aid from the General Government. Considering as I do that the national honor is concerned in this matter, and that it shall be the greatest international exhibit of the age, which it was intended to be, and which gentlemen opposing it here on this floor say they want it to be, I, sir, feel it to be a duty on my part, and the duty of this Congress, to give to its assistance all of the aid that is necessary.

Again, sir, something has been said about the politics of the situation. The delegates from the States of the gentlemen who

are here opposing this proposition voted in the city of Chicago, in the formation of a national Democratic platform, in favor of a declaration that Congress should extend whatever aid may be necessary to make this international exhibit a success. So that even from a party standpoint the party is committed to it. In my judgment it ought to be treated as a nonpartisan question, one in which the Democratic party should do its duty to the whole country by promoting and carrying to a successful conclusion a celebration, an international exhibit in which all parts of the country are equally interested. That is all I desired to say upon that particular branch of the subject, and I will now address myself to the question of the constitutional power of Congress to make this appropriation.

Mr. Speaker, many Democrats, I regret to say, are as much afraid of what is known as the general-welfare clause of the Constitution as a moon-eyed horse is of a stampon the roadside. They do not want to talk about it, or admit that there is any force or effect in it. They do not want to admit that the language means anything or is entitled to any force in the determination of the powers which exist in Congress under the Constitution. I am not one of them, and take the Constitution as it is, not as some think it ought to have been, and propose to give effect to every line and sentence it contains. The fact is, that the article in which it is to be found, the taxing clause, was originally reported without these words. It originally read:

The Congress shall have power to lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common defense of the United States.

That article was amended so as to read:

Sec. 8. The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States.

And then follow, Mr. Speaker, the paragraphs of section 8 enumerating the powers conferred on the General Government specifically. It was insisted for a long time, and is now contended by some political writers, that the power of appropriation is limited under the Constitution to the execution of those powers which are specially conferred on the Congress of the United States. But as stated by Mr. Madison, in referring to this article of the Constitution, if that be the correct construction, it absolutely eliminates the potent words which were added to the article by the framers of the instrument themselves. If such construction is to be adopted, all of the meaning, force, and effect of the words "and general welfare of the United States" placed in the article by the founders of the Government are removed.

It is argued on the other hand that this is an independent grant of power. If that contention were correct, the other grants of power would be entirely unnecessary; because this grant would embrace all enumerated powers and Congress would have the authority to enact such legislation in that line as it thought would provide for the common defense and general welfare. It seems to me, sir, that the true and proper construction of the words is that they were designated as a limitation or direction of the taxing power—a limitation of the taxing power which carries with it the power of appropriation—"to pay the debts and provide for the common defense and general welfare of the United States," and a direction of the taxing and appropriation power to the same objects and purposes.

Giving it this construction we reach the intention of the framers of the instrument themselves, to confer on the Congress the power to deal with the immense number of questions which it was foreseen would arise, and which are not covered by the express grants contained in the succeeding paragraphs of the Constitution, but which do provide for the common defense and general welfare of the United States.

Mr. BAILEY. Will the gentleman allow me to ask him a question?

Mr. BOATNER. Certainly.

Mr. BAILEY. I desire to ask this question of the gentleman from Louisiana: Conceding that the power to appropriate the public moneys is as unlimited as he asserts, how will he answer this point, that this is not an appropriation but a loan; or rather it makes the United States a stockholder in this Illinois corporation?

Mr. BOATNER. Well, Mr. Speaker, I have not contended or argued that the power of taxation is unlimited, or that the power of appropriation is unlimited.

Mr. BAILEY. I say, unlimited, as you argue.

Mr. BOATNER. I say that no authority for appropriation is to be found, except in the taxing clause of the Constitution, and that the taxing clause of the Constitution imposes the same limitation upon the power of appropriation as it does upon the power of taxation. As we have no power to levy taxes except to pay the debts and to provide for the common defense and the general welfare of the United States, so we have no power to appropriate the money thus levied except for the same purposes; and the



limitation in the Constitution to which I call the gentleman's attention is a limitation addressed to legislative discretion and to the consciences of the legislators. The question then, under my construction, would be whether the object of this appropriation is one which provides for the general welfare of the United States. If it is, why, it is a legitimate and proper subject of legislative appropriation. If it is not, then the limitation in the Constitution would prevent us from making any appropriation in its aid.

Now, answering the question of the gentleman from Texas [Mr. BAILEY], I say that it is an elementary rule of construction that the greater always includes the less, and as we have the unquestioned power under the Constitution to make an absolute donation of any amount of public money which we see proper to this enterprise, and to this Exposition at Chicago, we have for the same reason the right to give aid upon any terms which we may dictate. We have the right to loan upon terms; we have the right to give upon terms, or we have the right to appropriate outright.

Now, my friend from Alabama [Mr. OATES], in an argument which he addressed to this House a few days ago, has placed this appropriation upon the line and the level of the demand of certain of our fellow citizens, who desire the Government to open a general mortgage office and loan money upon all the real estate in the United States, and a great pawnshop to loan money upon all the corn, oats, wheat, cotton, etc., which may be presented; and he says that if we make this appropriation to the World's Fair at Chicago, we will be unable to answer the demands of those who advocate these measures, because, he says, if we have the authority to loan to the Chicago Exposition without security, we have, for a stronger reason, the authority to loan to the farmer upon the security of his products.

Mr. Speaker, it appears to me that the gentleman has entirely ignored the essential difference which is created by this limitation of power in the Constitution, or it seems to have escaped his attention; and that is, that the United States may raise money by taxation, in order that it may pay the debts and provide for the common defense and the general welfare of the United States; and the limitation is that this money shall be appropriated to those objects of public utility which promote and provide for the general welfare; the dividing line being, does the proposed appropriation address itself to the promotion of individual gain and profit, or is it a matter of public concern, not intended to put money into the pockets of individuals? If the former, under the limitation upon the taxing and appropriating power, we can not give the aid; if the latter, it is not only our right but our duty to do so.

Therefore, as this Exposition is a matter of national and international importance; as we have invited the nations of the world to come and see the advances which we have made in science, art, manufacture, and agriculture; as we have invited them to bring to us the evidences of their advances in the same lines; as it is in the promotion of commercial intercourse and the general interchange of commodities between other nations and our own country, it is not a private matter, it is not for private and individual gain, but is one of those objects of public concern, in providing for which we provide for the general welfare of the United States.

In the brief time allowed me it is impossible to discuss so important a question freely or as I should like to do. The State which I have the honor to represent in part has for years asked legislation on the broad lines I have indicated, and it has been granted. But for the beneficent legislation of Congress in granting us appropriations to assist us in preventing disastrous floods, large areas of my State and the Mississippi Valley would be unfit for human habitation. We have found the power to protect that great valley from the ravages of the floods which would otherwise destroy it, and I can not adopt a rule of construction as applicable to Chicago which would be destructive if applied to the Mississippi.

[Here the hammer fell.]

Mr. BINGHAM. I yield three minutes to the gentleman from Pennsylvania [Mr. O'NEILL].

Mr. O'NEILL of Pennsylvania. Mr. Speaker, the constitutional question which has been referred to by the gentleman who last addressed the House need not be raised at all. Congress has voted aid, both in the way of loans and in the way of gifts, to such expositions as this. The parties who were managing the Philadelphia Centennial Exposition supposed Congress had given a million and a half of dollars to that enterprise; but through the interposition of Mr. SPRINGER, a member from Illinois, there were words incorporated into the act which were afterward construed by the Supreme Court of the United States to mean that the million and a half was a loan and that it must be paid back.

Next we appropriated \$1,000,000 to the Exposition at New Orleans. I am quite sure that the wording of that act was "a

loan," and yet it has turned out to be a gift. You have heard of no one endeavoring to have that money paid back. No officer of the Government and no member of Congress has volunteered to go into the Supreme Court of the United States to test the question, and so we have made both a loan and a gift, practically; and I do not doubt the power of this House to make this a gift. I proposed that it should be a loan, and I am sorry to say that but few members voted for my amendment. The Centennial Board of Finance, which was the body of men that made that Exposition the great success that it was, came here, session after session, until within a few years past, and asked Congress to repay the million and a half to that Centennial Board of Finance. They did not give it up until at last they became satisfied that Congress would not do it. The affairs of the Centennial Board of Finance were wound up a few weeks ago by act of Congress and by the signature of the President.

Now, the State of Illinois is to be congratulated upon the fact that the entire membership from that State favors this appropriation. Upon the vote the State of Pennsylvania at that time showed five members against it, and it had a great effect upon carrying the Springer amendment. I voted that this Exposition should be in New York, not because I felt any sting at the action of Mr. SPRINGER years ago in this House, but because it was nearer to Philadelphia. It would have been within 90 miles of the city of Philadelphia, within two hours' ride by two great railroad lines, and because of that Philadelphia would have profited indirectly by its being held in New York. I may say at last I am happy it went to Chicago; that it went to an enterprising, courageous people, who will make it a success; and to day I am ready to vote the money, to make it a gift, as I can not have incorporated in the bill that it shall be a loan. I hope that this House will stand by the Senate amendment.

#### MESSAGE FROM THE PRESIDENT.

A message from the President, by Mr. PRUDEN, one of his secretaries, announced that the President had approved and signed bills and joint resolutions of the following titles:

On July 25, 1892:

An act (H. R. 5997) to amend section 2 of an act approved May 14, 1880, being "An act for the relief of settlers on public lands";

An act (H. R. 8579) to amend an act entitled "An act to incorporate the Brightwood Railway Company of the District of Columbia";

An act (H. R. 5446) to provide for the care of dependent children in the District of Columbia, and to create a board of children's guardians;

An act (H. R. 1105) for the relief of Henry S. Cohn, late of the One hundred and sixth Ohio Volunteers;

An act (H. R. 3496) for the relief of A. S. Lee;

An act (H. R. 2370) for the relief of Nathaniel Lang;

An act (H. R. 3310) for the relief of Jerome H. Biddle;

An act (H. R. 5091) to amend an act to authorize the construction of a bridge across the Tennessee River, approved August 9, 1888;

Joint resolution (H. Res. 80) authorizing the acceptance of medals presented to the officers and crew of the United States steamship Baltimore by the King of Sweden;

An act (H. R. 9324) to enforce reciprocal commercial relations between the United States and Canada, and for other purposes;

An act (H. R. 2100) for the relief of Julius C. Zanone, only heir of John B. Zanone, late of Mound City, in Pulaski County, Ill., deceased;

An act (H. R. 6073) to authorize the Postmaster-General to provide mail service, and for other purposes; and

An act (H. R. 6142) for the relief of J. D. King.

[NOTE.—The following bill having been presented to the President on the 12th instant, and not having been returned by him to the House of Congress in which it originated within the ten days prescribed by the Constitution, has become a law without his approval.]

An act (H. R. 1239) for the relief of the Mobile and Girard Railroad Company.

#### ENROLLED BILLS SIGNED.

Mr. WARWICK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles: when the Speaker signed the same:

A bill (H. R. 6183) to amend the national-bank act in providing for the redemption of national-bank notes stolen from or lost by banks of issue; and

A bill (H. R. 9622) to provide for the examination of certain officers of the Marine Corps and to regulate promotions therein.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses



mittee on Agriculture and Forestry accompanying the same, be printed and placed in the document room of the Senate for the use of the Senators, 1,000 copies of which number shall be for distribution by the Committee on Agriculture and Forestry.

#### GOVERNMENT PRINTING OFFICE SITE.

Mr. MANDERSON, from the Committee on Printing, reported the following resolution: which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Committee on Printing be, and is hereby, authorized to sit during the coming recess for the performance of any and all duties devolving upon it under the law, and for the purpose of continuing investigation under concurrent resolution of March 9, 1892, with a view to the selection of a site for the Government Printing Office and to make report thereon, and to employ a stenographer, the expenses thereof to be paid out of the contingent fund of the Senate.

#### CLERK FOR SENATOR VANCE.

Mr. JONES of Nevada. I am instructed by the Committee to Audit and Control the Contingent Expenses of the Senate to report the following resolution:

*Resolved*, That authority is hereby given to ZIMMON B. VANCE, a Senator from North Carolina, to employ a clerk during the recess of the Senate; and the Secretary of the Senate is hereby authorized and directed to pay such clerk the usual per diem compensation out of the contingent fund of the Senate.

I ask for the immediate consideration of the resolution.

The VICE-PRESIDENT. The Senator from Nevada reports the resolution?

Mr. PADDOCK. Yes, it is an original resolution.

The resolution was considered by unanimous consent, and agreed to *in am. con.*

#### COMMITTEE ON TERRITORIES.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. PLATT on the 21st instant, reported it without amendment, and asked for its present consideration:

*Resolved*, That the Committee on Territories, or any subcommittee thereof appointed for the purpose, are hereby authorized during the recess of Congress to visit the Territories of New Mexico, Arizona, Utah, and Oklahoma for the purpose of obtaining information with regard to the resources, population, and condition of said Territories, and as to the propriety of the admission of the same as States, and that the expenses of said committee be paid out of the contingent fund of the Senate.

Mr. COCKRELL. Let that be printed and lie over.

The VICE-PRESIDENT. Objection being made, the resolution will go over.

#### GEOLOGICAL SURVEY.

Mr. JONES of Nevada. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred a resolution submitted by the Senator from Montana [Mr. POWER] and reported from the Committee to Examine the Several Branches of the Civil Service, to report it with a substitute, and recommend the passage of the substitute.

The VICE-PRESIDENT. The substitute will be read.

The Chief Clerk read as follows:

*Resolved*, That a select committee of five Senators be appointed by the President of the Senate, whose duty it shall be to investigate the operations of the United States Geological Survey, the efficiency and utility of such Survey, together with the progress made and economy observed in its work; that said committee is authorized to sit during the sessions and the approaching recess of the Senate; may employ a clerk and a stenographer, send for persons and papers, and administer oaths, the expenses of such investigation to be paid from the contingent fund of the Senate.

Mr. COCKRELL. Let that be printed so that we can see exactly the scope of it. It can be called up in the morning.

The VICE-PRESIDENT. The resolution will be printed and go over.

Mr. WOLCOTT. I ask the Senator from Missouri if he has any special objection to the resolution respecting the Geological Survey.

Mr. COCKRELL. I can not tell exactly until I see the scope of the resolution. It can be printed and brought back here in a short time.

Mr. WOLCOTT. I am compelled to go away to-day, and that is the reason why I ask.

Mr. COCKRELL. We can have a special order made to have it printed and brought back in a few hours from the Government Printing Office. The Secretary can have the printing made special and have it sent to the office, and it will be immediately brought back, so that we can see what it is, and it can be called up at any time.

The VICE-PRESIDENT. The request for immediate printing will be complied with, and the resolution will lie on the table for the present.

#### BILLS INTRODUCED.

Mr. McMILLAN introduced a bill (S. 3477) to provide for doing away with certain grade crossings on the lines of the Baltimore and Potomac Railroad in the city of Washington, D. C., and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PLATT introduced a bill (S. 3478) relating to the registration of trade-marks; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 3479) to amend the patent laws; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Patents.

Mr. WARREN introduced a bill (S. 3480) providing for the construction of an administration building for army purposes at Fort D. A. Russell, Wyo., and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

#### NAVAL REVIEW IN NEW YORK HARBOR.

Mr. HALE introduced a bill (S. 3476) to change the date of the naval review in New York Harbor; which was read the first time by its title.

Mr. HALE. I ask that the bill may be put upon its passage.

The VICE-PRESIDENT. The bill will be read at length for information.

The bill was read the second time at length, as follows:

*Be it enacted, etc.*, That section 8 of the act of Congress of April 25, 1830, providing for the naval rendezvous and review in Hampton Roads, and in New York Harbor, in April, 1833, is hereby amended so as to read as follows:

That the President is hereby empowered and directed to extend to foreign nations an invitation to send ships of war to join the United States Navy in rendezvous at Hampton Roads, in April, 1893, and proceed thence, at such time during the month of May or June, as may be designated by the Secretary of the Navy, to New York Harbor to hold a review.

Mr. SHERMAN. As this is a bill just introduced, I should like to have it explained.

Mr. HALE. I propose to explain it. The only opportunity of passing it is in this way. The provision in the original act is in these words:

That the President is hereby empowered and directed to hold a naval review in New York Harbor, in April, 1833, and to extend to foreign nations an invitation to send ships of war to join the United States Navy in rendezvous at Hampton Roads and proceed thence to said review.

The Secretary of the Navy upon examining this law is doubtful whether under the language he could hold any review except in April, which of course is not a good time so far as the season and the weather go. The whole thing ought to be reversed, that is, the review held at Hampton Roads, as provided here, with the rendezvous of ships and foreign ships, and then proceed to New York and have the review part held later, in the discretion of the Secretary, in May or in June. This is only to me a difficulty. The Secretary of the Navy is in favor of it and has written a letter to that effect, and the only opportunity of doing it is in this way. It might go until next winter but the invitations to be given, as in all such cases, are formal and exact to foreign nations, and therefore the bill should pass at the present time if at all.

Mr. CHANDLER. I understand the bill changes only one word, from "April" to "May," in the old law.

Mr. HALE. That is all. It simply gives the discretion which the Secretary finds is not confided to him by the law.

Mr. ALLISON. I do not know that I shall oppose the bill, but the law providing for the naval review in April was intended to so arrange the whole disposition of this affair as not to interfere with the opening of the Exposition on the first day of May. If the bill introduced by the Senator from Maine shall pass as an amendment to the law it seems to divide the Exposition during the months of May and June, having one part of it going on in Chicago and another part of it going on in the neighborhood of New York City. I do not know whether that is wise or not. Certainly this is the first time I have heard of the proposition.

Mr. HALE. That has been taken into consideration by the Navy Department. Of course, whenever the review is held, the distinguished visitors and persons participating in it will go to Chicago and be present at the opening of the Fair there and for some time afterwards. This is not intended in any way to interfere with that. The ships will be here and remain on the coast through April and May, and after Chicago has been visited and attended to, then the formal technical review can be held in the month of May. Possibly the Secretary might do this without the change, but the Senator will see that the language of the law might forbid that.

That the President is hereby empowered and directed to hold a naval review in New York Harbor in April, 1893.

A Secretary might take the discretion of saying that it would be a nominal review, and as the ships were there he would hold the real review, the real spectacle, the real pageant later; but to save any difficulty of that kind, this amendment of the law is introduced, not to interfere in any way with the Exposition at Chicago, but to join with it and to go with it.

Mr. ALLISON. That may be true, but this is a matter which seems to me requires some little attention and consideration. I do not know but that it is all right, but it seems to me that it is to extend the naval review into parts at least of two months.

Mr. SHERMAN. I know very well that when the measure was adopted the word "April" was put in purposely and with the express design to confine this naval display to that month. Therefore, I think it would not be right to pass the bill until the President of the Columbian Exposition, who, I believe, is in the city, or at least he has been here recently, and the Senators from that State can be consulted. My impression is, that this would not be keeping good faith with the general managers of the Exposition, who expect to have the whole of the time between the 1st of May and the 1st of October, without any competition with the naval review, which was to be in April specifically by the terms of the law. I should like to have the opinions of the Senators from Illinois.

Mr. HALE. Of course, this is a matter which can be done only by unanimous consent. I conferred with what members of the Naval Committee I could find upon the floor, and they all said it was a proper thing, so that the bill has the informal indorsement of the Naval Committee. But it can only be done by unanimous consent. The bill may lie on the table for the present, and I am not certain that I shall call it up again, because if there be any such objection as the Senator from Ohio suggests, nobody wants to make any friction or get up any difference between these two features.

The VICE-PRESIDENT. The bill will lie on the table.

#### DISTRICT BRIDGES.

Mr. McMILLAN introduced a joint resolution (S. R. 110) conferring the control of the bridges in the District of Columbia on the Commissioners of the District of Columbia; which was read the first time by its title.

Mr. McMILLAN. I ask for the immediate consideration of the joint resolution.

The joint resolution was read the second time at length, as follows:

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled.* That the control of bridges in the District of Columbia is hereby conferred on the Commissioners of the District of Columbia; and they are hereby required to make such proper regulations as they may deem necessary for the safety of the public using said bridges, and for the lighting and the police control of the same.

SEC. 2. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Mr. VEST. Does the joint resolution come from the Committee on the District of Columbia?

Mr. McMILLAN. A similar measure was introduced here some six weeks ago and passed the Senate as an amendment to the District appropriation bill. By some mistake it was left out, and I am introducing it again.

Mr. VEST. Does the Senator say that it has passed the Senate?

Mr. McMILLAN. It passed the Senate as an amendment to the District appropriation bill, but by an error it was left out. It is simply to give the District Commissioners the control of the bridges. For instance, in the case of a long bridge like that over the Eastern Branch, where now, under the old law, a hundred years old, passengers are compelled to cross by walking their teams, they can trot slowly if the Commissioners allow them to do so, and the same way in regard to some of the other bridges, bridges half a mile long, where all the teams are obliged to walk. This is to give them power to go at a more rapid rate of speed. The engineers of the District say the bridges are perfectly safe, and it is quite proper, they say, that the Commissioners should have this power.

Mr. VEST. Then, as I understand the joint resolution, it simply goes to the control of the bridges and not as to any change in structure?

Mr. McMILLAN. No, just the control of the bridges; that is all. It has nothing to do with the construction of the bridges.

The VICE-PRESIDENT. If there is no objection to the present consideration of the joint resolution, it is before the Senate as in Committee of the Whole.

Mr. COCKRELL. I doubt whether the bridge under which the water main across Rock Creek passes ought to be placed under the Commissioners. I think that ought to be left under the Engineer Corps, as it has been for so long, which has charge of all the water works. I move an amendment.

Mr. McMILLAN. I have no objection to the amendment.

Mr. COCKRELL. What is the name of that bridge?

Mr. McMILLAN. The Aqueduct bridge, the bridge down on Pennsylvania avenue.

Mr. COCKRELL. I move to insert "except the Aqueduct bridge across Rock Creek."

Mr. McMILLAN. I have no objection to that.

The VICE-PRESIDENT. The amendment will be stated.

Mr. McMILLAN. You might call it the Pennsylvania avenue bridge across Rock Creek. I think that would be the proper way to describe it.

Mr. ALLISON. As I understand the joint resolution it merely places the control of these bridges in the hands of the District Commissioners.

Mr. McMILLAN. Yes.

Mr. ALLISON. I do not see why this bridge should be excepted from that control.

Mr. COCKRELL. The water main is not under the control of the District Commissioners. That is under the Engineer Corps, and not the Commissioners. It is a separate officer entirely who has charge of it.

Mr. ALLISON. So I understand.

Mr. COCKRELL. Therefore the Commissioners ought not to be able to do as they please with the bridge resting upon that great main.

Mr. VOORHEES. I rise to inquire under what rule we are proceeding now in the consideration of this business.

The VICE-PRESIDENT. By the unanimous consent of the Senate.

Mr. VOORHEES. I withdraw all unanimous consent so far as I am concerned, pursuant to the notice I gave. Measures can not come here just from a committee and get the full consideration of the Senate while this record lies here with the work of months, passed by committees of this body, who have the right of way, and for that Calendar I intend to assert the right of way.

The VICE-PRESIDENT. Objection is made to the present consideration of the joint resolution, and it will be referred to the Committee on the District of Columbia.

#### DISTRICT CORPORATIONS.

Mr. GORMAN submitted the following resolutions; which were referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved.* That a select committee of five Senators be appointed by the President of the Senate, whose duty it shall be to ascertain and report to the Senate the amount of the capital stock, bonds, and other evidences of debt issued by each and every incorporated company in the District of Columbia; the amount actually paid for said stock and bonds; the amount and value of the property acquired by each of said companies; the amount of gross receipts and expenditures by said corporations for each year during the past ten years; the dividends paid to stockholders during the same period, and the amount and disposition of any surplus fund; the amount of taxes paid each year; and to further ascertain and report what, if any, additional tax should be levied and collected from said corporations, and what further provisions should be made for the better regulation and control of said corporations.

*Resolved.* That said committee or any subcommittee thereof shall have authority to send for persons and papers, administer oaths to witnesses, and take testimony during the present session or during the approaching recess of Congress, and to employ a clerk and stenographer; the expense of the investigation to be paid from the contingent fund of the Senate.

#### ELLIS ISLAND IMMIGRANT STATION.

Mr. PROCTOR. I submit a resolution and ask to have it lie over. I may wish to call it up to-morrow in order to submit some remarks upon it.

The resolution was read, as follows:

*Resolved.* That the Secretary of the Treasury be, and is hereby, directed to send to the Senate a statement as to the operations of the Department at Ellis Island in receiving immigrants from foreign countries, and the condition and suitability of the buildings and other accommodations there for said service.

Mr. CHANDLER. I ask that the resolution may go over.

The VICE-PRESIDENT. It will go over as requested by the Senator from Vermont [Mr. Proctor]. The resolution will lie on the table for the present.

#### COMMITTEE SERVICE.

Mr. BATE. I ask to be relieved from further service upon the Committee on Mines and Mining.

The VICE-PRESIDENT. The Senator from Tennessee asks to be excused from further service upon the Committee on Mines and Mining. Is there objection? The Chair hears none, and the Senator from Tennessee is excused.

Mr. BATE. I ask that the Chair may fill the vacancy, and I beg leave to suggest to the Chair that the Senator from Alabama [Mr. PUGH] be substituted. I have the permission of the chairman to make the request.

The VICE-PRESIDENT. The Senator from Tennessee asks leave that the Senator from Alabama [Mr. PUGH] assume the place vacated by him upon the Committee on Mines and Mining. The Chair hears no objection, and the substitution will be made.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the amendment to the Senate to the bill (H. R. 6793) to provide for semiannual statements by foreign corporations doing business in the District of Columbia.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 7294) granting pensions to army nurses, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and

had appointed Mr. MARTIN, Mr. BUTLER, and Mr. JOLLEY managers at the conference on the part of the House.

The message further announced that the House had passed the following bills: in which it requested the concurrence of the Senate:

A bill (H. R. 8507) to put in force in the Indian Territory and Oklahoma Territory the law of the State of Arkansas entitled "An act to regulate the rates of charges for the carriage of passengers by railroads," approved April 4, 1887; and

A bill (H. R. 9175) to put in force in the Indian Territory and Oklahoma Territory certain laws of the State of Arkansas.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 6183) to amend the national-bank act in providing for the redemption of national-bank notes stolen from or lost by banks of issue;

A bill (H. R. 9022) to provide for the examination of certain officers of the Marine Corps, and to regulate promotion therein;

A bill (H. R. 9172) to incorporate the Washington and Great Falls Electric Railway Company; and

A bill (H. R. 9284) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1892, and for prior years, and for other purposes.

#### FOREIGN EXHIBITORS AT WORLD'S FAIR.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of the joint resolution (S. R. 105) authorizing foreign exhibitors at the World's Columbian Exposition to bring to this country foreign laborers for the purpose of preparing for and making their exhibits. I have an amendment which I shall offer which I think will meet all objections to the measure.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. VOORHEES. Mr. President, I object to its consideration now.

Mr. HAWLEY. I wish the Senator would kindly hear what is to be said about the measure. It is quite impossible for us to invite foreigners here and not permit them to bring their own peculiar workmen with them to put up their own exhibits. It is very unkind.

Mr. VOORHEES. I will hear the Senator.

Mr. HAWLEY. I have stated substantially the reason why the joint resolution should be passed.

Mr. VOORHEES. We have all worked through this session of Congress. The result of our labors is on this Calendar. Senators coming here from committees, morning after morning, get up and ask that the fresh work they bring in shall be considered and have the right of way over the results of the labors of the entire session. If other Senators are willing to sit by and see it done, very contrary to my usual custom here I do not intend to do so. It is not fair, it is not considerate, it is not just, it is almost impolite.

Mr. PETTIGREW. I wish to say in reply to the Senator from Indiana that I know of no instance where I have reported a bill that was not of general interest and of no personal interest whatever to me, and asked the consideration of it under the circumstances stated by the Senator from Indiana.

Mr. VOORHEES. If the Senator from South Dakota thinks that I have any reference to him personally, he could not possibly make a graver mistake. This objection of mine does not relate to individuals, whether they are large or small. It is to a rule of conduct that is set up here not merely by him, but by dozens of others. It called forth my objection yesterday, and the attempt of the Senator to consider it personal is futile, and I might say something stronger.

Mr. PETTIGREW. Mr. President—

Mr. VOORHEES. I object to the consideration of the joint resolution.

Mr. PETTIGREW. Mr. President, this resolution—

Mr. VOORHEES. I object to debate.

The VICE-PRESIDENT. Objection is made.

Mr. HAWLEY. I appeal to the Senator from Indiana, inasmuch as he has made his statement, whether he will not kindly hear the other side for a few moments?

The VICE-PRESIDENT. Does the Senator from Indiana withdraw his objection?

Mr. VOORHEES. Yes.

Mr. PETTIGREW. I conceive it almost impossible to conduct the World's Fair unless this joint resolution is passed. Under the contract-labor law of this country and the Chinese-exclusion act no skilled laborers from foreign countries can be brought in for the purpose of preparing and conducting the exhibits. Such labor can not be secured in this country. We shall have exhibitors from Egypt, Persia, Turkey, India, Japan, and

China, as well as from all the other countries of the world, making exhibits of their peculiar workmanship and manufacture. Unless this resolution is passed, it seems to me that we strike a fatal blow at the success of this Fair, and it is of such great importance, although this session is nearly over, as to warrant the immediate consideration of this resolution by the Senate. I therefore shall move to take up the joint resolution.

The VICE-PRESIDENT. The question is on the motion of the Senator from South Dakota that the Senate proceed to the consideration of the joint resolution.

Mr. VOORHEES. Mr. President, a single word. I want to call the attention of the Senate to the fact as to the appeal of the Senator just now, that if there was an emergency, the Senate has been in session I do not know how long—and I shall not stop to count up, but many months—and every consideration pointed out by the honorable Senator from South Dakota has been present to his mind, or might have been, or ought to have been, months ago, and there is no need for anyone to come forward in the closing hours and say if this is not done and if that is not done something dreadful will happen. We have been here for the consideration of these things long before to-day, and while we have been at work on other matters on this Calendar the Senator from South Dakota had full notice months ago, so far as the exigencies and demands of the World's Fair are concerned. I shall ask for the yeas and nays on this motion.

Mr. CULLOM. If the Senator will allow me to say a word—I think he is a fair-minded man—

Mr. VOORHEES. I try to be, but the line has to be drawn somewhere.

Mr. CULLOM. It so happens that those in authority in connection with the Exposition sent resolutions similar to the one just introduced to my colleague, I think to the Senator from Kentucky [Mr. CARRASSEL], and to myself, but for some unaccountable reason they were not received. Hence it was that the attention of the chairman of the committee and of ourselves failed to be called to this subject until very recently, the managers of the Exposition supposing that we had attended to it.

I hope under the circumstances, and in view of the great importance of this subject, the Senator will yield and allow the joint resolution to pass.

Mr. VOORHEES. It would be difficult for the Senator from Illinois to appeal to me on any question in vain. I withdraw my objection.

Mr. CULLOM. I am very much obliged to the Senator.

The VICE-PRESIDENT. The objection being withdrawn, the joint resolution is before the Senate.

Mr. PADDOCK. I hope after this joint resolution is disposed of there will be unanimous consent that the Calendar may be proceeded with.

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. R. 106) authorizing foreign exhibitors at the World's Columbian Exposition to bring to this country foreign laborers for the purpose of preparing for and making their exhibits.

Mr. PETTIGREW. I offer an amendment, to come in at the end of the joint resolution.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed to add to the joint resolution the following proviso:

*Provided, however,* That no alien shall, by virtue of this act, enter the United States under contract to perform labor, except by express permission, naming such alien, of the Secretary of the Treasury; and any such alien who may remain in the United States for more than one year after the close of said Exposition shall thereafter be subject to all the processes and penalties applicable to aliens coming in violation of the alien contract labor laws aforesaid.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. COCKRELL. Has the committee any further amendments?

Mr. PETTIGREW. I have another amendment which I wish to offer.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. In line 4, after "eighty-five," it is proposed to insert "prohibiting the importation of foreigners under contract to perform labor, and the acts of Congress prohibiting the coming of Chinese persons into the United States, and the acts amendatory of these acts," so as to read:

That the act of Congress approved February 26, 1885, prohibiting the importation of foreigners under contract to perform labor, and the acts of Congress prohibiting the coming of Chinese persons into the United States, and the acts amendatory of these acts, and the acts amendatory thereof, shall not be so construed, etc.

Mr. PETTIGREW. I have another amendment which will remedy that.

Mr. COCKRELL. I think there is too much in that amend-

ment already, as the Senator will see if he will have it read again.

Mr. PETTIGREW. I ask that the amendment be again read.

The CHIEF CLERK. As proposed to be amended, the clause reads:

"That the act of Congress approved February 25, 1855, prohibiting the importation of foreigners under contract to perform labor, and the acts of Congress prohibiting the coming of Chinese persons into the United States, and the acts amendatory of these acts, and the acts amendatory thereof, shall not be so construed, etc."

Mr. COCKRELL. Strike out the words "and the acts amendatory thereof."

The VICE-PRESIDENT. The clause proposed to be amended by the Senator from Missouri will be stated.

The CHIEF CLERK. It is proposed to amend the clause so as to read:

"That the act of Congress approved February 25, 1855, prohibiting the importation of foreigners under contract to perform labor, and the acts of Congress prohibiting the coming of Chinese persons into the United States, and the acts amendatory of these acts, shall not be so construed, etc."

Mr. CHANDLER. Have the committee amendments been agreed to?

The VICE-PRESIDENT. The amendments will be considered as agreed to if there be no objection. The Chair hears none; and they are agreed to.

Mr. PETTIGREW. I have another amendment, but it relates to striking out a portion of the preamble.

Mr. COCKRELL. That does not come up yet. We are not on the preamble at present.

Mr. CHANDLER. I understand the committee amendments have been agreed to.

The VICE-PRESIDENT. They have been agreed to.

Mr. COCKRELL. I move, in line 8, after the word "holder," to insert "who is a citizen of a foreign nation."

Mr. PETTIGREW. I accept that amendment.

Mr. SHERMAN. Let it be read first.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 2, line 8, after the word "holder," it is proposed to insert the words "who is a citizen of a foreign nation;" so as to read:

"Shall not be so construed nor shall anything therein operate to prevent, hinder, or in anywise restrict any foreign exhibitor, representative, or citizen of a foreign nation, or the holder who is a citizen of a foreign nation, of any concession or privilege from the World's Columbian Exposition, etc."

Mr. CULLOM. That is right, I think.

The amendment was agreed to.

Mr. COCKRELL. In line 11, after the word "of," I move to insert "their respective."

Mr. CULLOM. That is right.

Mr. COCKRELL. We do not want an Englishman to come here and hire a Chinaman.

The VICE-PRESIDENT. The amendment proposed by the Senator from Missouri will be stated.

The CHIEF CLERK. On page 3, line 11, before the word "foreign," it is proposed to insert "their respective;" so as to read:

"From bringing into the United States under contract, such mechanics, artisans, agents, or other employes, natives of their respective foreign countries, etc."

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

Mr. HAWLEY. Mr. President, this joint resolution is undoubtedly necessary in the condition of our statutes, in order that those invited to come here from abroad to exhibit, may bring with them the proper workmen and servants. Those persons who are brought with them are really a part of the exhibit, as much so as the goods they bring with them.

This is an occasion of fraternity among the nations, a mutual comparison of their progress in civilization, and an increase of the good feeling which ought to prevail between them.

The joint resolution is necessary, but I am sure that posterity will not read with pride a resolution which grants to workmen gracious permission to come here, and I tell them they must get out within a year afterwards.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The VICE-PRESIDENT. The question is on agreeing to the preamble.

Mr. PETTIGREW. I move to amend the preamble.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out the fourth and fifth paragraphs of the preamble, except the word "Therefore."

Mr. COCKRELL. I confess I do not understand the condition in which the preamble is left.

Mr. CHANDLER. I would say that there have been two prints of the joint resolution. Difficulty has grown out of the fact that some lines of the preamble had been transferred to the second page. As I understand the motion of the Senator from

South Dakota, the chairman of the committee, it is to strike out the fourth and fifth clauses of the preamble.

Mr. SHERMAN. It had better be read as it stands.

Mr. COCKRELL. I understand it is to strike out the fourth and fifth clauses.

Mr. PETTIGREW. The fourth and fifth clauses of the preamble.

Mr. CHANDLER. Except the word "Therefore."

Mr. SHERMAN. Let the preamble be read as it stands.

The VICE-PRESIDENT. The preamble will be read as it now stands.

The Chief Clerk read as follows:

Whereas under and in pursuance of the act approved April 25, A. D. 1890 the President of the United States has invited the governments and citizens of foreign nations to participate in the international exhibition authorized by the act above recited; and

Whereas the invitations so extended have been accepted by the several nations, and space for installing foreign exhibits has been applied for and duly apportioned, and concessions and privileges granted by the Exposition management to the citizens and subjects of foreign nations; and

Whereas for the purpose of securing the production upon the Exposition grounds of scenes illustrative of the architecture, dress, habits, and modes of life, occupation, industries, means of locomotion and transportation, amusements, entertainments, etc., of the natives of foreign countries, it has been necessary for the World's Columbian Exposition to grant concessions and privileges to certain firms and corporations conceding the right to make such productions; Therefore, etc.

The VICE-PRESIDENT. The question is on agreeing to the preamble as amended.

The preamble as amended was agreed to.

On motion of Mr. COCKRELL, the title was amended so as to read: "A joint resolution authorizing foreign exhibitors at the World's Columbian Exposition to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits."

#### HIGHWAYS IN ARID REGIONS.

The VICE-PRESIDENT. The Calendar is now in order. The first bill on the Calendar will be stated.

Mr. SHERMAN. What is the general order—House bills?

The VICE-PRESIDENT. The Calendar is in regular order under Rule VIII. The first bill will be stated.

The bill (S. 3071) reserving easements for common highways in the arid States and Territories was announced as first in order.

Mr. SANDERS. This bill was reported from the Committee on Public Lands and was before the Senate the other day and read. It was reported with amendments. It led to some discussion, but I do not think it met with any opposition. If it shall seem to lead to any discussion now, I shall not ask that it be pressed.

Mr. COCKRELL. Is the bill of any special importance just now?

Mr. SANDERS. No further than that according to the terms of the bill, so far as settlements shall progress, it will afford opportunity for looking up streams and also for preventing the laying out of roads during the vacation of Congress. I am willing it shall go over.

Mr. COCKRELL. I think the bill had better go over without prejudice.

The VICE-PRESIDENT. The bill will be passed over.

#### JAMES L. TOWNSEND.

Mr. HAWLEY. I ask leave to call up a bill which went over without prejudice during my accidental absence one day two or three weeks ago. It is Order of Business 631, Senate bill 2298.

By unanimous consent, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2298) for the relief of James L. Townsend. It proposes to correct the military record of James L. Townsend, late captain of Company B, Fourteenth Connecticut Volunteers, and to grant him an honorable discharge as of said company and regiment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### IMMIGRATION AND CONTRACT-LABOR LAWS.

Mr. CHANDLER. I ask the Senate to take up at this time Order of Business 820, being the bill (S. 3240) to facilitate the enforcement of the immigration and contract-labor laws of the United States.

Mr. VOORHEES. Mr. President, if a man be not consistent in this world what shall he be? If he does not take care of his own record, who will? Pursuant to what I have heretofore said, I adhere to the Calendar. I know that my reputation for amiability and concession is so great that every Senator in this body presumes that I will yield, but I can not do so.

The VICE-PRESIDENT. Objection is made, and the next bill on the Calendar in order will be stated.

#### MASONS' RELIEF ASSOCIATION.

The bill (S. 2946) to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of

Columbia," approved March 3, 1869, was announced as next in order, and the Senate, as in Committee of the Whole, proceeded to consider it.

Mr. SANDERS. Unless there is some urgency for the present consideration of this bill to be stated here, I shall object to its consideration. If there is any urgency, I will withdraw the objection to hear what it is.

Mr. McMILLAN. In the absence of the Senator in charge of this bill, I can only say that this is a local matter of some importance. "This association desires the law changed in one or two respects—first, to allow any member of the association, whether he happens to be a member of the board of directors or not, to hold the office of secretary; and second, to allow the company to pay to beneficiaries not to exceed \$1,000, instead of \$1,800 as at present.

Mr. SANDERS. Are those the only changes?

Mr. McMILLAN. Those are the only changes involved, as I understand.

Mr. SANDERS. We have spent a great deal of time within the last three weeks dealing with local corporations in the District of Columbia, and I suppose every Senator feels the pressure for the consideration mentioned by the Senator from Indiana [Mr. VOORHEES].

A number of years ago the Congress of the United States assumed to pass a general law applicable to corporations, their creation, and the conduct of their business in the District of Columbia, which may or may not have been wide enough for the purposes for which corporations are desirable here. The law is found in volume 16 of the United States Statutes at Large, and was passed twenty-two years ago. If it is desired to change that law, that is well; if it is desired to repeal it, that is well; but why every time it is desired that some new right shall be granted to a corporation they shall come here and ask legislation of us, to the exclusion of public business that is of consequence to the country at large, I can not see, and I do not approve of that condition of affairs.

This law was passed not merely to provide for railroad corporations, but for manufacturing corporations, for benevolent corporations, and for every form of corporate existence which has grown up in recent years. I regret to say, very much, in my own judgment, contrary to what the public interests require.

I do not believe that it is wise to incorporate any body of men except for the fulfillment of a public function, but I am importuned to withdraw this objection because the matter is a small one, and therefore of no consequence; and yielding to the weight of that appeal, I withdraw the objection.

The VICE-PRESIDENT. The amendments reported by the Committee on the District of Columbia will be stated.

The first amendment was, after the word "section," at the end of line 46, to insert "and by adding a proviso;" so as to read:

Also in section 5, by striking out the words "eight hundred" before the word "dollars" at the end of the section, and by adding a proviso, so that the section shall read.

The amendment was agreed to.

The next amendment was, in line 61, after the word "dollars," to insert:

*Provided*, That nothing contained in this act shall be construed to impair the obligations of the Masonic Mutual Relief Association existing at the time of the approval of this act to pay to the persons mentioned in this section an amount not exceeding \$1,800.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### HUDSON RIVER BRIDGE.

Mr. BLACKBURN. I move that the Senate do now proceed to the consideration of Order of Business 716, being the bill (S. 2626) to authorize the New York and New Jersey Bridge Companies to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey.

The VICE-PRESIDENT. The question is on the motion of the Senator from Kentucky.

Mr. HISCOCK. I object to the consideration of that bill.

Mr. BLACKBURN. I move to proceed to the consideration of the bill notwithstanding the objection.

The VICE-PRESIDENT. The Senator from Kentucky moves that the Senate proceed to the consideration of a bill, the title of which will be stated.

Mr. HISCOCK. Mr. President—

The VICE-PRESIDENT. The motion is not debatable. The title of the bill will be stated.

The CHIEF CLERK. A bill (S. 2626) to authorize the New York and New Jersey Bridge Companies to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey.

Mr. BLACKBURN. The Senator from New York will have his opportunity to debate if the Senate shall determine to take up the bill.

Mr. HISCOCK. I had a distinct understanding that this bill should not be taken up in the absence of the Senator from Maine [Mr. FRYE].

Mr. BLACKBURN. On the contrary, the distinct understanding was that the bill would be taken up at the earliest possible moment, and notice to that effect was served by me on the Senator from New York a month ago.

Mr. HISCOCK. I am not talking about the Senator from New York. I am talking about the Senator from Maine [Mr. FRYE].

Mr. GORMAN. I ask—

The VICE-PRESIDENT. Debate can only proceed by unanimous consent.

Mr. GORMAN. I wish to make a statement in regard to this bill, with the consent of the Senate.

Mr. BLACKBURN. I have already objected to any debate on the motion; but I do not want to preclude any statement the Senator may wish to make unless it be in the nature of debate.

Mr. HARRIS. If debate is not to be general, I object to any debate. It must be free to all or to none.

The VICE-PRESIDENT. Objection is made. The question is on the motion of the Senator from Kentucky to proceed to the consideration of the bill, the title of which has been stated. [Putting the question.] The ayes appear to have it.

Mr. HISCOCK. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I am paired with the junior Senator from Texas [Mr. MILLS].

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL]. I do not know how he would vote on this question if present. I believe the Senator from New Hampshire [Mr. GALLINGER] announced a pair with some Senator on this side of the Chamber. If agreeable to him, I suggest that we transfer our pairs and vote.

Mr. GALLINGER. I have an impression that I should prefer the pair to stand for to-day.

Mr. HARRIS. Then I announce my pair with the Senator from Vermont [Mr. MORRILL].

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE]. Not knowing how he would vote if present, I withhold my vote.

Mr. MORGAN (when his name was called). I am paired with the Senator from Massachusetts [Mr. DAWES].

Mr. PUGH (when his name was called). I am paired with the Senator from Massachusetts [Mr. HOAR].

Mr. QUAY (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. FAULKNER], and therefore withhold my vote. If he were present I should vote "yea."

Mr. WALTHALL (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. DIXON]. If he were present I should vote "yea."

Mr. WARREN (when his name was called). Has the Senator from Georgia [Mr. GORDON] voted?

The VICE-PRESIDENT. He is not recorded.

Mr. WARREN. Then I withhold my vote, as I am paired with that Senator.

The roll call was concluded.

Mr. BEERY. I am paired generally with the Senator from Colorado [Mr. TELLER], but being informed by his colleague [Mr. WOLCOTT] that he would vote "yea" if present, I vote "yea."

Mr. DAVIS. I am paired with the Senator from Indiana [Mr. TIERCE].

Mr. PUGH. I transfer my pair with the Senator from Massachusetts [Mr. HOAR] to the Senator from Colorado [Mr. TELLER] and vote "yea."

Mr. WALTHALL. I transfer my pair with the junior Senator from Rhode Island [Mr. DIXON] to the Senator from West Virginia [Mr. KENNA], and I vote "yea."

Mr. GORMAN. I have a general pair with the Senator from Maine [Mr. FRYE], but on this question I have voted because the Senator from Maine left a memorandum with me when he left the city to the effect that his understanding was that this bill would not be taken up at this session. He being the chairman of the committee which reported the bill adversely, I have taken the liberty of voting "nay" on this proposition.

Mr. HARRIS. Being paired with the Senator from Vermont [Mr. MORRILL] and the Senator from Michigan [Mr. McMILLAN] being paired with the Senator from North Carolina [Mr. VANCE], we have agreed to transfer our respective pairs and record our votes. I vote "yea."

Mr. McMILLAN. I vote "nay."



The result was announced—yeas 28, nays 20; as follows:

## YEAS—28.

Allen,	Cockrell,	Hansbrough,	Pettigrew,
Bate,	Coke,	Harris,	Pugh,
Berry,	Daniel,	Hunton,	Sanders,
Blackburn,	Dubois,	Jones, Ark.	Vest,
Brice,	Felton,	Kyle,	Walshall,
Call,	Gibson, La.	Manderson,	White,
Carlisle,	Gibson, Md.	Perkins,	Wolcott.

## NAYS—20.

Alfison,	Hawley,	Paddock,	Ransom,
Cacey,	Hiscock,	Palmer,	Sawyer,
Chandler,	Jones, Nev.	Peifer,	Sherman,
Cudom,	McMillan,	Platt,	Stockbridge,
German,	Mitchell,	Proctor,	Washburn.

## NOT VOTING—40.

Alenich,	Paulkner,	Irby,	Squire,
Blodgett,	Frye,	Kenna,	Stanford,
Bulder,	Gallinger,	McPherson,	Stewart,
Cameron,	George,	Mills,	Teller,
Cassidy,	Gordon,	Morgan,	Turpie,
Colquitt,	Gray,	Morrill,	Vance,
Davis,	Hale,	Pasco,	Vilas,
Dawes,	Higgins,	Power,	Voorhees,
Dixon,	Hill,	Quay,	Warren,
Dolph,	Hoar,	Shoup,	Wilson.

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2626) to authorize the New York and New Jersey Bridge Companies to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey.

Mr. CULLOM. Mr. President, I am a little surprised at this bill coming up, not that I wish by that remark to impute any desire to take any advantage or any wrongdoing on the part of the Senator from Kentucky, who moves that it be taken up, but for the reason that the chairman of the Committee on Commerce, who has been known to be very positively against the passage of this bill during the present session, left the city, I am sure, with the belief that it would not be taken up.

Mr. BLACKBURN. Will the Senator permit me a moment?

Mr. CULLOM. Yes.

Mr. BLACKBURN. Through abundant caution I took occasion to advise both the Senator from Maine, the chairman of the Committee on Commerce, and the Senator from New York [Mr. HISCOCK], that this bill would be taken up, or at least that I should make the effort to take the vote of the Senate upon it.

Mr. CULLOM. Mr. President, as I said in the outset, I disclaim any possible suggestion that the Senator has taken advantage of the absence of the chairman of the committee; but having the honor of sitting near by that Senator when he is in his seat, I got the impression from him by frequently asking him from time to time about the bill, that he had no expectation that it would come up during the present session. I know he felt a very great interest in the defeat of the bill which has just been read, during this session of Congress.

Mr. President, I shall not undertake to argue the merits of the two bills, but simply to give a history of the controversy which has been going on, for the present session at least, in reference to the pending bill.

To begin back of that, I think it was about two years ago that the Congress of the United States passed a bill chartering another company to build a bridge over the Hudson River some 2 or 3 miles distant from the proposed location of this bridge, if it should be built. The parties interested in the other charter have been at work very earnestly, I think, trying, in the first place, to secure such a bridge as would be approved by the Secretary of War under the provisions of the act. In the effort to do that almost a year's time was consumed, and I do not know but more, before such plans of the bridge as were presented to the Secretary of War were made satisfactory to him and secured his approval. The time in which that was required to be done ran almost up to the beginning of the present session of Congress, probably within three or four months of the time when this session of Congress began.

Then this bill came in, providing for chartering another company. The Committee on Commerce had a hearing upon the subject early in the session, and almost unanimously, if I recollect rightly, the committee decided that such a charter should not be granted at this time. After that action was taken by the committee adverse to the bill, time passed on, and not very long ago a new movement was made in favor of this bill, and it was asked of the committee that another hearing should be given. Then a full hearing was given to all those, I think, who desired to be heard, and the committee again decided adversely to the bill. Consent, I think, was given that the bill should be reported back adversely, and on request it went on the Calendar. And we find it here to-day.

So far as I am concerned, I believe it would be impracticable to build both these bridges at this time. Either of the

bridges, as I recollect the testimony, will cost from \$30,000,000 to \$60,000,000, a very large sum of money. Possibly they may include the right of way, but either of these bridges will cost a vast sum of money. I think the testimony shows that perhaps two of them at this time would not be sufficiently sustained to justify their construction.

So the committee determined that it would not be right, after the parties getting the first charter should have succeeded in getting their plans approved and ready to go to work, and to raise the money necessary for the construction of the first bridge, that the Congress of the United States should rush in so soon after that and, in view of the great expense to both, charter another company. On that ground, the Committee on Commerce decided that this charter should not be given at this time.

So far as I am concerned, I have no interest as to which one of these bridges shall be built. I should be glad in the interest of commerce if both of them were built, but I do not believe, with the testimony before me, that both of them can be built at this time; and I think it would be unfair to the first parties, who are in the midst of raising the money, to charter the other company and thereby embarrass the first company before they raise the money or have had a reasonable time within which to raise it.

So I am opposed to the bill, as I was in committee, and I shall vote against it in the Senate. If subsequently it shall be a certain that the first company can not raise the money, or if it shall be ascertained that both bridges are needed, I shall be willing to charter them both. Until that time arrives, however, I think we should not do it. I merely suggest these facts briefly as my reason for opposing the bill at this time.

Mr. GORMAN. Mr. President, in view of the statement of the Senator from Illinois [Mr. CULLOM], as well as that of the Senator from Kentucky [Mr. BLACKBURN], as to the agreement about the consideration of this bill, my statement in regard to the understanding of the Senator from Maine [Mr. FRYE] was possibly a little too broad. I have sent for the memorandum which he left with his clerk for me when he left the city, without my being able to see him. Here is the memorandum:

I hope you will not allow the New York bridge bill to come up in my absence, as I wish to address the Senate at length on the same. I do not suppose its friends will try to have it considered at this session.

Therefore, when I stated that he had an understanding that the bill would not be taken up, I probably made that too strong. He expressed the hope that it would not come up in his absence, as he desired to address the Senate at length upon the bill, being opposed to its passage.

Mr. BLACKBURN. I should like to ask the Senator from Maryland if the chairman of the committee has not gone home to be absent for the rest of the session?

Mr. GORMAN. So I understand.

Mr. CULLOM. I am prepared to say that the Senator's wife was taken ill, and while he did not expect on the night before last to leave the city, yesterday morning, on account of the extreme heat and the condition of Mrs. Frye, who was taken ill, the Senator determined to depart from the city with her immediately. He does not expect to return, because he supposes the Senate will very soon adjourn.

Mr. VEST. There is a certain amendment to this bill which was offered by the Senator from West Virginia [Mr. KENNA], who is detained from the Senate by sickness, which should be placed upon the bill, and I therefore now offer the amendment, which is in the nature of a substitute.

The VICE-PRESIDENT. The amendment proposed by the Senator from Missouri [Mr. VEST] will be stated.

The SECRETARY. It is proposed to strike out all after the enacting clause of the bill, and insert:

That the New York and New Jersey Bridge Companies, incorporated by the States of New York and New Jersey and existing under the laws of said States, are hereby authorized to construct, operate, and maintain a bridge across the Hudson River between New York City, in the county and State of New York, and the State of New Jersey, subject to the laws of said States, respectively, upon the following terms, limitations, and conditions:

First. That said bridge shall be located at such point in the said city between sixty-fifth street and Seventy-second street and at such point north of the southern line of the township of Union, in the county of Hudson, State of New Jersey, as shall be selected by the Secretary of War upon such examinations, hearings, and reports as he shall hereafter prescribe.

Second. That the companies may lay upon or over such bridge railroad tracks for the use of railroads, and locate, construct, and maintain such connections as are necessary and proper with railroads at the ends of said bridge or approaches thereto; *Provided*, That any railroad on either side of said river shall be permitted to connect their tracks with said bridge tracks, its approaches and connections, and shall have equal right of transit for their rolling stock, cars, passengers, and freight upon equal and equitable terms, and if a dispute as to the equality or equity of the terms shall arise, it shall be submitted to and decided by the Interstate Commerce Commissioners of the United States, under such rules and regulations as they may prescribe.

Third. That any bridge built under the authority of this act shall be constructed at such elevation as the Secretary of War shall approve and require. *Provided, however*, That it shall afford under any conditions of load or temperature a minimum clear headway above high water of spring tides of not less than 150 feet; and all the plans and specifications, with the necessary drawings, of said bridge shall be submitted to him for approval, and



before such approval the construction shall not be begun; and should any change be made in said plans during the progress of construction such changed plans shall be submitted to him and approved by him before made; and the said bridge shall be constructed with a single span over the entire river between towers or piers located between the shore and the established pierhead lines in either State, and no pier or other obstruction to navigation of a temporary or permanent character shall be constructed in the river between said towers or piers.

Fourth. The companies operating under this law shall maintain on the bridge, at their own expense, from sunset to sunrise, such lights and signals as the United States Light-House Board may prescribe.

Fifth. The company or companies availing themselves of the privileges of this act shall not charge a higher rate of toll than authorized by the laws of the States of New York and New Jersey.

Sixth. That said company or companies shall be subject to the interstate-commerce laws and to all amendments thereof, and when such bridge is constructed under the provisions of this act it shall be a lawful military and post road and a lawful structure.

Seventh. The company or companies availing themselves of the privileges of this act shall file an acceptance of its terms with the Secretary of War, and shall submit to the Secretary of War, within one year after the passage of this act, for examination and approval, drawings showing plan and location of the bridge; and the construction of said bridge shall be commenced within one year after the location and plans have been approved by the Secretary of War, and completed within four years from said date; otherwise this act shall be null and void.

Eighth. The right to amend, alter, modify, or repeal this act is hereby reserved, and nothing herein shall be construed as a repeal or interference with any right to build a bridge across the Hudson River heretofore granted by Congress to any company or bind this or any other Congress not to extend or renew the same.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on the amendment proposed by the Senator from Missouri [Mr. VEST].

Mr. HISCOCK. Mr. President, I had hoped this bill would not be pressed at this session for reasons which I will state; and it perhaps is proper—I feel quite sure it is—that I should call the attention of the Senate to the history of this measure.

The bill was presented to the last Congress substantially in the same form as we have it here, and certainly without any influence on my part, without any argument being made on my part, the Committee on Commerce reported unanimously against it. They investigated the measure and concluded that it ought not to have the sanction of that committee before the Senate. At this session of Congress a bill substantially in the form of this, at least for the same purpose, was again presented to that committee, and again after very careful consideration, as I was informed, the bill was reported adversely. Then, or some time after that, this bill was introduced by the Senator from Kentucky [Mr. BLACKBURN].

Mr. President, I do not question the power and the right and the duty even under certain circumstances of the distinguished Senator from Kentucky to present a bill and champion a measure affecting the rights of the two States of New Jersey and New York, the Senators from those two States not caring to introduce the measure, or at least not introducing the measure. I may supplement that by saying here to-day that this bill is pressed in the absence of both Senators from New Jersey and of my distinguished colleague [Mr. HILL].

Mr. BLACKBURN. Will the Senator permit me to ask a question?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Kentucky?

Mr. HISCOCK. I do.

Mr. BLACKBURN. Does not the Senator from New York know, by referring to the bill which I hold in my hand, that it was introduced by me upon the 18th day of March of this year, when his colleague was not in the Senate and had not been here, at that colleague's request?

Mr. HISCOCK. I have no knowledge that it was introduced at my colleague's request.

Mr. BLACKBURN. The Senator has the knowledge now.

Mr. HISCOCK. My colleague was a Senator then, I think, and I know that he is a member of this body now, and is not here.

Mr. BLACKBURN. Is he in favor of this bill or not?

Mr. HISCOCK. I do not know.

Mr. BLACKBURN. Does not the Senator know that his colleague appeared before the Senate Committee on Commerce and made an argument in favor of this bill?

Mr. HISCOCK. I do not know whether he is in favor of it or not. That is my statement.

Mr. BLACKBURN. I know that the Senator's colleague appeared before the Committee on Commerce of the Senate, and made an argument in favor of this bill.

Mr. HISCOCK. Whether he is in favor of this bill at the present time or not I do not know.

Mr. BLACKBURN. I will inform the Senator that he is.

Mr. HISCOCK. I desire to say, however, in respect to my distinguished colleague, in reference to his support of any measure here or elsewhere, those who differ with him most radically have never believed that he needed upon any question to speak

by proxy, but they believe that he is always able to voice his own sentiments and support the measures that he is in favor of.

Neither of the Senators from New Jersey are here. I am authorized to say of one that he is opposed to the bill.

Mr. BLACKBURN. Will the Senator allow me to say just there, that I have the authority of the other Senator from New Jersey to say that he is warmly in favor of it?

Mr. HISCOCK. If we go into that question, I must say again that New Jersey is not so far from here but that upon a measure of this kind if the Senator from New Jersey was very warmly in favor of it, he would be very likely to be present.

I do not claim, Mr. President, that it is unusual; no, I will withdraw that remark—I do not claim that it is inappropriate for the Senator from the State of Kentucky to take charge of legislation which affects the city of New York and Jersey City, and the States of New Jersey and New York. I am not arguing against that; and I suppose that some time, believing that the Senators from Kentucky do not know about the bridges in Kentucky or what bridges should be built, in the absence of the distinguished Senator who has charge of this measure and of his distinguished colleague, I shall stand here upon the floor and advocate a measure affecting the commerce of that great State in their absence.

Mr. BLACKBURN. Will the Senator allow me a moment?

Mr. HISCOCK. Not questioning the propriety—

Mr. BLACKBURN. Will the Senator allow me a word?

Mr. HISCOCK. Yes, sir.

Mr. BLACKBURN. Simply to say that if the time shall come when Kentucky can not take care of her own interests, and needs the assistance of the Senator from New York, I trust it will come speedily; otherwise he will likely not be here.

Mr. HISCOCK. Well, Mr. President, I regret that my friend from Kentucky should say that it was necessary to banish me from this honorable body, and I regret that the Senator from Kentucky should feel that it is necessary to institute a comparison between himself and myself and between himself and his colleague and myself and my colleague about our capacity to represent our respective States. I am surprised that this discussion should run in that direction, that there should be this interest, this feeling in respect to this measure. I do not understand it.

Mr. President, I said that it seemed to me proper that I should state the surroundings of this measure. Let me go a little further. In 1890—July 11, 1890, I think it was—Congress passed a law incorporating a bridge company to build a bridge across the Hudson River within about two miles of where this bridge is proposed to be located. That company was organized. I think I am justified in saying that the gentlemen who were at the head of that enterprise were distinguished as men of energy, of wealth, and of very high character.

The president of the company is Jordan L. Mott, who is also president of the J. L. Mott Iron Works. The vice-president is Edward F. C. Young, who is also president of the First National Bank of Jersey City, N. J., the leading financial institution of that State. The treasurer of the company is Charles J. Canda, ex-Treasurer of the United States at New York, and president of the Canda Stock Car Company. The following are the members of the board of directors: James Andrews, Thomas F. Ryan, William Brookfield, and Samuel Rea. The following are among the incorporators and stockholders: John King McManahan, of Pittsburg; Garrett A. Hobart, of Paterson, N. J., leading citizens of those places; F. W. Roebbling, who, with his father, constructed the Brooklyn Bridge; Henry Flad, of St. Louis, Mo., a member of the Mississippi River Commission and a civil engineer of eminence; Gustav Lindenthal, a prominent civil engineer; A. G. Dickinson, William E. Shunk, chief of engineers for the Intercontinental Railway; Philip E. Chapin, Malcolm Graham, and Charles F. MacLean, of New York.

That company organized by the election of officers and a subscription of \$1,000,000 to the capital stock, 5 per cent of which was paid in. They have completed the plans of their bridge; they have been furnished to the War Department, and this was done within six months after the passage of the act. Extensive hearings were held by the Board of Engineers in New York, the plans modified in accordance with their report, and finally approved by the Secretary of War.

An action was brought in relation to the condemnation of land, and it was decided; and the representatives of the company are now in Berlin, Vienna, London, and Paris, negotiating bonds to build that bridge. None of the stock has ever been offered for sale outside of the organization.

Immediately that enterprise was launched under the circumstances I have stated, this second enterprise is started—why I do not undertake to say—

The PRESIDING OFFICER. The Senator will please suspend. The hour of 2 o'clock having arrived, the Chair lays be-

fore the Senate the unfinished business, the title of which will be stated.

The SECRETARY. A bill (H. R. 7845) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such persons engaged in selling certain products to obtain license, and for other purposes.

The PRESIDING OFFICER. The question is on the motion of the Senator from Colorado [Mr. Wolcott] that the bill and the pending amendments be referred to the Committee on Finance.

Mr. BLACKBURN. I move that the pending measure be laid aside temporarily until the bill on which the Senator from New York was addressing the Senate may be completed.

Mr. HISCOCK. I object.

The PRESIDING OFFICER. Objection is made.

#### DEALING IN OPTIONS AND FUTURES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7845) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling certain products to obtain license, and for other purposes.

Mr. COKE. Mr. President, I propose to detain the Senate just long enough to make a brief presentation of the reasons for my vote on this bill and the amendments proposed to it.

The pending bill is claimed by its advocates to be fully justified as a constitutional measure by the first clause of section 8, Article I, of the Constitution, which is in these words:

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

In the debate on the oleomargarine bill in 1886, I gave with some elaboration my reasons for opposing the use of the taxing power of the Government for any other purpose than that of raising revenue, and my opinions have undergone no change since that time. The avowed purpose of that bill was to hamper, obstruct, and, if practicable, destroy the manufacture of oleomargarine, a pure, healthful, and nutritious article of food desired by our people, because an economical substitute for butter, in order that the butter-making industry should have no competition for its products in our markets.

I held then, as I hold now in respect to the pending bill sent here from the House, in which there is to be found no single provision under which anybody will claim that enough revenue will be raised to pay 10 per cent of the expense of enforcing it, and which is the taxing power solely for the purpose of destroying what is admitted to be a great evil existing in some of the States, that it was a plain and palpable misuse and perversion of the great power to "lay and collect" taxes, vested by the Constitution in the Congress for the sole purpose of raising revenue for the support of the Government. When the oleomargarine bill was reported from the House, it provided simply for taxing to death—out of existence—the manufacture of oleomargarine; but was amended in the Senate so that it does produce a little revenue, perhaps \$1,000,000 annually, and that comes out of the poor people of the country who are not able to buy gilt-edge butter.

It will be remembered that when this bill passed all sorts of devices were being resorted to by the Secretary of the Treasury to get out in circulation among the people a surplus of revenue then locked up in the Treasury, amounting to \$150,000,000 or thereabouts. The taxing powers of the Government were used, of course, not to raise revenue, of which we had at that time an embarrassing surplus, but for the protection of butter-makers against competition by destroying the manufacture of oleomargarine. The bill now before the Senate imposes a tax on "options and futures" dealers, which it is admitted by all and denied by none will destroy and extirpate the business in the United States without producing one dollar of revenue. The taxing power was not vested in Congress for any such purpose; and such use of it would be a perversion so clear and manifest from its original design as to show an unmistakable disregard of constitutional obligation.

The framers and advocates of this bill do not claim or pretend that Congress possesses, under the taxing clause, the constitutional power to deal directly with this subject and prohibit the "options and futures" business; but, in order to accomplish the same purpose indirectly, desire to exercise the taxing power granted to Congress not for this, but for an entirely different purpose. This bill is constitutional solely on the ground that its object and purpose is to raise revenue. On any other hypothesis it is utterly unconstitutional. It is a fact of common and public notoriety, one known of all men who have ever read the bill, that it will destroy the very subject-matter proposed to be taxed, making the collection of revenue under it impossible.

We all know this to be the natural and reasonable and inevi-

itable result of the bill if it becomes a law. To place such an enactment on our statute book, claiming it to be a revenue measure, will in my judgment be to perpetrate a legislative fraud, to recrd a legislative falsehood. Our Federal Government is one of granted, enumerated, and limited powers. He who would claim Federal jurisdiction over a subject must be able to put his finger on the clause of the Constitution containing the grant of power over it, or must show that its exercise is necessary and proper in order to effectuate a granted power. This is a principle repeatedly announced by Chief Justice Marshall in construing and applying the Constitution. As a rule of construction it is nowhere questioned. Justice Matthews, in delivering the opinion of the court in *Barber vs. Crowley*, and *Soon Hing vs. Crowley* (113 United States Reports), says:

When we consider the nature and theory of our institutions of government, the principles upon which they are supposed to rest, and review the history of their development, we are constrained to conclude that they did not mean to leave room for the play and action of purely personal and arbitrary power.

This utterance of the organ of the Supreme Court of the United States is based on the universally admitted fact that specific grants of power, limited to well-defined subjects-matter, the aggregate whole covering the entire field of Federal action, leaving nothing pertinent to the national welfare unearned for or unprovided for, are plainly made and set forth in our Constitution. There is no room left for the action of arbitrary power; for by express provision of the tenth amendment to the Constitution "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Powers not granted in the Constitution but exercised by Congress can not be otherwise than invasions of the reserved rights of the States; and such is the character of the proposed exercise of power in the pending House bill. Under the power to "lay and collect taxes," it proceeds to lay the taxes in such mode as to destroy utterly the power to collect them, and to establish irresistibly the conclusion that the object of the bill is to destroy the subject-matter of the proposed tax and not to collect revenue.

Thus to pervert the great taxing power, granted solely to raise revenue for the support of the Government, and make of it an engine of destruction to be used at the will of Congress, would be a naked usurpation and exercise of arbitrary power and change this Government from a constitutional one to a government of Congressional majorities. For it must be remembered that the taxing power vested in Congress is universal, and reaches every citizen and all his property, subject only to the limitation that it shall be exercised only for the support of the Government and shall be uniform throughout the United States. If this great all-pervading power can be perverted as proposed by the House bill for purposes of destruction, not to raise revenue, in this instance, why may it not be used in the same way in any or all other instances?

If Congress possesses the power to tax out of existence one business, it equally possesses the power to destroy all or any other by taxation. Under this construction of the Constitution, the great mass of powers not delegated to the National Government nor prohibited to the States, but expressly reserved by the tenth amendment to the States respectively or to the people, commonly known as the police powers of the States, will be held solely by the sufferance and at the will of Congress.

If the power to lay and collect taxes may be perverted as proposed in this bill from its purpose as a revenue-raising power, to the accomplishment of objects foreign to and not embraced in its scope or design, the other great grants of power to Congress in section 8, Article I, of the Constitution, may be similarly employed, thus covering the entire field of governmental agency, including as well the powers reserved to the States and the people as those granted by the Constitution to Congress. No more complete revolution can be brought about in our Government than can be accomplished through this method. I hold, Mr. President, that Congress can not constitutionally do through indirect means that which can not constitutionally be done directly; in other words, that under the pretext of executing its powers Congress can not deal with subjects lying outside of its jurisdiction. In *McCulloch vs. Maryland*, 4 Wheat., Chief Justice Marshall, discussing the powers of Congress, said:

Should Congress, in the execution of its powers, adopt measures which are prohibited by the Constitution, or should Congress, under the pretext of executing its powers, pass laws for the accomplishment of objects not intrusted to the Government, it would become the painful duty of this tribunal, should a case requiring such a decision come before it, to say that such an act was not the law of the land.

The Supreme Court of the United States have repeatedly held that the State statutes intended as an indirect means of invading Federal jurisdiction, will be inquired into as to motive and design and held of no effect, though apparently constitutional on

professions, in commerce, in manufactures, and in transportation. The power of the State, as to the mode, form, and extent of taxation, is unlimited, where the subjects to which it applies are within her jurisdiction.

In support of this the learned commentator cites the case of *McCullough vs. Maryland*, 4 Wheaton, 428; also the case of the State tax on foreign bonds, 45 Wallace, 319.

In the case of the *Pacific Insurance Company vs. Soule* (7 Wallace, 443) the court, opinion by Justice Swayne, said:

Where the power of taxation exercised by Congress is warranted by the Constitution as to mode and subject it is necessarily unlimited in its nature. Congress may prescribe the basis, fix the rates, and require payment as it may deem proper. Within the limits of the Constitution it is supreme in its action. No power of supervision or control is lodged in either of the other departments of the Government.

And further on in the same case the court says:

The taxing power is given in the most comprehensive terms. The only limitations imposed are: That direct taxes, including the capitation tax, shall be apportioned; that duties, imposts, and excises shall be uniform; and that no duty shall be imposed upon articles exported from any State. With these exceptions, the exercise of the power is in all respects unfettered.

The distinguished Senators from Louisiana [Mr. WHITE] and from New York [Mr. HISCOCK] deny that the decision of the court in the case of the *Veazie Bank vs. Fenno*, 8 Wallace, goes to the extent of sustaining the doctrine for which I am contending. Let us see how this is. That was a case where an act of Congress—that of July 13, 1866—provided that every national banking association, State bank, or State banking association, should pay a tax of 10 per cent of the amounts of the notes of any State bank or State banking association paid out by them after the 1st day of August, 1866; and the first question before the court was as to whether this was a *direct* tax within the meaning of that clause of the Constitution which requires that "direct taxes shall be apportioned among the several States, according to their respective numbers." The court held it was not. The next question for the court was, whether it was a tax on a franchise granted by a State which Congress, upon any principle exempting the reserved powers of the States from impairment by taxation, must be held to have no authority to collect. This question the court disposed of by holding that the tax in that particular case was not laid on the franchise of the bank, but on property created or contracts issued under the franchise or power to issue bank bills, and that as such this property was a proper subject of Federal taxation.

The next and only remaining question in the case, and the one in reference to which the ruling was made, which is now invoked in support of the constitutionality of the pending bill, was this: It was insisted by the counsel attacking the constitutionality of the act that the tax was excessive, and so excessive as to indicate a purpose on the part of Congress to destroy the franchise of the bank, and was for that reason unconstitutional. In other words, that it was a perversion of the power of Congress. This objection was met by the court, and overruled by the court on two very distinct and entirely different grounds, having no connection with or relation to each other. And right here I must be permitted to remark that in his reference to this case, and in his statement as to what was before the court, and what was decided by the court, the distinguished Senator from Louisiana [Mr. WHITE], generally so entirely fair and frank, was scarcely wholly free from disingenuity. I have too high an opinion, however, and cherish the friendship of the Senator too highly to think for one moment on account of this one seeming departure to classify my friend with those described by Hume when he says: "Persons entirely disingenuous, who do not believe the opinions they defend."

The Senator, in his speech analyzing this case, and stating what was decided, said—I quote from his speech:

There has been some question raised about the case of *Veazie vs. Fenno*, as bearing upon this issue. It is said, why, did you not impose a tax of 10 per cent upon State banks upon their circulation, and did not the Supreme Court declare that valid? That case is cited as authority now. It is always that way. It has been that way since the foundation of the Government. If ever a decision is made in any way looking toward the destruction of the lawful powers of the States, arguments have always come up to pervert, to extend, to vitiate, and to amplify in order that there may be authority for a stretch of power and thus take some further liberty from the people. Now, what was the *Veazie vs. Fenno* case?

Here I call attention to what the Senator from Louisiana declared was that case, and I undertake to say that while he stated one branch of the case correctly he entirely omitted to state the other ground upon which the act was held to be valid. What was that case? The Senator said:

I know nothing which can throw more light upon a case than the brief of counsel.

I will say right here that I think the decision of the court throws more light on a case than the brief of counsel, so far as that is concerned.

In the discussion of that case there was no statement by counsel that the question involved was the perversion of the taxing power. The attack made

upon the statute was this: That this statute was unconstitutional because it taxed a State corporation.

When that went to the court what did it say? The Constitution has lodged in Congress the power to regulate currency. In the exercise of that power Congress has authority to wipe out a State corporation by taxation. True the court, *arguendo*, said that it was either a tax or a prohibition. If a prohibition, the constitutionality authority lying back of the statute was found—where? In the clause delegating to Congress the power to regulate the currency. If a tax, it was not illegal, because Congress had the power to use the taxing power to prohibit that which it had the right to prohibit under another provision of the Constitution.

The case does not cover the question now here. It does not intimate the power to surreptitiously use the taxing power which is here presented. It is true the court, *arguendo* by the Chief Justice, made use of expressions which may be misconstrued and which are now used to support the contention that Congress has, by pretending to tax, the power to destroy every limitation found in the Constitution. This case does not so decide. It seems to me that ends this contention.

Now, Mr. President, any person, either lawyer or layman, reading the above, would unquestionably conclude that the only contention before the court was that the act under consideration was unconstitutional, to use the language of the Senator, "because it taxed a State corporation," and that the act was held to be constitutional because the Constitution had lodged in Congress the power to regulate the currency, and that in the exercise of that power Congress had authority to wipe out a State corporation by taxation. Very true; the court did decide all that; but that, Mr. President, was only *one* of the reasons, and this, too, the *last* one given by the court in support of the constitutionality of the statute then under consideration.

The honorable Senator overlooked the fact—not intentionally, but failed to notice it, all the same—that before passing to the decision cited by the Senator, the court had on other and entirely different grounds sustained the constitutionality of the act. This is made plain by a reference to page 518 of the opinion, and to this I attract the special attention of the distinguished Senator and the Senate. I quote now, not from the brief of counsel, but from the opinion of the court. Says Chief Justice Chase:

It is insisted, however, that the tax in the case before us is excessive, and so excessive as to indicate a purpose on the part of Congress to destroy the franchise of the bank, and is, therefore, beyond the constitutional power of Congress.

That was the question before the court? The question was not solely, as stated by the Senator from Louisiana, as to whether Congress had the power to tax a State corporation, but the contention was that the tax on those bank notes was not only excessive but so excessive as to indicate a purpose on the part of Congress to destroy the franchise of the bank, and for that reason it was beyond the constitutional power of Congress. Then Chief Justice Chase further says:

The first answer to this is that the judicial can not prescribe to the legislative department of the Government limitations upon the exercise of its acknowledged powers. The power to tax may be exercised oppressively upon persons, but the responsibility of the Legislature is not to the courts, but to the people by whom its members are elected. So if a particular tax bears heavily upon a corporation, or a class of corporations, it can not, for that reason only, be pronounced contrary to the Constitution.

And then the court, after stating the above and passing from this decision, used the following language:

But there is another answer.

The court had already given *one* answer why that act was constitutional, placing it upon certain specific grounds that had no connection whatever with the banking system of the States; and then the Chief Justice says:

But there is another answer which vindicates equally the wisdom and the power of Congress.

And then follows that portion of the opinion cited, or referred to by the distinguished Senator from Louisiana, showing clearly, and beyond the possibility of successful contradiction, that the constitutionality of the act was sustained, not upon *one* ground alone, but upon *two* separate and distinct grounds.

The Senator from New York also dismissed the *Veazie Bank* case with still less ceremony than did the honorable Senator from Louisiana. Little more than a wave of the hand was vouchsafed from that distinguished source. On my calling his attention to it in the hope of eliciting the views of the distinguished Senator as to what precisely the court did decide in that case, I was met with this vague and unsatisfactory answer:

I have read that case. We have all read it. I must say to the Senator from Oregon we are all familiar with that case. I do not understand it as he does.

And with no elucidation or statement I was left and the Senator was left, in utter and absolute ignorance of just how the Senator from New York does understand that case.

And right here, Mr. President, before passing from considering that portion of the speech of the Senator from Louisiana [Mr. WHITE] relating to the *Veazie Bank* case, I must be permitted to place that Senator on the witness stand in support of the doctrine, as to the right to prohibit any particular thing, that Congress has the power to employ the taxing power for some other purpose than that of raising revenue, or, in other words,

to use the taxing power in order to prohibit. I quote a sentence from the Senator's speech. In reciting what he understood the court decided in that case, and after declaring that the court said, *arguendo*, that it was either a prohibition or a tax, he says:

If a tax, it was not illegal, because Congress had the power to use the taxing power to prohibit, that which it had the right to prohibit under another provision of the Constitution.

In this view, therefore, if my distinguished friend from Mississippi is right, that Congress under the commercial power may prohibit options and futures, then it is clear the taxing power may be employed to tax them out of existence.

Judge Cooley, in his work on Constitutional Limitations, in discussing the powers of Congress under the taxation clause of the Constitution, page 484, says:

Strong as is the language employed to characterize the taxing power in some of the cases which have considered this subject, subsequent events have demonstrated that it was by no means extravagant. An enormous national debt has not only made imposts necessary which in some cases reach seven hundred percent of the original cost of the articles upon which they are imposed, but the systems of State banking which were in force when the necessity for contracting that debt first arose have been literally taxed out of existence by burdens avowedly imposed for that very purpose.

And in support of this view the distinguished commentator cites the case of the *Veazie Bank*, 8 Wallace;

If Congress has the constitutional power, as the Supreme Court of the United States has held it has, to employ the taxing power of the Constitution to support and uphold the national-banking system of the country, even to the extent of crushing out the life of State-bank issues, then it would seem to follow necessarily that that same power could be not only constitutionally but properly and appropriately invoked to provide for the general welfare of the United States by laying burdensome excises on the business of options and futures, which all here seem to agree in denouncing as inimical in their influence and threatening imminently in the highest degree to that general welfare.

If Congress may constitutionally impose imposts—a customs tax—at a rate far beyond that required for revenue, and not for the purpose of revenue, but to promote the general welfare of the United States by taxing to death foreign importations, which come in competition with the products of our own country, in order to protect American manufacturers and American labor, as the Supreme Court of the United States has held it constitutionally can do, then I invoke in the name of that same Constitution the power and the right to lay an excise tax on a business that has grown up in this country, which strikes a deathblow in its pernicious effects at the great agricultural industries of this country; which is daily and hourly inflicting fatal stabs at the general prosperity of the country; which, in its very nature, assails with deadly effect the general welfare of the United States, and a business which no Senator on this floor, of any political party, has the courage to rise in his place and defend.

If Congress can, constitutionally, as it has done, throttle the great trust cobra; if it can, through the instrumentality of the taxing power, as it has done, protect the people of this country from the gigantic frauds perpetrated on them by the manufacture and sale of oleoma-garine; if it can by virtue of the taxing power promote the general welfare of the United States by laying prohibitory duties on foreign importations, then I invoke that same constitutional power in aid of the interests of 25,000,000 of people interested in agriculture in this country and whose interests constitute so important a factor in the general welfare of the United States.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 26th instant approved and signed the following act and joint resolution:

An act (S. 1793) to legalize the deed and other records of the Office of Indian Affairs, and to provide and authorize the use of a seal by said office; and

A joint resolution (S. R. 194) giving authority for the erection of overhead wires for the illumination of the city of Washington during the encampment of the Grand Army of the Republic during September, 1892.

The message also announced that the President had on this day approved and signed the following acts:

An act (S. 620) to amend an act entitled "An act to promote the administration of justice in the Army," approved October 1, 1890;

An act (S. 621) to provide for the collection, custody, and arrangement of the military records of the American revolution and the war of 1812;

An act (S. 828) to furnish the Gettysburg Battlefield Memorial Association at Gettysburg, Pa., with specimens of arms, accoutrements, etc., used by the armies in the battle of Gettysburg for exhibition and preservation at the Gettysburg Museum;

An act (S. 1039) to define the grade of certain medical officers of the Army, and for other purposes;

An act (S. 1239) amending the act of October 1, 1890, entitled "An act to provide for the examination of certain officers of the Army, and to regulate promotions therein;

An act (S. 1295) to authorize the construction of jetties, piers, and breakwaters at private expense in the Gulf of Mexico at the mouth of Ropes Pass, in the State of Texas;

An act (S. 2476) to amend the Articles of War, and for other purposes;

An act (S. 3154) to amend section 9 of the act for the relief of certain volunteer and regular soldiers of the late war and the war with Mexico passed March 2, 1889; and

An act (S. 1498) for the establishment of additional aids to navigation at Tampa Bay, Florida.

FRANCIS A. E. BRIOT.

Mr. SAWYER. I ask the unanimous consent of the Senate to consider at this time the bill (S. 1662) for the correction of the military record of Francis A. E. Briot. It is only a short bill, to remove a charge of desertion.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment to add to the bill the words "to date March 24, 1892," so as to make the bill read:

*Be it enacted, etc.* That the Secretary of War be, and he hereby is, authorized and directed to remove the charge of desertion now standing against the name of Francis A. E. Briot, late a private in Company G, Seventeenth Wisconsin Volunteers, and grant him an honorable discharge as member of said company and regiment, to date March 24, 1892.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### NATIONAL HIGHWAY COMMISSION.

Mr. CULLOM. I ask leave to call up the bill (S. 3365) to create a national highway commission and to prescribe its duties. The Committee on Interstate Commerce report a substitute, to strike out all after the enacting clause and insert what I ask to have read.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Is there objection to the present consideration of the bill? The Chair hears none, and it is before the Senate as in Committee of the Whole.

The amendment of the Committee on Interstate Commerce was to strike out all after the enacting clause and insert:

That a national highway commission, to be composed of two Senators, two members of the House of Representatives, and five citizens appointed by the President, be created for the purpose of general inquiry into the condition of highways in the United States, and means for their improvement, and especially the best method of securing a proper exhibit at the World's Columbian Exposition of approved appliances for road-making, and of providing for public instruction in the art during the Exposition.

Sec. 2. That the Commission shall hold its first meeting at the office of the World's Columbian Commission, in Chicago, at noon on the 21st day of October, 1892, and shall make a preliminary report to Congress at the beginning of the next session, covering its recommendations respecting the Exposition and its general plan of inquiry and action.

Mr. GRAY. Is that bill before the Senate?

Mr. CULLOM. It is.

Mr. GRAY. By unanimous consent?

Mr. CULLOM. Yes, there is nothing objectionable in it.

Mr. GRAY. I did not understand the question. I thought the Senator asked to have it considered and that the question would be submitted to a vote of the Senate, or I should certainly have objected.

Mr. CULLOM. The bill proposes a mere committee of inquiry. It does not cost the Government a cent. There is no appropriation in it.

Mr. GRAY. I did not understand that the bill was taken up. I objected to its consideration.

Mr. CULLOM. I think the Senator had better allow it to pass.

The PRESIDING OFFICER. Does the Senator from Delaware object to the consideration of the bill?

Mr. GRAY. I object.

The PRESIDING OFFICER. The Chair understands the Senator from Delaware to object to the further consideration of the bill.

Mr. CULLOM. I believe I have no right to move to proceed to its consideration at this time?

The PRESIDING OFFICER. Being objected to, the bill resumes its place on the Calendar?

#### CABLE BETWEEN SAN FRANCISCO AND HONOLULU.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which

## COMMITTEE ON TERRITORIES.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.  
The Chief Clerk read the following resolution, submitted by Mr. PLATT July 21, 1892:

*Resolved*, That the Committee on Territories, or any subcommittee thereof appointed for the purpose, are hereby authorized during the recess of Congress to visit the Territories of New Mexico, Arizona, Utah, and Oklahoma for the purpose of obtaining information with regard to the resources, population, and condition of said Territories, and as to the propriety of the admission of the same as States, and that the expenses of said committee be paid out of the contingent fund of the Senate.

Mr. HARRIS. Has that resolution been reported from the Committee to Audit and Control the Contingent Expenses of the Senate?

The VICE-PRESIDENT. It has been.

The resolution was considered by unanimous consent, and agreed to.

## PRESIDENTIAL TERM.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed, and the Calendar under Rule VIII is before the Senate.

The joint resolution (S. R. 62) proposing an amendment to the Constitution concerning the eligibility to the office of President was announced as the first business in order on the Calendar.

Mr. COCKRELL. Let that be passed over.

The VICE-PRESIDENT. The joint resolution will be passed over without prejudice.

## SUFFERERS BY WRECK OF UNITED STATES STEAMER DESPATCH.

The bill (S. 3138) for the relief of the sufferers by the wreck of the United States steamer Despatch on Assateague Shoals, Virginia, was announced as next in order.

Mr. COCKRELL. Is there a report in that case?

The VICE-PRESIDENT. There is.

Mr. COCKRELL. Let it be read.

The VICE-PRESIDENT. The report will be read.

The Secretary read the following report, submitted by Mr. HALE May 20, 1892:

The Committee on Naval Affairs, to whom was referred the bill (S. 3138) for the relief of the sufferers by the wreck of the United States steamship Despatch on Assateague Shoals, Virginia, have had the same under consideration, and beg leave to report it back with amendments and recommend its passage as amended.

This bill is exactly in line with the action of your committee in similar cases—notably, the Tallapoosa, Vandalia, Trenton, Nipsic, Huron, Onclida, Grandus, Washington, and Somers cases—in all of which the bills became enactments with the exception of the Tallapoosa measure now on the Senate Calendar.

In view of the above your committee feel that the relief prayed for and proposed in this bill should be granted.

Mr. COCKRELL. Before this bill is passed, I should like to make some inquiries in regard to the rule to determine the value of property lost. I see the bill makes no provision for any rule to determine it. In the Military Committee, in estimating the losses of officers and men in the Army, compensation for such losses is confined to such things as are actually necessary and proper for them in the service at the time. But the Senator who reported the bill is not present, and I ask that it may be passed over.

The VICE-PRESIDENT. The bill will be passed over without prejudice. The next bill will be stated.

## HUDSON RIVER BRIDGE.

The next bill on the Calendar was the bill (S. 2626) to authorize the New York and New Jersey Bridge Companies to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey.

Mr. HISCOCK. Is that bill up for consideration?

The VICE-PRESIDENT. It is reached in regular order on the Calendar.

Mr. HISCOCK. It is not the regular order. It goes over.

Mr. HARRIS. It is reached in the regular call of the Calendar.

Mr. HISCOCK. I object to its consideration.

The VICE-PRESIDENT. Objection is made, and the bill goes over.

Mr. HISCOCK. I want it to go to the Calendar under Rule IX.

The VICE-PRESIDENT. The bill will go to the Calendar under Rule IX.

## WASHINGTON AND GEORGETOWN RAILROAD COMPANY.

The bill (S. 3109) to amend the act incorporating the Washington and Georgetown Railroad Company was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with amendments.

The first amendment was, in section 1, line 10, after the word "Bridge," to insert:

*And provided further*, That nothing in this act shall be construed to au-

thorize this road or any other railroad, to make any use for railway purposes of the Aqueduct Bridge, or any portion thereof.

So as to make the section read:

That the Washington and Georgetown Railroad Company is hereby authorized and required to change its tracks as follows: Commencing at M and High streets, in the city of Georgetown; thence west along M street to the Aqueduct Bridge; *provided*, That the terminal points hereby authorized shall be located, under the direction of the Commissioners of the District of Columbia, so as not to interfere with access to the said Aqueduct Bridge; *and provided further*, That nothing in this act shall be construed to authorize this road, or any other railroad, to make any use for railway purposes of the Aqueduct Bridge, or any portion thereof.

The amendment was agreed to.

The next amendment was, in section 2, line 3, to change the date "1892" to "1893," so as to make the section read:

Sec. 2. That the changes hereby authorized and required shall be made and cars shall be operated on the extension of the line by December 1, 1893, and during the laying of said tracks the amount of street to be opened at any one time, and the closing of any cross streets, shall be subject to the orders of the Commissioners of the District of Columbia. Any damages to or changes in any underground conduits made necessary by reason of the construction of the road shall be made at the expense of the Washington and Georgetown Railroad Company.

The amendment was agreed to.

The next amendment was, to insert as a new section the following:

Sec. 3. That the construction of said railway on any street where there are or may be any mains, fixtures, or apparatus pertaining to the Washington Aqueduct shall be subject to such conditions as may be approved by the Secretary of War, which conditions must be obtained and be accepted in writing by said company before commencing any work on such street, and the operations of said company in respect of the safety of such mains, fixtures, or apparatus shall always be subject to the control and direction of the Secretary of War and subject to the right of the Secretary of War or other lawful public authority to interrupt the construction or use of said railway whenever necessary for the protection or repair of such mains, fixtures, or apparatus. The said company shall, before commencing work on said railway on such street, deposit with the Treasurer of the United States to the credit of the Washington Aqueduct such sum as the Secretary of War may consider necessary to defray all the expenses that may be incurred by the United States in connection with the inspection of the work of construction of said railway on such street and in making good any damages done by said company or its work or by any of its contracting agents to any of said mains, fixtures, or apparatus, and in completing, as the Secretary of War may deem necessary, any of the work that the said company may neglect or refuse to complete and that the Secretary of War may consider necessary for the safety of said mains, fixtures, or apparatus; and the said company shall also deposit as aforesaid such further sums for said purposes at such times as the Secretary of War may consider necessary; *provided*, That the said sums shall be disbursed like other moneys appropriated for the Washington Aqueduct, and that whatever shall remain of said deposits at the end of one year after the completion of said railway in such street shall be returned to said company on the order of the Secretary of War with an account of their disbursement in detail; *and provided also*, That disbursements of said deposits shall, except in case of emergency, be made only on the order of the Secretary of War. The exercise of the rights by this act granted are to terminate at the pleasure of the Secretary of War in case of persistent neglect by said company or by its successors to make the deposits or to comply with any of the conditions, requirements and regulations aforesaid.

The amendment was agreed to.

The next amendment was, to insert as a new section the following:

Sec. 4. That Congress hereby reserves the right at any time to alter, amend, or repeal this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## PUBLIC LANDS FOR PARK IN MINNESOTA.

Mr. MORGAN. I ask unanimous consent to report at this time, from the Committee on Public Lands, the bill (H. R. 222) to grant certain public lands to the State of Minnesota for perpetual use as a public park, without amendment. I will remark that this bill was formerly reported by me to the Senate, and on objection of the Senator from Minnesota it was recommitted. It is now found to be entirely satisfactory, and I again report it to the Senate and ask its immediate consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to the consideration of the bill (H. R. 222) to grant certain public lands to the State of Minnesota for perpetual use as a public park.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## CORRECTION OF LAND RECORDS.

The joint resolution (S. R. 85) to correct a misnomer in the records of the General Land Office, and for other purposes, was announced as next in order.

Mr. MORGAN. There is some dispute about the propriety of that joint resolution, which induces me to ask that it may go over until December next. I want to see if the parties can not agree about it.

The VICE-PRESIDENT. The joint resolution will go over. Does the Senator desire it to retain its place on the Calendar?



Mr. MORGAN. Yes, sir.  
The VICE-PRESIDENT. It will be so ordered.

#### POST TRADERSHIPS.

The bill (S. 3117) relating to post traderships was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments, in line 3, after the word "that," to strike out "when a vacancy" and insert "where a vacancy now exists or hereafter;" and after the word "appointment," at the end of line 5, to strike out "shall thereupon terminate and the post tradership at that post shall cease" and insert "is hereby terminated;" so as to make the bill read:

*Be it enacted, etc.* That where a vacancy now exists or hereafter occurs in the position of post trader at any military post it shall not be filled, and the authority to make such appointment is hereby terminated.

The amendments were agreed to.

Mr. CAREY. I should like to ask the Senator from Vermont, who reported the bill, what the rule is in reference to these appointments? Are post traders appointed for a term or for an indefinite time?

Mr. PROCTOR. They are appointed, as I recollect, for a definite time.

Mr. CAREY. Then the passage of this bill will not necessarily displace anybody?

Mr. PROCTOR. It will not displace anybody who is now in that position. I wish to propose an amendment in the way of an additional proviso.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. At the end of the bill it is proposed to add:

*Provided*, That in the event of the death of a post trader, his personal representative shall be allowed by the Secretary of War a reasonable time in which to close the business.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### KENTUCKY AND INDIANA BRIDGE COMPANY.

The bill (S. 3067) granting the right of way to the Kentucky and Indiana Bridge Company on and across the grounds of the Louisville and Portland Canal, the property of the Government of the United States, was announced as next in order on the Calendar.

Mr. SHERMAN. That bill is adversely reported.

Mr. VEST. This bill was reported adversely by the Committee on Commerce for the reason that a House bill on the same subject had been reported favorably. That bill passed the Senate, was signed by the President, and is now a law.

Mr. SHERMAN. Then this bill should be indefinitely postponed.

The VICE-PRESIDENT. The bill will be postponed indefinitely.

#### PURCHASE OF LIBRARY OF LATE GEORGE BANCROFT.

Mr. VOORHEES. I ask the Senate to consider at this time Order of Business 1011, being Senate bill 2410, which is favorably reported.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2410) to authorize the purchase of the library of historical manuscripts and printed books belonging to the estate of the late George Bancroft.

Mr. VOORHEES. I ask that the report be read.

The VICE-PRESIDENT. The report will be read.

The Secretary read the following report, submitted by Mr. Voorhees July 19, 1892:

The Committee on the Library, to whom was referred the bill (S. 2410) to authorize the purchase of the library of historical manuscripts and printed books belonging to the estate of the late George Bancroft, submit the following report:

The late George Bancroft by his will gives the Government the first option to purchase his collection of historical papers and documents.

An examination of the library results in finding that there are about 30,000 pieces in all, some 14,900 volumes of books and manuscripts and over 5,000 pamphlets.

The collection is particularly desirable for the national use, for, as would be presumed, it consists of the materials for writing the history of the United States—the working tools of the historian of the country. From the issue of the first volume of his work to the death of Bancroft one-half a century elapsed. With great industry, exceptional opportunities, knowledge to select and the aid procured of foreign governments he accumulated a mass of historical material which it would seem a patriotic duty to render accessible to students and authors, and so far as possible prevent from dispersion or destruction such a body of annals of the nation.

Bancroft's books abound in marginal annotations by his own hand or that of a secretary. The process of production and revision is exhibited in many volumes of different editions of the History.

Of very great interest are the volumes of the original papers of the committee of correspondence (1773), the engine which drew the colonies together in the scheme of opposition to Great Britain—documents pronounced by students to be scarcely inferior in interest to the Declaration of Independence—many of them the productions of humble men, farmers, and mechanics, and

others bearing the names of men whose monuments stand in the sculpture gallery of the Capitol.

Samuel Adams, one of the leading spirits of the Revolution, constantly in receipt of letters of vital importance to the cause of independence, was at the time of his death in possession not only of letters but of a large number of drafts of his own papers and documents, and so much of this collection as had been preserved fortunately passed into Bancroft's hands at an early date, and by him had been arranged in chronological order and bound in nine folio volumes, containing in all about 1,300 pieces. These papers exhibit the discontent at the time of the stamp act, controversies with the colonial governors, relate to the Boston massacre, the destruction of the tea, and the establishment of a Congress.

They are abundant in items such as are sought greedily by the private collectors of the country, many pieces having an auction value of hundreds of dollars each.

The breaking and dispersion of a collection so valuable in detail and so important in its continuity should not be permitted. There are other collections of documents and papers, and the Revolutionary patriots represented include Washington, Franklin, Jefferson, the Adamises, John Hancock, Warren, Prescott, Putnam, Lee, and others too numerous to mention. A most useful and important part of the collection may be generally entitled "transcribed documents." These are the gatherings of copies of papers in the archives of Europe, and public and private collections at home. They are arranged in chronological order, mostly in excellent bindings in folio and quarto volumes. They are convenient of reference and of perpetual value.

There are some 150 volumes of such papers. Bancroft and his agents were often accorded special privileges. The labor of research and the selection of pieces by a man of Bancroft's knowledge lends the collection especial value.

Among later papers is the unpublished History of Polk's Administration, comprised in 21 quarto volumes, typewritten, and with Bancroft's revision. The library of books is rich in colonial and Revolutionary history, State and local history. A large number of interesting pamphlets have been gathered in volumes. Authors collaterally essential to the writer of history are abundantly represented.

The contents of the estate of Mr. Bancroft offer the entire collection of historical manuscripts, books, and pamphlets for \$75,000.

Mr. A. K. Spofford, the Librarian of Congress, has made himself familiar with the library and commends its acquisition. His experience and great knowledge and conservative action in regard to library purchases lend great weight to his endorsement of the proposed purchase.

The Government is by no means rich in original Revolutionary papers. Private demand and at high prices is rapidly absorbing scarce material. Sooner or later the National Library will be called upon to gather original papers. Delay must reduce the material and increase its cost. The possession of a department of historical manuscripts in the Library of Congress is likely to induce gifts and bequests, as is the case with foreign museums.

Mr. Joseph F. Sadin, of New York, has been for twenty-five years associated with the sale and purchase of rare and valuable Americana. He has carefully examined the Bancroft collection, and considers the price asked a reasonable valuation.

George Bancroft was born in 1800. After graduation at Harvard he received the polish of a European education, and with particular reference to the department of history.

He served the United States Government at various periods. In 1838 he was collector of the port of Boston, under Van Buren. Under Polk he was Secretary of the Navy, and succeeded in establishing the Naval Academy at Annapolis. He exerted his power for the benefit of the Washington Observatory. While Secretary of the Navy he gave orders to take possession of California in the event of war with Mexico, and as Secretary of War *pro tempore* ordered the march into Texas. From 1846 to 1849 he was minister to Great Britain, and obtained liberal concessions in connection with the navigation laws. In 1867 he served as minister to Prussia, and later to the German Confederation, and in that period acted for the United States in settling the Northwest boundary question with Great Britain. From Germany he obtained a treaty allowing the individual the right of expatriation, and Great Britain then followed Germany.

From 1834 to 1882 he published and revised the History of the United States and the History of the Formation of the Constitution. He was the author of numerous orations and at the request of both Houses of Congress delivered the memorial address on Abraham Lincoln.

A plea for the Constitution "Wounded in the House of its Guardians" is also his work.

Edward Everett says of his History of the United States that—  
"As far as it goes it does such justice to its noble subject as to supersede the necessity of any further work of the same kind. \* \* \* and will unquestionably be forever regarded both as an American and an English classic."

In a letter written to Gen. James Grant Wilson, Bancroft says:  
"I was trained to look up on life here as a season for labor. \* \* \* I know the time for my release will soon come. Conscious of being near the shore of eternity, I await without impatience and without dread the beckoning of the hand which will summon me to rest."

He made his will and gave the Government the opportunity to secure the results of his labors as a collector of material for the history of his own country.

The Government would be unwise in not preserving a monument to the industry of a man of letters, enriching his life with the very words and records of deeds out of which arose the fabric of American Independence.

Your committee recommend the passage of the bill.

Mr. GRAY. I should like to ask the Senator from Indiana if there is any amount named in the bill?

Mr. VOORHEES. Yes, \$75,000; and it is a very moderate amount, as the Librarian of Congress and other very experienced book men of the country believe.

Mr. SANDERS. I did not hear the Senator's statement.

Mr. VOORHEES. The amount agreed upon is \$75,000, which is extremely moderate, in my judgment. It is the amount fixed, however, by Mr. Spofford, the Librarian of Congress, who is very experienced upon these subjects, and in that estimate his judgment is sustained by book men of large experience, and my own judgment is that it is a very moderate price. I have examined the entire collection. We are purchasing a collection of very great value on very moderate terms.

Mr. SANDERS. I do not disagree with the Senator from Indiana, but I am constrained to make a single observation. We have a vast mass of historical and parliamentary documents, which are indexed, and we have pending in the Senate a bill



him, and he goes and ventures and ventures, ventures until his whole credit and stock are gone as margins.

You may visit hundreds of cities, towns, villages, and hamlets in Indiana and adjoining States in that region of which I have spoken as being tributary to Chicago, and in every one of them you will find some victim of this business of dealing in options and futures. In every business street of such city, town, village, or hamlet you will find the commercial bones of the broken bankrupts, whitening and bleaching from the effects of that ruin which has overtaken them.

It is not only destructive of the persons engaged in interstate commerce; it is also destructive very largely of the farmers, a class specially interested in this bill, even from a more extended view.

I have known many a farmer in its very toils, one to whom cards would be no kind of temptation, who would not be at all tempted by the green cloth, by the roulette, by the *rouge et noir*. But such a one, visiting Chicago out of curiosity or for any social or public purpose, as many gatherings are held there, is approached with talk about wheat, invisible wheat; talk about corn, invisible corn; and talk about oats, impalpable oats. He has always been familiar with these products, having, indeed, been engaged perhaps somewhat in the business of buying and selling them at home. He is deluded and snared and finally takes one option, and then another, and then another, until the old plantation acres, forest, fountain, improvements, home, homestead, are all swallowed up in this whirlpool of bankruptcy and destruction.

Sir, there is not a more disastrous, more ruinous practice to legitimate inter-state commerce, more disastrous or ruinous to agriculture, both directly and indirectly, than that practice, made penal and denounced by this bill.

I have heard from gentlemen who live in the Southern portion of our country that during the palmiest days of what was called the "peculiar institution," slavery, persons who bred slaves for the market or persons who made a business of buying and selling men and women, although they might accumulate large wealth in that business, although they might accumulate much money, and could have a certain standing among their neighbors and in the business community where they resided, still there was as to such persons always a certain social disparagement, a brand fixed upon them by honor, by conscience; a brand I think very creditable to the society which tolerated that institution. These men were permitted to transact their business. Their contracts were regarded as legal, but they themselves were stigmatized as engaged in an illicit traffic.

Now, sir, all traffic is not legitimate although the law may allow it. The gambling in farm products is not honorable although the law may have allowed and winked at it. The gambling deal is not really a business transaction at all, and I believe that in a quarter of a century from now the same odium and disfavor will attach to the gambling speculator in human food and to the gambling speculator in farm products as formerly attached to the slave-trader and the slave-breeder of the South.

Men will wonder that such practices were ever tolerated? Twenty-five years from now, in my judgment, men will whisper as they say: "Why, it is true these practices did produce enormous evils, but they arose very shortly after the close of the great civil war; our people were too much engaged in healing the wounds of war, in restoring the abraded business relations which that convulsion had brought upon us, and in seeking new avenues of intercourse and a new status of trade and of labor; our people were too busy to attend to what might be deemed the smaller moralities of the market. But in 1892, after public attention had been called to this subject, there was very short shrift made of the gamblers in human food. We passed a law absolutely prohibiting it. They were visited with an overthrow irrecoverable."

#### ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills: and they were thereupon signed by the Vice-President:

A bill (S. 1273) to authorize the entry of lands chiefly valuable for building stone under the placer-mining laws;

A bill (H. R. 3156) to correct the military record of James Corridan, Fourth United States Infantry;

A bill (H. R. 4385) to pension Nathan Falkner, of Saline County, Ark.;

A bill (H. R. 4667) to incorporate the Maryland and Washington Railway Company;

A bill (H. R. 4808) for the relief of James H. Willey.

A bill (H. R. 5095) granting an increase of pension to Addison M. Copen; and

A bill (H. R. 7974) to authorize the construction of a bridge over the Tennessee River at or near Deposit, Ala.

#### FINAL ADJOURNMENT.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution from the House of Representatives: which was read:

*Resolved by the House of Representatives, That the President of the Senate and the Speaker of the House of Representatives declare their respective Houses adjourned without day on Saturday, July 30, 1892, at 2 o'clock p. m.*

Mr. ALLISON. It is usual to refer such a resolution to a committee of this body. I think, under the circumstances, however, it is not necessary to make a reference at this time, as the chief impediment now in the way of final adjournment is the passage of the sundry civil appropriation bill. When that bill shall have been passed I take it that the two Houses can adjourn within a very brief period; but until that bill shall have been passed it seems to me that it would be unwise to take action respecting an adjournment, as it is impossible to adjourn until that bill is passed.

The VICE-PRESIDENT. The resolution will lie on the table.

Mr. ALLISON subsequently said: After consultation with the members of the Committee on Appropriations I will move that the resolution respecting final adjournment be referred to that committee.

The VICE-PRESIDENT. The resolution will be referred to the Committee on Appropriations, if there be no objection. The Chair hears none, and it is so referred.

#### HEIRS OF JOHN R. TREUTLEN.

Mr. HUNTON. I ask unanimous consent for the present consideration of the bill (H. R. 4903) for the relief of the heirs of John R. Treutlen.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes pay to the heirs of John R. Treutlen, late an employé in the House of Representatives, \$33,333, being the difference in the salaries paid to laborers and that paid to messengers, which latter office he filled from the 7th day of April, 1881, to the 17th day of December, 1881, performing all the duties of messenger and receiving only the pay of laborer.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### FOREST RESERVATIONS.

Mr. FELTON. I ask unanimous consent to take from the table the resolution reported this morning from the Committee to Audit and Control the Contingent Expenses of the Senate, relating to the investigation of forest reservations in California.

The resolution was considered by unanimous consent and agreed to, as follows:

Whereas under the provisions of the act of Congress approved October 1, 1890, certain lands in the State of California were made forest reservations;

And whereas there were included in said reservation several thousand acres of land upon which homestead, preemption, and other settlers had entered and made homes and extensive improvements; and

Whereas said lands referred to are to a very small extent, if any, timber lands; but, on the contrary, have been and can be cultivated; therefore,

*Resolved*, That a committee consisting of three Senators be appointed to investigate the matter of the reservation of said lands and report to the Senate what action ought to be taken to protect the rights of any bona fide settler who may be included in said reservation.

That said committee be authorized to sit during their recess, to send for persons and papers, and do all things necessary to a full investigation of the merits of the case;

That the necessary expenses incurred in this investigation shall be paid out of the contingent fund of the United States Senate;

That the said committee shall make a full report at the second session of the Fifty-second Congress.

The VICE-PRESIDENT. In pursuance of the resolution just passed, the Chair appoints as members of the committee the Senator from California [Mr. FELTON], the Senator from South Dakota [Mr. KYLE], and the Senator from Alabama [Mr. MORGAN].

#### DISTRICT CORPORATIONS.

The VICE-PRESIDENT appointed Mr. GORMAN, Mr. McMICHAEL, Mr. ALLISON, Mr. CULLOM, and Mr. BRICE as the members of the select committee to investigate and report as to the capital stock, bonds, and other evidences of debt of incorporated companies in the District of Columbia, etc.

#### PORTRAIT OF GEN. GEORGE H. THOMAS.

Mr. VOORHEES. I ask leave to call up for present consideration the bill (S. 680) to authorize the purchase of Lawrie's picture of Gen. George H. Thomas.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. MANDERSON. Mr. President, it has never been my good fortune to see this portrait of Gen. Thomas painted by Mr. Lawrie. I presume, from the affirmative action taken by the Committee on the Library, that it is a work of great merit. I am aware of the fact, however, that in the Capitol, and I think

in the room of the Committee on the Library, there is a portrait of Gen. George H. Thomas, painted by a Kentucky soldier, a comrade and companion of Gen. Thomas, who was not only a most excellent soldier but a great artist. It was his misfortune after he had painted this picture to become totally blind by reason of a wound received in battle while serving under Gen. Thomas.

That picture, painted from life, is a most lifelike portrait of that distinguished soldier. My impression is that the Senate of the United States twice, and I think the other House once, passed a bill or bills providing for the purchase of that picture. I should like to ask the Senator from Indiana at this time why it is that that picture seems to have "gone glimmering," and I to be heard of no more, while the Government is now about to purchase a picture by another artist of this celebrated Union soldier?

Mr. VOORHEES. I will answer as nearly as I can. I have great sympathy for Mr. Price, who painted the picture alluded to by the Senator from Nebraska. He has always insisted upon a price, however, which I thought was beyond its merits. He has insisted on five or six thousand dollars, and would have—

Mr. BLACKBURN. No, I beg the Senator's pardon.

Mr. VOORHEES. I have been on that committee all the time and I have talked with Mr. Price over and over about it.

Mr. BLACKBURN. I am sure that Gen. Price, when here himself, told me, and I communicated the fact in more than one interview to the Senator from Indiana, that \$2,500 would be satisfactory.

Mr. VOORHEES. That has certainly escaped my recollection. The Senator from Kentucky of course is correct. That picture, however, is not equal to the other as a work of art. There is in the great career of Gen. George H. Thomas enough to justify the purchase of more than one portrait of him—several more than one. He was one of the great historic figures that towered up during the war of the rebellion—a man of Southern birth, a Virginian, with strong sympathies and ties for his State, who cast his lot with the Union cause and distinguished himself at every step he took.

This is no bar to the purchase of Gen. Price's picture—the gentleman whom the Senator from Nebraska alludes to. He is a blind man, it is true, and I repeat I have every sympathy for him, and I would under proper circumstances be willing to make that purchase; but I think, in securing at least one, Lawrie's should be the first.

I have in my hand the following letter from Maj. Gen. Howard:

HEADQUARTERS DEPARTMENT OF THE EAST,  
*Governors Island, N. Y., June 2, 1892.*

MY DEAR SIR: I understand that you have just introduced a bill for the purchase by the Government of a portrait of Gen. George H. Thomas. The portrait was painted by Alexander Lawrie, esq.

Just before the painting was completed I visited Mr. Lawrie's studio with Gen. William D. Whipple, then the adjutant-general of the division. We enjoyed our inspection of the portrait very much. It appeared to me to be as true a likeness as any I had seen, and gave markedly the peculiar characteristics of our noble and beloved general.

I am glad you have this matter in hand, and hope there will be no objection to the passage of your bill.

Very truly, yours,

OLIVER O. HOWARD,  
*Major-General, United States Army.*

HON. DANIEL W. VOORHEES,  
*United States Senator, Washington, D. C.*

I read that for the purpose of showing that we have not proceeded in any careless way. Gen. Howard knew Gen. Thomas intimately, long and well.

The artist in this case is one of the best trained and most distinguished artists in the profession. I have here a biography of him in brief, showing where he pursued his studies and in what other works he has distinguished himself.

I am doing only what I conceive to be my duty, Mr. President. The Committee on the Library, in looking over the portraits made of Gen. Thomas, thought this was the best and that it could be secured at a reasonable rate.

There is another portrait I should like to speak well of, and that is the one painted by Miss Ransom. I have great respect for her.

I have discussed this question often with artists and with their friends. The great difficulty about artists is that they are prone to ask more than the Government is willing to give. I am not ready to say that they ask more than their work is worth. I have no right to thus depreciate their estimate of their own work. But this Government is a bear on the market in works of art. We do not profess to pay large prices. Paintings are brought here with the expectation of getting \$10,000 for a work. They get down to \$5,000, and then down to \$3,000, or a little below that perhaps, and then we buy them.

I think in honor to the memory of Gen. Thomas it would be well to secure this painting. More than that I can not say. I produce here a brother officer who served with Gen. Thomas,

certifying to the correctness and value and merit of this painting. In doing this I only repeat what I said when I rose, that I do not disparage the work of the unfortunate man in whom the Senator from Nebraska and the Senator from Kentucky are interested and in whom I am interested. The price had escaped my recollection until the Senator from Kentucky mentioned it. I shall be perfectly willing at the next session to purchase that portrait also. Two oil paintings of a man like Gen. George H. Thomas are a very slight tribute to his transcendent merits and abilities. One should be placed in this Capitol for the young and rising generation to look on as they pass through as an example of manly merit; another by all means should be put in the War Office, which his services so greatly honored in his lifetime.

So I wish to assure the Senator from Nebraska that I am in no sense antagonizing the painting by Mr. Price. I would gladly have it. It is a work of fidelity, without being a great painting. I have no doubt of its being a work of fidelity. It is a plain work, but a good, strong work, and the Government ought to have it.

Mr. MANDERSON. I wish simply to make a suggestion to the Senator from Indiana, and to put him in possession of certain facts of which he does not know.

As I have said, Gen. Price was the colonel of a Kentucky regiment, and served with great distinction during the war in the Army of the Cumberland, commanded in the greater part of its eventful history by Gen. Thomas. This is, I think, the only portrait (unless another that is now in the capital of the State of Tennessee is an exception) painted from Gen. Thomas in his lifetime. He gave the sittings to this comrade of his. I am not a sufficient judge of art to know whether it is a great painting or not, but certainly, as the Senator from Indiana has said, it is one that is painted with great fidelity. It is a most excellent likeness of Gen. Thomas.

It was my fortune to serve with that great Virginian for nearly four years: I saw him almost daily, and I never have seen a picture of Gen. Thomas so lifelike as the one by Gen. Price. Its merit was such that years ago, immediately after the termination of the war, the Society of the Army of the Cumberland, instituted in Nashville by Gen. Thomas himself, passed a resolution recommending to Congress that it purchase this most excellent portrait of the old chief and commander of the Army of the Cumberland. If the Senator from Indiana has ever known that fact I am sure he must have forgotten it, and perhaps the mention of it now will recall it to his mind. I think I stated to him in private conversation years ago that this was the fact and that the Society of the Army of the Cumberland had made the recommendation that this portrait of a soldier by a soldier should be possessed by this country.

Mr. PALMER. Mr. President, my relations with Gen. Thomas commenced in 1862 and I served with him, under his command, for two years of the war. I saw him almost daily.

I have examined these portraits with the most earnest desire to satisfy myself as to which represents I think one of the greatest men the country has produced, certainly a man whose moral qualities were unsurpassed. I knew Col. Price, too. I have no doubt that the most accurate representation of George H. Thomas as we saw him from day to day is in the portrait of Gen. Price. It attempts simply to delineate the man as he appeared to his friends and comrades from day to day. I think it is deficient in artistic style, and yet I regret to say it, because it is as artistic as the man was himself. He was remarkable for the plainness of his manners and his dress, and I must say that when I saw the picture of Gen. Thomas in the rooms of the Committee on the Library I was impressed with its representation of the George H. Thomas we saw from day to day.

I was called upon then to examine the very magnificent picture by Miss Ransom. It is an admirable painting, far superior, I think, to that by Gen. Price in artistic execution. It is George H. Thomas the hero or not as he was to those who saw him from day to day, but as he was in the realization of an artist of very rare excellence. It is a heroic portrait. Without claiming at all to be an artist or a judge of artistic works, I found it almost impossible to avoid expressing my preference for that picture. There was so much that was attractive in its style and in its excellence of execution that I hesitated, but yet I must say it was not the man I knew.

Now, in regard to the portrait proposed to be purchased in the pending bill, I think that is excellent also, but I must confess that if the task of making this purchase was conferred upon me, I would buy the picture of the great soldier, the true man, the devoted patriot: I would take the one that exhibits him as I saw him day by day and week by week, on the march and in battle and elsewhere. It is a reproduction of the man; not the man on dress parade or review, but the man as we saw him. That is my summary of these pictures.

Mr. BLACKBURN. Mr. President, I am indebted to the

essary to be made to the thirteenth section in order to make it consistent with the striking out of the twelfth section and make it complete can be made, after that I will move to adjourn.

Mr. HISCOCK. Before the Senator does that, I would like to say—

The VICE-PRESIDENT. The Senator from Virginia [Mr. DANIEL] is entitled to the floor. Other Senators are speaking within the time of the Senator from Virginia.

Mr. DANIEL. Does the Senator from Minnesota say he wishes to move to adjourn?

Mr. WASHBURN. I was going to make a motion to adjourn if agreeable.

Mr. DANIEL. Very well.

Mr. WASHBURN. If it is not agreeable, I will not make the motion.

Mr. DANIEL. I have no objection.

Mr. WASHBURN. But before I make a motion to adjourn I should like to have the thirteenth section completed by some trifling amendments in order to make it consistent. Those amendments have been sent to the desk, and I ask that they be stated, and adopted.

The VICE-PRESIDENT. The amendments will be stated in their order.

The CHIEF CLERK. In section 13, line 5, after the word "revenue" strike out the word "either;" so as to read:

Whenever any contract or agreement for the sale and future delivery of any of the articles mentioned in section 3 of this act shall be made, and the making thereof shall not be reported to the collector of internal revenue, as required by section 9, etc.

The amendment was agreed to.

The CHIEF CLERK. In the same section, line 6, after the word "nine," strike out all down to and including the word "act," in line 10, the words to be stricken out being as follows:

Or as required by section 12 of this act, or if it shall have been reported to the said collector as a contract or agreement of the nature and character mentioned in and authorized to be made under a certificate issued pursuant to the provisions of section 12 of this act.

The amendment was agreed to.

The CHIEF CLERK. Section 12, when numbered, should precede section 10 and be numbered 10; section 10 should be numbered 11; the section now numbered 11 should be numbered 12; the section now numbered 14 should be numbered 13; the section now numbered 15 should be numbered 14, and the one numbered 16 should be section 15.

Mr. HARRIS. That is not an amendment.

Mr. ALLISON. It is a mere memorandum for the clerks to arrange the sections of the bill.

The VICE-PRESIDENT. The change proposed is not contemplated by the rules as one to be made by the clerks. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE-PRESIDENT. There is a further amendment which will be stated.

The CHIEF CLERK. In section 13, line 62, after the word "made," strike out the comma; so as to read:

Or agreement so made by said party.

The amendment was agreed to.

Mr. WASHBURN. Mr. President—

Mr. HISCOCK. I ask the Senator from Minnesota to yield to me that I may call up for present consideration a bill on the Calendar.

The VICE-PRESIDENT. Does the Senator from Minnesota yield to the Senator from New York?

Mr. WASHBURN. I will yield if it will take no time.

Mr. HISCOCK. It will take but a moment.

Mr. COCKRELL. I am very sorry to announce to the Chair that in my opinion there is no quorum present.

The VICE-PRESIDENT. The roll will be called.

Mr. HARRIS. In order to avoid a roll call, I move that the Senate do now adjourn.

Mr. HISCOCK. Before that motion is put I desire to make an inquiry in regard to the bill. Will the bill as now amended be printed so that we may have it before us in the morning?

The VICE-PRESIDENT. It will not be printed unless so ordered by the Senate.

Mr. HISCOCK. I ask unanimous consent that there be another print of the bill.

Mr. HARRIS. There can be no order of the Senate until a roll call develops a quorum. To avoid a roll call, I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Friday, July 20, 1892, at 12 o'clock m.

## HOUSE OF REPRESENTATIVES.

THURSDAY, July 28, 1892.

The House met at 11 o'clock a. m. Prayer by Rev. J. H. CUTHBERT, D. D.

The Journal of the proceedings of yesterday was read.

### CORRECTIONS.

Mr. WATSON. Mr. Speaker, I desire to correct the RECORD in one particular.

Mr. WHEELER of Alabama. Mr. Speaker, I rise to a question of privilege.

The SPEAKER. If there be no objection the Journal will be approved.

Mr. CUTHWAITE. Does the Journal show that the resolution in relation to sending for absent members was adopted as amended in pursuance of the suggestion which I made and which was accepted by the gentleman from Pennsylvania [Mr. BINGHAM]?

The SPEAKER. The Chair is informed that the Journal does not show the passage of the resolution at all. The resolution was passed.

Mr. CUTHWAITE. I was under the impression myself that it was not declared by the Chair to have passed, that while the division was being taken and before the tellers had reported some other motion was made and voted upon.

The SPEAKER. It appears from the RECORD that the resolution was agreed to:

The SPEAKER *pro tempore*. The Chair will appoint as tellers the gentleman from Pennsylvania [Mr. BINGHAM] and the gentleman from Texas [Mr. BAILEY].

The House again divided; and the tellers reported—ayes 65, noes 25. So the resolution was agreed to.

The Journal will be corrected in accordance with the RECORD, so as to show that the resolution was agreed to.

Mr. CUTHWAITE. It was agreed to, then, as amended pursuant to my suggestion?

The SPEAKER. Of course. The gentleman from Pennsylvania [Mr. BINGHAM] accepted the amendment of the gentleman from Ohio that the resolution should not apply to members who were excused on account of sickness in their families.

### CABLE CONNECTION WITH THE HAWAIIAN ISLANDS.

The SPEAKER laid before the House the following message from the President; which was read, ordered to be printed, and referred to the Committee on Commerce:

*To the Senate and House of Representatives:*

I transmit herewith, with its accompanying, a report from the Secretary of the Navy of the results of the survey made pursuant to the act of March 2, 1891, to enable the President to cause careful sounding to be made between San Francisco Cal., and Honolulu, in the Kingdom of the Hawaiian Islands, for the purpose of determining the practicability of laying a telegraphic cable between those points.

WASHINGTON, D. C., July 27, 1892.

(The papers above referred to accompany my message to the Senate.)

JOHN OSBORNE.

The SPEAKER also laid before the House a communication from the Court of Claims, transmitting a copy of the findings of the court in the case of John Osborne, deceased, vs. The United States; which was referred to the Committee on War Claims.

MASONIC MUTUAL RELIEF ASSOCIATION, DISTRICT OF COLUMBIA.

The SPEAKER also laid before the House a bill (S. 2946) to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia, approved March 3; which was referred to the Committee on the District of Columbia.

JAMES L. TOWNSEND.

The SPEAKER also laid before the House a bill (S. 2298) for the relief of James E. Townsend; which was referred to the Committee on Military Affairs.

FOREIGN LABOR FOR PREPARATION OF FOREIGN EXHIBITS.

The SPEAKER also laid before the House the joint resolution (S. R. 106) authorizing foreign exhibitors at the World's Columbian Exposition to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits; which was referred to the Committee on Labor.

### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WEADOCK, for one week, on account of illness.

To Mr. FETHAN, indefinitely, on account of sickness.

To Mr. MOSES, indefinitely, on account of sickness.

To Mr. WHITING, for ten days, on account of sickness in his family.

To Mr. WALKER, on account of sickness from excessive heat.

## LEAVE TO PRINT.

Mr. BROSIUS, by unanimous consent, obtained leave to extend in the RECORD some remarks on the resolution reported by the Select Committee to Investigate the Pension Office.

## LEAVE TO WITHDRAW PAPERS.

Mr. CHIPMAN, by unanimous consent, obtained leave to withdraw from the files of the House the papers in the case of the claim of Henry K. Sawyer without leaving copies.

## SWEARING IN OF A MEMBER.

Mr. SAYERS. I send to the desk the credentials of Hon. E. L. Antony, Representative-elect from the Ninth Congressional district of Texas, to fill the vacancy occasioned by the resignation of Hon. ROGER Q. MILLS. I ask that Mr. Antony be now sworn in.

The credentials having been read, Mr. Antony came forward and was duly qualified by taking the oath prescribed by law.

## LANDS VALUABLE FOR BUILDING STONE.

Mr. McRAE. I rise to a privileged question. I send to the desk a conference report on Senate bill No. 1273.

Mr. DINGLEY. Is not the House already acting upon a conference report as unfinished business?

The SPEAKER. No; there is no conference report now pending on the sundry civil bill; the conference committee has been discharged. The question under consideration is upon the amendments not in conference.

Mr. DINGLEY. All right.

The report submitted by Mr. McRAE was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1273) to authorize the entry of lands chiefly valuable for building stone under the placer mining laws having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House and agree to the same.

THO. C. McRAE,

J. W. BAILEY,

*Managers on the part of the House.*

WM. M. STEWART,

R. F. PETTIGREW,

WM. B. BATE,

*Managers on the part of the Senate.*

The report was adopted.

On motion of Mr. McRAE, a motion to reconsider the last vote was laid on the table.

## PENSIONS.

Mr. MARTIN. I rise to a privileged question, and send to the desk a conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 2137) to amend an act entitled "An act amending the pension law so as to remove the disability of those who having participated in the rebellion, have since its termination enlisted in the armies of the United States and become disabled," approved March 3, 1877, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments.

A. N. MARTIN,

W. H. HARRIES,

JOHN L. JOLLEY,

*Managers on the part of the House.*

A. S. PADDOCK,

DAVID TURPIE,

*Managers on the part of the Senate.*

The statement of the House conferees was read, as follows:

The managers on behalf of the House, in the conference on the disagreeing votes of the two Houses on the accompanying bill (S. 2137), submit the following statement to accompany the conference report herewith submitted, to wit: The bill itself is one to repeal that portion of the present pension law which prevents persons who served in the Confederate service and who subsequently enlisted in the United States Navy from receiving the benefits of the pension law as relates to such service in the Navy. The amendment of the House to the bill was to repeal the statute which prohibits persons who served in the Confederate service from receiving appointments in the Army or Navy of the United States, which matter, under the rules of the Senate, requires consideration by the Committee on Military Affairs, and of which the Senate Committee on Pensions has no jurisdiction.

The Senate conferees have no objection, *per se*, to the matter embodied in the House amendment when coming through its proper committees but can not assume jurisdiction for the said reasons.

Therefore the managers on behalf of the House recommend that the House recede from the amendment and let pass the bill as it originally passed the Senate.

The report of the committee of conference was agreed to.

On motion of Mr. MARTIN, a motion to reconsider the last vote was laid on the table.

## PRINTING EULOGIES ON HON. F. B. SPINOLA.

Mr. McKAIG. I rise to present a privileged report from the Committee on Printing.

The Clerk read as follows:

## HOUSE OF REPRESENTATIVES, July 13, 1891.

Mr. COCKRAN submitted the following, which was referred to the Committee on Printing:

*Resolved by the House of Representatives (the Senate concurring), That there be printed of the eulogies delivered in Congress upon the Hon. Francis B.*

Spinola, late a Representative from the State of New York, 8,000 copies, of which number 2,000 shall be delivered to the Senators and Representatives from the State of New York, which shall include 50 copies to be bound in full morocco to be delivered to the family of the deceased; and of those remaining, 2,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House of Representatives; and the Secretary of the Treasury is directed to have engraved and printed a portrait of said Francis B. Spinola to accompany said eulogies.

The report of the committee recommending the adoption of the resolution was read.

Mr. DOCKERY. I desire to ask the gentleman from Maryland (Mr. McKAIG) whether this resolution is not a departure from time-honored custom in respect to the printing of eulogies? If I caught the reading of the resolution aught it provides for the distribution of a certain number of these eulogies to the Senators and Members from the State of New York. This is the first time within my knowledge that any such provision has been made. I think we had better adhere to what has been the uniform practice in the distribution of eulogies among Senators and Representatives. Doubtless members will be ready in this case, as they have been in former cases, to share their quotas with members from the State especially interested.

Mr. WASHINGTON. Or to make exchanges.

Mr. DOCKERY. I suggest that the gentleman from Maryland amend the resolution in that respect.

Mr. McKAIG. This resolution was sent to our committee in this form. In reporting it without amendment we had no intention to deprive members of the House of any of these eulogies which may according to the customary method of distribution belong to them.

Mr. DOCKERY. I ask the gentleman to accept an amendment striking out that portion of the resolution which provides for distributing a certain number to Senators and Representatives from the State of New York.

Mr. McKAIG. I am willing to accept that amendment.

The SPEAKER. The gentleman from Maryland will please indicate his amendment.

Mr. WASHINGTON. I suggest that the resolution be withdrawn until it can be properly amended.

The SPEAKER. It will have to be amended in several respects.

Mr. DOCKERY. I suggest that the gentleman withdraw it temporarily until it can be put in proper shape.

The SPEAKER. What is the wish of the gentleman from Maryland?

Mr. McKAIG. I do not see the necessity of withdrawing the resolution for the purpose of amending it, because it can be amended right here on its face by striking out the provision assigning 2,000 copies to Senators and Representatives from New York, so as to allow the 8,000 copies to be distributed *pro rata*.

The SPEAKER. If the gentleman will examine the resolution he will find that it will require several amendments in order to accomplish that.

Mr. DINGLEY. Is this a privileged resolution?

The SPEAKER. The Chair understands that it is.

Mr. DINGLEY. Is it not simply to print eulogies? I do not understand that that relates to the business of the House.

Mr. McKAIG. I withdraw the resolution for the present.

Mr. DINGLEY. I object to anything except what comes in regular order.

The SPEAKER. The resolution is withdrawn.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed bills of the following titles; in which concurrence of the House was requested:

A bill (S. 1692) for the correction of the military record of Francis A. E. Briot;

A bill (S. 2379) for the relief of William R. Steinmetz;

A bill (S. 3368) to create a national highway commission and to prescribe its duties;

A bill (S. 1698) granting an increase of pension to Harrison De F. Young;

A bill (S. 342) granting a pension to Ellen Williams;

A bill (S. 3396) granting a pension to Col. William H. Browne;

A bill (S. 3253) granting a pension to Martha R. Hitchcock;

A bill (S. 1541) granting a pension to C. G. McKnight;

A bill (S. 3265) granting a pension to Marion C. Gurney;

A bill (S. 3150) granting a pension to Mrs. Mary Murry;

A bill (S. 3337) granting a pension to Sarah C. Holland;

A bill (S. 2648) granting a pension to Augustus G. Cary;

A bill (S. 2639) granting a pension to Catharine W. Tennis;

A bill (S. 3240) to facilitate the enforcement of the immigration and contract labor laws of the United States;

A bill (S. 2578) granting the use of certain lands in Wallawalla County, State of Washington, to the city of Wallawalla, for the purpose of a public park;

A bill (S. 2798) for the relief of Peter Light;

third reading and passed may be reconsidered in order that I may move its indefinite postponement.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Oregon? The Chair hears none, and the votes are reconsidered.

Mr. MITCHELL. I move that the bill be indefinitely postponed.

The motion was agreed to.

#### WASHINGTON AND ARLINGTON RAILROAD.

Mr. HARRIS. In February, 1891, Congress granted a charter to the Washington and Arlington Railroad Company, giving a certain route from the Sixth-street depot, northwest, to the Aqueduct bridge, and along the Canal road from the Aqueduct bridge, up the river to a point opposite the Three Sisters, with authority to construct a bridge at the Three Sisters. They have a charter from Virginia also running to Arlington. Under that charter the company have proceeded to grade and to lay quite a good deal of track. At the present session of Congress the chairman of the District Committee and myself and some other members examined the route, and decided that we could not afford to allow any track to be laid on the Canal road, it being too narrow and too confined, and we have repealed so much of the charter as gave them the authority to construct that bridge and lay that track. It leaves the parties with that link missing.

The committee has reported a bill (S. 3448) to amend the charter of the Washington and Arlington Railroad Company, recognizing their old track from the Sixth-street depot to and along Virginia avenue to G street northwest, and with G street to the river, and authorizing them to cross thereby by ferry and connect with their work on the other side. If this bill can be passed to-day, I am assured it will become a law and relieve them from their embarrassment. I think it vitally important that it should be passed at once, and ask the unanimous consent of the Senate to continue its consideration. The bill has been read and the amendments agreed to. That is its status.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. GALLINGER. During the present session—

The VICE-PRESIDENT. The Senator from New Hampshire will suspend. Is there objection to the present consideration of the bill indicated by the Senator from Tennessee?

Mr. GALLINGER. I desire to make an observation which may lead to an objection on my part. During the present session a bill has likewise been reported from the Committee on the District of Columbia to incorporate the Washington, Fairfax and Alexandria Railway Company, the incorporators being men of large means and entirely reliable in every way. That bill is on the Calendar and has had, I think, some consideration; at least the Senator from West Virginia [Mr. FAULKNER] undertook to get consideration for it.

The bill as amended, which the Senator from Tennessee wishes to call up, robs these incorporators of their right of way and practically obliterates them. They are men representing means. The other corporation is bankrupt; it is not able to-day to pay its office rent. I insist that if any corporation is to be given the right of way across the Three Sisters it should be the corporation which represents men of means and ability. I therefore must object to the present consideration of the bill.

Mr. HARRIS. Mr. President—

Mr. COCKRELL. The Senator from New Hampshire is entirely mistaken in his supposition.

Mr. HARRIS. The routes of the two companies I understand do not conflict; but if we are to elect as between the two companies to-day we should consider the fact that in 1891 we improvidently granted to the Washington and Arlington Railroad Company a charter under which it has already expended many thousands of dollars.

Mr. COCKRELL. Subscribed by poor people here.

Mr. HARRIS. Subscribed by a large number of departmental employes living upon meager salaries. Many thousand dollars have been already expended. We have deemed it absolutely necessary to deprive them of this link in their line, which renders the work and the money they have put into the enterprise already utterly valueless. I say we owe it to them to give them this connection just so far as it is possible to do so without injury to the public. For that reason, and that reason only, I ask the unanimous consent of the Senate to consider at this time the bill; and when the other bill is under consideration I shall have no objection to it. I have never objected to its consideration or its passage. If the gentlemen desire the charter referred to, I am in favor of giving it to them.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. GALLINGER. Very likely if I could believe, as the Sen-

ator from Tennessee does, that this road would be constructed, and that it would preserve and protect the rights of innocent holders of stock. I might entertain a different opinion from what I now do. I do not, however, view the matter in that light, and I therefore must insist on my objection.

The VICE-PRESIDENT. Objection is made.

Mr. HARRIS. I move that the Senate proceed to the consideration of the bill.

Mr. SHERMAN. I hope the Senator will not insist upon that at this time.

Mr. HARRIS. Very well, I shall not press the motion at this moment. There is a reason why I should not.

#### RELATIONS OF GOLD AND SILVER.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day.

The CHIEF CLERK. "A resolution by Mr. GIBSON of Louisiana, requesting the Secretary of the Treasury to report to the Senate certain information relative to the payment of customs duties and the currency system of the United States."

Mr. GIBSON of Louisiana. I ask leave to amend the resolution. At the end of line 2, add: "On the first Monday in December next;" so as to read:

*Resolved*, That the Secretary of the Treasury is hereby requested to report to the Senate on the first Monday in December next.

In line 11, in the second paragraph of the resolution, strike out the words "at the present time."

In line 20, in the third paragraph, strike out the words, "during the last three months" and insert:

What amount of bonds has been sold under the act entitled "An act to provide for redemption of specie payments," approved January 14, 1875, and what amount of gold and silver coin has been accumulated in the Treasury from the sale of said bonds; what amount of United States notes has been redeemed and reissued and what amount of said notes now probably remains in existence, and how much gold and silver remains in the Treasury from the sale of bonds for redemption purposes.

And in line 32, after the word "ratio," in the sixth paragraph, strike out the words "and conforming it to the market value of the two metals."

The VICE-PRESIDENT. The resolution will be so modified. The question is upon agreeing to the resolution as modified.

Mr. GIBSON of Louisiana. Mr. President, this is a resolution of inquiry. We are to hold an international conference or convention at Berlin for the purpose of considering the adoption of a bimetallic standard upon an international ratio. In the event that that convention should arrive at a satisfactory result between the leading nations of the world it will probably terminate the disparity between the gold coin and silver coin and bring both silver and gold into circulation and into use again among the leading nations of the world as standards of value as well as mediums of exchange. If that convention, however, should fail, which I think likely from the experience we have had in the last year, the Government will then be confronted with the question whether it may be possible to adopt a bimetallic standard—that is, establish a ratio between gold and silver coin—which will enable the Government of the United States and the people of the United States to preserve the parity between the two metals. We should then be in the situation that we were when the Government was first established under the administration of George Washington, when, on the advice of Alexander Hamilton and Thomas Jefferson, a mint was established and a ratio fixed between the two coins, conforming the ratio to their relative market or intrinsic value.

I do not propose to discuss this resolution at the present time, because it does not present any salient points for discussion. It merely asks the Secretary of the Treasury for certain information which we have already scattered about in different reports, but we desire it in a compact form, so that we may be able, in the discussion of the question which will arise then, to proceed with all the facts before us. All the elements of the problem to be solved will be then in our possession.

It is true that the fifth clause of the resolution requests the Secretary of the Treasury to suggest a plan of his own, a ratio between gold and silver in order to preserve a substantial equivalency between the coins of the two metals.

That is not generally customary in resolutions dealing with financial issues in either House of Congress, but the Secretary of the Treasury, whenever these questions are under consideration, is invited by the committee having the subject in charge to give his views; and I do not think any Senator will find fault if we invite the present Secretary of the Treasury to inform us not only what the situation is in the United States in relation to our metal currency, but also to give us any scheme, or plan, or suggestion he may have in order that we may solve this great question.

The VICE-PRESIDENT. The resolution will be read as modified.



The Chief Clerk read as follows:

*Resolved*, That the Secretary of the Treasury is hereby requested to report to the Senate, on the first Monday in December next:

First, What proportion of the excise duties and internal revenue taxes, received within the last twelve months have been paid each month in gold coin, in standard silver dollars, in silver certificates, in United States notes, commonly called "greenbacks," in legal-tender Treasury notes issued under the act approved July 14, 1890, national bank notes, and gold certificates.

Second, The amount of gold coin and gold certificates in the Treasury of the United States, the amount of gold and of gold certificates held by the banks of the United States, and the total amount of gold coin in this country.

Third, Whether, under the act approved July 14, 1890, the Secretary of the Treasury has redeemed the notes issued thereunder for the purchase of silver bullion with gold coin or silver coin; what amount of said notes has already been redeemed in gold and silver coin respectively; what amount of bonds has been sold under the act entitled "An act to provide for redemption of specie payment," approved January 14, 1875, and what amount of gold and silver coin has been accumulated in the Treasury from the sale of said bonds; what amount of United States notes has been redeemed and reissued; and what amount of said notes now probably remains in existence, and how much gold or silver remains in the Treasury from the sale of bonds for redemption purposes.

Fourth, To report, as far as may be practicable, the amounts of gold and silver, respectively, held by the Bank of France, the Bank of Germany, and the Bank of England.

Fifth, To report what ratio should, in his judgment, be established between gold and silver in order to preserve a substantial equivalency between the coins of the two metals in the United States.

Sixth, Whether or not the bimetallic system adopted under the Administration of President Washington, and re-adjusted and maintained under the Administration of President Jackson, might again be established upon a stable basis by correcting the ratio either by increasing the metal in the silver unit or by decreasing the metal in the gold unit or by dividing the disparity between the two units and standards of value.

The VICE-PRESIDENT. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

#### DISTRICT STREET IMPROVEMENTS.

Mr. ALLISON. Some time ago the Senator from Delaware [Mr. HIGGINS] submitted a resolution relative to the proportional expenditure for streets, etc., in the District of Columbia, which resolution was referred to the Committee on Appropriations. The Commissioners of the District of Columbia, I believe, have already taken notice of this resolution and have prepared an answer to it, which I think is of some value. The Committee on Appropriations some time ago authorized me to report the resolution favorably, but in the multitude of other affairs pressing upon me I neglected to do so. I now report the resolution from that committee, and I am able to say that within a day or two the information sought for will be furnished.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution submitted by Mr. HIGGINS March 15, 1892, as follows:

Whereas for the last three fiscal years, 1889, 1890, and 1891, the aggregate sum of \$3,654,262.45 has been appropriated by Congress for the improvement of the streets, avenues, alleys, etc., of the District of Columbia, to wit:

1. For work on sundry streets, avenues, etc.	\$2,000,000.00
2. For repairs to concrete pavements, etc.	400,000.00
3. For grading streets, alleys, and roads, etc.	50,000.00
4. For current work of repairs of streets, avenues, and alleys.	120,000.00
5. For current work of repairs on county roads and suburban streets.	155,000.00
6. For constructing county roads and suburban streets, etc.	991,102.45
7. For condemnation of streets, roads, and alleys.	20,000.00
8. For permit work on alleys, sidewalks, and sewers, etc.	280,000.00
9. For the contingent expenses of the parking commission.	54,000.00

Aggregating, as above stated, 3,654,262.45

And whereas in the appropriation and expenditure thereof six sectional divisions of the District have been recognized, to wit: Each of the four quarters of the city of Washington, the city of Georgetown, and the county outside of said cities; and

Whereas it appears that portions of said items of appropriation have been expended for miscellaneous incidental expenses, not expressly specified in said appropriations; and

Whereas much complaint has been made of the partial and inequitable apportionment and distribution of said expenditures under said appropriations; Therefore,

*It is resolved*, That the District Commissioners are hereby respectfully requested to furnish the United States Senate with a statement of the amount or portion of said aggregate sum of \$3,654,262.45 expended in each of said six divisions, and the amount thereof remaining unexpended; and showing in detail the amount thereof expended for the specific improvements contemplated by the said appropriations respectively, exclusive of incidental expenses, but giving separately the amount of each class of incidental expenses paid out of said appropriations including those for inspection, wagon repairs, horseshoeing, forage, etc. Also the amount thereof paid for sewerage and of item second the amount for resurfacing and for minor repairs respectively, so as to show precisely how much of said aggregate sum of \$3,654,262.45 has actually been expended in each of said six divisions, and for what specific purpose.

Mr. ALLISON. I ask for the present consideration of the resolution.

The resolution was considered by unanimous consent, and agreed to.

MRS. LAURA E. SKEELS.

The VICE-PRESIDENT. If there be no further morning business, that order is closed, and the Calendar under Rule VII is in order.

Mr. QUAY. I ask unanimous consent of the Senate for the

present consideration of Order of Business H28, being House bill 1742, a pension bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1742) for the relief of Mrs. Laura E. Skeels. It proposes to pay to Mrs. Laura E. Skeels the accrued pension which was due her mother, Mrs. Nancy M. Elmendorf, under pension certificate 18943, after deducting the amount already paid under section 4718, Revised Statutes, as reimbursed for funeral expenses.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MATTHEW S. PRIEST.

Mr. SHERMAN. I ask unanimous consent of the Senate for the present consideration of Senate bill 1597.

Mr. MITCHELL. I shall not object to this bill, but after this I give notice that I shall insist on going on with the Calendar of unbusinessed cases.

Mr. SHERMAN. This is a little bill reported by the Senator himself.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1597) for the relief of Matthew S. Priest.

The bill was reported from the Committee on Claims with amendments.

The first amendment was, in section 1, line 3, after the words "sum of," to strike out "six hundred" and insert "two hundred and seventy-five;" and in line 8, before the word "day," to strike out "twenty-seventh" and insert "seventeenth;" so as to make the section read:

That the sum of \$75 be and the same is hereby appropriated out of any money in the Treasury not otherwise appropriated to compensate Matthew S. Priest for services rendered by him for the Government of the United States from the 16th day of March 1861 to the 17th day of August 1861 as cozier of the steamers Silver Wave and Moberg on in passing the batteries of Vicksburg, Warrenton and Grand Gulf and for repairing steamers.

The amendment was agreed to.

The next amendment was to strike out section 2, as follows:

Sec. 2. That the sum hereby appropriated is made immediately available.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### TIMBER-CULTURE LAWS.

Mr. MANDELSON. I ask unanimous consent for the present consideration of Senate bill 2564.

There being no objection, the bill (S. 2564) to amend section 6 of the act approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes," was considered as in the Committee of the Whole. It proposes to amend section 6 of an act approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes," so as to read:

SEC. 6. That section 6 of the act of September 2, 1890, entitled "An act to amend section 6 of the act of March 3, 1891, entitled 'An act to repeal timber-culture laws, and for other purposes,' and for other purposes," be and the same is hereby amended so as to read:

SEC. 204. Nothing in this chapter or in this act shall be construed as to prevent any person who is the owner or tenant in fee of the benefits of section 2180 from paying the minimum price for the quantity of land so entered at any time after the expiration of fourteen calendar months from the date of such entry, and obtaining a patent therefor upon the expiration of settlement and of residence and cultivation for such period or between months; and the provisions of this section shall apply to lands on the ceded portion of the Sioux Reservation by an act approved March 2, 1891, in Santa Barbara and in the State of Texas, and shall not relate said States to any payments now required by law.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### APPOINTMENTS IN STAFF CORPS OF THE ARMY.

Mr. PROCTOR. I ask unanimous consent for the present consideration of Senate bill 2013.

There being no objection, the bill (S. 2013) providing that appointments in staff corps be made from the line of the Army, was considered as in Committee of the Whole. It provides that all vacancies in the grade of major in the Adjutant-General's, Inspector-General's, and Judge-Advocate-General's, and Pay Corps of the Army shall be filled by selection from the captains of the line of the Army, and all vacancies in the grade of captain in the Quartermaster's and Commissary Departments shall be filled by selection from first lieutenants of the line of the Army.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARY A. SWIFT.

Mr. DAVIS. I ask unanimous consent that Order of Business No. 841, being the bill (S. 3922) for the relief of Mary A. Swift, be now considered.

ago. This House was instructed by the gentleman from Indiana in debate, page 6014 of the CONGRESSIONAL RECORD, and in colloquy with my colleague from Pennsylvania [Mr. O'NEILL] some weeks ago that Henry Winter Davis during the period of the war reported a disagreement with the Senate upon the sundry civil bill, moved that the House adhere, and the House did adhere, and then allowed the bill to fail. With the gentleman's long experience in legislation I say to him that that remark, to my mind, was purposely and deliberately uttered, and directly with a view to this very conclusion and result.

A further fact for the gentleman: The sundry civil bill was reported to the House March 21; the deficiency bill was reported to the House June 18; the sundry civil bill passed the House May 27; the deficiency bill passed the House a month later, June 27. The sundry civil bill passed the Senate July 14; the deficiency bill passed the Senate July 18. The proper legislative relation of the bills to each other continued up to that time.

Why then and there this change by shunting your deficiency bill ahead of your sundry civil bill? The conference was ordered on the sundry civil bill July 19; you ordered the conference on your deficiency bill July 19. The conferees agreed partially on the deficiency bill July 21; the conferees agreed partially on the sundry civil bill July 25. The deficiency bill was finally agreed upon July 26; the conferees reported to the House on the sundry civil bill July 26. I say to the gentleman, with his long training in legislative affairs that he deliberately uttered the remark referred to and prepared this House for the failure of the sundry civil bill should it be necessary to carry out his purposes by citing the precedent of Henry Winter Davis, and this is to be taken in connection with the further fact that deliberately you shunted the relation of the deficiency bill, which should have been the last bill, and placed it ahead of the sundry civil bill.

I yield the remainder of my time to the gentleman from Illinois [Mr. HOPKINS].

Mr. HOPKINS of Illinois. Mr. Speaker, the gentleman from New York [Mr. CUMMINGS] in his speech this morning, after what the House has seen here for the last few days under his leadership, is a splendid illustration of the sayings of Shakespeare, that "The devil can quote scripture for his purpose," and "That one may smile and smile and be a villain."

Mr. CUMMINGS. You had better study the Scriptures a little.

Mr. HOPKINS of Illinois. Everybody knows who has been present in the House during these proceedings that the chairman of the Committee on Appropriations [Mr. HOLMAN] and the gentleman from New York [Mr. CUMMINGS] are, more than any other men, responsible for the condition in which this Government finds itself to-day. Nearly a week ago the House agreed to the amendment proposed by the Senate to the sundry civil bill providing for the World's Fair by a good majority. By that vote they said that an appropriation should be made to carry on the National Exposition in the city of Chicago. The chairman of the Committee on Appropriations, in violation of all the precedents that we have had in this country, made a motion after that vote was taken that led to these dilatory proceedings, and under his action and under his advice this unprecedented condition of affairs has been reached.

What is the condition, Mr. Speaker? The great appropriation bill that takes care of the public printing, that takes care of the Bureau of Engraving and Printing, that takes care of the Life-Saving Service and the soldiers' homes, and various other matters important in the affairs of the Government, has been tied up for nearly a week by the agency of the gentleman from Indiana, the chairman of the Committee on Appropriations, and the gentleman from New York who has just addressed the House. They knew when they commenced their dilatory tactics or this system of filibustering, that on Saturday of last week the appropriations would expire. They knew as well as anybody can know anything that if this bill did not get through, the wheels of the Government, so far as these bureaus were concerned, would have to stop, and yet with a full knowledge of all these facts Mr. HOLMAN of Indiana has sat here day after day not only not protesting against these unprecedented tactics of his party associates, but actually aiding and encouraging them in it. The country will hold him and his party associates responsible.

[Here the hammer fell.]

Mr. HOLMAN. We could not anticipate that any gentleman on either side of the House would object to the usual resolution to extend the appropriations to carry on the business of the Government.

Mr. HENDERSON of Iowa. You could be prepared for anything from what your side has been doing lately.

Mr. HOLMAN. I yield the remainder of my time to the gentleman from Tennessee.

Mr. BOWERS. You would not allow a vote on your own motion.

Mr. McMILLIN. Mr. Speaker, let it not be forgotten that the gentleman from Illinois [Mr. HOPKINS] who has just taken his seat is the man who has caused the wheels of this Government to stop for this day. [Derisive laughter from the Republican side.]

Sir, there is nothing new in this situation which should have caused him to prevent the passage of the resolution last week extending the appropriations. It has been the custom every Congress, at least of the seven of which I have been a member, during the long sessions, to extend the appropriation bills before the regular annual appropriation bills could be prepared and agreed upon. The capacity of statement of a proposition for which the gentleman from Maine [Mr. REED] is proverbial can not disguise this fact. The fact stands out that the Congress he organized, the Congress over which he presided, extended the appropriations by the consent of the whole House after the first day of August. Yet no fuss was made about and no objection made to it. It was then thought and conceded to be an eminently proper thing.

Mr. DOCKERY. This very bill did not pass the House until the 17th of August.

Mr. REED. But the appropriations were not extended in deference to filibusters.

Mr. McMILLIN. The appropriations were extended in the absence of appropriations. That is the vital point, and the only point here.

Now, Mr. Speaker, I have stated that there is nothing new in this situation. The sundry civil bill provided appropriations for the Departments of the Government to which the gentleman from Illinois has referred with such pathos. It went to the Senate, and that body put an extraordinary, an unusual as well as an uncalled-for and unnecessary appropriation upon it. It came back here, and when the vote was taken on that proposition the appropriation was defeated by a decisive majority. Then there was a large reduction in the attendance of the membership of the House. On the second vote the majority was reversed.

Mr. BLANCHARD. After the lobby had got in its work.

Mr. McMILLIN. A motion to reconsider that vote was entered and has not yet been disposed of. Then the two Houses, being unable to agree, the usual resolution to extend the appropriations was brought in and objected to by a gentleman on the other side. There is where the responsibility rests.

Mr. REED. Will the gentleman allow me to interrupt him for a moment?

Mr. McMILLIN. I have but a very brief time.

Mr. REED. I merely wish to ask if the gentleman is correct in saying that there was a less vote on the Senate proposition on the last vote than on the first?

Mr. McMILLIN. I said the majority was reversed, and I think the total vote was less on the last vote than on the first.

Mr. REED. I understood the gentleman to say that there was a smaller vote.

Mr. McMILLIN. Now, Mr. Speaker, as my time is limited, I must state this case, so that the responsibility can rest where it belongs. The usual resolution was offered here last Saturday. It was attempted to be passed in the usual way. There never has been an objection to such a resolution. No man here, old or young, had ever seen opposition proposed to one; but the gentleman from Illinois [Mr. HOPKINS] virtually said to the House, "You either give that \$5,000,000 to the World's Fair, or you do not get any appropriation." And because he could not get the five millions, he stopped the other necessary appropriations. That is the situation here.

A MEMBER. That is true.

Mr. McMILLIN. That is true, and the country knows it.

Mr. BLANCHARD. And that is the argument of a highwayman.

Mr. McMILLIN. It was the power that he had; and the wheels of the Government were stopped because the gentleman from Illinois said that unless we gave an unusual, uncalled-for, unnecessary appropriation, hatched on as a rider in violation of precedent by the Senate of the United States, we should not have money to print that luminous, voluminous, and delightful document known as the CONGRESSIONAL RECORD. [Laughter.]

Now, Mr. Speaker, suppose they had put the force bill upon this bill. [Derisive laughter upon the Republican side.] The gentleman from Illinois would have had the same capacity on Saturday to say, "If you do not pass the force bill you shall not have any appropriation." If they had put on a bill making an appropriation to build a railroad, he could with the same appropriateness have said, "You will build the railroad or you shall not have that appropriation." That is the situation here, and it can not be disguised. Now, why not in a business-like

way meet this business situation? Why not make appropriations for a period until the two Houses can come together? That is what this resolution seeks. That is what the gentleman from Indiana is making an effort to do, and yet my friend from Illinois [Mr. HORTON] brings out Shakespeare in a most ludicrous way and quotes him on Judge HOLMAN. The truth is, the gentleman from Illinois has this morning all the melancholy madness of poetry without its inspiration. [Laughter.]

[Here the humor fell.]

The SPEAKER. The question is upon agreeing to the resolution of the gentleman from Indiana [Mr. HOLMAN] to suspend the rules and pass the resolution.

The resolution was agreed to (two-thirds voting in favor thereof).

#### SENATE BILLS AND RESOLUTIONS REFERRED.

The SPEAKER laid before the House bills and resolutions of the following titles: which were read a first and second time, and referred to their appropriate committees as indicated below:

A bill (S. 2955) granting an increase of pension to John Kinney—to the Committee on Pensions;

A bill (S. 3109) to amend the act incorporating the Washington and Georgetown Railroad Company—to the Committee on the District of Columbia;

A bill (S. 2410) to authorize the purchase of the library of historical manuscripts and printed books belonging to the estate of the late George Bancroft—to the Committee on the Library;

A bill (S. 3117) relating to post traderships—to the Committee on Military Affairs;

A bill (S. 680) to authorize the purchase of Lawrie's and Price's portraits of Gen. George H. Thomas—to the Committee on the Library;

A bill (S. 2292) to accept and ratify an agreement made with the confederated tribes and bands of India occupying the Yakima Reservation, in the State of Washington, for the extinguishment of their title to so much of said reservation as is required for the use of the Northern Pacific Railroad, and to make the necessary appropriations for carrying out the same—to the Committee on Indian Affairs;

Joint resolution (S. R. 412) to print and bind 1,000 extra copies each of the Drill Regulations for Infantry, Cavalry, and Artillery—to the Committee on Military Affairs; and

Concurrent resolution relative to printing 1,000 copies of the report of the survey made pursuant to the act of March 2, 1891—to the Committee on Printing.

#### FUNERAL OF THE LATE REPRESENTATIVE CRAIG.

The SPEAKER. The gentleman from Pennsylvania [Mr. REILLY] has a resolution respecting the committee appointed to attend the funeral of the late Representative Craig, which resolution the Clerk will report.

The Clerk read as follows:

*Resolved*, That the Sergeant-at-Arms of the House of Representatives is hereby authorized and directed to take charge of the funeral of the late Hon. Alexander K. Craig, and that all necessary expenses incurred thereby be paid out of the contingent funds of the House of Representatives, and that the disbursing officer of the Clerk of the House is hereby directed to pay the same upon the presentation of the proper voucher, approved by him.

The resolution was agreed to.

On motion of Mr. REILLY, a motion to reconsider the last vote was laid on the table.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed without amendment the bill (H. R. 1742) for the relief of Mrs. Laura E. Skeels.

It also announced that the Senate had passed bills and joint resolutions of the following titles: in which the concurrence of the House was requested:

A bill (S. 1557) to compensate Elihu Root for services rendered by direction of the Attorney-General;

A bill (S. 1597) for the relief of Mathew S. Priest;

A bill (S. 2128) for the relief of John S. Sammis;

A bill (S. 3013) providing that appointments in staff corps be made from the line of the Army;

A bill (S. 3026) to mark the birthplace of James Madison, fourth President of the United States;

A bill (S. 3042) to provide for leave of absence to certain members of the Grand Army of the Republic during the encampment of the Grand Army of the Republic in the city of Washington, D. C., during the month of September, 1892, and for other purposes;

A bill (S. 2564) to amend section 6 of an act approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes";

Joint resolution (S. R. 113) providing for the printing of the Agricultural Report for 1892; and

Joint resolution (S. R. 114) to continue provisions of a joint

resolution approved Jan. 30, 1892, entitled "A joint resolution to provide temporarily for the expenditures of the Government."

It also announced that the Senate had passed the following resolutions:

*Resolved*, That the Senate has heard with deep sensibility the announcement of the death of Hon. A. K. Craig, late a Representative from the State of Pennsylvania.

*Resolved*, That a committee of three Senators be appointed by the Vice-President to join the committee appointed on the part of the House of Representatives, to attend the funeral of the deceased.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives.

*Resolved*, That as an additional mark of respect to the memory of the deceased, the Senate do now adjourn.

And in compliance with the foregoing resolutions, the Vice-President had appointed as said committee Mr. CAMERON, Mr. CAREY, and Mr. GORMAN.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. KENDALL, indefinitely, on account of sickness.

To Mr. CLOVER, indefinitely, on account of sickness.

To Mr. COOMBS, for three days, on account of sickness.

To Mr. LOCKWOOD, indefinitely, on account of sickness.

To Mr. CAUSEY, for two days, on account of sickness.

To Mr. PAGE of Rhode Island, indefinitely, on account of sickness.

To Mr. WINN, indefinitely, on account of sickness.

#### LEAVE TO WITHDRAW PAPERS.

On motion of Mr. ANDREW, by unanimous consent, leave was granted to withdraw from the files of the House without leaving copies the papers in the case of Dabney, Simmons & Co.

On motion of Mr. ANDREW, unanimous consent was granted to withdraw from the files of the House papers in the case of Phillip T. Greely, without leaving copies of the same.

#### LEAVE TO PRINT.

The SPEAKER. The gentleman from Tennessee [Mr. ENLOE] asks leave to extend in the Record his remarks on the report of the committee on the investigation of the Pension Office.

Mr. ATKINSON. I object to the extension of the remarks of Mr. ENLOE on the investigation of the Pension Office.

The SPEAKER. The Chair will state to the gentleman from Pennsylvania that like leave was granted to the gentleman from Pennsylvania [Mr. BROOKS].

Mr. ATKINSON. That being the case, I will withdraw my objection.

The SPEAKER. Is there further objection?

There was no objection.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had passed without amendment joint resolution (H. Res. 159) to continue the provisions of existing laws providing temporarily for the expenditures of the Government.

#### ENROLLED BILLS SIGNED.

Mr. WARWICK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a joint resolution and bill of the following titles: when the Speaker signed the same:

Joint resolution (H. Res. 159) to continue the provisions of existing laws providing temporarily for the expenditures of the Government; and,

A bill (H. R. 7204) granting pensions to army nurses.

#### RECEPTION IN THE ROTUNDA OF THE CAPITOL DURING GRAND ARMY ENCAMPMENT.

Mr. WHEELER of Alabama. Mr. Speaker, I move to suspend the rules and pass the resolution recommended by the Committee on Military Affairs which I send to the Clerk's desk.

The SPEAKER. The gentleman from Alabama moves to suspend the rules and pass the resolution, which the Clerk will read.

The Clerk read as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That permission is hereby granted to the ladies of Washington to give a reception in the Rotunda of the Capitol, September 14, 1892, to the members of the Grand Army of the Republic, the Women's Relief Corps, and all other visiting organizations who may attend the national encampment of the Grand Army of the Republic in September next.

Mr. WHEELER of Alabama. There is an amendment which is sanctioned by the committee.

The SPEAKER. The gentleman will have to incorporate it as part of his motion.

Mr. WHEELER of Alabama. By unanimous consent that could be done.

The SPEAKER. The gentleman can include it in the motion.

It also announced that the Senate had passed the bill (S. 3314) for the relief of E. Darwin Gage, late lieutenant-colonel of the One hundred and forty-eighth New York Infantry; in which the concurrence of the House was requested.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. BINGHAM. I demand the regular order.  
The SPEAKER. The regular order is the further consideration of the Senate amendments to the sundry civil appropriation bill. The gentleman from Indiana [Mr. HOLMAN] moves to reconsider the vote by which the House receded from its disagreement to the Senate amendments; and the gentleman from Pennsylvania [Mr. BINGHAM] moves to lay that motion on the table, and on that demands the yeas and nays.

Mr. BUTLER. I move that the House do now adjourn, and pending that I move that when it adjourns it be to meet on Thursday next.

Mr. DINGLEY. Is that the decision of the caucus last night?

Mr. BAILEY. I move to amend the motion of the gentleman from Iowa by striking out Thursday and substituting Friday.

Mr. BUCHANAN of New Jersey. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BUCHANAN of New Jersey. Would it be in order to substitute for all of these motions a motion that the House now adjourn?

The SPEAKER. There is pending a motion to adjourn.

Mr. BUCHANAN of New Jersey. I know, but it is tied up with several other motions. Has not the House the right to come directly to a vote on that motion?

The SPEAKER. The Chair will state to the gentleman that unless the absence of a quorum is disclosed, the question would first come up on fixing the time to which the House should adjourn. Of course, if the want of a quorum should be disclosed, then the House would have the right to adjourn, or to order a call of the House.

Mr. BUCHANAN of New Jersey. My inquiry is whether it is not in order to move, as a substitute for all pending motions, that the House do now adjourn?

The SPEAKER. The Chair thinks not. The question is on the amendment proposed by the gentleman from Texas [Mr. BAILEY].

Mr. DOCKERY. Mr. Speaker, I ask unanimous consent that the House take a recess for fifteen minutes.

Mr. HENDERSON of Iowa. What is the object of that?

The SPEAKER. Pending that the gentleman from Missouri [Mr. DOCKERY] asks unanimous consent to take a recess for fifteen minutes.

Mr. BROWN. What is the object of that?

The SPEAKER. The Chair is not informed.

Mr. HENDERSON of Iowa. Well, let it go.

The SPEAKER. Without objection, then, the House will take a recess for fifteen minutes.

Accordingly (at 11 o'clock and 15 minutes a. m.) the House took a recess until 11 o'clock and 30 minutes a. m.

The recess having expired, the Speaker resumed the chair.

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent that we take an informal recess for half an hour. I think it is quite likely we can accomplish more in that way than by continuing the proceedings.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the House take a recess, preserving the existing status, for thirty minutes.

Mr. KILGORE. Does that vacate the motions which have been made?

The SPEAKER. It does not.

Mr. HOPKINS of Illinois. It leaves everything *in statu quo*.

The SPEAKER. Yes. Is there objection to the request?

There was no objection.

Accordingly (at 11 o'clock and 30 minutes a. m.) the House took a further recess until 12 m.

The recess having expired, the Speaker resumed the chair.

Mr. McMILLIN. Mr. Speaker, I ask unanimous consent to take a recess for one hour. As is known, efforts are being made to come to a conclusion, and those efforts will probably be furthered as much by taking a recess as by continuing in session.

Mr. HENDERSON of Iowa. There is no objection to that. That is right.

The SPEAKER. The gentleman from Tennessee [Mr. McMILLIN] asks unanimous consent to take a recess for one hour, matters to retain their present status. Without objection the Chair will declare the House in recess for one hour.

There was no objection.

Accordingly (at 12 o'clock and 1 minute p. m.) the House took a recess to 1 o'clock and 1 minute p. m.

The recess having expired, the Speaker resumed the chair.

The SPEAKER. The recess having expired, the House will resume its session. The Chair will state the question before the House exactly as it was at the time when the recess was taken by unanimous consent. The gentleman from Indiana [Mr. HOLMAN] moves to reconsider the vote by which the House receded from its disagreement to the Senate amendments to the sundry civil bill. The gentleman from Pennsylvania [Mr. BINGHAM] moves to lay that motion on the table, and on that demands the yeas and nays. Pending that the gentleman from Iowa [Mr. BUTLER] moves that the House do now adjourn, and that when it adjourns it adjourn to meet on Thursday next. The gentleman from Texas [Mr. BAILEY] moves to strike out Thursday and substitute Friday; so that the question for the House to determine is on the latter motion, that when the House adjourns to-day it adjourn to meet on Friday next.

The question being taken, the Speaker announced that the yeas seemed to have it.

On a division (demanded by Mr. KILGORE) there were—yeas 2, noes 72.

Mr. KILGORE. A quorum has not voted, Mr. Speaker.

The SPEAKER. The Chair will appoint as tellers the gentleman from Texas [Mr. KILGORE] and the gentleman from Pennsylvania [Mr. BINGHAM].

Mr. LANHAM. Would it be in order to move a call of the House?

The SPEAKER. It would.

Mr. LANHAM. I move a call of the House.

A call of the House was ordered.

The Clerk proceeded to call the roll, when the following members failed to answer to their names:

Abbott,	Combs,	Kendall,	Richardson
Aderson,	Cowles,	Ketchum,	Robertson, La
Alexander,	Cox, N. Y.	Kribbs,	Russell
Allen,	Cox, Tenn.	Lagan,	Sanford,
Amerman,	Curtis,	Lawson, Va	Scott,
Andrew,	Cutting,	Layton	Seall,
Arnold,	Dadzell,	Lewis,	Seerley,
Bacon,	Dunphy,	Livingston,	Snodgrass,
Belden,	Elliott,	Lockwood	Springer,
Beldrup,	Enochs,	Loche,	Stahnecker,
Bentley,	Fitch,	Lynch,	Stevens,
Borgen,	Fithian,	Magner,	Stockdale,
Blanchard,	Fyan,	Mansur,	Stone, Ky.
Bland,	Gantz,	McAbber,	Storck,
Blount,	Geary,	McKinney,	Sweet,
Boutelle,	Gillespie,	Miller,	Taylor, Ill.
Brawley,	Gorman,	Miliken,	Taylor, Tenn.
Brickner,	Greenleaf,	Moore,	Taylor, E. B.
Brunner,	Harmer,	Morse,	Taylor, J. D.
Blacklock,	Harter,	Moses,	Taylor, V. A.
Bunn,	Hatch,	Newberry,	Terry,
Bunting,	Haugen,	Norton,	Tillman,
Burrows,	Haynes, Ohio	O'Donnell,	Tucker,
Campbell,	Heard,	O'Ferrall,	Wadsworth,
Capehart,	Hemphill,	O'Neil, Mass	Walker,
Catchings,	Henderson, Ill.	Outwaite,	Washington,
Cate,	Herbert,	Page, R. I.	Weadock,
Causey,	Hoar,	Pattison, Ohio	Weyer,
Cheatham,	Hooker, Miss.	Peel,	Whiting,
Chapin,	Hooker, N. Y.	Pendleton,	Wilcox,
Clark, Wyo.	Hopkins, Pa	Price,	Williams, Mass.
Clover,	Honk, Tenn.	Quackenbush,	Wilson, Ky.
Cockran,	Huff,	Randall,	Wilson, Wash.
Cogswell,	Johnson, N. Dak.	Rayner,	Winn,
Compton,	Johnson, Ohio	Red,	Youmans,
Cordidge,	Kem,	Reyburn,	

MESSAGE FROM THE PRESIDENT.

During the roll call a message from the President, by Mr. PRUDEN, one of his secretaries, was received; which announced that the President had approved and signed bills and joint resolutions of the following titles:

On July 28, 1892:

An act (H. R. 1084) to remove the charge of desertion now standing against Michael Keefe, deceased;

An act (H. R. 9023) to grant the right of way to the Pensacola Terminal Company through the lands of the naval reservation near Pensacola;

An act (H. R. 4927) to confer jurisdiction on the Court of Claims to hear and determine the claim of the heir of Hugh Worthington for his interest in the steamer Eastport;

An act (H. R. 9022) to provide for the examination of certain officers of the Marine Corps, and to regulate promotion therein; and

Joint resolution (H. Res. 142) extending the time for the construction of a hotel on the Government reservation at Fort Monroe, Va.

On July 29, 1892:

An act (H. R. 6792) to provide for semiannual statements by foreign corporations doing business in the District of Columbia;

An act (H. R. 3122) to prohibit the use of "one-horse" cars within the limits of the city of Washington after the 1st of January, 1893, and for other purposes;

An act (H. R. 9172) to incorporate the Washington and Great Falls Electric Railway Company;

An act (H. R. 2593) for the relief of James B. Blue, administrator *de bonis non* of the estate of Solomon Blue, deceased;

An act (H. R. 3165) granting a pension to Orinda Leach; and  
An act (H. R. 3301) granting a pension to Eliza Smith.

On July 30, 1892:

An act (H. R. 1759) granting a pension to Ellen Goff;

An act (H. R. 1781) granting a pension to James Reed, jr.;

An act (H. R. 2068) granting a pension to William H. Brewster;

An act (H. R. 2297) granting a pension to Stark Frazier;

An act (H. R. 2393) granting a pension to John Mercer;

An act (H. R. 4753) granting a pension to Sarah L. Ronaldson;

An act (H. R. 6106) granting a pension to Lydia M. Kennedy, sister of Abram Kennedy;

An act (H. R. 6279) granting a pension to Henry J. Alvis;

An act (H. R. 6561) granting a pension to Susanna Davis;

An act (H. R. 7235) granting a pension to Mary A. Sipp;

An act (H. R. 7236) granting a pension to Julia S. Tompkins;

An act (H. R. 7237) granting a pension to James W. Kirtley;

An act (H. R. 8241) granting a pension to William Oscar Stanley;

An act (H. R. 8310) granting a pension to Robert S. Campbell, veteran of Seminole war, 1837;

An act (H. R. 8316) granting a pension to Anna M. Holstein, a hospital nurse during the war of the rebellion;

An act (H. R. 8693) granting a pension to Katie Allen;

An act (H. R. 8974) granting a pension to Mary J. Concoran;

An act (H. R. 2164) granting an increase of pension to Andrew Kramer;

An act (H. R. 6117) for the relief of Mrs. Mary Ann Ross, formerly Coats, late of Pike County, Ill., but now of Marceline, Mo.;

An act (H. R. 3167) restoring the pension of Sallie M. Swigart;

An act (H. R. 4993) for the relief the heirs of John R. Treutlen;

An act (H. R. 7974) to authorize the construction of a bridge over the Tennessee River at or near Deposit, Ala.; and

An act (H. R. 5684) to authorize the Denison and Northern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes.

On August 1, 1892:

An act (H. R. 3170) granting a pension to Sarah A. Noble;

An act (H. R. 4385) to pension Nathan Falkner, of Saline County, Ark.;

An act (H. R. 4808) for the relief of James H. Willey;

An act (H. R. 7095) granting an increase of pension of Addison M. Copen;

An act (H. R. 8537) relating to the limitation of the hours of daily service of laborers and mechanics employed upon the public works of the United States and of the District of Columbia;

An act (H. R. 4667) to incorporate the Maryland and Washington Railway Company;

Joint resolution (H. Res. 159) to continue the provisions of existing laws providing temporarily for the expenditures of the Government;

An act (H. R. 3156) to correct the military record of James Corridon, Fourth United States Infantry; and

An act (H. R. 2932) for the relief of Charles T. Garrard.

#### LEAVE TO PRINT TESTIMONY.

The SPEAKER. As the roll has been interrupted, the Chair will ask, in behalf of the committee investigating the charges made by Mr. WATSON, for leave to print the testimony taken in the case. Without objection the order will be made.

There was no objection.

#### CALL OF THE HOUSE.

The SPEAKER. The doors will be considered as closed without objection. The Clerk will now call the names of those gentlemen who failed to respond, and on this call excuses may be offered.

The roll was again called.

The SPEAKER. The gentleman from Illinois [Mr. TAYLOR] desires to be excused this day on account of sickness. The gentleman from Florida [Mr. BULLOCK] also requests indefinite leave of absence on account of sickness. Without objection these gentlemen will be excused.

There was no objection.

Mr. SMITH of Illinois. The gentleman from Illinois [Mr. HENDERSON] left here a short time ago sick, and desires to be excused. He will return if necessary to make a quorum.

There was no objection.

Mr. BARWIG. Mr. Speaker, my colleague [Mr. MILLER] is absent on account of sickness. I ask indefinite leave of absence for him on that account.

There was no objection.

Mr. BOATNER. Mr. Speaker, my colleague [Mr. BLANCH-

ARD] is absent on important business in the city of New York. I ask that he be excused.

There was no objection.

Mr. MEYER. Mr. Speaker, my colleague [Mr. PRICE] is absent in New York for the day on important business. I ask that he be excused for the day.

There was no objection.

Mr. BUTLER. Mr. Speaker, my colleague [Mr. SEERLEY] is absent on the committee attending the funeral of Mr. Craig.

The SPEAKER. That is equivalent to an excuse.

Mr. PAGE of Maryland. I ask that my colleague [Mr. COMPTON] be excused on account of sickness.

There was no objection.

Mr. CAMINETTI. The gentleman from North Dakota [Mr. JOHNSON] took my place on the committee to attend the funeral of Mr. Craig. I ask that he be excused.

There was no objection.

Mr. LANHAM. Mr. Speaker, I offer the following resolution, and ask the previous question upon it.

The SPEAKER. The Clerk will report the resolution.

Mr. BOATNER. Will the gentleman from Texas yield a moment and permit me to request an order to print? It will only take a little time.

The SPEAKER. The order to print has been granted.

Mr. WHEELER of Alabama. Before that resolution is offered I would ask that members of committees having reports to make may be permitted to file them.

The SPEAKER. This is under a call of the House and the Chair can not entertain that request.

The resolution was read, as follows:

*Resolved*, That the condition of the public business imperatively demands the immediate presence of all absent members of the House. That the Speaker be, and he is hereby, authorized and requested to urge upon all absentees to return at once. That all leaves of absence heretofore granted are revoked. That if any absent member shall fail to return, or notify the Speaker that they are en route to the Capitol within the next two days, the Sergeant-at-Arms shall, in person or by deputy, proceed at once to the residence of such absent members and enforce their attendance, the expenses of the Sergeant-at-Arms and his deputies in such service to be paid out of the contingent fund of the House.

The previous question was ordered, and under the operation thereof the resolution was agreed to.

On motion of Mr. LANHAM, a motion to reconsider the vote by which the resolution was passed was laid on the table.

Mr. HOLMAN. Mr. Speaker, I offer the following resolution, and upon it I demand the previous question.

The Clerk read as follows:

*Resolved*, That except as to the revocation of leaves of absence and the arrest by the Sergeant-at-Arms of absent members of the House heretofore entered all further proceedings under the call of the House be, and the same are hereby, dispensed with.

The previous question was ordered; and under the operation thereof the resolution was agreed to.

The SPEAKER. The question occurs on the motion of the gentleman from Texas, that when the House adjourns it be to meet on Friday next.

The question was taken; and the Speaker announced that the yeas seemed to have it.

Mr. BAILEY. Division.

The House divided; and there were—ayes 7, noes 65.

Mr. BAILEY. No quorum, Mr. Speaker.

Mr. BUCHANAN of New Jersey. I move that the House do now adjourn. I believe that motion is now in order.

The motion was agreed to; and accordingly at 1 o'clock and 31 minutes p. m. the House adjourned.

#### REPORTS OF COMMITTEES.

Under clause 2 of Rule XII, private bills were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. ATKINSON, from the Committee on Claims: A bill (S. 3115) for the relief of Clement Reeves. (Report No. 2117.)

By Mr. WHEELER of Alabama, from the Committee on Military Affairs: A bill (H. R. 2119) for the relief of Bvt. Lieut. Col. J. Madison Cutts. (Report No. 2118.)

#### PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. GATE: A bill (H. R. 9938) for the relief of F. B. Toms and Sallie T. Harris—to the Committee on War Claims.

By Mr. FUNSTON: A bill (H. R. 9939) to pension Thomas E. Rochester—to the Committee on Pensions.

By Mr. GOODNIGHT: A bill (H. R. 9700) for the relief of A. and S. Floyd, of Bowling Green, Ky.—to the Committee on War Claims.



\* \* \* to be equitably distributed among the Atlantic, Mexican, Gulf, and Pacific ports," and divides the steamships into four classes according to construction, speed, and tonnage, and provides that the rate of compensation for such services per mile shall not exceed \$4 for the first class nor \$2 for the second class by the shortest practicable route for each outward-bound voyage, nor \$1 for third class, nor 65 cents for the fourth class for the actual number of miles required by the Post-Office Department to be traveled on each outward-bound voyage. In the Post-Office appropriation law for the fiscal year 1892 the amount for transportation of foreign mails was increased over the estimate of December 1, 1890, by \$197,010. The amount which may be required to meet the contracts the Postmaster-General may make for the fiscal year 1892 and subsequent years will depend entirely upon the number of steamships so contracted with. It is safe to say that the amount for 1892 will exceed the appropriation and will increase from year to year for years to come, for there is no limit to the time when the Postmaster-General shall make contracts, the only limitation being as to the length of contract from the time made.

#### MINOR INDEFINITE MATTERS.

"An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891, confers upon the Court of Claims jurisdiction to adjudicate such claims and render judgments therein against the United States, and the band or tribe of Indians committing the wrong, if identified, to be paid from annuities of Indians, if any, and if not, then by the United States. The estimate of the aggregate of such claims varies from \$8,000,000 to \$10,000,000 to \$20,000,000. The future alone will disclose for what amounts and during what years the Court of Claims may render judgments in such cases.

In the deficiency appropriation law of March 3, 1891, \$1,291,655.37 was appropriated to pay the findings of the Court of Claims on the particular claims therein named for indemnity for spoiliations by the French prior to July 1, 1801. These were only a small part of the aggregate of all such claims.

The cost of the public buildings authorized to be erected by the Fifty-first Congress, as fixed and limited in the respective laws and the increase of cost made by the Fifty-first Congress on public buildings previously authorized over and above the limit of cost fixed in the original laws, amount to \$17,046,635.51, and the appropriations made to \$8,886,639.54, leaving \$8,160,000 to be appropriated hereafter. This does not include the New York custom-house, authorized to be sold for not less than \$1,000,000 and the proceeds appropriated to the construction of new buildings. The river and harbor appropriation law of the last Congress authorizes contracts to be made for the construction, etc., of the works at Galveston, Tex., St. Mary's River, Hay Lake Channel, Philadelphia and Baltimore, estimated to cost \$16,122,979, and only appropriated \$4,791,200, leaving \$11,331,779 to be provided hereafter.

#### THE PENSION QUESTION.

Under the pension law of June 27, 1890, over 600,000 applications have been filed and hundreds are being filed daily. Many of these applications are by applicants or pensioners at low rates under the old law.

The actual expenditures from the Treasury for pensions for the years named have been as follows:

For 1885	\$56,102,367.49	For 1888	\$80,288,508.77
For 1886	65,404,861.03	For 1889	87,624,759.11
For 1887	75,029,191.79	For 1890	105,936,855.07

The appropriations for 1891 are \$127,593,959.31 and for 1892 are \$135,214,785.

Will there be a pension deficiency for 1892, and an increase in the aggregate amount of all the pensions for several years thereafter? Known facts answer yes.

The increases for several years past have been as follows: In 1889 over 1888, \$7,336,270.34; 1890 over 1889, \$19,512,076.05; 1891 over 1890, \$20,856,501.27; and for 1892, according to the estimates submitted in December, 1890, and appropriated for the increase over 1891 is only \$7,421,725.65.

No claims under the law of June 27, 1890, are included in that fiscal year. Three to four months of the fiscal year 1891 passed before the Pension Office was fairly organized for work on the claims under the new law. If the Pension Office shall dispose of the hundreds of thousands of pending claims with dispatch and promptness there will be a deficiency for 1892 and considerable increase for years to come under existing laws.

#### POST-OFFICE DEPARTMENT.

The actual expenditures of the Post-Office Department, including revenues and cash from Treasury, have been as follows: For 1889, \$36,543,803.68; for 1888, \$51,004,743.80; for 1889, \$62,317,119.36; for 1890, \$66,254,517.81; and the appropriations are for 1891 \$72,224,038.90, and for 1892 \$77,907,722.61. The liabilities for 1893 and 1894 and subsequent years, by reason of new lines of railroads, new post-offices, and star-route service, free-delivery service, and the ocean mail service under the law before referred to, will be largely increased.

#### OFFICES CREATED; SALARIES INCREASED.

The Fifty-first Congress created 1,951 new specific offices, with specific salaries amounting to \$2,359,715, and omitted or abolished 246 specific offices, with specific salaries amounting to \$300,864.18, leaving 1,705 as the net increase of new specific offices, with specific salaries amounting to \$2,058,850.82. It increased the salaries of 1,218 offices by \$251,353.12 and reduced or decreased the salaries of 12 specific offices by \$3,628.30, leaving 1,206 specific offices with a net increase of their salaries amounting to \$217,724.82 annually. The salaries of the net increase in new specific offices and the net increase of salaries in specific offices will amount to the sum of \$2,296,075.64.

It also appropriated the amount of \$2,943,351.50 for new offices created by increase of appropriation or other law without specifying the number of such offices or the amount of each salary, and withheld or omitted appropriating \$41,240 for offices without specifying the number or the salary of each, leaving a net increase of \$2,904,111.50 annually. The aggregate of such new offices, salaries, and increase of salaries is an increase of \$5,197,187.14 annually.

#### ESTIMATES FOR APPROPRIATIONS.

The Secretary of the Treasury will submit to the first and second regular sessions of the Fifty-second Congress in December, 1891 and 1892, respectively, his Book of Estimates of the amounts of all appropriations required for the administration of the Government under the existing laws for each of the fiscal years 1893 and 1894, respectively, and also all estimates for deficiencies for the fiscal years 1892 and 1893, respectively. The estimates of each Department for its entire service will be made out by such Department and submitted to the Secretary of the Treasury, who will consolidate all the estimates and submit them in one book to Congress. These estimates will form the basis from which the House will make the various appropriation bills for the different Departments. The aggregate amount of the permanent annual appropriations for each year, though not specified or named in any annual appropriation law, will be charged to that session of Congress and be added to the aggregate appropriations of such session as I have before explained. It is safe to assume that these estimates by Republican officials for

their own administration will be amply sufficient to cover all expenditures under existing laws without any deficiencies.

#### ACTUAL CONDITIONS.

Briefly stated, these are some of the actual conditions which will confront the Fifty-second and any subsequent Congresses.

We are hearing the advocates of a new party, a third party, a self-styled reform party, denouncing the Democratic as well as the Republican party for failures to redeem their pledges and as no longer fit to be trusted.

The Republican party during the past Fifty-first Congress had absolute control and power of the Executive and in both Houses of Congress. Their record shows the manner in which they have redeemed their pledges by the billion appropriations and extravagant legislation, creating new liabilities for the future and mortgages upon the labor of the country. What has the Democratic party done or omitted to do to justify such charges? Nothing. To the extent of our power, and consequently our responsibility, we have redeemed our pledges and kept inviolate our promises.

At no one time nor during any one Congress since March 4, 1801, has the Democratic party had control of Congress in both Houses and of the Executive. Our party had control only of the House during the Forty-fourth and Forty-fifth Congresses, from March 4, 1875, to March 4, 1878; the Senate and Executive being Republican. During the Forty-sixth Congress, from March 4, 1879, to March 4, 1881, we had control of Congress in both Houses by small majorities, the Executive being Republican. During the Forty-seventh Congress, from March 4, 1881, to March 4, 1883, the Republican party had control of Congress and the Executive. During the Forty-eighth Congress, from March 4, 1883, to March 4, 1885, we had control of the House only, with a Republican Senate and Executive.

During the Forty-ninth and Fiftieth Congresses, from March 4, 1885, to March 4, 1887, we had control of the House and the Executive, with a Republican Senate. During the Fifty-first Congress, from March 4, 1889, to March 4, 1891, the Republican party had full control of the Congress and the Executive. During the Fifty-second Congress, from March 4, 1891, to March 4, 1893, we will control the House and have a Republican President and Senate. At no time, therefore, has the Democratic party had full power to enact any law. Any bill, whether originating in the House or Senate, must before it can become a law, be passed by each House and approved by the Executive or it vetoed, be passed over the veto by two-thirds of each House.

#### THE PEOPLE MUST CONSIDER.

Our Democratic House of the Fifty-second Congress has no power to enact law or to repeal, amend, or modify any existing law without the approval of the Republican Senate and Executive. The House has the exclusive right to originate all bills for raising revenue, but the Senate has the same rights of amendment as on other bills. The House exercises the right to originate the appropriation bills, but the Senate has full power of amendment and equal power with the House in passing all bills and if no agreement can be reached the bill fails.

The sovereign people as well as the Democratic members of the Fifty-second Congress should calmly and dispassionately consider and understand in advance the serious conditions growing out of the appropriations and laws of the billion Congress and the Republican control still of the Senate and of the Executive, which must be met and removed before any very great reductions can be made in the apparent aggregate of appropriations and the expenditures of the Government be reduced to that economical and legitimate basis demanded by the best interests of our Government and of the great masses of the people.

Notwithstanding the very serious obstacles confronting us, our Democratic House must and will, to the fullest possible extent of its powers, fearlessly reduce the appropriations to the lowest amount absolutely required for an economical and honest administration of our Government, and force into practical operation the true Jeffersonian Democratic principle of economy in the public expense that labor may be lightly burdened, and for every dollar of reductions made will be entitled to high praise and honor. The Democratic minority of the Senate will doubtless heartily and earnestly cooperate with the Democratic majority of the House in securing the enforcement of the cardinal principle of our party.

I know I shall gladly do so as a member of the Senate Committee on Appropriations, and if any Democratic Senator can do more than I can and will to secure reductions of expenditures, or will devote his time and labor more constantly and earnestly to the onerous duties of that committee, I will gladly surrender my place in it to him.

Sincerely yours,

F. M. COKKRELL.

#### HOUSE BILLS REFERRED.

The following bills from the House of Representatives were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 4196) to place upon the pension rolls of the United States the name of Thomas F. Sheldon, late captain Company A, One hundred and twenty-fifth New York Infantry.

A bill (H. R. 8230) for the relief of Louis G. Sanderson, of Craighead County, Ark.:

A bill (H. R. 6737) granting a pension to Duldell R. Bradford, Twenty-fourth Michigan Volunteers.

A bill (H. R. 8907) to increase the pension of John Malloy; and

A bill (H. R. 6233) granting a pension to Thomas T. Prather.

The bill (H. R. 5049) to remove the charge of desertion against Lucius L. Dyer, was read twice by its title and referred to the Committee on Military Affairs.

#### ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 7520) making appropriations for various civil expenses for the Government for the fiscal year ending June 30, 1893, and for other purposes.

A bill (S. 2321) granting a pension to Jonas Dyer, et al.

A bill (S. 2638) granting a pension to W. W. Haddock.

#### FINAL ADJOURNMENT.

Mr. ALLISON. I report back from the Committee on Appro-

provisions the resolution of the House of Representatives providing for final adjournment with an amendment, to insert instead of "Saturday, July 30," "Friday, August 5;" and instead of "2 o'clock p. m.," "11 o'clock p. m."

The PRESIDING OFFICER (Mr. HAWLEY in the chair). The amendment will be stated.

The SECRETARY. In line 5, after the word "on," strike out "Saturday, July 30," and insert "Friday, August 5;" and in the last line, after the word "at," strike out "two" and insert "eleven;" so as to make the resolution read:

*Resolved*, That the President of the Senate and the Speaker of the House of Representatives declare their respective Houses adjourned without day on Friday, August 5, 1892, at 11 o'clock p. m.

The PRESIDING OFFICER. The resolution is before the Senate, and the question is on agreeing to the amendment of the Committee on Appropriations.

The amendment was agreed to.

The resolution as amended was agreed to.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. JAMES KERR, its Clerk, announced that the House had passed a resolution providing for the appointment of a committee of three members of the House to join a similar committee on the part of the Senate to wait on the President of the United States and inform him that the two Houses of Congress are ready to adjourn and respectfully inquire if he had any further communication to make to them, and that Mr. McMULLIN, Mr. FELLOWS, and Mr. O'NEIL of Pennsylvania had been appointed the committee on the part of the House.

#### NOTIFICATION TO THE PRESIDENT.

Mr. ALLISON submitted the following resolution: which was considered by unanimous consent, and agreed to:

*Resolved*, That a committee of two Senators be appointed on the part of the Senate to join such committee as may be appointed by the House of Representatives to wait on the President of the United States and inform him that unless he may have any further communication to make the two Houses are now ready to adjourn.

The PRESIDING OFFICER appointed Mr. ALLISON and Mr. GORMAN as the members of the committee on the part of the Senate.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the following acts and joint resolutions:

An act (S. 238) for the relief of the heirs of Davis B. Bonfoey and Emma W. Bonfoey;

An act (S. 3126) to regulate the times for holding the terms of the United States courts in the State of South Dakota;

An act (S. 3131) for the relief of the settlers upon certain lands in the States of North Dakota and South Dakota;

A joint resolution (S. R. 42) extending an invitation to the King and Queen of Spain and the descendants of Columbus to participate in the World's Columbian Exposition;

A joint resolution (S. R. 100) to permit the railroads of the District of Columbia to lay extra tracks to accommodate the traveling public during the Grand Army of the Republic Encampment;

A joint resolution (S. R. 106) authorizing foreign exhibitors at the World's Columbian Exposition to bring to this country foreign laborers from their respective countries for the purpose of preparing for and making their exhibits;

An act (S. 323) granting a pension to Thomas Cooper;

An act (S. 2105) granting a pension to Bertha Test;

An act (S. 1033) granting a pension to Mrs. Esther J. Boone;

An act (S. 2606) granting a pension to John A. Dean;

An act (S. 1878) to increase the pension of Ambrose B. Carlton;

An act (S. 3321) granting an increase of pension to Jonas Deyo;

An act (S. 2638) granting a pension to W. W. Harbee;

An act (S. 3296) for the relief of Henry Coal; and

An act (S. 3325) granting an increase of pension to George W. Clark.

#### THANKS TO THE VICE-PRESIDENT.

Mr. HARRIS. Mr. President, I submit a resolution for which I ask the present consideration of the Senate.

The resolution was read, as follows:

*Resolved*, That the thanks of the Senate are hereby tendered to Hon. LEVI P. MORGAN, Vice-President, for the dignified, impartial, and courteous manner with which he has presided over its deliberations during the present session.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to unanimously.

#### THANKS TO THE PRESIDENT PRO TEMPORE.

Mr. COCKRELL. Mr. President, it gives me pleasure to

offer the resolution which I send to the desk; and I ask for its present consideration.

The resolution was read, as follows:

*Resolved*, That the thanks of the Senate are hereby tendered to Hon. CHARLES F. MANDERSON, President *pro tempore* of the Senate, for the dignified, impartial, and courteous manner with which he has presided over its deliberations during the present session.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to unanimously.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 2612) granting a pension to Tendoy, chief of the Bannocks, Shoshones, and Sheepsters tribe of Indians, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 3325) granting an increase of pension to George W. Clark.

#### TENDOY.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2612) granting a pension to Tendoy, chief of the Bannocks, Shoshones, and Sheepsters tribe of Indians.

The amendment of the House of Representatives was, in line 4, before the word "dollars," to strike out "thirty" and insert "fifteen."

The VICE-PRESIDENT. The question is on concurring in the amendment of the House of Representatives.

Mr. DUBOIS. I understand that it is too late to have the bill signed, and I ask that it lie on the table.

The VICE-PRESIDENT. The bill will lie on the table.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 1661) granting an increase of pension to John Hallam.

The message also announced that the House had passed the bill (H. R. 4255) to pension Samuel G. Briggs, of Hale County, Ala.; in which it requested the concurrence of the Senate.

#### ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 3325) granting an increase of pension to George W. Clark; and it was thereupon signed by the Vice-President.

#### SAMUEL G. BRIGGS.

Mr. MORGAN. I ask the unanimous consent of the Senate to proceed to the consideration of House bill 4255.

Mr. CULLOM. What bill is that?

Mr. MORGAN. It is a bill just received from the House of Representatives to pension a very decrepit old man, who probably will be dead before December.

The VICE-PRESIDENT. The Chair lays the bill before the Senate.

The bill (H. R. 4255) to pension Samuel G. Briggs, of Hale County, Ala., was read the first time by its title.

The VICE-PRESIDENT. The bill will be read at length for information.

The bill was read the second time at length, as follows:

*Be it enacted*, etc., That the Secretary of the Interior be, and he is hereby, directed to place on the pension roll the name of Samuel G. Briggs, of Hale County, Ala., who served in the Florida war as a soldier in Capt. Henry Webb's Company, Col. Aeldin's regiment; and that the said Samuel G. Briggs be paid a pension under the provisions of the pension laws at the rate of \$15 per month.

Mr. MORGAN. On further consideration, I move that the bill be referred to the Committee on Pensions.

The motion was agreed to.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the House concurrent resolution fixing a time for adjournment without day.

#### NOTIFICATION TO THE PRESIDENT.

At 10 o'clock and 53 minutes p. m. Mr. ALLISON and Mr. GORMAN, of the joint committee appointed to wait upon the President of the United States and notify him that Congress was ready to adjourn, appeared at the bar of the Senate, and

Mr. ALLISON said: Mr. President, the committee on the part of the Senate, with a like committee on the part of the House, have waited upon the President and informed him that the two Houses were now ready to adjourn unless he had some further communication to make. The President informed the commit-

Mr. SAYERS. I will say to the gentleman from Missouri that Senator ALLISON said he would not agree to any such proposition.

Mr. O'NEILL of Missouri. I repeated his conversation with me.

Mr. HOLMAN. When we met in conference this afternoon I was informed that I misunderstood the Senator: that he meant simply the Senate would recede from its amendment in regard to the Capitol police force, but not from its opposition to the proposition of the gentleman from Missouri. The result was, not having been able to see him, that I held back this report for twenty minutes, until nearly 8 o'clock, when the gentleman from Missouri was present in his seat. After having treated the gentleman from Missouri with so much courtesy as he has been treated with in regard to this matter, having voted with him all along on this proposition—

Mr. O'NEILL of Missouri. Well, vote with me now.

Mr. HOLMAN (continuing). I repeat, having been treated with such courtesy, I think that he can afford to be a little more forbearing than his language has indicated him to be. [Cries of "Vote! Vote!"]

Several MEMBERS. Call the previous question.

Mr. HOLMAN. Now, it is not 9 o'clock yet, and if the House thinks proper to reject this report, and if you want to send me back for another conference on this matter, I am ready to obey the will of the House.

I demand the previous question on the report.

The previous question was ordered.

The question being taken on the adoption of the report, on a division, demanded by Mr. O'NEILL of Missouri, there were—ayes 169, noes 14.

So the report was adopted.

On motion of Mr. HOLMAN, a motion to reconsider the last vote was laid on the table.

#### ORDER OF BUSINESS.

Mr. HEARD. Mr. Speaker, I desire to ask unanimous consent to discharge the Committee on the District of Columbia from the further consideration of a Senate joint resolution numbered 100, in relation to providing temporary tracks by the railroads, adjacent to their stations, in this city during the Grand Army Encampment and ask to put it upon its passage. It is a matter of considerable importance—

Mr. BUTLER. I demand the regular order.

The SPEAKER. The regular order is the further consideration of the bills coming over from the Friday evening sessions.

THOMAS D. PRATHER.

The SPEAKER. The Clerk will report the next bill.

The Clerk read as follows:

A bill (H. R. 6236) granting a pension to Thomas D. Prather; reported from the Committee of the Whole with an amendment.

The amendment was considered and agreed to; and the bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

#### TEMPORARY RAILROAD TRACKS, DISTRICT OF COLUMBIA.

Mr. BUTLER. Mr. Speaker, I called the regular order a few moments ago under a misapprehension, as I did not understand the bill that was to be considered. I withdraw that demand.

The SPEAKER. The Chair will state to the House that there are a few Senate bills and resolutions which relate to the District of Columbia, and the Chair is informed by the gentleman from Missouri [Mr. HEARD] and by the Commissioners of the District that one relates to the preservation of the peace and good order in the District and the other the resolution called up by the gentleman from Missouri a few moments ago relates to temporary railroad tracks in the city during the Grand Army encampment.

The Chair will submit these resolutions for the consideration of the House so as to determine whether the House realizes the necessity for their passage.

The Clerk will read the title of the first resolution.

The Clerk read as follows:

Joint resolution (S. Res. 100) to permit the railroads of the District of Columbia to lay extra tracks to accommodate the traveling public during the Grand Army of the Republic encampment.

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. MEREDITH. I understand this is a bill to permit the railroads to lay their tracks in the streets of this city. I want to know whether I am correctly informed as to the purpose of this bill.

Mr. HEARD. Mr. Speaker, the gentleman understands the character of this bill and knows that it concerns the constituents

of every man on this floor, and that it will be for their interest to have it passed. It will be impossible for the railroads coming into this city to take proper care of their patrons if it does not pass.

Mr. HENDERSON of Iowa. Is this the same thing which is done at inaugurations?

Mr. HEARD. Yes, exactly the same.

Mr. MEREDITH. My friend is a little too previous.

Mr. MARTIN. I demand the regular order.

The SPEAKER. The gentleman from Indiana demands the regular order.

Mr. MEREDITH. I did not intend to object, but I want to express my views upon the bill.

The SPEAKER. The regular order is demanded, which is equivalent to an objection, and which prevents the Chair from recognizing any gentleman to ask unanimous consent. The Chair would like to recognize the gentleman from Alabama [Mr. COBB] but can not do it when the regular order is demanded.

Mr. MARTIN. I did not understand the character of the bill for which unanimous consent was asked by the gentleman from Missouri [Mr. HEARD], but it has now been explained and I will withdraw the demand for the regular order.

The SPEAKER. The Chair is informed that the gentleman from Alabama [Mr. COBB] has a resolution which he desires to present which affects the peace and good order of this city.

Mr. HENDERSON of Iowa. Can not the other bill go through now?

The SPEAKER. The gentleman from Missouri [Mr. HEARD] can again present his resolution if the demand for the regular order is withdrawn. The Clerk will report the title of the bill.

The Clerk read as follows:

Joint resolution (S. R. 100) to permit the railroads of the District of Columbia to lay extra tracks to accommodate the traveling public during the Grand Army of the Republic encampment.

Mr. MEREDITH. Now, I want to be heard for a moment on that bill.

The SPEAKER. Is there objection to the request for the present consideration of this resolution.

There was no objection.

Mr. MEREDITH. Mr. Speaker, I do not desire to object to this resolution, but I want to say now, that my friend from Missouri [Mr. HEARD] who seems to fly off the handle, was a little too previous. I did not intend to object to this bill after my conversation with him this evening, because he and others had convinced me that it was a necessity; but I do want to say, sir, that when the Norfolk and Western Railroad Company asked for the privilege of coming into this city, Representatives upon this floor, week after week and month after month, sat down upon that bill which the people desired to have passed; not only the people of my district but the people of Georgia own desired that it should pass because it would come into this city.

It was fought not only in the District Committee for months by representatives of these railroads, but it was fought by representatives of the Pennsylvania Railroad upon this floor, and I have not been enabled to get that permissive charter for that road to cross into the District of Columbia as yet. And, sir, when these roads come and ask for these privileges, I confess to you that I feel as if I ought to object; but when my friend, the chairman of the committee, talked to me this evening and showed me that it was necessary for the people who were coming here, I told him that I did not think that I would object.

Mr. HENDERSON of Iowa. This is not for the accommodation of the railroads, but for the accommodation of the people coming here to attend the encampment during September.

The Senate resolution was ordered to a third reading; and was accordingly read the third time, and passed.

On motion of Mr. HEARD, a motion to reconsider the last vote was laid upon the table.

#### ORDER OF BUSINESS.

Mr. COBB of Alabama. Mr. Speaker—

The SPEAKER. Now, the gentleman from Alabama [Mr. COBB] desires to present a bill which the Chair hopes the House will hear, and then determine whether they will consider it. The Chair is informed that it affects the peace and good order of the District of Columbia.

Mr. CARUTH. I object to the consideration of that bill. I understand there is considerable objection to it.

Mr. CAMPBELL. I object to it, also.

The SPEAKER. Objection is made, and the Clerk will report the next bill on the Calendar.

LOUIS G. SANDERSON.

The Clerk read as follows:

A bill (H. R. 8230) for the relief of Louis G. Sanderson of Craighead County, Ark.

The amendment recommended by the committee of the Whole was reported.

Mr. PICKLER. I would like to hear the report in this case read.

The report was read.

Mr. BUTLER. Mr. Speaker, I rise to a point of order. There are five or six bills on the Calendar ahead of the one which the Clerk has read.

The SPEAKER. The point of order comes too late, because the House has entered upon the consideration of the bill.

Mr. BUTLER. Then let it go.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

AMBROSE B. COULTON.

The SPEAKER. The Clerk will report the next bill on the Calendar.

The Clerk read as follows:

A bill (S. 1878) to increase the pension of Ambrose B. Coulton.

The bill was ordered to a third reading; and was accordingly read the third time, and passed.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7529) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes.

It also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 3134) for the relief of settlers upon certain lands in the States of North Dakota and South Dakota.

THOMAS COOPER.

The next business reported from the Committee of the Whole was the bill (S. 323) granting a pension to Thomas Cooper.

The bill was ordered to be read a third time; and it was accordingly read the third time, and passed.

MRS. ESTHER J. BOONE.

The next business reported from the Committee of the Whole was the bill (S. 1033) granting a pension to Mrs. Esther J. Boone.

The bill was read.

Mr. PICKLER. Mr. Speaker, I desire to say that while I am in favor of passing pension bills at all times, there is a resolution that has been passed by the Senate, and is now waiting the action of the House, a measure which the gentleman from Nebraska [Mr. BRYAN] undertook to pass here yesterday, which grants to the soldier employes in the Departments here leave of absence during the holding of the national encampment of the Grand Army of the Republic in September, and I am very desirous that it shall pass.

Mr. BUTLER. Regular order.

Mr. PICKLER. I think gentlemen ought to allow that resolution to be passed to grant the soldier employes leave of absence for a few days.

Mr. TUCKER. I shall object to that.

Mr. PICKLER. I call for the reading of the report on this bill.

The SPEAKER. The gentleman has fifteen minutes if he desires to use it.

The report was read.

The bill was ordered to be read a third time, and it was accordingly read the third time, and passed.

JOHN A. DEAN.

The next business reported from the Committee of the Whole was the bill (S. 2606) granting a pension to John A. Dean.

The bill was ordered to a third reading, and it was accordingly read the third time, and passed.

DELZELL R. BRADFORD.

The next business reported from the Committee of the Whole was the bill (H. R. 6737) granting a pension to Delzell R. Bradford, Twenty-fourth Michigan Volunteers, with amendments.

The amendments were severally agreed to.

The bill as amended was ordered to be engrossed for a third reading, and, being engrossed, it was accordingly read the third time, and passed.

#### ORDER OF BUSINESS.

Mr. KILGORE. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. KILGORE. I understand that I was to have unanimous consent for the consideration of a little bill.

The SPEAKER. The regular order has been called for.

Mr. KILGORE. I ask to pretermitt the regular order for a minute, so that I may ask unanimous consent for the consideration of a bill.

The SPEAKER. The gentleman from Iowa demands the regular order.

THOMAS F. SHELTON.

The next business reported from the Committee of the Whole was the bill (H. R. 4496) to place upon the pension rolls of the United States the name of Thomas F. Shelton, late captain of Company A, One hundred and twenty-fifth New York Infantry, with an amendment.

The SPEAKER. Without objection, the amendment will be considered as agreed to.

Mr. KILGORE. I demand a division on that amendment.

The SPEAKER. The House will be in order. Gentlemen will resume their seats, and business will be suspended until order is restored.

Mr. KILGORE. Mr. Speaker, I withdraw the demand for a division.

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

BERTHA TEST.

The next business reported from the Committee of the Whole was the bill (S. 2165) granting a pension to Bertha Test.

The bill was ordered to a third reading; and it was accordingly read third time, and passed.

SUSAN T. SALISBURY.

The next business reported from the Committee of the Whole was the bill (H. R. 2034) for the relief of Susan T. Salisbury, with an amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

CHARLES H. BEHLE.

The next business reported from the Committee of the Whole was the bill (H. R. 6564) to remove the charge of desertion against Charles H. Behle.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

MARY HOLLIS.

The next business reported from the Committee of the Whole was the bill (H. R. 7375) granting a pension to Mary Hollis, with an amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

SAMUEL S. ANDERSON.

The next business reported from the Committee of the Whole was the bill (H. R. 7099) granting an increase of pension to Samuel S. Anderson, with an amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

#### ENROLLED BILLS SIGNED.

Mr. WARWICK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles: when the Speaker signed the same:

A bill (S. 3131) for the relief of settlers upon certain lands in the States of North Dakota and South Dakota;

A bill (S. 1878) to increase the pension of Ambrose B. Carlton;

A bill (S. 3293) for the relief of Henry Cozad;

A bill (S. 1033) granting a pension to Mrs. Esther J. Boone; and

A joint resolution (S. R. 100) to permit the railroads of the District of Columbia to lay extra tracks to accommodate the traveling public during the Grand Army of the Republic encampment.

WIDOW OF CAPT. GEORGE W. HAZZARD.

The next business reported from the Committee of the Whole was the bill (H. R. 8780) to restore to pension roll widow of the late Capt. George W. Hazzard, captain Company C, Fourth United States Artillery, with an amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.







Second Session.



# CONGRESSIONAL RECORD.

## PROCEEDINGS AND DEBATES OF THE FIFTY-SECOND CONGRESS.

### SECOND SESSION.

#### SENATE.

MONDAY, *December 5, 1892.*

The first Monday of December being the day prescribed by the Constitution of the United States for the annual meeting of Congress, the second session of the Fifty-second Congress commenced this day.

The Senate assembled in its Chamber at the Capitol.

The Vice-President of the United States Mr. LEVI P. MORTON, of the State of New York, took the chair and called the Senate to order at 12 o'clock noon.

#### PRAYER.

Rev. J. G. BUTLER, D. D., Chaplain to the Senate, offered the following prayer:

O God, we gather devoutly at Thy feet amid unnumbered mercies to us as individuals in our families and upon our land. Thy kind hand has led us during these months of separation. We thank Thee that we live. Remember very tenderly those who are sick. Grant them healing, if it please Thee, and prepare the dying for death.

We look to Thee as we come to these responsibilities, asking Thy guidance and Thy rich blessing. O God, the God of our fathers, in whom we have ever trusted, may we ever rely upon the Word of Thy promise and the abiding presence of Thy Spirit.

Bless our Government in all its departments, legislative, judicial, and executive. Remember very tenderly Thy servant, the President of the United States. We thank Thee for his faith and fortitude. We pray Thee sanctify to him and to his household Thy sore chastening. Touch our hearts in sympathy with suffering, and help us day by day to walk as the children of God ought to walk, conscious of our own mortality, with our faces ever set toward the heavenly city.

Bless abundantly, we pray Thee, these Thy servants, dwelling in each heart by Thy Spirit. Upon the other House of Congress pour very richly of heaven's benediction. Bless all the people of this land, O Lord, whose industries Thou hast so richly rewarded. Exalt us more and more in righteousness among the nations. Preserve to us our Sabbath and our sanctuaries. Continue to bless all the agencies employed to enlighten and educate and elevate this great nation, hastening the time when the reign of the Prince of Peace shall come and men shall learn war no more.

Guide us by Thy divine counsel. Have us in Thy holy keeping. Give unto us richly of Thy peace. A Father's benediction we crave from day to day, and we ask all in the name of Christ, who hath taught us when we pray to say: "Our Father who art in heaven, hallowed be Thy name. Thy kingdom come, Thy will be done upon earth as it is in heaven. Give us this day our daily bread. Forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, the power, and the glory, forever. Amen."

#### SENATORS PRESENT.

The following Senators were present:

From the State of

*Alabama*—John T. Morgan and James L. Pugh.

*Arkansas*—James H. Berry and James K. Jones.

*California*—Charles N. Felton.

*Colorado*—Henry M. Teller and Edward O. Wolcott.

*Connecticut*—Orville H. Platt.

*Delaware*—Anthony Higgins.

*Florida*—Wilkinson Call and Samuel Pasco.

*Georgia*—John B. Gordon.

*Idaho*—Fred. T. Dubois and George L. Shoup.

*Illinois*—Shelby M. Cullom and John M. Palmer.

*Indiana*—Daniel W. Voorhees.

*Iowa*—James F. Wilson.

*Kansas*—William A. Peffer.

*Kentucky*—Joseph C. S. Blackburn and John G. Carlisle.

*Louisiana*—Edward D. White.

*Maine*—William P. Frye and Eugene Hale.

*Maryland*—Arthur P. Gorman.

*Massachusetts*—Henry L. Dawes and George F. Hoar.

*Michigan*—James McMillan and Francis B. Stockbridge.

*Minnesota*—Cushman K. Davis and William D. Washburn.

*Mississippi*—James Z. George and Edward C. Walthall.

*Missouri*—Francis M. Cockrell and George G. Vest.

*Montana*—Thomas C. Power.

*Nebraska*—Charles F. Manderson and Algernon S. Paddock.

*Nevada*—William M. Stewart.

*New Hampshire*—William E. Chandler and Jacob H. Gallinger.

*New Jersey*—Rufus Blodgett and John R. McPherson.

*North Carolina*—Zebulon B. Vance.

*North Dakota*—Lyman R. Casey and Henry C. Hansbrough.

*Ohio*—Calvin S. Brice and John Sherman.

*Oregon*—Joseph N. Dolph and John H. Mitchell.

*Pennsylvania*—James Donald Cameron and Matthew S. Quay.

*Rhode Island*—Nelson W. Aldrich and Nathan F. Dixon.

*South Carolina*—M. C. Butler.

*South Dakota*—James H. Kyle and R. F. Pettigrew.

*Tennessee*—William B. Bate and Isham G. Harris.

*Texas*—Richard Coke and Roger Q. Mills.

*Vermont*—Justin S. Morrill.

*Virginia*—John W. Daniel and Eppa Hunton.

*Washington*—John B. Allen.

*West Virginia*—Charles J. Faulkner.

*Wisconsin*—Philetus Sawyer and William F. Vilas.

*Wyoming*—Joseph M. Carey.

#### SENATOR FROM VERMONT.

Mr. MORRILL presented the credentials of REDFIELD PROCTOR, chosen by the Legislature of the State of Vermont a Senator from that State to fill the vacancy caused by the resignation of George F. Edmunds in the term ending March 3, 1893.

The credentials were read.

The VICE-PRESIDENT. The Senator-elect will please come forward and take the oath of office.

Mr. PROCTOR was escorted to the Vice-President's desk by Mr. MORRILL, and the oath prescribed by law having been administered to him he took his seat in the Senate.

Mr. MORRILL presented the credentials of REDFIELD PROCTOR, elected by the Legislature of the State of Vermont a Senator from that State for the term beginning March 4, 1893; which were read and ordered to be filed.

#### NOTIFICATION TO THE HOUSE.

Mr. SHERMAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled, and that the Senate is ready to proceed to business.

#### NOTIFICATION TO THE PRESIDENT.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That a committee consisting of two members be appointed, to join such committee as may be appointed by the House of Representatives, to wait upon the President of the United States and inform him that a quorum of each House is assembled, and that Congress is ready to receive any communication he may be pleased to make.

By unanimous consent, the Vice-President was authorized to appoint the committee on the part of the Senate; and Mr. HALE and Mr. GOBMAN were appointed.

#### HOOR OF MEETING.

Mr. MORRILL submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the hour of the daily meeting of the Senate be 12 o'clock noon, unless otherwise ordered.

#### RECESS.

The VICE-PRESIDENT. What is the pleasure of the Senate?

Mr. SHERMAN. I think, under the circumstances, in view of the probability that the President's message will not come in to-day, that the Senate had better adjourn until to-morrow. I make that motion.

Mr. HARRIS. Does the Senator from Ohio think it is proper to adjourn until the committee has waited upon the President and we have received his answer?

Mr. SHERMAN. As we are practically assured, by information in the public prints, that no message will come in to-day, I thought it hardly worth while to go through the form of remaining in session.

Mr. HARRIS. I do not know that we can rely upon the information derived from the public prints. I suggest that we take a recess and allow the committee to wait upon the President and make its report.

Mr. SHERMAN. Very well; I will substitute that motion for the other. I move that the Senate take a recess until 1 o'clock.

The VICE-PRESIDENT (at 12 o'clock and 10 minutes p. m.). The Senator from Ohio moves that the Senate take a recess until 1 o'clock.

The motion was agreed to; and at the expiration of the recess (at 1 o'clock p. m.) the Senate resumed its session.

#### MESSAGE FROM THE HOUSE.

At 1 o'clock and 2 minutes p. m., Mr. JAMES KERR, the Clerk of the House of Representatives, appeared below the bar of the Senate and delivered the following message:

Mr. President, I am directed by the House of Representatives to inform the Senate that a quorum of the House of Representatives has appeared and that the House is ready to proceed to business.

I am further directed to inform the Senate that the House has passed the following resolution:

*Resolved*, That a committee of three members be appointed on the part of the House, to join the committee appointed by the Senate, to wait on the President and inform him that a quorum of the two Houses has assembled, and that Congress is ready to receive any communication he may have to make.

*Resolved*, That Mr. SPRINGER, Mr. FORNEY and Mr. O'NEILL of Pennsylvania be appointed such committee on the part of the House.

#### NOTIFICATION TO THE PRESIDENT.

At 1 o'clock and 30 minutes p. m., Mr. HALE and Mr. GOBMAN, the committee appointed in conjunction with a similar committee of the House of Representatives to wait upon the President of the United States, appeared below the bar, and

Mr. HALE said: Mr. President, the committee appointed by the Senate, in company with a similar committee of the House of Representatives, to wait upon the President of the United States, and inform him that a quorum of the two Houses of Congress has assembled, have attended to that duty, and the President was pleased to say that he would communicate to the two Houses by a message in writing at the opening of to-morrow's session.

Mr. SHERMAN. I move that the Senate adjourn.

The motion was agreed to; and at 1 o'clock and 31 minutes p. m. the Senate adjourned until to-morrow, Tuesday, December 6, 1892, at 12 o'clock m.

## HOUSE OF REPRESENTATIVES.

MONDAY, December 5, 1892.

This being the day designated by the Constitution for the annual meeting of Congress, the members of the House of Representatives assembled in their Hall for the second session of the Fifty-second Congress.

At 12 o'clock noon, the Speaker, Hon. CHARLES F. CRISP, a Representative from the State of Georgia, called the House to order.

#### PRAYER.

The Chaplain, Rev. W. H. MILBURN, D. D., offered the following prayer:

Almighty God, we devoutly bless Thee that through Thy good providence so many of the members of this House are brought back to their places in safety and in health. Let Thy peace be theirs, the peace of God which passeth understanding, controlling their tempers and their tongues, keeping their minds and hearts in Thy knowledge and Thy love. Lift their thoughts and wills to a level with the high dignity of the position to which they have been called, and grant that they may be enabled to act wisely as they are summoned to enact laws and to adopt measures for the safety, honor, and welfare of this great nation. Protect them and their families from all perils to person, property, and reputation, and prosper them in all their ways: We humbly beg through Jesus Christ, our Saviour. Amen.

#### CALL OF THE ROLL.

The SPEAKER directed that the roll be called, when the following-named Members and Delegates responded:

#### ALABAMA.

Henry A. Herbert.	William H. Forney.
William C. Oates.	Joseph Wheeler.
John B. Bankhead.	J. E. Cobb.

#### ARKANSAS.

William H. Cate.	William L. Terry.
Clifton R. Breckinridge.	Samuel W. Peel.
Thomas C. McRae.	

#### CALIFORNIA.

Eugene F. Lund.	William W. Bowers.
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#### CONNECTICUT.

Lewis Sperry.	Robert E. De Forest.
Charles A. Russell.	

#### FLORIDA.

Stephen W. Mallory.	Robert Bullock.
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#### GEORGIA.

Rufus E. Lester.	R. William Everett.
Henry G. Turner.	Thomas G. Dawson.
Charles F. Crisp.	Thomas E. Winn.
Jonathan B. Livingston.	Thomas E. Watson.
James H. Blount.	

#### IDAHO.

Will Sweet.

#### ILLINOIS.

Abner Taylor.	Scott Wike.
Lawrence E. McGinn.	William M. Springer.
Allan C. Dushow, jr.	Owen Scott.
A. J. Hoelars.	Samuel T. Bussey.
Robert R. Lott.	George W. Eithian.
Thomas J. Harrison.	Edward Lane.
Lewis Steward.	William S. Forman.
Herman W. Snow.	James R. Williams.
Philip S. Post.	George W. Smith.

#### INDIANA.

John L. Pugh.	William A. Probstshire.
Jason B. Brown.	David H. Patton.
William S. Holman.	Amos N. Martin.
George W. Cooper.	Charles A. O. D. Cullen.
Henry T. Jones.	Edward F. Stately.
William D. H. Hall.	

#### IOWA.

John J. Seeger.	Frederick E. White.
Walter L. Taylor.	Thomas E. Brown.
David B. Harrison.	Jonathan P. Doherty.
Walt H. Butler.	George D. Perkins.

#### KANSAS.

Case Broderick.	John James.
Benjamin P. Clover.	William Baker.
John C. Ott.	George S. Hays.

#### KENTUCKY.

William J. Stone.	North W. Dickerson.
William T. Ellis.	William C. R. Breckinridge.
Asahel C. Caruth.	Joseph M. Kendall.

#### LOUISIANA.

Matthew D. Logan.	Newton C. Blanchard.
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#### MAINE.

Thomas D. Reed.	Charles A. Boutelle.
Nelson Dingley, jr.	

#### MARYLAND.

Herman Stump.	Barnes Compton.
Harry Welles Rusk.	William M. McKaig.
Isidor Rayner.	



service upon the Committee to Audit and Control the Contingent Expenses of the Senate, and the Senator from North Carolina [MR. VANCE] will be appointed in his place.

#### BILLS INTRODUCED.

Mr. BUTLER introduced a bill (S. 3500) to amend an act entitled "An act to credit and pay to the several States and Territories, and the District of Columbia, all moneys collected under the direct tax levied by the act of Congress approved August 5, 1861," approved March 2, 1891; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Finance.

Mr. SHERMAN introduced a bill (S. 3501) granting an increase of pension to Mary A. L. Eastman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3502) granting a pension to Frank Rabaska; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3503) granting a pension to Christina Vogt; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BATE introduced a bill (S. 3504) to repeal all statutes relating to supervisors of elections and special deputies; which was read twice by its title.

Mr. BATE. I ask that the bill lie on the table for the present. The PRESIDING OFFICER (Mr. HARRIS in the chair). The bill will lie on the table.

Mr. PADDOCK introduced a bill (S. 3505) to remove the charge of desertion from the military record of George Miller; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3506) for the relief of John Palmier, Pine Ridge, Shannon County, S. Dak.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3507) for the relief of George H. Jewett, of Arlington, Washington County, Nebr.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HUNTON introduced a bill (S. 3508) to incorporate the Washington and Marlboro Electric Railway Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3509) for the relief of the heirs of the late Mrs. Mary Ann Randolph Custis Lee, of Fairfax County, Va.; which was read twice by its title, and referred to the Committee on Claims.

Mr. FRYE introduced a bill (S. 3510) to amend section 4347 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 3511) granting a pension to Mrs. Annie A. Townsend; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3512) to provide communication from light-ships and outlying light-houses to the shore; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

Mr. CHANDLER introduced a bill (S. 3513) for the suspension of immigration for one year; which was read twice by its title, and referred to the Committee on Immigration.

Mr. CHANDLER. I move that 2,000 copies of the bill just introduced be printed for the use of the Senate.

The motion was agreed to.

Mr. PEPPER introduced a bill (S. 3514) to prohibit the collection of special liquor taxes from persons other than those who are duly authorized by State laws to traffic in intoxicating liquors; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 3515) for the relief of Charles Williamson, late assistant surgeon, Twelfth Kansas State Militia; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 3516) to fix the rank of officers and enlisted men of the Army of the United States retiring after long and faithful service; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CULLOM introduced a bill (S. 3517) for the relief of Augustus G. Kellogg; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 3518) granting to Ira Bacon, of Company A, Fifty-second Regiment Indiana Volunteers, an additional bounty of \$100; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. CALL introduced a bill (S. 3519) for the construction of a

breakwater and harbor of refuge at or near Cape Canaveral, State of Florida; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MITCHELL introduced a bill (S. 3520) for the relief of Jacob Wheeler, late United States Indian agent at Warm Springs Agency, Oregon; which was read twice by its title, and referred to the Committee on Claims.

Mr. SHERMAN (by request) introduced a bill (S. 3521) to amend the charter of the Eckington and Soldiers' Home Railway Company, of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. VEST introduced a bill (S. 3522) to create a bureau in the Department of Agriculture for the giving public information of the production and shipping of live stock; which was read twice by its title, and referred to the Select Committee on the Transportation and Sale of Meat Products.

Mr. HALE introduced a bill (S. 3523) to further increase the Naval Establishment; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. KYLE introduced a joint resolution (S. R. 116) extending the powers of the United States Government Exhibit Board; which was read twice by its title, and referred to the Committee on Education and Labor.

Mr. VEST introduced a joint resolution (S. R. 117) authorizing the appointment of a commission to treat with the five civilized tribes of the Indian Territory with a view of making agreements to induce them to take homesteads in severalty; which was read twice by its title.

Mr. VEST. I ask that the joint resolution lie on the table. I shall call it up to-morrow or on a subsequent day.

The PRESIDING OFFICER. The joint resolution will lie on the table.

Mr. COCKRELL introduced a joint resolution (S. R. 118) to print the fifteenth number of the Statistical Abstract of the United States for the year 1892; which was read twice by its title.

Mr. COCKRELL. I ask that the joint resolution be printed and referred to the Committee on Printing, and I hope the committee will take prompt action in reporting it back.

The PRESIDING OFFICER. The joint resolution will be so referred.

#### WITHDRAWAL OF PAPERS.

On motion of Mr. SHERMAN it was

*Ordered*, That James Petty be allowed to withdraw his papers from the files of the Senate.

Mr. SHERMAN. If there are no further bills to be introduced—

Mr. COCKRELL. I should like to offer a resolution.

Mr. PEPPER. And I.

Mr. SHERMAN. I withhold the motion, but I wish to move an executive session as soon as the morning business is concluded.

#### CIVIL SERVICE COMMISSION REPORT.

Mr. COCKRELL submitted the following concurrent resolution; which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring)*, That 23,000 copies of the ninth annual report of the United States Civil Service Commission with appendices be printed, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 20,000 copies for the use of the United States Civil Service Commission.

#### COMPENSATION OF LETTER-CARRIERS.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Postmaster-General be directed to inform the Senate of the facts, so far as known to his Department, affecting the claim of letter-carriers in cities which contain a population of 75,000 inhabitants to a larger compensation than they have received under the act of January 3, 1887, section 2; and, if in his opinion such letter-carriers are legally or in justice entitled to a compensation larger than they have received, to communicate to the Senate an estimate of the amount which will be necessary for the purpose.

#### KILLING OF FRANK RILEY.

Mr. MITCHELL submitted the following resolution; which was referred to the Committee on Foreign Relations, and ordered to be printed:

*Resolved*, That the President be and he hereby is requested, if not incompatible with the public interests, to transmit to the Senate, at his earliest convenience, copies of all correspondence on file in the Department of State, if any, relating to the alleged killing of Frank Riley, an American sailor of the United States steamship Newark, in Georgia Bay, in August or September last.

#### RAILROAD INTERESTS.

Mr. PEPPER submitted the following resolution; which was ordered to lie on the table and be printed:

*Resolved by the Senate*, That the Committee on Interstate Commerce, and it is hereby instructed to inquire and report as follows:

First. What is the separate and what the aggregate capitalization of the railroad corporations of the United States which are engaged in interstate commerce?

Second. What was the actual original cost of constructing and equipping said roads?

Third. What is the present value of the roads; that is, what would be the cost of building and stocking roads as good as they are and on the same lines at the present value of materials and labor?

Fourth. What is the average number of salaried officers employed and paid by the several railroad companies; what is the total amount of money paid such officers annually as salaries; what is the average yearly wages paid to locomotive engineers, firemen, and passenger conductors, and what is the average daily or monthly wages paid all other employees?

Fifth. What has been the general effect of the operation of the interstate-commerce law on the business, and the net earnings of the roads; has the cost of transportation been reduced; has the reduction, if any, been on through traffic or on local traffic; has the effect been uniform throughout the country?

Sixth. What has been the aggregate annual gross earnings and the aggregate net earnings of the roads during the last five years?

Seventh. What has been the average cost of moving passengers and freight on said roads during the last five years, computing by distance and weight?

Eighth. What is the actual and the relative cost of moving passengers and freight in different parts of the country, indicating the sections where such differences exist?

Ninth. During the estimate on the traffic of the last five years, and allowing an annual interest rate of 5 per cent on the actual present value of the roads, what would be equitable charges for carrying passengers and freight in the United States, said charges to be the same on all the roads?

Tenth. Would it be practicable to consolidate the interstate railroad business so as to establish and maintain uniform charges for carriage in all parts of the country and to fairly settle at one place all just differentials?

The committee will report as early as practicable. It may act by subcommittee of two or more of its members, may sit during sessions of the Senate, and it be found that any part of the information asked for by this resolution can not be procured without the use of money specially appropriated the committee will report that fact to the Senate, setting out what can not be so procured.

#### ADDITIONAL SENATE EMPLOYÉ.

Mr. McMILLAN submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That, until further ordered, the Sergeant-at-Arms is directed to employ one attendant in ladies' retiring room, Senate wing of the Capitol, at the rate of \$120 per annum, said employé to be paid from the miscellaneous items of the contingent fund of the Senate.

#### CENSUS ENUMERATORS.

Mr. VEST submitted the following resolution; which was read:

Whereas it has been charged by the public press that officials of the Government employed in the Census Bureau of the Interior Department have been guilty of gross misconduct for partisan purposes, and especially that the enumerators appointed to make the enrollment of population for the census of 1890 in the State of Missouri and elsewhere, did, under instructions from certain officers of the Bureau, make at the same time lists of voters for partisan use;

And also, that certain clerks and accountants employed in said Bureau were sent to the State of New York during the recent canvass to perform partisan service while drawing pay from the Government; Therefore,

*Resolved*, That the Committee on the Census is directed to investigate said charges, and to report by bill or otherwise; that said committee have power to send for persons and papers, and to employ a stenographer, the expenses to be paid out of the contingent fund of the Senate.

The PRESIDING OFFICER. Does the Senator from Missouri ask for the present consideration of the resolution?

Mr. HALE. Let it lie over for a day or two. I wish to examine it.

The PRESIDING OFFICER. The resolution will go over under the rule.

Mr. VEST. As a matter of course there is no objection to that course. However, I hope the Senator from Maine will permit me to say a few words before the resolution goes over.

Mr. HALE. Certainly; I withdraw the request for the present.

Mr. VEST. Mr. President, I am not in the habit of offering sensational resolutions or submitting resolutions to the Senate without what I consider absolutely sufficient proof for the allegations contained in them. I have no disposition to rake up the debris of the late canvass for any purpose whatever; but during that canvass in my own State it was publicly charged and very generally believed by a majority of the people of the State that the Census Bureau had been used in 1890 for political purposes and that the result of that use had been made evident in the canvass of 1892. It was stated in the public press, and I hold in my hand one of these statements, over the name of Mr. Isaac Isaacs, the secretary of the Republican League of Missouri, that the enumerators in the different townships of the State in 1890 had been instructed by the chief enumerator of the State of Missouri, with the knowledge and consent of the Census Bureau, to make a political poll of the State for partisan purposes.

Without reading this statement at length, I will ask that it be made a portion of my remarks, for it is the basis of them.

The statement referred to is as follows:

The charges are made by Mr. Isaac Isaacs, of Kansas City, ex-secretary of the Missouri State League of Republican Clubs, and he states that he has ample documentary evidence of their truth. Mr. Isaacs left for Kansas City last night, but before his departure he furnished a Republic reporter with information that indicates that the census of 1890 was made the occasion both of booming Major Warner for the position to which he now aspires and for ascertaining the exact strength of the Administration in this State. That the census enumeration was put to a similar use in other States also appears probable from Mr. Isaacs's statement.

The use of the census for political purposes constitutes a serious offense against the civil-service act. Although the statements of Mr. Isaacs, which refer to what occurred in 1890, may appear to be ancient, they deal with matters which have never before come to light, and which are of peculiar importance at the present time, when their effect is felt in both the State and national campaign.

#### A CONFERENCE.

Chief Census Enumerator Brock was appointed in 1890. According to Mr. Isaacs, he was summoned shortly afterward to a conference at Washington with Maj. William Warner and Gen. John W. Noble. "Exactly what occurred at that conference," said Mr. Isaacs last night, "is of course known to the three gentlemen alone, but a great deal can be imagined from subsequent developments. It is evident that Maj. Warner had already been decided upon by the Administration as standard-bearer in Missouri, and that his nomination for governor was recognized even in Missouri. It is also apparent that the Administration was somewhat fearful of the situation in this State, and probably in others as well, for it is almost certain that the same tactics were pursued in other States as were subsequently made use of here as a result of the conference.

That those matters were discussed may be accepted as a fact. At any rate, it was decided at that conference that Brock should instruct his census enumerators here to make a thorough poll of the State while they were at work on the census returns. These enumerators were appointed by the postmasters in the State. These appointments were, of course, made under the civil-service act, and the polling of the State, being a political matter, was of course an offense against that act. To avoid the risk of refusal on the part of the enumerators to commit the crime, the postmasters were instructed to appoint only such as would have no scruples, and the scheme worked to perfection. Incidentally, I may state that the returns from the polling showed 45,000 doubtful Republicans in the State and 15,000 doubtful Democrats.

#### DOCUMENTARY EVIDENCE.

"These men were furnished by Mr. Brock with regulation poll books, in which each man's name was put down, with his political faith directly opposite it. These poll-books were returned with the census blanks, and I am now in possession of several of them. I also have letters from Washington, directed to the chairman of the county committees of the State, informing them of what had been done and directing them what course to pursue in the premises. The letters I secured from the chairman of the Randolph County committee at Moberly, Mo., and the books and additional information from prominent attachés of the Interior Department.

"To make the offense even more grave," continued Mr. Isaacs, "these same census enumerators were instructed by Mr. Brock, through the postmasters, to let all Federal officeholders know that under no circumstances were they to allow the election at the primaries of any delegates to the State Republican convention, when they should be held, who were not enthusiastic for Maj. Warner. This was duly conveyed to every deputy marshal and officeholder in the State by the enumerators, and the result was the nomination of Maj. Warner and the defeat of the Filley forces. The effect of course was not so much felt in the large cities, where every Republican took an interest in the primaries, and Mr. Filley, you recollect, carried St. Louis. But in the smaller towns, where the primaries were left to be run by the postmasters, United States marshals, and the rest of the Federal employes, the end desired was easily accomplished. The result was that there were 235 Federal officeholders in the convention, all following instructions to defeat Filley and elect Warner at any cost.

"The Warner faction is now administering sugar-coated pills to Mr. Filley, but with what result will be seen at the coming elections."

Mr. Isaacs stated that he was prepared to submit the proof of his assertions at any time that he might be called upon, having documentary evidence right at hand. "They do not dare to deny their truth, though," said he, "because they are aware that the facts have been known to numerous people for the past two years."

Mr. Isaacs, in this statement, which was the result of a disagreement between himself and the authorities of the Republican party represented in the Republican League, stated emphatically and distinctly that he could produce the record proof of his statement that the enumerators engaged in taking the census in Missouri had been used for the purpose of taking a poll of the voters in order to ascertain the strength of the respective parties in the State.

It is well known that the Democrats of Missouri were very much astonished at the activity and aggressiveness which characterized the Republican party in the recent canvass. They had been in a moribund condition for nearly a quarter of a century, but for some reason which we could not see they exhibited in this canvass, from the beginning to the end, an aggressiveness which has been unparalleled in the history of that party in our State since 1865. It has transpired now through these statements of Mr. Isaacs that the poll made by the enumerators in 1890 satisfied the Republican leaders, and especially the candidate of the Republican party for governor, that a great change had taken place in the political sentiment of the people of my State, and that his party could succeed in the last canvass.

I have here furnished me by a Republican, a letter extremely significant in this connection, from the chairman of the Republican county committee of one of the large strong counties in the State, Macon County. As it is short I will read it, thus indicating the entire trend and object of this movement:

MACON, N. C., March 1, 1893.

My Dear Sir: Yours to hand. In reply would I say that I enclose blank application for Mr. Dinsmore to fill up and return to me. I can endorse his application. We are aware of the importance of the Macon vote in our next campaign, as on that we expect to overturn the Democracy in Macon County in our next campaign; and I want no forwarding errors that are true blue, and we want them to make a poll of the county and to take the names of all young men who will vote three years hence. Of course this poll is independent of the Government work.

I am truly yours,

J. W. PATTON,

Chairman County Republican Committee.

Mr. W. E. MURLIN, *Admon., Mo.*

I applied at the Census Bureau to ascertain whether this gentleman, Mr. Dinsmore, had been appointed an enumerator. I

bian Exposition grounds; to restrict immigration by consular examinations, and to submit the proposed sixteenth amendment forbidding State Legislatures to unite state and church; which were referred to the Committee on Immigration.

He also presented the petition of W. Spratt Scott, of Claremore, Ind. T., praying that all future payments be made direct to the Cherokee people by and under the supervision of the Interior Department; which was referred to the Committee on Indian Affairs.

Mr. CULLOM presented a petition of the Journeymen Tailors' Union of Decatur, Ill., praying for the passage of House bill 8535, limiting the free entry of wearing apparel of foreign manufacture; which was referred to the Committee on Finance.

#### REPORTS OF COMMITTEES.

Mr. CAMERON, from the Committee on Military Affairs, to whom was referred the bill (S. 2739) for the relief of James Petty, submitted a report thereon, which was ordered to be printed, and asked to be discharged from its further consideration, and that it be referred to the Committee on Pensions; which was agreed to.

Mr. PEPPER, from the Committee on Claims, to whom was referred the bill (S. 147) for the relief of Secor & Co., Perine, Secor & Co., and the executors of Zeno Secor, submitted an adverse report thereon; which was ordered to be printed.

The VICE-PRESIDENT. The bill will be indefinitely postponed if there be no objection.

Mr. GALLINGER. I ask that the bill be placed upon the Calendar with the adverse report of the committee.

The VICE-PRESIDENT. It will be so ordered, in the absence of objection.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 1421) for the relief of Lewis D. Allen, submitted an adverse report thereon; which was ordered to be printed.

The VICE-PRESIDENT. The bill will be indefinitely postponed, if there be no objection.

Mr. COCKRELL. I ask that the bill may go on the Calendar until I can see the report. I am not familiar with the case, and I wish to look at it before it is disposed of.

The VICE-PRESIDENT. The bill will be placed on the Calendar with the adverse report of the committee.

#### ADDITIONAL SENATE EMPLOYÉ.

Mr. PADDOCK. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by the Senator from Michigan [Mr. McMILLAN], to report it favorably, and I ask for its immediate consideration.

The Senate, by unanimous consent, proceeded to consider the resolution, which was read, as follows:

*Resolved*, That, until further ordered, the Sergeant-at-Arms is directed to employ one attendant in ladies' retiring room, Senate wing of the Capitol, at the rate of \$720 per annum, said employé to be paid from the miscellaneous items of the contingent fund of the Senate.

Mr. VEST. Does the resolution come from a committee?

The VICE-PRESIDENT. It comes from the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. PADDOCK. The resolution is reported by me from the Committee to Audit and Control the Contingent Expenses of the Senate. It is not a new employment; it does not involve a new appointment; it is simply the continuance of the service which was performed during the last session by a colored attendant in the ladies' retiring room below.

The resolution was agreed to.

#### BILLS INTRODUCED.

Mr. BLACKBURN introduced a bill (S. 3524) to incorporate the East End Electric Railway Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HARRIS introduced a bill (S. 3525) to authorize the construction of bridges across the Hiwassee, the Tennessee, and the Clinch rivers, in the State of Tennessee; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PADDOCK introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3526) granting an increase of pension to Benjamin F. Chambers;

A bill (S. 3527) granting an increase of pension to Winfield S. Smith; and

A bill (S. 3528) granting a pension to John D. Keller.

Mr. STOKBRIDGE introduced a bill (S. 3529) for the relief of William H. Hugo; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McMILLAN introduced a bill (S. 3530) to create a board of charities for the District of Columbia; which was read twice

by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3531) to amend the charter of the Brightwood Railway Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. MANDERSON introduced a bill (S. 3532) to restore to the pension roll the name of Eliza Ferguson, formerly widow of Hans Ferguson, Company I, Third, -third Iowa Infantry Volunteers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3533) to amend sections 1488 and 4489, Revised Statutes, for the greater safety to navigation; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HILL introduced a bill (S. 3534) to repeal the act of July 14, 1890, entitled "An act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes;" which was read twice by its title, and referred to the Committee on Finance.

Mr. VILAS introduced a bill (S. 3535) for the relief of Caroline Borchers, widow of John Frederick Borchers; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. DOLPH introduced a bill (S. 3536) for the relief of Lorenzo Wyatt Mulvaney; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3537) for the relief of M. P. Deady; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PERKINS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3538) granting a pension to Mrs. Hannah Kessenger;

A bill (S. 3539) granting a pension to Nancy C. Taylor;

A bill (S. 3540) granting a pension to Mattie M. Kersey;

A bill (S. 3541) granting a pension to Henry Synnamin;

A bill (S. 3542) granting a pension to Charlotte Ross;

A bill (S. 3543) granting a pension to James Bemis;

A bill (S. 3544) granting a pension to Jesse L. Knight;

A bill (S. 3545) granting an increase of pension to John Maloney;

A bill (S. 3546) granting an increase of pension to Levi W. Dikeman; and

A bill (S. 3547) granting an increase of pension to James Gaulley.

Mr. PERKINS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 3548) granting an honorable discharge to C. Fredrickson;

A bill (S. 3549) granting an honorable discharge to Henry B. Rizzer; and

A bill (S. 3550) granting an honorable discharge to St. Clair Watts.

Mr. CAMERON introduced a bill (S. 3551) granting a pension to L. H. Frink; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 3552) to remove the charge of desertion from the military record of George J. Barnes; which was read twice by its title, and referred to the Committee on Military Affairs.

#### AMENDMENT TO A BILL.

Mr. FELTON submitted an amendment intended to be proposed by him to the bill (S. 3378) to finally adjust and settle the claims of Arkansas and other States under the swamp-land grants, and for other purposes; which was ordered to be printed and lie on the table.

#### JAMES F. SIMMONS.

Mr. CALL. I submit a resolution and ask for its immediate consideration.

The resolution was read, as follows:

*Resolved*, That the Committee on the Judiciary be, and they are hereby, instructed to inquire and report to the Senate the facts in relation to the trial, conviction, and sentence of James F. Simmons in the circuit court of the southern district of New York, under an indictment for a conspiracy to wreck the Sixth National Bank of New York City, and further to report by bill or otherwise whether any legislation, and if so, what, is necessary to prevent the punishment of innocent persons wrongfully accused of crime in the courts of the United States, and that the committee have the authority to send for persons and papers and to have the record of the case printed for the use of the committee and the Senate.

Mr. PLATT. I ask that the resolution lie over.

The VICE-PRESIDENT. The resolution will go over and be printed.

Mr. HOAR subsequently said: The Senator from Florida [Mr. CALL] introduced a resolution providing for an investigation by the Judiciary Committee, and the resolution was laid over at the request of the Senator from Connecticut [Mr. PLATT]. I ask the

unanimous consent of the Senate that the resolution be referred to the Committee on the Judiciary. The Senator from Florida can state to the committee the grounds upon which he desires to have the investigation ordered.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Massachusetts? The Chair hears none and the resolution is so referred.

#### CENSUS ENUMERATORS.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Chief Clerk proceeded to read the resolution submitted yesterday by Mr. VEST, providing for the investigation of alleged partisan work by census enumerators.

Mr. HALL. There is no necessity to read the resolution again. I suggest to the Senator from Missouri that if an investigation takes place and any money is spent, under the rules the resolution must be reported by the Committee on Contingent Expenses. Let it go there, and let that committee report it back.

Mr. VEST. The resolution must go, under the rules, to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE-PRESIDENT. The resolution will be so referred, in the absence of objection.

#### RAILROAD INTERESTS.

Mr. PEPPER. A resolution submitted yesterday by myself, proposing a certain investigation by the Committee on Interstate Commerce, I suppose will properly come up this morning.

The VICE-PRESIDENT. The resolution lies on the table, and can be called up.

Mr. PEPPER. I ask that it be taken from the table and considered.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution submitted yesterday by Mr. PEPPER, as follows:

*Resolved by the Senate,* That the Committee on Interstate Commerce be, and it is hereby, instructed to inquire and report as follows:

First. What is the separate and what the aggregate capitalization of the railroad corporations of the United States which are engaged in interstate commerce?

Second. What was the actual original cost of constructing and equipping said roads?

Third. What is the present value of the roads; that is, what would be the cost of building and stocking roads as good as they and on the same lines at the present value of materials and labor?

Fourth. What is the average number of salaried officers employed and paid by the several railroad companies; what is the total amount of money paid such officers annually as salaries; what is the average yearly wages paid locomotive engineers, firemen, and passenger conductors, and what is the average daily or monthly wages paid all other employees?

Fifth. What has been the general effect of the operation of the interstate-commerce law on the business and the net earnings of the roads; has the cost of transportation been reduced; has the reduction, if any, been on through traffic or on local traffic; has the effect been uniform throughout the country?

Sixth. What has been the aggregate annual gross earnings and the aggregate net earnings of the roads during the last five years?

Seventh. What has been the average cost of moving passengers and freight on said roads during the last five years, computing by distance and weight?

Eighth. What is the actual and the relative cost of moving passengers and freight in different parts of the country, indicating the sections where such differences exist?

Ninth. Basing the estimate on the traffic of the last five years, and allowing an annual interest rate of 5 per cent on the actual present value of the roads, what would be equitable charges for carrying passengers and freight in the United States, said charges to be the same on all the roads?

Tenth. Would it be practicable to consolidate the interstate-railroad business, so as to establish and maintain uniform charges for carriage in all parts of the country and to fairly settle at one price all just differentials?

The committee will report as early as practicable. It may act by subcommittee of two or more of its members, may sit during sessions of the Senate, and if it be found that any part of the information asked for by this resolution can not be procured without the use of money specially appropriated the committee will report that fact to the Senate, setting out what can not be so procured.

Mr. CULLOM. That is a pretty formidable resolution so far as imposing labor is concerned, and I think probably much of the information desired could be procured without the necessity of requiring the Committee on Interstate Commerce to take up the subject. I suggest to the distinguished Senator from Kansas that he allow the resolution, without adoption, to be referred to the Committee on Interstate Commerce, and that committee will take up the subject and see what ought to be done with it. If the resolution should be adopted, directing the Committee on Interstate Commerce to make the investigation now, it could not do anything else during the present session. I think much of the information can be procured through the medium of the Interstate Commerce Commission. If, however, the resolution is allowed to be referred to the Committee on Interstate Commerce, the committee will give it attention, and see what ought to be done in the premises, and report some time during the session, if that course is agreeable to the Senator from Kansas.

Mr. PEPPER. I have no objection to such a disposition of the resolution at this time, expecting, of course, that the Senator's

statement that early and considerate action will be taken is sincerely made.

Mr. CULLOM. I make the statement in perfect good faith, and with confidence that the committee will take up the subject and consider it carefully.

Mr. PEPPER. Very well.

The VICE-PRESIDENT. The resolution will be referred to the Committee on Interstate Commerce, if there be no objection.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills and joint resolution: in which it requested the concurrence of the Senate:

A bill (H. R. 1963) granting a pension to Julia Hoar;

A bill (H. R. 1283) to pension Harriet Woodbury, Windsor, Vt.;

A bill (H. R. 1422) for the relief of George M. Henry;

A bill (H. R. 2128) granting a pension to John Fields;

A bill (H. R. 2407) granting a pension to Samuel Luttrell;

A bill (H. R. 2493) granting a pension to Jesse Cleveland;

A bill (H. R. 3118) to pension John S. Dismuth;

A bill (H. R. 3673) for the relief of R. L. Jennings, late postmaster at Marshall, Tex.;

A bill (H. R. 3845) to increase the pension of Edward R. Chapman;

A bill (H. R. 4366) granting a pension to Jacob Hall;

A bill (H. R. 4804) to place the name of Sarah L. Van Nest on the pension list;

A bill (H. R. 4955) granting a pension to Susannah Chadwick;

A bill (H. R. 5022) for the relief of Lucy Sprother;

A bill (H. R. 5509) to place the name of Mrs. E. M. Banister, an army nurse, on the pension rolls;

A bill (H. R. 5705) to increase the pension of Amelia Graham;

A bill (H. R. 6039) granting a pension to French W. Thornhill;

A bill (H. R. 6345) granting an honorable discharge to Frederick E. Koltz;

A bill (H. R. 6508) granting a pension to Joseph Fortier;

A bill (H. R. 6511) to pension Rebecca M. Youngblood;

A bill (H. R. 6914) granting a pension to Druke Nettie Barnett;

A bill (H. R. 6969) for the relief of Elisha Brown;

A bill (H. R. 6970) to remove the charge of desertion from the record of Montgomery M. Tuttle;

A bill (H. R. 7226) granting a pension to Julia P. Wright;

A bill (H. R. 7257) granting a pension to Alonzo D. Barber;

A bill (H. R. 7510) for the relief of Mrs. Mary A. Moorhead;

A bill (H. R. 7662) granting a pension to Marion Kern Sharman;

A bill (H. R. 8017) granting a pension to Elizabeth Voss;

A bill (H. R. 8106) for the correction of the army record of David R. Wallace, deceased;

A bill (H. R. 8221) granting a pension to Geo. W. Boyd;

A bill (H. R. 8275) granting a pension to Abraham B. Simmons, of Capt. Thomas Tripp's company, in Col. Brisbane's regiment South Carolina Volunteers, in the Florida Indian war;

A bill (H. R. 8400) granting a pension to Mary Danahay, mother of Daniel Danahay, late a private, Company H, Eighteenth New York Cavalry;

A bill (H. R. 9011) to grant a pension to Ida A. Taylor;

A bill (H. R. 9430) to pension Mrs. Edith T. Palmatier;

A bill (H. R. 9585) for the relief of Harriett E. Niles; and

A joint resolution (H. Res. 157) providing for the calling of an international arbitration congress.

#### DEATH OF REPRESENTATIVES WARWICK AND McDONALD.

The message also conveyed to the Senate the intelligence of the death of Hon. John G. Warwick, late a Representative from the State of Ohio, and Hon. Edward F. McDonald, late a Representative from the State of New Jersey.

#### THE FIVE CIVILIZED TRIBES.

The VICE-PRESIDENT. If there is no further morning business that order is closed and the Calendar is in order.

Mr. VEST. I ask the Senate to take up the joint resolution I introduced yesterday in regard to the appointment of a commission to treat with the five civilized tribes.

There being no objection the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. R. 117) authorizing the appointment of a commission to treat with the five civilized tribes of the Indian Territory, with a view of making agreements to induce them to take homesteads in severalty.

Mr. VEST. Mr. President, with the permission of the Senate I shall make a few remarks in regard to this joint resolution, and as I understand that other Senators desire to be heard upon it, I will not ask its reference until they have an opportunity of discussing its merits.

I am very well aware, Mr. President, that it is an almost herculean task to change the existing order of things in what is

A memorial of M. R. Bruce and other citizens of Georgia;  
 A memorial of J. W. Gaston and other citizens of Gastonburg, Ala.;  
 A memorial of J. W. Moore and other citizens of Selma, Ala.;  
 A memorial of W. J. Hardman and other citizens of Atlanta, Ga.;  
 A memorial of H. Strickland, jr., and other citizens of Duluth, Ga.;  
 A memorial of John B. Leech, jr., and other citizens of Memphis, Tenn.; and  
 A memorial of the Norfolk and Portsmouth (Va.) Cotton Exchange.

The VICE-PRESIDENT presented a petition of the Chicago (Ill.) Women's Club praying for the repeal of the provision of the souvenir appropriation bill which requires that the Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Kearsarge Association of Naval Veterans of Boston, Mass., praying for the transfer of the Revenue Marine Service to the Navy; which was ordered to lie on the table.

Mr. HOAR presented the petition of George W. Lowther and other citizens of Boston, Mass., praying for the passage of legislation authorizing the management of the United States exhibit at the World's Columbian Exposition to collect and compile for publication facts and statistics relative to the development of the people of African descent from 1863 to 1893, such information to form a part of the published report of the United States Government at the Exposition; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of Seth C. Cary and other citizens of Gardner, Mass., praying for the submission of an amendment of the Constitution forbidding the enactment of any legislation by the States respecting an establishment of religion or making an appropriation of money for any sectarian purpose; which was referred to the Committee on the Judiciary.

Mr. SHERMAN presented petitions of the Journeymen Tailors' unions of Toledo, Delaware, Youngstown, Springfield, and Steubenville, all in the State of Ohio, praying for the passage of House bill 8535, limiting the free entry of wearing apparel of foreign manufacture; which were referred to the Committee on Finance.

He also presented memorials of the Ministers' Union of Toledo, the Congregational and Methodist Episcopal churches of Ruggles, of Bertha Wolf and 39 other citizens of Creston, and the Ministers' Association of Findlay, all in the State of Ohio, remonstrating against a repeal of the law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. VEST presented a petition of the Farmers' and Laborers' Union of Cole County, Mo., praying for the passage of the Washburn-Hatch antioption bill; which was ordered to lie on the table.

He also presented a petition of the Journeymen Tailors' Union of Kansas City, Mo., praying for the passage of House bill 8535, limiting the free entry of wearing apparel of foreign manufacture; which was referred to the Committee on Finance.

Mr. CULLOM presented a petition of the Journeymen Tailors' Union of Menmouth, Ill., and a petition of the Journeymen Tailors' Union of Quincy, Ill., praying for the passage of House bill 8535, limiting the free entry of wearing apparel of foreign manufacture; which were referred to the Committee on Finance.

He also presented a memorial of the Protestant churches of Toulon, Ill., remonstrating against a repeal of the law closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PADDOCK presented petitions of John Williams and 23 other citizens of Madison County and of J. H. Blodgett and 24 other citizens of Wayne County, in the State of Nebraska, praying for the appointment of a Senate committee to investigate the combine formed to depreciate the price of grain, and now existing between the elevators, millers, and railroads at Minneapolis, Minn., and St. Louis, Mo., and praying for the postponement of the Washburn-Hatch antioption bill until such committee shall report; which were referred to the Committee on Agriculture and Forestry.

Mr. WILSON presented a petition of the Methodist, Baptist, and United Presbyterian Churches of Monroe, Iowa, praying for the passage of the antioption bill, for the passage of an act prohibiting the sale of intoxicating liquors at the World's Columbian Exposition, for the passage of an act restricting immigration, and for the submission to the people of an amendment to the Constitution forbidding State legislation to unite church and state; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of the United and Reform Presbyterian Churches of Morning Sun, Iowa, remonstrating

against the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Journeymen Tailors' Union of Cedar Rapids, Iowa, praying for the passage of House bill 8535, limiting the free entry of wearing apparel of foreign manufacture; which was referred to the Committee on Finance.

Mr. BUTLER presented memorials of 20 citizens of Allendale, S. C., and of the Norfolk and Portsmouth (Va.) Cotton Exchange, remonstrating against the passage of the Washburn-Hatch antioption bill; which were ordered to lie on the table.

Mr. PEPPER presented the petition of J. A. Baras and 75 other citizens of McPherson County, and the petition of W. M. Tyler and 18 other citizens of Reno County, all in the State of Kansas, praying for the appointment of a Senate committee to investigate the combine formed to depreciate the price of grain now existing between the elevators, millers, and railroads at Minneapolis, Minn., and St. Louis, Mo., and praying for the postponement of the Washburn-Hatch antioption bill until such committee shall report; which were referred to the Committee on Agriculture and Forestry.

Mr. WALTHALL presented a petition of the Journeymen Tailors' Union of Vicksburg, Miss., praying for the passage of House bill 8535, limiting the free entry of wearing apparel of foreign manufacture; which was referred to the Committee on Finance.

Mr. GALLINGER. I present the petition of George Hill, jr., and 35 other citizens and business firms of Georgetown, D. C., praying for relief from what they claim to be encroachments upon their rights on the part of the Washington and Georgetown Railroad Company. These citizens claim that they have appealed to the officers of the road, who stop their cars on the narrow business street of Georgetown, and have been told if they do not like it they can move away; that they have applied to the police and have been refused relief; that they have applied to the District Commissioners and have been referred to the District attorney; that they have applied to the District attorney and he refers them to the courts and says the courts are open to them. Their appeal is a very earnest one. I know some of these gentlemen. I believe they are suffering an indignity which ought to be removed. I move that the petition be printed as a document and referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. QUAY presented a memorial of the Ministers' Association of Myersdale, Berlin, and Salisbury, in the State of Pennsylvania, remonstrating against the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of 20 citizens of Blossburg, Pa., and a petition of 182 citizens of Union City, Pa., praying for the passage of a law prohibiting the manufacture, importation, and sale of cigarettes; which were referred to the Committee on Epidemic Diseases.

Mr. McMULLAN presented a petition of citizens of Detroit, Mich., praying for the enactment of legislation to restrict or prohibit immigration; which was referred to the Committee on Immigration.

#### MISSISSIPPI RIVER BRIDGE ABOVE NEW ORLEANS.

Mr. VEST. I am instructed by the Committee on Commerce, to whom was referred the bill (S. 2345) to authorize the construction of a bridge across the Mississippi River at New Orleans, to report it back with amendments. I am also instructed by the committee to ask for the immediate consideration of the bill, for the reason that it is exceedingly important that it should be considered by the Senate and sent to the other House.

Mr. HARRIS. Let the bill be read at length, subject to objection.

The Chief Clerk read the bill, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The VICE-PRESIDENT. The amendments of the Committee on Commerce will be stated in their order.

The first amendment was in section 7, line 3, after the word "water" to insert "and with but two piers in the river," so as to read:

That the said bridge shall be made with three main and two contiguous spans between the river banks, as defined by a mean stage of water, and with but two piers in the river.

The amendment was agreed to.

The next amendment was in section 3, line 4, after the word "channel," to strike out the words "or central;" so as to read: The length of the main channel span shall be at least 1,000 feet.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.



The bill was ordered to be engrossed for a third reading, read the third time, and pass d.

The title was amended so as to read: "A bill to authorize the construction of a bridge across the Mississippi River above New Orleans."

#### BILLS INTRODUCED.

Mr. BLACKBURN introduced a bill (S. 3553) for the relief of Lucy Ann Lee and Allen G. Lee; which was read twice by its title, and referred to the Committee on Claims.

Mr. WILSON (by request) introduced a bill (S. 3554) to refund to the State of Iowa the amounts paid by said State to the non-commissioned officers and enlisted men of the Second and Third Regiments of Iowa Volunteer Infantry, for gray uniforms charged to them by the United States mustering and disbursing officers, when they were mustered into the United States service in May and June, 1861, and afterwards ordered to be discarded and blue uniforms substituted therefor; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3555) for the relief of George W. Jones; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Foreign Relations.

Mr. PADDOCK introduced a bill (S. 3556) granting an increase of pension to Mary E. Hazlip; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HAWLEY introduced a bill (S. 3557) granting a pension to William O. Lyman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. RANSOM introduced a bill (S. 3558) to provide for the erection of a public building in the cities of Winston-Salem, N. C.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. QUAY introduced a bill (S. 3559) for the relief of Merrick & Son; which was read twice by its title, and referred to the Committee on Claims.

Mr. McMILLAN introduced a bill (S. 3560) granting a pension to John E. Burnes; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PEPPER. On Tuesday I had the honor to introduce a bill (S. 3545) for the relief of Charles Williamson, late assistant surgeon Twelfth Kansas State Militia. I think that it was referred by mistake to the Committee on Military Affairs, although I see the RECORD notes it to have been referred to the Committee on Pensions. If it was not referred to the Committee on Pensions, I ask that it be so referred.

The VICE-PRESIDENT. The bill was referred to the Committee on Pensions, the Chair is informed.

Mr. PEPPER. I ask that the papers which I send to the desk be referred with the bill to the same committee.

The VICE-PRESIDENT. The papers will be so referred.

Mr. JONES of Arkansas introduced a joint resolution (S. R. 119) authorizing the Secretary of the Treasury to retain and cover into the Treasury certain moneys, etc.; which was read twice by its title, and referred to the Committee on Indian Affairs.

#### WAR CLAIM OF BALTIMORE.

Mr. GORMAN. I offer the following resolution, and ask for its present consideration:

*Resolved*, That the Secretary of the Treasury be, and he is hereby, requested to transmit to the Senate all correspondence between the Third Auditor of the Treasury and the mayor of Baltimore relating to the claim of the city of Baltimore for advances in the War of 1812 between the United States and Great Britain.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. SHERMAN. I suggest to the Senator from Maryland whether he had not better insert the word "copies." It is not usual to send the original papers.

Mr. GORMAN. I have no objection to that. I will modify the resolution by inserting the words "copies of" before the words "all correspondence."

The VICE-PRESIDENT. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

#### EXECUTIVE SESSION.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-five minutes spent in executive session the doors were reopened.

#### DEATH OF REPRESENTATIVE WARWICK.

Mr. BRICE. Mr. President, I ask that the resolutions of the House of Representatives in regard to the death of my late colleague in that body be laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate

resolutions from the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES, December 6, 1892.

*Resolved*, That the House has heard with profound sorrow of the death of Hon. John G. Warwick, late a Representative from the State of Ohio.

*Resolved*, That the Clerk be directed to communicate a copy of these resolutions to the Senate.

*Resolved*, That as a mark of respect to his memory the House do now adjourn.

Mr. BRICE. Mr. President, I offer the resolutions which I send to the desk.

The VICE-PRESIDENT. The resolutions will be read.

The Secretary read the resolutions, as follows:

*Resolved*, That the Senate has heard with deep regret the announcement of the death of the Hon. John G. Warwick, late a Representative from the State of Ohio.

*Resolved*, That the Secretary communicate this resolution to the House of Representatives.

*Resolved*, That as a mark of respect to the memory of the deceased the Senate do now adjourn.

Mr. BRICE. Mr. President, at some future time I shall ask that a day be fixed when appropriate tributes may be paid to the memory and services of my late colleague in the other House.

The VICE-PRESIDENT. The question is on agreeing to the resolutions submitted by the Senator from Ohio.

The resolutions were agreed to unanimously; and (at 1 o'clock and 2 minutes p. m.) the Senate adjourned until Monday, December 12, 1892, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate December 8, 1892.*

##### JUDGES OF PROBATE.

Charles Foote, of Utah Territory, to be judge of probate in the county of Juab, in the Territory of Utah, his term having expired September 26, 1892.

William W. Wallace, of Utah Territory, to be judge of probate in the county of Sevier, in the Territory of Utah, vice Lathrop B. Kinney, whose term expires December 8, 1892.

Charles A. Herman, of Utah Territory, to be judge of probate in the county of Toole, in the Territory of Utah, his term having expired September 26, 1892.

##### COMMISSIONER GENERAL LAND OFFICE.

William M. Stone, of Knoxville, Iowa, who was appointed November 18, 1892, during the recess of the Senate, to be Commissioner of the General Land Office, vice Thomas H. Carter, resigned.

##### ASSISTANT COMMISSIONER GENERAL LAND OFFICE.

Manning M. Rose, of Marietta, Ohio, who was appointed November 19, 1892, during the recess of the Senate, to be Assistant Commissioner of the General Land Office, vice William M. Stone, resigned.

##### REGISTERS OF LAND OFFICES.

Thomas Fraser, of Placerville, Cal., who was appointed August 27, 1892, during the recess of the Senate, to be register of the land office at Sacramento, Cal., vice Edmund W. Roberts, resigned.

Willis B. Stanley, of Beaver, Okla., who was appointed November 21, 1892, during the recess of the Senate, to be register of the land office at Beaver, in the Territory of Oklahoma, vice George L. Dobson, resigned.

##### RECEIVER OF PUBLIC MONEYS.

Thomas J. Flanner, of Louisiana, who was appointed November 16, 1892, during the recess of the Senate, to be receiver of public moneys at Natchitoches, La., vice Alexis E. Lemee, removed.

##### SECRETARY OF NEW MEXICO.

Silas Alexander, of Hillsboro, N. Mex., who was appointed November 15, 1892, during the recess of the Senate, to be secretary of New Mexico, vice Benjamin M. Thomas, deceased.

##### INDIAN AGENT.

Edwin Eells, of Tacoma, Wash., who was appointed August 29, 1892, during the recess of the Senate, to be agent for the Indians of the Puyallup Agency (consolidated) in Washington, to take effect September 18, 1892, at the expiration of his last term of office.

##### POSTMASTERS.

Watson S. Menefee, to be postmaster at Union Springs, in the county of Bullock and State of Alabama, who was commissioned during the recess of the Senate, November 2, 1892, in the place of Frederic B. Fay, removed.

John G. Pritchard, to be postmaster at Bisbee, in the county of Cochise and Territory of Arizona, who was commissioned during

Mr. WILSON presented a petition of the Board of Managers of the National Temperance Association, praying that the sale of intoxicating liquors be prohibited on the grounds of the World's Columbian Exposition; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PADDOCK presented the petition of John J. Mitchell, of New York City, praying for the speedy passage of the bill limiting to \$100 the amount of wearing apparel that may be imported free of duty; which was referred to the Committee on Finance.

He also presented a petition of the National Grange, Patrons of Husbandry, of Washington, D. C., praying for the speedy passage of the Washburn-Hatch antioption bill; which was ordered to lie on the table.

He also presented the petition of William O. McDowell, of Newark, N. J., praying for the passage of such legislation as will so amend the election laws as to extend the franchise to those 18 years of age and older; which was referred to the Committee on Privileges and Elections.

Mr. JONES of Arkansas presented the memorial of R. A. Little and other citizens of Little Rock, Ark., remonstrating against the passage of the Washburn-Hatch antioption bill; which was ordered to lie on the table.

Mr. HAWLEY presented petitions of the Journeymen Tailors' Unions of New Haven, Danbury, and Hartford, all in the State of Connecticut, praying for the passage of House bill 8535, limiting the free entry of wearing apparel of foreign manufacture; which were referred to the Committee on Finance.

#### REPORTS OF COMMITTEES.

Mr. VILAS. I am directed by the Committee on Claims, to whom was referred the bill (H. R. 3894) to confer jurisdiction upon the Court of Claims to hear and determine the claim of David Ryan against the United States, to submit an adverse report thereon.

Mr. COCKRELL. Let the bill go on the Calendar until we can have an opportunity to look at it.

The VICE-PRESIDENT. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. DAVES, from the Committee on Indian Affairs, to whom was referred the bill (S. 3146) authorizing the removal of the Indians of the Papago or Gila Bend Reservation in Maricopa County, Ariz., to the Papago Reservation in Pima County, or to one of the Pima and Maricopa Reservations known as the Gila River and Salt River Indian Reservations, reported it with amendments.

Mr. McPHERSON, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 8769) to provide for the sale of navy-yard lands in the city of Brooklyn, reported it without amendment.

#### BILL RECOMMENDED.

Mr. PEPPER. A week ago to-day, by direction of the Committee on Claims, I presented an adverse report on the bill (S. 1447) for the relief of Seor & Co., Perine, Seor & Co., and the executors of Zeno Seor. The bill was placed on the Calendar with the adverse report. Upon further consideration I ask that the report, the bill, and the accompanying papers may be re-committed to the committee for further consideration.

The VICE-PRESIDENT. The bill will be re-committed if there be no objection. The Chair hears none.

#### BILLS INTRODUCED.

Mr. VEST introduced a bill (S. 3582) for the relief of Robert McGee; which was read twice by its title, and, with the accompanying papers, referred to the Select Committee on Indian Depredations.

Mr. PADDOCK introduced a bill (S. 3583) to place John F. Adams on the pension roll; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 3584) to prohibit the interment of bodies in Graceland Cemetery, in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PERKINS introduced a bill (S. 3585) to amend and modify section 3480 of the Revised Statutes of the United States; which was read twice by its title.

Mr. PERKINS. I am not quite sure whether the bill should be referred to the Committee on Pensions or the Judiciary Committee. It proposes to amend a section of the statutes which confers certain rights upon the soldiers of the Indian and Mexican wars in regard to bounty-land warrants. I think perhaps it should be referred to the Judiciary Committee.

The VICE-PRESIDENT. The bill will be referred to the Committee on the Judiciary.

Mr. HANSBROUGH introduced a bill (S. 3586) to establish a military post at or near the city of Grand Forks, in Grand Forks

County, in the State of North Dakota; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PADDOCK introduced a bill (S. 3587) to amend section 1514 of the Revised Statutes of the United States, in relation to the appointment of cadets at the Naval Academy at Annapolis, in the State of Maryland; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. CHANDLER introduced a bill (S. 3588) to amend an act entitled "An act to perfect the organization of the United States," which was read twice by its title, and referred to the Committee on Epidemic Diseases.

Mr. McMILLAN introduced a bill (S. 3589) to amend an act entitled "An act to regulate commerce," approved October 3, 1887; which was read twice by its title, and referred to the Committee on Internal Commerce.

#### MRS. DORA MARSHALL.

Mr. DAVES submitted the following resolution, which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay out of the miscellaneous items of the contingent fund of the Senate to Mrs. Dora Marshall, widow of James H. Marshall, clerk of a messenger of the United States Senate, the sum of \$120 being for a month equal to six months' salary at the rate per annum allowed by law to the messenger aforesaid, said sum to be considered as including the funeral expenses and all allowances.

#### SAFETY OF MITZEROTT HALL.

Mr. HAWLEY. I submit a resolution which I wish to have adopted now. I think when it is read there will be no objection to it.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Whereas many complaints have been publicly made concerning the safety of Mitzerott Hall;

*Resolved*, That the Committee on the District of Columbia be, and it is hereby is, instructed to report to the Senate whatever information it may have received relating to that subject.

#### COMMITTEE ON IMMIGRATION.

Mr. CHANDLER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Committee on Immigration be authorized to continue during the present session the inquiries directed by resolution of the Senate of July 16, 1892, with all the powers conferred by said resolution.

#### COMMITTEE ON FAILED NATIONAL BANKS.

Mr. CHANDLER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Committee on Failed National Banks be authorized to continue during the present session the inquiries directed by resolutions of the Senate of June 2, 1892, and July 19, 1892, with all the powers conferred by said resolutions.

#### CIVIL-SERVICE POSITIONS.

Mr. DANIEL. Yesterday I submitted a resolution calling for information from the Civil Service Commission, and requested that it might lay on the table. I ask now that the resolution be taken up and passed. I will state that I have consulted the chairman of the committee on the subject and he said he does not desire to have the resolution referred, and has no objection to it.

The VICE-PRESIDENT. The resolution will be read.

The resolution was read, and agreed to, as follows:

*Resolved*, That the Civil Service Commission be, and it is hereby, requested to furnish the Senate with a succinct statement of the positions in the Government service now embraced under civil-service regulations, including their number and kind and of the methods and application of examination, the said statement also to specify the quota of each State, whether filled or vacant, and what positions in number and kind are open to appointment outside of civil-service regulations, with their number and kind, the design of this resolution being to procure in a compact form information for the use of those desiring to enter the service of the Government.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. Towles, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 353) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 23d day of July, 1868;" and

A bill (S. 606) to amend and enlarge the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 23d day of July, 1868."

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 159) terminating the reduction in the number of the Engineer Corps of the Navy;

A bill (S. 1910) for the relief of R. B. Woodson; and  
A bill (S. 2612) granting a pension to Tendo, chief of the Ban-  
nocks, Shoshones, and Sheepsters tribe of Indians.

WILLIAM MCGARRAHAN—VETO MESSAGE.

The VICE-PRESIDENT. Is there further morning business?  
If not, that order is closed.

Mr. TELLER. I ask that the special order be laid before the  
Senate.

The VICE-PRESIDENT. The special order will be stated.

The CHIEF CLERK. A bill (S. 1968) to submit to the Court of  
Private Land Claims, established by an act of Congress ap-  
proved March 3, 1891, the title of William McGarrahan to the  
Rancho Panoche Grande, in the State of California, and for  
other purposes.

The VICE-PRESIDENT. The question is, Shall the bill pass,  
the objections of the President of the United States to the con-  
trary notwithstanding? Is the Senate ready for the question?  
[A pause.] The roll will be called by the Secretary.

The Secretary proceeded to call the roll.

Mr. McPHERSON. Let the bill be read.

Mr. PASCO. What is the question before the Senate?

Mr. SANDERS. I should like to inquire what bill is being  
voted upon.

The VICE-PRESIDENT. The title of the bill will be read.  
The title of the bill was again read.

Mr. HOAR. I think the bill on its passage should be read.

Mr. SANDERS. I should like to have the bill explained.

Mr. PLATT. Let the Senator ask unanimous consent. The  
roll call was commenced, but that may be waived for the present.

The VICE-PRESIDENT. No response had been made. The  
Senator from Montana is entitled to the floor.

Mr. SANDERS. Mr. President, the bill involves liability for a  
large sum of money, and I think that before voting upon it, if it is  
not too late, somebody in charge of it ought to state on what  
grounds of public justice or liability the bill stands. I do not my-  
self know enough about it to justify me in voting for it, and there  
are some circumstances connected with it that seem to me to  
make it improper that a bill which probably will visit upon the  
United States a liability for a number of million dollars should  
be passed without some explanation that will satisfy the public  
judgment.

The bill was passed, I believe, at the last session of the Senate  
without observation by anybody, without any calling of yeas and  
nays, and the message of the President may very appropriately  
be entitled to such consideration as to call for a statement of the  
reasons upon which the liability of the Government stands for  
so considerable a sum of money. If anybody in charge of the bill  
or familiar with the circumstances can give us any explanation  
I shall be glad.

I understand that the bill contemplates a grant of public land,  
practically a new grant of public lands never before made; and  
that it provides by legislation for vesting, so far as there is au-  
thority in the United States to so vest it, a very valuable mine  
in the beneficiary of the bill; but inasmuch as that mine has  
heretofore been granted away under laws of the United States to  
persons entitled to it by virtue of the laws of the United States,  
and therefore as the United States can not fulfill the obligations  
which the bill imposes, the United States proposes to step in  
and give to the beneficiary of the bill an amount equal to the  
proceeds of that mine taken out of it by the owners heretofore,  
or liable to be taken out of it by the owners of it hereafter.

I understand, as I read the bill, that it is an attempt legisla-  
tively to assert a liability of the United States for a tort and to  
compensate in damages for that tort; that the United States shall  
legislatively respond in damages for the tort so committed; and  
the worst of the proposition is the character of the tort alleged.  
It is, that coordinate and coequal branches of the Government,  
not subordinate to the legislative department, but its equal, have  
perpetrated a wrong upon this beneficiary; that the Supreme  
Court of the United States has made a decision with reference  
to the disposition of certain property and with reference to the  
ascertainment of certain rights which is wrong; that the ex-  
ecutive department of the Government has granted the title to  
this property to individuals not entitled to it, and therefore it is  
proposed by this legislation to place upon the Supreme Court of  
the United States and upon the executive department of the  
Government the imputation of wrongdoing and to respond leg-  
islatively in damages therefor. If I comprehend the significance  
of the bill it has no foundation that is not based upon that ab-  
stract proposition of liability.

For one I am unwilling in any official vote cast to place upon  
either one of those Departments of the Government an imputa-  
tion so grave as that. I do not pretend that in the administra-  
tion of human affairs divine and absolute justice can always be  
done; but everybody must submit to those tribunals and author-

ities that the wit and wisdom of man have devised for the deter-  
mination of individual rights.

But I have another objection to the bill, if I understand it  
rightly. The foundation upon which it is based (and I do not  
stop to inquire whether that foundation is a fact or not) is a peti-  
tion filed by a former citizen of Mexico, resident in Alta Cali-  
fornia, then a province of Mexico, for a grant of land, to the end  
that he might pursue "the beautiful industry of agriculture;" and  
all subsequent events upon which this pyramid of literature and  
this struggle are based rest upon that application and the events  
and circumstances that followed with reference to it.

If it be true that that petition was filed, of which I suppose  
there is no doubt, and that grant was made, of which I suppose  
there is doubt, I want to submit a proposition which no per-  
son can deny, that by virtue of that grant no right under any  
combination of circumstances vested in that grantee the owner-  
ship of mines or the right to pursue the exploitation of mining  
upon the premises granted. It had been decided in Mexico, and  
in all civilized countries, for that matter, I think I may say, at  
the time that this circumstance occurred, and it has been de-  
cided by the Supreme Court of the United States time and time  
again, once in the case of the United States *vs.* Castillero, 2  
Black's Reports, page 17, and in a dozen cases, I believe, of our  
State courts, following this most well-considered opinion, that a  
grant of Mexican lands by Mexico did not carry with it a right  
to the mines thereon, but that two titles were recognized in the  
lands, one a mining title and the other an agricultural title; that  
the mining title could not be obtained except upon specific and  
definite application therefor, and that a grant of lands for agri-  
cultural uses, or without specifying for what use they were  
granted, did not carry with it a grant of the land for the purpose  
of mining nor any interest in the mines thereon.

The question as to the validity of this grant occupies the lit-  
erature of our executive, judicial, and legislative departments,  
I think it is no exaggeration to say, to the extent of 5,000 pages.  
Many years ago, in this Capitol, my attention was called to it as  
then a very remarkable case, and I have followed it only casu-  
ally and as a matter of public interest from that time to this.

I was somewhat surprised that when this bill came up nobody  
arose to explain its provisions or vindicate the justice of the en-  
actment. At least on two occasions, by the Supreme Court of  
the United States, by a unanimous decision in each case, this  
grant has been declared to be invalid. Imputations of the grav-  
est character upon the integrity of the original claim and upon  
the processes by which it was sought to be confirmed are found  
in every page of its history. I do not desire myself to recite  
them; indeed, I am not sufficiently familiar with them to give,  
with the exactness that I could desire, every detail, if it were  
useful so to do.

But I rest this case upon the proposition that, having been  
examined by the executive department it has been rejected, and  
having been examined by the judicial department it has been  
declared invalid and fraudulent; and that if both of those de-  
partments should have declared it to be a valid grant it still  
would not have formed the remotest justification for such legis-  
lation as is provided in the bill now before the Senate.

I think, therefore, we should be grateful to the President that  
he has recalled our attention to this legislation, that we may pro-  
ceed to inquire why if that grant had been originally a valid one  
and had conveyed to a three or four leagues of land involved to  
the grantee or his assigns, what right or authority it would have  
vested in him to this most remarkable and phenomenal mine  
that exists upon it, and why as a matter of fact the United States  
should respond in damages for a tort perpetrated by the Supreme  
Court and by the executive department of the Government, why  
the Congress of the United States should put the stain of in-  
delicity or ignorance upon those two great tribunals of our Gov-  
ernment, coequal with us, and who in respect of these matters  
have given it a more painstaking investigation, with better fa-  
cilities for ascertaining the truth than we can hope to have be-  
fore us, for if that patent had been issued for this piece of ground  
there would have remained in the United States the mine thereon;  
and it would have been just as competent for the United States  
to have granted that mine to some other person in fee simple  
under our law of 1866 as it was to grant it when, by virtue of the  
decision of the Supreme Court, the land involved in this bill be-  
came a part of the public domain and was entered by various  
parties.

Now, I say that this legislation is not unprecedented, so far as  
the mere proposition is concerned to refer it to the Court of  
Claims. Further than that, it is an imputation upon the Supreme  
Court and upon the executive department, it has embarrassed and  
annoyed public officers and delayed the public business since 1855,  
and that it prescribes arbitrary rules of evidence there could  
be no objection, but these are adequate.

I say this case has been before the Supreme Court, and is re-

lege, and W. P. McNary, pastor of the Union Presbyterian Church at that place. I move that the memorial be referred to the Select Committee on the Quadro-Centennial.

The motion was agreed to.

Mr. COCKRELL. I also present a petition of the Interstate Convention of Cattlemen, praying for the establishment of a bureau of information and statistics in live stock, with an explanation of the proposed system, and letters of indorsement from over thirty States. I apprehend that the petition should be referred to the select committee of which my colleague [Mr. VEST] is chairman.

Mr. VEST. Yes, a bill on the subject is pending.

Mr. COCKRELL. I move that the petition be referred to the Select Committee on the Transportation and Sale of Meat Products.

The motion was agreed to.

Mr. VEST presented a petition of citizens of Tarkio, Mo., praying for the passage of legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. QUAY presented petitions of the United Presbyterian and Methodist Episcopal Churches of Prospect, Pa., and of the United Presbyterian Church of Mount Nebo, Pa., praying for legislation to close the World's Columbian Exposition on Sunday, to prohibit the sale of intoxicating liquors thereat, for the passage of the Washburn-Hatch anti-option bill, for the restriction of immigration, and for the submission of the proposed sixteenth amendment to the Constitution of the United States; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. PADDUCK presented the petition of J. A. Co-by and other citizens of Benkelman, Nebr., and of 100 members of the United Presbyterian Church of Parks, Nebr., praying for the passage of the Washburn-Hatch anti-option bill, and for adequate legislation restricting immigration, etc.; which was ordered to lie on the table.

He also presented a petition of the Federation of Labor Unions of Washington, D. C., praying for the passage of House bill 8537, providing for an effective eight-hour law for workmen; which was referred to the Committee on Education and Labor.

Mr. SANDERS presented a petition of the Journeymen Tailors' Union, of Great Falls, Mont., praying for the passage of House bill 8535, prohibiting smuggling into the United States under the guise of wearing apparel; which was referred to the Committee on Finance.

Mr. HISCOCK presented a memorial of the New York Mercantile Exchange, remonstrating against the passage of the Washburn-Hatch anti-option bill; which was ordered to lie on the table.

He also presented the petition of Thomas B. Keel and 58 other citizens of New York, praying for the passage of legislation authorizing the publication of certain statistics relating to the labor product and intellectual development of people of African descent residing in the United States; which was referred to the Committee on Education and Labor.

Mr. HISCOCK. I present three memorials of citizens of New York, bankers and business men of New York City, remonstrating against the passage of Senate bill 2626, providing for the construction of a bridge across the Hudson River between that city and the State of New Jersey, and I ask that the memorials be printed in the RECORD. I make this request because a petition on the same question was printed in the RECORD a few days ago.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from New York?

Mr. HARRIS. There is.

Mr. HISCOCK. I state that I ask that the memorials printed in the RECORD for the reason that a petition on the other side of the question was allowed to be printed in the RECORD.

Mr. PLATT. I thought the petition to which the Senator refers was not allowed to be printed in the RECORD.

Mr. HARRIS. I know of none of those general petitions that have been allowed to be printed in the RECORD, and certainly none of them would have been allowed if my attention had been called to it. I object to encumbering the RECORD with petitions on any subject.

Mr. HISCOCK. I withdraw the request.

The VICE-PRESIDENT. The petition to which the Senator from New York refers was not printed in the RECORD. Objection was made to that, and it was ordered printed as a document.

Mr. HISCOCK. Very well; let the memorials be printed as a document.

The VICE-PRESIDENT. The memorials will lie on the table and be printed as a document.

Mr. SHERMAN presented a petition of the First Presbyterian Church of Toledo, Ohio, and a petition of 285 citizens of Ohio, praying Congress not to repeal the law closing the World's Columbian Fair on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. ALLEN presented the petition of O. O. Wright and 60 other citizens of Douglas County, Wash., praying for the passage of the Washburn-Hatch anti-option bill; which was ordered to lie on the table.

Mr. CULLOM presented a petition of the Ladies' Missionary Society of the United Presbyterian Congregation of Henderson, Ill., praying for the passage of legislation closing the World's Columbian Exposition on Sunday, and that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. FRYE presented a petition of 23 citizens of Piscataquis County, Me., praying for the passage of the Washburn-Hatch anti-option bill; which was ordered to lie on the table.

Mr. BATE presented a memorial of the Memphis (Tenn.) Cotton Exchange, remonstrating against the action taken by that exchange on the 16th of November, in opposition to the Washburn-Hatch anti-option bill, and praying for the passage of that or some similar measure; which was ordered to lie on the table.

Mr. BRICE presented a petition of the State Grange of Delaware, Ohio, and a petition of the Farmers' Institute of Leontia, Ohio, praying for the passage of the Washburn-Hatch anti-option bill; which were ordered to lie on the table.

He also presented a petition of the Journeymen Tailors' Unions of Tiffin, Findlay, Youngstown, Delaware, Zanesville, and Toledo, all in the State of Ohio, praying for the passage of House bill 8535, limiting the free entry of wearing apparel of foreign manufacture; which was referred to the Committee on Finance.

He also presented memorials of the Preachers' Union of Toledo, Ohio, of L. M. Hoffman and 30 other citizens of Newton Falls, Ohio, of W. F. McCauley and other members of the Christian Endeavor Union and of the Ministerial Association of Findlay, Ohio, remonstrating against the passage of any legislation authorizing the opening of the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of citizens of Hamilton County, Ohio, remonstrating against the passage of any legislation authorizing the opening of the World's Columbian Exposition on Sunday; the sale of intoxicating liquors thereat; praying for the passage of the Washburn-Hatch anti-option bill, and advocating the submission of the proposed sixteenth amendment to unite church and state; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. TELLER presented a petition of the Journeymen Tailors' Union of Colorado Springs, Colo., praying for the passage of House bill 8535, limiting the free entry of wearing apparel of foreign manufacture; which was referred to the Committee on Finance.

Mr. MORRILL presented the petition of Willis Roberts, of Strafford, Vt., praying to be allowed a pension as a dependent father; which was referred to the Committee on Pensions.

Mr. PERKINS presented a petition of the heirs of Miguel Salinas, deceased, of Kansas, praying to be reimbursed for rents and houses and other property appropriated by the Government for the use of the United States Army; which was referred to the Committee on Pensions.

Mr. JONES of Arkansas presented a memorial of citizens of Monticello, Ark., remonstrating against any further consideration of the Washburn-Hatch anti-option bill; which was ordered to lie on the table.

Mr. WHITE presented a petition of members of the city council and various commercial bodies of the city of New Orleans, La., praying for the passage of legislation placing the Nicaragua Canal solely and exclusively under the control of the Government; which was referred to the Committee on Foreign Relations.

Mr. HARRIS presented a petition of citizens of Shelby County, Tenn., praying for the passage of the Washburn-Hatch anti-option bill; which was ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. TURPIE, from the Committee on Pensions, to whom was referred the bill (H. R. 6737) granting a pension to Delia R. Bradford, Twenty-fourth Michigan Volunteers, reported it without amendment, and submitted a report thereon.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 3533) to amend sections 4188 and 4189, Revised Statutes, for the grant of safety to navigation, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. 8966) establishing a fog signal at Tibbets Point, Lake Ontario, New York; and

A bill (S. 3510) to amend section 4347 of the Revised Statutes of the United States.

Mr. VOORHEES, from the Committee on the Library, to whom was referred the bill (S. 2089) to purchase the portrait of Daniel D. Tompkins, late Vice-President of the United States, painted by Jarvis in 1812, reported it without amendment, and submitted a report thereon.

Mr. McPHERSON, from the Committee on Naval Affairs, submitted a report to accompany the bill (H. R. 8760) providing for the sale of navy-yard lands in the city of Brooklyn, heretofore reported by him.

#### WILLIAM H. TAYLOR.

Mr. TURPIE. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 6024) for the relief of William H. Taylor, to report it without amendment. The bill is one of great merit, and as there is a present emergency for its passage, I ask the courtesy of the Senate for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll, at the rate of \$12 per month, the name of William H. Taylor, a crippled and dependent son of Uriah Taylor, deceased, late a member of Company A, Forty-ninth Regiment Indiana Volunteer Infantry, during the late civil war, and who died from disease contracted in said war while in line of duty soon after the close of the war in 1865.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### EULOGIES ON THE LATE REPRESENTATIVE SPINDA.

Mr. MANDERSON, from the Committee on Printing, to whom was referred the following concurrent resolution of the House of Representatives, reported it without amendment, and it was considered by unanimous consent, and agreed to:

*Resolved by the House of Representatives (the Senate concurring), That there be printed the eulogies delivered in Congress upon the Hon. Francis B. Spinda, late a Representative from the State of New York; 8,000 copies, which shall include 500 copies to be bound in full morocco, to be delivered to the family of the deceased; and of those remaining, 2,000 copies shall be for the use of the Senate and 5,500 copies for the use of the House of Representatives; and the Secretary of the Treasury is directed to have engraved and printed a portrait of the said Francis B. Spinda to accompany said eulogies.*

#### CIVIL SERVICE COMMISSION REPORT.

Mr. MANDERSON. I am directed by the Committee on Printing, to whom was referred a concurrent resolution of the Senate to print copies of the ninth annual report of the United States Civil Service Commission, to report it without amendment; and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution; which was read as follows:

*Resolved by the Senate (the House of Representatives concurring), That 23,000 copies of the ninth annual report of the United States Civil Service Commission with appendices be printed, of which 1,000 copies shall be for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 20,000 copies for the use of the United States Civil Service Commission.*

Mr. COCKRELL. Let the resolution be read again.

Mr. MANDERSON. The resolution is exactly as it was introduced by the Senator from Missouri. There is no change proposed by the committee and the number is the same as is provided for in the general printing bill.

Mr. COCKRELL. Very well.

The resolution was agreed to.

#### REPORT ON IMMIGRATION.

Mr. MANDERSON, from the Committee on Printing, to whom was referred the following concurrent resolution, submitted by Mr. CHANDLER on the 12th instant, reported it without amendment, and it was considered by unanimous consent, and agreed to:

*Resolved by the Senate (the House of Representatives concurring), That the Public Printer be, and he is hereby directed to print, within the page 12000 additional copies of the report of Immigration Commissioner H. J. Schuchert, contained in Part I, House Executive Document No. 255 first session Fifty-first Congress, pages 263 to 323, in folio; 2,000 to be for the use of the Treasury Department, 2,000 for the use of the House Committee on Immigration, 2,000 for the use of the Senate Committee on Immigration, 2,000 for the use of the Senate, and 1,000 for the use of the House.*

#### MRS. DORA MARSHALL.

Mr. PADDOCK, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, submitted yesterday by Mr. DAWES, reported it without amendment, and it was considered by unanimous consent, and agreed to:

*Resolved, That the Secretary of the Senate be, and he is hereby authorized and directed to pay out of the miscellaneous items of the contingent fund of*

*the Senate to Mrs. Dora Marshall, widow of James H. Marshall, deceased, late a messenger of the United States Senate, the sum of \$750, being an amount equal to six months' salary at the rate per annum allowed by law to the messenger aforesaid, said sum to be considered as including the funeral expenses and all allowances.*

#### BILLS INTRODUCED.

Mr. CARLISLE introduced a bill (S. 3590) for the benefit of Mrs. Anna C. Supplee, of Harrison, Ohio; which was read twice by its title, and referred to the Committee on Patents.

Mr. CAMERON introduced a bill (S. 3591) to authorize the allowance of commutation for quarters to officers of the Navy on shore duty; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. QUAY introduced a bill (S. 3592) to provide an American register for the steamer Oceano, of Philadelphia, Pa.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 3593) granting a pension to Veronica McGuire; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN (by request) introduced a bill (S. 3594) to confirm title to lots 13 and 14, in square 959, in Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CASEY introduced a bill (S. 3595) to amend an act entitled "An act for the relief of settlers upon certain lands in the States of North Dakota and South Dakota," approved August 5, 1882; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. POWER introduced a bill (S. 3596) to provide for the examination and classification of certain mineral lands in the States of Montana and Idaho; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PROCTOR introduced a bill (S. 3597) to establish companies of the Hospital Corps, United States Army, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 3598) to discontinue the Signal Corps and devolve the duties thereof upon other branches of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PUGH (by request) introduced a bill (S. 3599) for the relief of John A. Rollings, and James Giffillan; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. TELLER introduced a bill (S. 3600) granting an honorable discharge to Cyrus Payne; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PERKINS introduced a bill (S. 3601) granting to the Chicago, Rock Island and Pacific Railway Company the use of certain lands at Chickasha Station, in the Indian Territory; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 3602) granting to the Chicago, Rock Island and Pacific Railway Company a right of way through the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. HISCOCK introduced a bill (S. 3603) for the relief of B. J. Van Vleck, administrator of Henry Van Vleck, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3604) authorizing the Secretary of the Treasury to adjust and settle the account of the heirs of Alfred G. Benson with the United States; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3605) in relation to refunding certain sums to port wardens; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3606) for the relief of Ira Doane; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 3607) granting a pension to Mrs. Johanna Cashman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL (by request) introduced a bill (S. 3608) granting a pension to Herbert Vanderberg; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SAWYER introduced a bill (S. 3609) to punish robbery upon or wrecking of trains engaged in interstate commerce; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. PUGH (by request) introduced a bill (S. 3610) regulating the sale of paint, white lead, colors, and linseed oil; which was read twice by its title, and referred to the Committee on Manufactures.

Mr. HUNTON introduced a joint resolution (S. R. 121) author-



World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. McCLELLAN: Resolution of Tamarack Lodge, No. 39, of the International Association of Machinists of Garrett, Ind., condemning the action of the officers in charge of the Government works of West Troy, N. Y., in discharging a machinist for refusing to run two lathes at the same time, in violation of one of the cardinal principles of the Order—to the Committee on Labor.

By Mr. MARTIN: Petition of 101 citizens of Jay County, Ind., to accompany House bill for the relief of E. D. Pierce—to the Committee on War Claims.

By Mr. OHLIGER: Petition of Rebecca L. English, widow of Lieut. Samuel A. English, One hundred and twentieth Regiment, Ohio Volunteer Infantry, asking for a pension—to the Committee on Invalid Pensions.

By Mr. PATTISON of Ohio: Petition of the Rev. R. E. Smith and 62 other citizens of Milford, Ohio, against the repeal of the law closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. PAYNE: Petition of L. R. Muzzy and others, for a life-saving station at the mouth of Salmon River, on Lake Ontario, N. Y.—to the Committee on Commerce.

By Mr. RANDALL: Petition of Wm. H. Carney and others, of New Bedford, Mass., asking that the Board of Management of the Government exhibit at the World's Fair be allowed to publish certain parts pertaining to labor products—to the Select Committee on the Columbian Exposition.

By Mr. SCOTT: Petition of citizens of Bloomington, Ill., for an appropriation to assist in defraying the expenses of the Pan-American Medical Congress—to the Committee on Appropriations.

By Mr. WHEELER of Alabama: Six papers in reference to war claims of citizens of Alabama, as follows: of Cyrus Jones, of Madison County; Susan B. Garner, administratrix of William F. Garner, deceased; of Benjamin Carter, of Madison County; of F. P. Ward, executor of the estate of William Powers, deceased, of Madison County, and of Rhoda Lawler, executrix of the estate of Benjamin Lawler, deceased—to the Committee on War Claims.

By Mr. WILSON of West Virginia: Petition of Bryson Hamilton, of Randolph County, W. Va., praying that his war claim be referred to the Court of Claims, under the provisions of the Bowman act—to the Committee on War Claims.

Also, petition of the heirs of J. A. Hatton, deceased, late of Randolph County, W. Va., praying that his war claim be referred to the Court of Claims, under the Bowman act—to the Committee on War Claims.

## HOUSE OF REPRESENTATIVES.

SATURDAY, December 17, 1892.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Thursday was read and approved.

### STATE AND TERRITORIAL SOLDIERS' HOMES.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting estimate of deficiency in the appropriation for State or Territorial homes for disabled soldiers and sailors for fiscal year ending June 30, 1892, submitted by the Secretary of War; which was referred to the Committee on Appropriations.

### QUARANTINE SERVICE DEFICIENCY.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting estimate of deficiency in the appropriation for quarantine service for the fiscal year ending June 30, 1892; which was referred to the Committee on Appropriations.

### OFFICERS' QUARTERS, PORT ROYAL, S. C.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of the Navy, relating to the necessity of an additional appropriation for construction of officers' quarters at Port Royal, S. C.; which was referred to the Committee on Naval Affairs.

### DRY DOCK, PUGET SOUND, WASHINGTON.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate of appropriation for construction of the dry dock, Puget Sound, Washington, submitted by the Secretary of the Navy; which was referred to the Committee on Naval Affairs.

G. T. LARKIN.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting communication from the Attorney-General in reference to the expenses of G. T. Larkin, late deputy marshal, eastern district of Tennessee; which was referred to the Committee on Claims.

### ASSOCIATE PROFESSOR OF MATHEMATICS, WEST POINT.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting extract from the proceedings of the Academic Board, United States Military Academy, concerning the appointment of associate professor of mathematics at that institution; which was referred to the Committee on Military Affairs.

### ST. MARYS FALLS CANAL, MICHIGAN.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting copy of the report of Col. O. M. Poe, Corps of Engineers, relating to commerce passing St. Marys Falls Canal, Michigan; which was referred to the Committee on Interstate and Foreign Commerce.

### FRENCH SPOILIATION CLAIM.

The SPEAKER also laid before the House communication from the Court of Claims, transmitting copy of the findings of the court in the French spoliation claim arising out of the seizure of the brig *Horatio*; which was referred to the Committee on Claims.

D. K. TENNY.

The SPEAKER also laid before the House communication from the Court of Claims, transmitting copy of the findings of the court in the case of *D. K. Tenny vs. The United States*; which was referred to the Committee on War Claims.

### SENATE RESOLUTIONS REFERRED.

The SPEAKER also laid before the House resolutions of the Senate providing for the printing of 23,000 copies of the ninth annual report of the United States Civil Service Commission and 12,000 additional copies of the report of Immigrant Commissioner H. J. Schulteis; which were severally referred to the Committee on Printing.

### LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted, as follows:

To Mr. WASHINGTON, indefinitely, on account of important business.

To Mr. COOLIDGE, until the 22d instant, on account of important business.

### ENROLLED BILLS SIGNED.

Mr. SCOTT, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles; when the Speaker signed the same:

A bill (S. 869) to provide an American register for the large Sea Bird, of Perth Amboy, N. J.;

A bill (S. 1647) to authorize the Alabama Grand Trunk Railroad Company to bridge across the Tallapoosa and Coosa Rivers;

A bill (S. 1956) to make Punta Gorda a suburb of entry;

A bill (S. 2451) authorizing the Secretary of the Treasury to reconvey to Lucius U. Maltby and Louise W. Maltby, his wife, Margaret Elizabeth Lucas, and the Sea Girt Land Improvement Company a piece of land selected as a site for the Swan Inlet light station, New Jersey, but found to be unsuitable for the purpose of said station;

A bill (S. 3188) to extend to Duluth, Minn., the privilege of the first section of an act entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods; and for other purposes," approved June 10, 1890;

A bill (H. R. 6024) for the relief of William H. Taylor; and Joint resolution (S. R. 73) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point Francisco Aleantara, of Venezuela.

MRS. MARTHA STIFF.

Mr. FORNEY. Mr. Speaker, I ask unanimous consent to take from the Private Calendar a resolution agreed to by the Committee on War Claims.

The resolution was read, as follows:

*Resolved*, That the bill (H. R. 8430) for the relief of Mrs. Martha Stiff, of Cherokee County, Ala., now pending in the House, together with all the accompanying papers, be, and the same is hereby referred to the Court of Claims, in pursuance of the provisions of an act approved March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," to find and report to the House the facts bearing upon the merits of the claim and all other facts contemplated by the provisions of said act.

The SPEAKER. Is there objection to the present consideration of the resolution?



Mr. BURROWS. Mr. Speaker, I think that would better come up in the regular way.

Mr. FORNEY. It is simply a resolution to refer the matter to the Court of Claims. There is no money in it.

Mr. BURROWS. I understand that.

The SPEAKER. The gentleman from Michigan objects.

NIMROD J. SMITH.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6753) for the relief of Nimrod J. Smith, ex-chief of the Eastern Band of Cherokee Indians.

The bill was read, as follows:

Whereas Nimrod J. Smith was duly elected principal chief of the Eastern Band of Cherokee Indians on the 8th day of July, 1889, in accordance with the constitution of the general council of said Eastern Band of Cherokee Indians; and

Whereas the said Nimrod J. Smith duly qualified and entered upon the duties of the principal chief on the 8th day of July, 1889, and served in that capacity until the 5th day of October, 1891; and

Whereas the constitution and by-laws of the general council of the said Eastern Band of Cherokee Indians fixes the salary of principal chief at \$500 per annum; and

Whereas the general council in October, 1886, passed upon and allowed the claims of the said Nimrod J. Smith for six years' service as principal chief, amounting to \$3,000, and authorized the same to be paid out of any funds placed to the credit of said Eastern Band of Cherokee Indians in the Treasury of the United States. Therefore,

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, directed to pay Nimrod J. Smith \$3,000, out of any funds in the Treasury, or otherwise available, set apart for the use and benefit of the Eastern Band of Cherokee Indians, in compensation for six years' service as principal chief of said Eastern Band of Cherokee Indians.

With an amendment as follows:

*Be it enacted, etc.*, That said Nimrod J. Smith, on payment of the sum so appropriated, shall execute a release in full of all claims whatsoever against said band of Cherokee Indians up to the date of the passage of this act.

The SPEAKER. Is there objection to the present consideration of this date?

Mr. KILGORE. Mr. Speaker, I would like to inquire why it is that the Cherokee Indians can not settle their own matters with this gentleman, if he was their principal chief, and why the salary can not be paid to him by the consent of the Cherokee Indians?

Mr. CRAWFORD. That is just what we propose to do—to take the amount out of their own funds.

Mr. KILGORE. Why do not they agree to it without coming to Congress?

Mr. CRAWFORD. They have no control of the fund except by a vote of Congress. It is entirely under the control of Congress.

Mr. KILGORE. Does this relate to the North Carolina Cherokee Indians?

Mr. CRAWFORD. Entirely. This is a trust fund set apart and placed to the credit of these Indians in the Treasury of the United States.

Mr. KILGORE. Do they consent to this legislation?

Mr. CRAWFORD. Certainly, by an act of their council.

Mr. KILGORE. Then I do not object to it.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. CRAWFORD, a motion to reconsider the last vote was laid on the table.

#### TIMBER-CULTURE LAWS.

Mr. PICKLER. Mr. Speaker, I ask for the immediate consideration of the bill (H. R. 7691) to amend an act entitled "An act to repeal timber-culture laws, and for other purposes."

The bill was read for information.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. OUTHWAITE. Has that bill been reported favorably by any committee of the House?

Mr. PICKLER. Yes.

Mr. AMERMAN. Mr. Speaker, I object.

#### FORTIFICATIONS APPROPRIATION BILL.

Mr. BRECKINRIDGE of Kentucky, from the Committee on Appropriations, reported a bill (H. R. 9923) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; which was read a first and second time, and, with the accompanying report, ordered to be printed, and referred to the Committee of the Whole House on the state of the Union.

Mr. BRECKINRIDGE of Kentucky. Mr. Speaker, I desire to give notice that I will call that bill up on the 5th day of January.

Mr. BURROWS. Mr. Speaker, if it is necessary, I wish to reserve all points of order.

The SPEAKER. The gentleman from Michigan [Mr. BURROWS] reserves all points of order on the bill.

#### INCOME TAX.

Mr. OTIS. Mr. Speaker, I desire to offer the resolution which I send to the Clerk's desk, and I ask unanimous consent for its present consideration.

The resolution was read, as follows:

*Resolved*, That the Committee on Ways and Means are hereby instructed to consider and report back to the House at an early date House bill 720, referred to said committee March 14, 1892, being "A bill to equalize the burdens of taxation by creating graduated income tax."

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. SPRINGER. I object to it.

The SPEAKER. The Clerk will call the committees for reports.

#### DISTINGUISHING FLAGS AND SYMBOLS ON UNITED STATES VESSELS.

Mr. COOMBS, from the Committee on Interstate and Foreign Commerce, reported back with an amendment the bill (H. R. 9803) for the protection of distinguishing flags and symbols used on vessels of the United States; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### BOARD OF WATER COMMISSIONERS OF ERIE, PA.

Mr. AMERMAN, from the Committee on the Public Lands, reported back with an amendment the bill (H. R. 9826) granting rights and privileges to the board of water commissioners of the city of Erie, Pa.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### LOCATION OF LAND SCRIP BY ACTUAL SETTLERS.

Mr. McRAE, from the Committee on the Public Lands, reported back favorably the bill (H. R. 9411) supplementary to the act of Congress approved January 28, 1879, entitled "An act defining the manner in which certain land scrip may be assigned and located or applied by actual settlers, and providing for the issue of patents in the name of the locator or his legal representatives;" which was referred to the Union Calendar, and, with the accompanying report, ordered to be printed.

#### FINAL ADJUSTMENT AND SETTLEMENT OF CLAIMS OF ARKANSAS AND OTHER STATES.

Mr. McRAE, from the Committee on the Public Lands, reported back with amendments the bill (H. R. 9972) to finally adjust and settle the claims of Arkansas and other States under the swamp-land grants, and for other purposes.

The bill and amendments were ordered to be printed.

#### BRIDGE ACROSS THE ST. LAWRENCE RIVER.

Mr. GEARY, from the Committee on Interstate and Foreign Commerce, reported back, as a substitute for the bill H. R. 9905, a bill (H. R. 9939) for the construction and maintenance of a bridge across the St. Lawrence River; which was ordered to be printed.

#### MASONIC MUTUAL RELIEF ASSOCIATION OF THE DISTRICT OF COLUMBIA.

Mr. HEARD, from the Committee on the District of Columbia, reported back with an amendment the bill (S. 2943) to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia," approved March 3, 1864; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### CAPITOL, NORTH O STREET AND SOUTH WASHINGTON RAILWAY COMPANY.

Mr. HEARD, from the Committee on the District of Columbia, reported back with an amendment the bill (S. 2852) to change the name of the Capitol, North O Street and South Washington Railway Company; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

The call of committees for reports was concluded.

#### ORDER OF BUSINESS.

The SPEAKER. The morning hour begins at twenty-two minutes past 12 o'clock.

#### APPOINTMENTS, RESIGNATIONS, ETC., IN THE CENSUS OFFICE.

Mr. ALDERSON. Mr. Speaker, I rise to a privileged question. I desire to call up a resolution, which is entitled to consideration. It is a resolution introduced by myself on June 6.

The SPEAKER. The gentleman will send up the resolution.



The SPEAKER. Is there objection to the request of the gentleman from Ohio that this bill be considered in the House as in Committee of the Whole?

There was no objection, and it was so ordered.

Mr. OUTHWAITE. I yield five minutes to the gentleman from Indiana [Mr. HOLMAN].

Mr. HOLMAN. Mr. Speaker, I hardly think I ought to occupy much time on this question, for my memory is not very fresh in regard to the facts of the transaction. But I may state that some years ago there was made on an appropriation bill—perhaps the sundry civil bill, and perhaps it was in the Forty-eighth Congress, though I am not certain as to that—an appropriation of \$160,000 to pay for the lands occupied by the Government at Fort Brown, Tex. It was late in the session when the measure passed, and it was not carefully examined; indeed, it underwent no examination at all at the time it passed the House. I was then a member of the Committee on Appropriations. Soon afterward my attention was called to the fact that it was obvious the appropriation was unreasonably large; that the property was worth a comparatively small sum, and that \$40,000 or \$50,000 would be fully up to the value of the property and the amount due for occupation from 1847.

Accordingly, at the very next session of Congress, after the making of that appropriation of \$160,000, an investigation was set on foot. I believe that in three successive Congresses the subject has been investigated, and that the Committee on Military Affairs in each Congress has uniformly reached the conclusion that an appropriation of the amount I have just stated was entirely unwarranted and unjustifiable; that an appropriation of \$50,000, including the amount due for occupation of the ground since the time of the Mexican war, would be very ample.

As I have said, there have been three reports to this effect by the Committee on Military Affairs in three different Congresses. I myself examined the subject very carefully some years ago and reached the conclusion that the amount which should be paid was comparatively small. The bill proposing to appropriate \$50,000, and annulling the balance of the judgment was originally reported, I believe, three Congresses ago. I think this bill is a proper one and ought to become a law.

I wish to state further the very important fact that the Secretary of War has not paid out this money. It is very true that the title of the land was in dispute for some two or three years; but since the title has been adjusted the Secretary of War has declined to order the payment of this money—I presume upon the grounds expressed in the reports heretofore made, although I am not certain about that fact. At any rate the money has never been paid, although the appropriation was made many years ago.

Mr. OUTHWAITE. I move the previous question.

Mr. CULBERSON. Before the gentleman presses the demand for the previous question I wish to ask him whether this bill covers the claims of the owners of the land for use and occupation.

Mr. OUTHWAITE. This bill is intended to make full payment for the title of the land, if the parties can give a good title, and also for the occupation.

Mr. CULBERSON. My understanding was that the claim for use and occupation was more than \$50,000, the ground having been occupied ever since the Mexican war.

Mr. OUTHWAITE. Well, the bill, as I have said, covers the claim for occupation as well as compensation for the title. The language is—

That the sum of \$50,000 be appropriated out of any money in the Treasury, etc., to enable the Secretary of War to obtain a good and valid title and extinguish all claims for the use and occupancy of said reservation.

The previous question was ordered; and under the operation thereof the bill was ordered to be engrossed for a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. OUTHWAITE, a motion to reconsider the last vote was laid on the table.

#### NUMBER AND EXPENSES OF SIGNAL CORPS.

Mr. OUTHWAITE. The bill (H. R. 9896) to reduce the number of officers in and the expenses of the Signal Corps of the Army has not been reported from the committee; but I ask unanimous consent that I be now permitted to report it and call it up for action.

The SPEAKER. After the bill has been read the gentleman's request will be put to the House.

The bill was read.

Mr. PICKLER. I object.

The SPEAKER. This bill, not having been heretofore reported, can not be considered now without unanimous consent; and the gentleman from South Dakota [Mr. PICKLER] objects.

#### MUSTER AND PAY OF OFFICERS AND ENLISTED MEN.

Mr. OUTHWAITE. I call up the bill (H. R. 6649) to extend

the provisions of an act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces.

The SPEAKER. This bill is on the Union Calendar.

Mr. OUTHWAITE. I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

Mr. KILGORE. I object.

Mr. OUTHWAITE. I move, then, that the House resolve itself into Committee of the Whole on the state of the Union for the consideration of the bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union. Mr. O'NEIL of Massachusetts in the chair, and proceeded to the consideration of the bill (H. R. 6649) to extend the provisions of an act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces.

The bill was read, as follows:

*Be it enacted, etc.,* That the provisions of an act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces, approved June 1, 1887, as amended by an act approved February 5, 1887, be, and the same are hereby, revived and extended for a period of three years from the 3d day of June, 1892.

Mr. OUTHWAITE. Mr. Speaker, this bill is designed simply to extend the limitations of an act passed heretofore, and which was in force for a period of five years, I believe. On the 3d of February, 1887, an act to provide for the muster out and pay of certain officers and enlisted men of the volunteer forces was approved. The first section of said act was amended on the 3d of February, 1887. The second section of that act remains as follows:

That the heirs or legal representatives of any officer whose muster into the service has been or shall be amended hereby shall be entitled to receive the arrears of pay due such officer, and the pension, if any, authorized by law, for the grade into which such officer is mustered under the provisions of this act.

The fourth section remains as follows:

That the pay and allowances of a rank or grade paid to and received by any military or naval officer in good faith for services actually performed by such officer in such rank or grade during the war of the rebellion shall not be charged to or recovered back from any such officer because of any defect in the title of such officer to the office, rank, or grade in which such services were actually so performed.

The act expired by limitation on the 3d day of June, 1892; and it appears that there are still outstanding many claims as just as are those which have been already adjudicated and in many instances have been paid under the law cited. This arises from the fact that persons interested had not heard of the existence of the law giving them relief. Applications are now being made and presented to the Department for its action by those who have recently become acquainted with these conditions.

The claims yet to be presented are as just and meritorious as those which have been already passed upon, and for that reason the committee are of opinion that the act should be extended and the Government not take advantage of the statute of limitations as to this portion of the officers, when it has already recognized claims similar to these and adjudicated and paid them to other officers.

Mr. LIVINGSTON. Does the gentleman state that that is the only thing the extension will cover? Is that all that is in it?

Mr. OUTHWAITE. That is all that is in it. It is simply to extend these provisions of that law.

Unless some gentlemen wishes to discuss the bill I will ask unanimous consent to close debate upon it.

There was no objection.

Mr. OUTHWAITE. I move that the committee rise and report the bill to the House with a favorable recommendation.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. O'NEIL of Massachusetts reported that the Committee of the Whole House on the state of the Union having had under consideration the bill (H. R. 6649) had directed him to report it back with a favorable recommendation.

Mr. LIVINGSTON. Let us have the report read.

Mr. OUTHWAITE. I had intended calling the previous question; but I have no objection to the report being read if the gentleman wishes it.

The report (by Mr. ROCKWELL) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 6649) to extend the provisions of an act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces, submit the following:

On February 3, 1887, an act to provide for the muster out and pay of certain officers and enlisted men of the volunteer forces was approved.

The first section of said act was amended February 3, 1887. The second section remains as follows:

That the heirs or legal representatives of any officer whose muster into the service has been or shall be amended hereby, shall be entitled to receive the arrears of pay due such officer, and the pension, if any, authorized by law for the grade into which such officer is mustered under the provisions of this act.

The fourth section remains as follows:

That the pay and allowance of a rank or grade paid to and received by any

Mr. DINGLEY. And it can not be repaid, having been covered into the Treasury.

Mr. CAUSEY. It can not be paid for that reason.

Mr. DINGLEY. Is the amount covered by the bill the amount of the fine?

Mr. CAUSEY. The amount of \$400 is retained by the Treasury out of the total amount of the fine.

Mr. DOCKERY. Has it been reported by a committee of the House?

Mr. CAUSEY. Yes, sir; favorably.

There being no objection, the bill was considered, ordered to a third reading; and, being read the third time, was passed.

On motion of Mr. CAUSEY, a motion to reconsider the last vote was laid upon the table.

#### CITADEL ACADEMY, CHARLESTON, S. C.

Mr. BRAWLEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2981) for the relief of the Citadel Academy, of Charleston, S. C.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized and directed to relieve the Citadel Academy of the State of South Carolina, at Charleston, S. C., from all money responsibility for so much of the ordnance and ordnance stores issued to said Citadel Academy under its bond dated May 8, 1891, as was destroyed by fire on March 14, 1892.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BELTZHOVER. May I inquire of the gentleman from South Carolina the amount of value involved in this proposition?

Mr. BRAWLEY. I think it is only a few hundred dollars, though I am not able to state the exact amount. There were some guns loaned by the General Government to the Citadel Academy for the use of the students, which were destroyed by fire. I am not able, however, to state the exact amount.

Mr. BELTZHOVER. Has the gentleman no means of informing the House of the amount covered by the bill?

Mr. BRAWLEY. I have not, sir, except what is set forth in the report. I do not think it will exceed a thousand dollars, though.

Mr. BELTZHOVER. I think we ought to have some knowledge as to the amount involved.

Mr. BRAWLEY. It would be safe to state that it would not exceed a thousand dollars. These were old guns which were loaned to the students and destroyed by fire in the academy. It is precisely similar to a bill passed at this session for the relief of the University of Missouri.

Mr. BELTZHOVER. Is there any report from the Department upon it?

Mr. BRAWLEY. I have in my hand the report of the committee, which will explain the matter.

Mr. BELTZHOVER. I hope it will be read.

The report (by Mr. BUNN) was read, as follows:

The Committee on Claims, to whom was referred the bill (S. 2981) for the relief of the Citadel Academy, Charleston, S. C., beg leave to report:

Your committee have carefully considered the same and adopt the Senate report, which is as follows:

"The Committee on Military Affairs, to whom was referred the bill (S. 2981) for the relief of the Citadel Academy, of Charleston, S. C., having considered the same, report as follows:

"On the 14th of March last the Citadel Academy of the State of South Carolina, at Charleston, was partially destroyed by fire, and among other property consumed were certain arms and equipments issued by the War Department to that institution under existing laws. The fire occurred without fault on the part of the officers of the academy, and there was no insurance on the articles referred to.

"This bill authorizes the Secretary of War to relieve the academy from all money responsibility for the articles destroyed under its bond, dated May 8, 1891.

"The bill is in the form of an act passed at the present session of Congress for the relief of the University of Missouri, the facts in that case being substantially the same as in this.

"Your committee attach hereto a communication from the War Department in relation to this subject, and recommend the passage of the bill."

#### ORDNANCE OFFICE, WAR DEPARTMENT, Washington, D. C., April 21, 1891.

SIR: I have the honor to return herewith a letter from the superintendent of the South Carolina Military Academy and the affidavits which accompanied it. Some time ago an effort was made to relieve one of the colleges from responsibility for arms destroyed by fire. The Chief of Ordnance recommended that this should be done, and his recommendation was approved by the Secretary of War. It was discovered subsequently, however, that relief could not thus be given, and that the only method of obtaining it was by act of Congress. I enclose a copy of an act recently passed for a similar purpose, with the name of the college and dates changed to correspond with the case referred to by Mr. Coward.

Very respectfully, your obedient servant,

CHARLES SHALEK.

Captain, Ordnance Department, U. S. A., Acting Chief of Ordnance.  
Hon. M. C. BROWDER,  
United States Senate.

There being no objection, the bill was considered, ordered to a third reading; and, being read the third time, was passed.

On motion of Mr. BRAWLEY, a motion to reconsider the last vote was laid upon the table.

#### THOMAS CHAMBERS.

Mr. STEPHENSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1095) for the relief of Thomas Chambers.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas Chambers, of Mackinac Island, Mich., the sum of \$3,000, in full compensation for the additional expenses incurred by him in carrying the Canada mails, as contractor on route numbered 2443, from South Ste. Marie, Mich., to Mackinac, Mich., from July 1, 1875, to June 30, 1879, inclusive, he having contracted to carry United States mail only.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. DOCKERY. Mr. Speaker, let us have the report read, subject to objection.

The report (by Mr. BYRNS) was read, as follows:

The Committee on Claims, to whom was referred the bill (S. 1095) for the relief of Thomas Chambers, beg leave to report the same with the recommendation that it do pass.

A similar bill was favorably reported by your committee in the Fifty-first Congress, and has also passed the Senate this session, and report No. 9, made by Senator McMILLAN, from the Committee on Post Offices and Post-Roads, so fully sets forth the facts that your committee adopts the same and makes it a part of this report.

Your committee further recommends that H. R. 2148 lie upon the table.

#### [Senate Report No. 9, Fifty-second Congress, first session.]

A bill similar to this under consideration was introduced at the first session of the Fifty-first Congress and received a unanimously favorable report from this committee. That report is now adopted by your committee, and is as follows:

"This is a bill to reimburse Thomas Chambers, of Mackinac Island, Mich., for losses sustained by him as contractor on mail route No. 2443, from Mackinac to South Ste. Marie, Mich., for the four years ending June 30, 1879.

"In response to the invitation of the Post Office Department, made in October, 1874, for bids for carrying the mail on this route the claimant filed his proposal in conformity with the departmental instructions, and his bid of \$1,655 was accepted. The contract was completed and at the designated time he entered upon the service. In the course of events the weight of his mail matter was largely increased by foreign mail put up at Windsor, Canada, in through pouches, to be delivered on the border at South Ste. Marie, and it was incumbent upon the United States to transport this mail in pursuance of a postal arrangement concluded subsequent to the execution of the contract between this claimant and the Department. There was nothing in the invitation to bid nor in the contract itself contemplating this extra service.

"The Department avers that the claimant made oath that in bidding for the work he did so with full knowledge of the distance of the route, weight of mail to be carried, and all the particulars in reference to the route and service. He was obliged to do this under the terms prescribed, nevertheless he did it with the full knowledge of the facts, knowledge derived from experience in carrying the mail over this same route as subcontractor or employee when there was but one pouch to carry, when its weight was light, and it could be transported with the use of dogs or one saddle horse.

"Again, the Department refers to certain stipulations contained in the contract as to 'celerity, certainty, and security, using the word security as it may be necessary to transport the whole of said mail, whatever may be its size, weight, or contents during the term of the contract.' These again are the usual and formal stipulations, but in enumerating them the Department concedes that the contract contained no clause relative to carrying foreign mail; that it was not until 1883 that such clauses were inserted in contracts. Plainly no such extra service was contemplated by either party to this contract, and especially by the party of the second part.

"This man made his bid in good faith. His practical experience convinced him that he could fulfill his obligation without loss to himself or injury to his bondsmen. His estimate was based upon the cost of employing a team and one horse to carry one pouch. He knew that there could be no other increase. It came, but not by reason of any circumstance that he could have foreseen. It came in the form of foreign mail, not contemplated by the terms of the contract, as the Post Office Department admits; and it tripled his service, his expenses, his responsibility.

"In the opinion of the committee this case does not involve a mere question of technicality. It is one of equity and justice. Even by the terms of the contract the Department did not hold an advantage whereby it could demand this extra service for which there was no adequate compensation.

"If the Department, as it is assumed, has not the power to reimburse this man, it is the imperative duty of Congress to do it.

"The bill is reported favorably, with a recommendation that it do pass."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOLMAN. Mr. Speaker, I hope if the bill comes before the House, it will be with the understanding that there shall be an explanation of it.

The SPEAKER. The Chair hears no objection.

Mr. BUTLER. I would like to have a little explanation of this bill before action is taken thereon. I have some views in regard to it, but would like to hear from those in favor of the bill first. I do not wish to yield the floor, but if some gentleman can explain the point of this bill, I would like to hear the explanation, and I will yield time for that purpose.

The SPEAKER. The bill is before the House. The gentleman from Iowa [Mr. BUTLER] has the floor, and can yield time if he wishes to.

Mr. BURROWS. Mr. Speaker, I understand the gentleman from Missouri [Mr. BYRNS] made the report in this case, but is not present. I will say to the gentleman from Iowa [Mr. BUTLER] that if he listened to the reading of the report he would be fully advised as to the nature of the claim. The gentleman will observe that the last House passed this bill, and that it has also passed the Senate in the present Congress. It has now unanimously reported by the Committee on Claims of this House. It

will be seen therefore that the bill has passed both bodies at different times.

The gentleman will observe, if he listened to the report, that this contract was for carrying the mails at a time when they were of a domestic character entirely and required only one horse and one man for their transportation. Subsequently, after the contract was let and the contractor entered upon the performance of the duties involved, the mails were heavily increased by the addition of Canadian mails, so that he was obliged to triple the expense incurred by him in carrying the mails, thereby incurring a loss of about \$3,000 actually expended to carry out his contract. This bill, which has passed the Senate and been reported unanimously by the committee in this House, is to reimburse him. It was also reported unanimously in the last Congress, as I understand, by the Committee on Claims.

MR. OATES. Would it not be a rather dangerous precedent to establish if we should pass this bill? Do you not suppose there are a great many contractors who lose money by their contracts, and could they not with equal propriety come here and ask to be reimbursed for their losses?

MR. BURROWS. I do not think it would be dangerous. We could consider each case by itself.

MR. OATES. Is there any precedent already established?

MR. BURROWS. I do not know and have no interest in knowing whether there is any precedent or not. If this man's services were increased by the obligations imposed upon him subsequent to the making of the contract, so that he is really out the \$3,000, it seems to me, as a matter of equity, as the committee say in their report, he ought to be reimbursed.

MR. OATES. But is it not simply a case of a bad contract on his part, which he asks Congress to make good?

MR. BURROWS. No. When he made the contract he supposed there were no mails to be carried except our domestic mails. Subsequently the service was increased by these foreign mails.

MR. OATES. His compensation ought to have been increased then.

MR. BURROWS. That is what this bill is for.

MR. OATES. But the increase ought to have been made by the Department, and not here.

MR. BUTLER. Mr. Speaker, this bill is one the particulars of which I understand something about, and I wished to get the explanation in order that I might be sure that it was the case that I have in mind. This foreign mail which is said to have been increased under this contract was increased by an arrangement with Canada in 1873, whereby the mail from Sault Ste. Marie, Canada, was carried over this route from Sault Ste. Marie to Mackinac. That was in 1873. This man Chambers made his contract in 1875, two years later, it being a contract for four years, whereby he was to carry the mail from Sault Ste. Marie, via Stephensburg and St. Ignace, to Mackinac, a distance of 66 miles, three times a week, the route being numbered 12387; but the next year, the 14th day of July, 1876, the contract was so changed that the mail, instead of going over the whole line during the time that navigation was open, only went from St. Ignace, Mich., to Mackinac, a distance of 6 miles.

The Department then reduced the amount that was to be paid in the sum of \$761.36. The original contract was \$1,675. This reduction of the amount of work to be done made a reduction in the price, and he received after that \$913.61. He was paid one month's extra pay on account of the reduction. Now that was the mail that he carried. He carried this during the four years of his contract, and then the next man who took it, who was Hawkins Taylor, of Washington, took the contract for carrying the same mail at \$23.64 less than the other man had been carrying it for during the four years.

And now he comes here, after another contractor carried it for four years for less than he did, and asks to be reimbursed for money he claims to have expended in excess of his contract.

MR. DOCKERY. Do I understand the gentleman from Iowa to say that the present contractor carried this mail for \$23.64 less than the claimant in this case?

MR. BUTLER. I can not say anything about the present contractors. I know that the party, Thomas Chambers, had a contract to carry the mail from 1875 to 1879, and that his successor, Hawkins Taylor, carried it from 1879 to 1883 for \$23.64 less annually than Thomas Chambers carried it. It was a moderate mail, and the only material increase was an increase made two years before this Chambers had this contract at all.

MR. DOCKERY. Then the succeeding contractor in fact carried the mail for less than the beneficiary in this bill?

MR. BUTLER. Yes; for less than Chambers carried it.

MR. HEARD. Less than this man absolutely received.

MR. BUTLER. Yes; and there is no reason whatever why he should be paid this increased compensation. I know the route very well, having been over it, and it is simply because of that fact that my attention was first called to it. There is no report

from the Post-Office Department concerning it. They do not recommend its payment, and because there was no such recommendation I looked up the case and found the facts as I have stated. There is no justification for the claim, and this man ought not to receive one single dollar; and further than that, he was paid one month's salary more than he contracted for.

MR. DOCKERY. That seems to be clear.

The question was taken on ordering the bill to be read the third time, and the Speaker announced that the "noes" seemed to have it.

MR. STEPHENSON. Division.

The House divided, and there were—ayes 21, noes 60.

MR. STEPHENSON. No quorum.

The SPEAKER. The gentleman from Michigan [Mr. STEPHENSON] makes the point that no quorum has voted. The Chair will appoint as tellers the gentleman from Michigan [Mr. STEPHENSON] and the gentleman from Iowa [Mr. BUTLER].

The House again divided, and before the result was announced.

MR. STEPHENSON said: Mr. Speaker, I withdraw the point of no quorum, and ask that the bill go over until some other time.

The SPEAKER. The point of no quorum being withdrawn, the "noes" have it, and the House refuses to allow the bill to be read the third time.

LATE ENSIGN D. F. TERRELL.

MR. HOOKER of Mississippi. Mr. Speaker, I ask for the present consideration of the bill which I send to the Clerk's desk.

The bill was read, as follows:

A bill (S. 570) to provide for the removal of the remains of the late Ensign D. F. Terrell, United States Navy, from Sitka, Alaska, to his home in the State of Mississippi.

*Enacted.* That the Secretary of the Navy be, and he is hereby, authorized to make such arrangements as he may deem necessary and proper for the removal from Sitka, Alaska, to Crystal Springs, Copiah County, Miss., of the remains of the late Ensign D. F. Terrell, United States Navy, who died on board the United States steamer Pinta at Sitka, Alaska, on the 15th of April, 1891; and such expense as may be necessarily incurred thereby shall be paid out of any moneys in the Treasury not otherwise appropriated upon duly certified bills therefor.

MR. HOOKER of Mississippi. Mr. Speaker, the report accompanying this bill is a unanimous report from the Committee on Naval Affairs.

MR. BURROWS. It is all right.

MR. HOLMAN. I think, Mr. Speaker, that the report ought to be read.

MR. HOOKER of Mississippi. Very well, let it be read.

MR. HOLMAN. I have no objection to the bill.

The report (by Mr. PAGE of Maryland) was read, as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 570) providing for the removal of the remains of the late Ensign D. F. Terrell, United States Navy, from Sitka, Alaska, to his home in the State of Mississippi, have had the same under consideration and beg leave to report it back and recommend its passage, for the reasons stated in the report from the Committee on Naval Affairs in the Senate of the United States and the letter of the Secretary of the Navy, dated the 23d day of February, 1892, herewith appended.

(Senate Report No. 277, Fifty-second Congress, first session.)

The Committee on Naval Affairs, to whom was referred the bill (S. 570) providing for the removal of the remains of the late Ensign D. F. Terrell, United States Navy, from Sitka, Alaska, to his home in the State of Mississippi, have had the same under consideration and beg leave to report it back and recommend its passage, your committee concurring in the view held by the Secretary of the Navy in this case, as per letter of the 23d of February, 1892 herewith appended.

NAVY DEPARTMENT, Washington, February 27, 1892.

SIR: Referring to your letter of the instant, enclosing a copy of Senate bill No. 570, to provide for the removal of the remains of the late Ensign D. F. Terrell, United States Navy, from Sitka, Alaska, to his home in the State of Mississippi, and requesting the opinion of this Department as to the propriety of the bill, I have the honor to state that while, under the provisions of the Act of the 1st of February, 1862, the funeral expenses of a naval officer who dies in the United States can not be allowed, it would seem that, in view of the great distance of the ports of Alaska from any other ports of the United States, and of the long sea voyage which must be made in returning from Sitka, the port at which Ensign Terrell died, the case is not substantially different from that of an officer who dies while on duty in a foreign port.

Very respectfully,

B. F. TRACY, Secretary of the Navy.

HON. M. C. BUTLER.

Committee on Naval Affairs, United States Senate.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

MR. BEED. I would like to ask the gentleman from Mississippi if there is any provision by which the body of an American officer dying abroad can be brought to the United States?

MR. HOOKER of Mississippi. There is a statute on that subject to-day. The remains of an officer are allowed to be brought from abroad, but as Alaska is a Territory, though very distant from the United States, that statute would not apply in this case. This officer was buried in the ice and mountains, and we

W. Robinson and 38 other citizens of Bourbon County; of D. N. Caldwell and 19 other citizens of Sumner County; of A. Birnie and 19 other citizens of Crawford County; of J. M. Johnson and 21 other citizens of Bourbon County; of William Bailey and 20 other citizens of Butler County; of J. McAllister and 40 other citizens of Sedgwick County; of C. M. Garrison and 19 other citizens of Sedgwick County; of A. H. McKee and 22 other citizens of Sedgwick County; of W. Ives and 18 other citizens of Montgomery County; of J. A. Friend and 43 other citizens of Sedgwick County; of Charles Baldwin and 19 other citizens of Lafayette County; of Jno. W. Summers and other citizens of Chautauqua County, all in the State of Kansas, and of A. A. Liggett and 23 other citizens of Pettis County, Mo., praying for the appointment of a Senate committee to investigate the combine formed to depreciate the price of grain, and asking for the postponement of the Washburn-Hatch anti-option bill until such committee shall report; which were referred to the Committee on Agriculture and Forestry.

He also presented the petition of E. H. Lamb and other citizens of Chautauqua County, Kans., praying for the passage of legislation regulating speculations in fictitious farm products; which was ordered to lie on the table.

Mr. COKE. I present four petitions, numerously signed by citizens of Texas, exactly like those presented and explained by the Senator from Massachusetts [Mr. DAWES].

The petitions praying for the appointment of a Senate committee to investigate the combine formed to depreciate the price of grain, and now existing between the elevators, millers, and railroads at Minneapolis, Minn., and St. Louis, Mo., and asking for the postponement of the Washburn-Hatch anti-option bill until such committee shall report, were referred to the Committee on Agriculture and Forestry, as follows:

Petition of Peter J. O'Neil and 18 other citizens, of Worth, Tex.;

Petition of W. W. Morse and 17 other citizens, of San Antonio, Tex.;

Petition of J. W. McInnis and 24 other citizens, of Denison, Tex.; and

Petition of W. C. Arthur and 22 other citizens, of Sabine County, Tex.

Mr. COKE presented petitions of Joseph Wilson and other citizens of Jacksonville; of George H. Unges and other citizens of Dennison Springs; of J. H. Sillimen and other citizens of Necheville, and of J. N. Singletary and other citizens of Palestine, all in the State of Texas, praying for the passage of the Washburn-Hatch anti-option bill; which were ordered to lie on the table.

Mr. BATE presented the petition of Marion D. Thomas and 24 other citizens of Union County, Tenn., praying for the appointment of a Senate committee to investigate the combine formed to depreciate the price of grain, and asking for the postponement of the Washburn-Hatch anti-option bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Shelby County, Tenn., praying for the passage of the Washburn-Hatch anti-option bill; which was ordered to lie on the table.

Mr. MILLS presented petitions of Claude M. Starnes and 20 other citizens of San Antonio; of Charles H. Redferr and 21 other citizens of Dallas; of H. C. Hogen and 23 other citizens of Grayson, all in the State of Texas, praying for the appointment of a committee to investigate the combine formed to depreciate the price of grain, and asking for the postponement of the Washburn-Hatch anti-option bill; which were referred to the Committee on Agriculture and Forestry.

He also presented a memorial of 74 citizens of McKinney, Tex., remonstrating against the passage of the Washburn-Hatch anti-option bill; which was ordered to lie on the table.

He also presented a petition of 55 citizens of McLendon County, Tex., praying for the passage of the Washburn-Hatch anti-option bill; which was ordered to lie on the table.

Mr. WALTHALL presented memorials of J. H. Turner and other citizens of Belzoni; of W. R. Rife and other citizens of Columbus; of R. V. Powers and other citizens of Yazoo County; and of W. H. Madden and other citizens of Tehula, all in the State of Mississippi, remonstrating against the passage of the Washburn-Hatch anti-option bill; which were ordered to lie on the table.

He also presented a petition of the legislative committee of the National Grange of the Patrons of Husbandry, of Washington, D. C., praying for the early passage of the Washburn-Hatch anti-option bill; which was ordered to lie on the table.

He also presented petitions of citizens of Copiah County; of citizens of Claiborne County; of citizens of Flora; of citizens of Utica, and of citizens of Rankin County, all in the State of Mississippi, praying for the postponement of the consideration of

the Washburn-Hatch anti-option bill until the present cotton crop is marketed; which were ordered to lie on the table.

He also presented petitions of citizens of Macon, Miss., and of citizens of Pelahatchee, Miss., praying for the passage of the Washburn-Hatch anti-option bill; which were ordered to lie on the table.

Mr. TURPLE presented petitions of Westby M. McCutchen and 20 other citizens of Peru; of D. C. Cunningham and 20 other citizens of Evansville; of John C. Strong and 16 other citizens of Lafayette; of Charles Coppy and 24 other citizens of Knox County; of John S. Frick and 20 other citizens of Dubois County, and of Z. T. Graham and 26 other citizens of Albany, all in the State of Indiana, praying for the appointment of a committee to investigate the combine formed to depreciate the price of grain, and asking for the postponement of the Washburn-Hatch anti-option bill until such committee shall report; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Pastors' Club, of Albany, Ind., praying that no action be taken towards repealing the law closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadricentennial (Select).

Heals presented memorials of South Bend Lodge, No. 212, of South Bend, Ind., and of Falls City Lodge, No. 94, of New Albany, Ind., of the International Association of Machinists, remonstrating against the Government requiring machinists in charge of Government work at West Troy, N. Y., to run two or more machines; which were referred to the Committee on Appropriations.

Mr. PERKINS. I present a large number of petitions of citizens of Kansas of the character presented by the Senator from Massachusetts [Mr. DAWES].

I desire to say it is somewhat significant that all these petitions come to me from the city of St. Louis, Mo.

The petitions, praying for the appointment of a Senate committee to investigate the combine formed to depreciate the price of grain, and now existing between the elevators, millers, and railroads at Minneapolis, Minn., and St. Louis, Mo., and asking for the postponement of the Washburn-Hatch anti-option bill until such committee shall report, were referred to the Committee on Agriculture and Forestry, as follows:

Petition of George Reed and 17 other citizens of Sumner County, Kans.;

Petition of W. W. Dillard and 20 other citizens of Bourbon County, Kans.;

Petition of James Anderson and 17 other citizens of Coffey County, Kans.;

Petition of Mr. Knoff, of Leavenworth, Kans.;

Petition of J. T. Linburne and 33 other citizens of Topeka, Kans.;

Petition of Marian Henderson and 17 other citizens of Jackson County, Kans.;

Petition of J. J. Osler and 21 other citizens of Sedgwick County, Kans.;

Petition of W. P. Smart and 22 other citizens of Mason County, Ky.;

Petition of Thomas H. Franklin and 23 other citizens of Lawrence, Kans.;

Petition of T. B. Johnson and 23 other citizens of Shawnee County, Kans.;

Petition of R. D. Holly and 19 other citizens of Sedgwick County, Kans.;

Petition of Levy Benton and 19 other citizens of Sedgwick County, Kans.;

Petition of K. D. Doyle and 22 other citizens of Sedgwick County, Kans.;

Petition of C. P. Neff and 20 other citizens of Sedgwick County, Kans.;

Petition of H. C. Rollins and 23 other citizens of Woodson County, Kans.;

Petition of William Riley and 19 other citizens of Woodson County, Kans.;

Petition of J. B. Gillard and 22 other citizens of Montgomery County, Kans.;

Petition of W. S. Evans and 21 other citizens of Montgomery County, Kans.;

Petition of Clark Bailey and 20 other citizens of Coffey County, Kans.;

Petition of A. G. Allen and 17 other citizens of Crawford County, Kans.;

Petition of C. G. Lane and 21 other citizens of Crawford County, Kans.;

Petition of J. N. Fricky and 19 other citizens of Sumner County, Kans.;

Petition of F. Golche and 19 other citizens of Labetta County, Kans.;



Petition of F. J. Kenyon and 42 other citizens of Bourbon County, Kans.:

Petition of H. M. Logan and 17 other citizens of Butler County, Kans.:

Petition of B. E. Bradley and 20 other citizens of Crawford County, Kans.; and

Petition of William H. Ranson and 20 other citizens of Sedgewick County, Kans.

Mr. PERKINS presented the petition of Andrew J. Arnett, of Earlinton, Kans., praying that he may be granted an increase of pension: which was referred to the Committee on Pensions.

Mr. HANSBROUGH presented petitions of H. J. Rae and 23 other citizens of Cass County; of C. B. Rice and 23 other citizens of Cass County; and of P. A. Richardson and 23 other citizens of Richland County, all in the State of North Dakota, praying for the appointment of a Senate committee to investigate the combine formed to depreciate the price of grain, and asking for the postponement of the Washburn-Hatch antioption bill; which were referred to the Committee on Agriculture and Forestry.

Mr. SAWYER presented petitions of Henry C. Wachter and 10 other citizens of Wisconsin, and of the congregation of the Evangelical Lutheran Church of Clinton, Wis., praying for the passage of the Washburn-Hatch antioption bill; which were ordered to lie on the table.

He also presented a memorial of the Chamber of Commerce of Milwaukee, Wis., remonstrating against the passage of the Washburn-Hatch antioption bill; which was ordered to lie on the table.

Mr. MITCHELL presented a petition of citizens of the State of Oregon, praying for an extension of time for final entry and payment for lands embraced in the forfeiture act of September 29, 1890, and before that time granted to the Northern Pacific Railroad Company and lying in the State of Oregon, to all those persons who were at the time of the passage of such forfeiture act and who now are entitled to purchase the same: which was referred to the Committee on Public Lands.

He also presented a memorial of citizens of Pleasant Home, Oregon, remonstrating against a commitment of the United States Government to a union of religion and the state, by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of Robert Williams, sergeant of ordnance, United States Army, of Vancouver Barracks, Washington, praying for the passage of legislation authorizing his appointment as a second lieutenant of infantry in the Army and his retirement as of that grade: which was referred to the Committee on Military Affairs.

Mr. JONES of Arkansas. I present sundry petitions in printed form, with printed indorsements on the back, each of them in about the same language. They are the petitions of J. W. Chamblee and 21 other citizens of Jefferson County; of R. D. Logan and 20 other citizens of Benton County; and of W. M. Bailey and 21 other citizens of Jackson County, all in the State of Arkansas, praying for the appointment of a Senate committee to investigate the combine formed to depreciate the price of grain, and asking for the postponement of the Washburn-Hatch antioption bill until such committee shall report.

I move that the petitions be referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. JONES of Arkansas presented the petition of Amanda Ellington, of Magazine, Ark., widow of Capt. William J. Ellington, who served as chief of scouts with the Third Division, Seventh Army Corps, praying that a special pension act be passed in her behalf; which was referred to the Committee on Pensions.

Mr. CALL presented a petition of citizens of Escambia, Fla., members of the medical profession, praying that an appropriation of \$33,983 be made to assist in defraying the expenses of the Pan-American Medical Congress, to be held in Washington, D. C., September 5, 6, 7 and 8, 1891; which was referred to the Committee on Appropriations.

Mr. HALE presented a petition of Central Grange, Patrons of Husbandry, of Foxcroft, Me., praying for the passage of the Washburn-Hatch antioption bill; which was ordered to lie on the table.

He also presented a petition of the Maine State Board of Trade, praying for the passage of legislation providing for the consolidation of second, third, and fourth class mail matter under the second-class rating; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. ALDRICH presented a petition of citizens of Rhode Island of African descent, praying for equal recognition with

white citizens in the World's Columbian Exposition; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Baptist churches of Newport, R. I., praying for the passage of legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 16th instant approved and signed the following acts:

An act (S. 1661) granting an increase of pension to John Hallam; An act (S. 1591) terminating the reduction in the numbers of the Engineer Corps of the Navy; and

An act (S. 1940) for the relief of R. B. Woodson. The message also announced that the President had yesterday approved and signed the act (S. 2612) granting a pension to Tendo, chief of the Bannecks, Shoshones, and Sheepcater tribes of Indians.

#### REPORTS OF COMMITTEES.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the joint resolution (S. R. 119) conferring the control of the bridges in the District of Columbia on the Commissioners of the District of Columbia, reported it with an amendment, and submitted a report thereon.

Mr. PASCO, from the Committee on Public Lands, to whom was referred the bill (S. 3316) to restore the Fort Jupiter military reservation, in the State of Florida, to entry, reported it with amendments, and submitted a report thereon.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 9758), to amend the charter of the Eckington and Soldiers' Home Railway Company of the District of Columbia, reported it with an amendment, and submitted a report thereon.

Mr. JONES of Arkansas, from the Committee on Indian Affairs, to whom was referred the joint resolution (S. R. 119) authorizing the Secretary of the Treasury to retain and cover into the Treasury certain moneys, etc., reported it without amendment.

The VICE-PRESIDENT. The joint resolution will be placed on the Calendar.

Mr. JONES of Arkansas. There was a joint resolution to the same effect, passed by the House of Representatives, which was a few minutes ago referred to the Committee on Appropriations. If there is no objection I should be glad to have that reference canceled and the joint resolution lie on the table.

Mr. HALE. The reference was made at my suggestion. I have no objection to the course proposed by the Senator from Arkansas.

Mr. PLATT. There is no objection to that, but I desire to say, as one member of the Committee on Indian Affairs, I do not concur in the report which has been made by the Senator from Arkansas upon the joint resolution.

The VICE-PRESIDENT. The House joint resolution will be recalled from the Committee on Appropriations and lie on the table, if there be no objection. The Chair hears none.

Mr. MITCHELL, from the Committee on the Judiciary, to whom was referred the bill (S. 3337) for the relief of M. P. Dady, reported it with amendments, and submitted a report thereon.

Mr. VEST, from the Committee on Commerce, to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. 9487) to amend an act approved April 22, 1890, authorizing the Natchitoches Cane River Bridge Company to construct and maintain a bridge across Cane River, in Louisiana;

A bill (H. R. 8602) to authorize the construction of a bridge across the Mobile River by the Chicago, Mobile and Gulf Ports Railroad Company;

A bill (H. R. 9488) to amend an act approved March 2, 1891, authorizing the construction of a bridge across the Red River, Louisiana, by the Rapides Bridge Company, limited; and

A bill (H. R. 5752) to amend an act approved August 6, 1888, entitled "An act to authorize the construction of a bridge across the Alabama River."

#### SAFETY OF METZGEROTT HALL.

Mr. McMILLAN, from the Committee on the District of Columbia, who were instructed by resolution to report to the Senate whatever information they may have received relating to complaints made concerning the safety of Metzgerott Hall, submitted a report thereon, which was ordered to be printed.

#### LANDS IN THE DISTRICT OF COLUMBIA.

Mr. GALLINGER. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 6644)

to amend an act entitled "An act authorizing the sale of title of the United States in lot 3 in square south of square 990," approved March 3, 1891, to report it favorably, without amendment. Inasmuch as the bill is very brief and a similar Senate bill is on the Calendar reported by the same committee, I ask for the immediate consideration of the bill.

After reading, the Senate, by unanimous consent, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend the act by adding the following proviso:

*Provided, That the conveyance authorized and directed by this act shall be quietclaim and relinquishment only of any title that the United States may have in and to said lot, and that in no event shall the United States be liable for any costs, expenses, damages, or taxes in relation to said lot, and that the Secretary of the Interior be, and he is hereby, authorized and directed to so quietclaim, release, and convey the title of the United States in said lot to the said Baker & Sampson upon the payment into the Treasury by them of \$3,300.*

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. GALLINGER. I move that the bill (S. 3153) to amend an act entitled "An act authorizing the sale of title of the United States in lot 3 in square south of square 990," approved March 3, 1891, be taken from the Calendar and indefinitely postponed. The motion was agreed to.

#### PAY OF EMPLOYÉS.

Mr. DAWES. I am instructed by the Committee on Appropriations, to whom was referred the joint resolution (H. Res. 179) to pay the officers and employés of the Senate and House of Representatives their respective salaries for the month of December, 1892, on the 21st day of said month, to report it favorably, without amendment, and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### HOLIDAY RECESS.

Mr. DAWES. I am instructed by the Committee on Appropriations to report favorably the concurrent resolution of the House of Representatives providing for a holiday recess, and I ask for its present consideration.

The VICE-PRESIDENT. The concurrent resolution will be read.

The concurrent resolution was read, as follows:

IN THE HOUSE, December 15, 1892.

*Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Thursday, December 22, they will stand adjourned until Wednesday, January 4, 1893.*

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. SHERMAN. Let it go over for to-day.

The VICE-PRESIDENT. Objection being made, the concurrent resolution will go over.

#### REPORT ON LABOR IN EUROPE.

Mr. CHANDLER, from the Committee on Immigration, reported the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved, That the Secretary of State be directed to transmit to the Senate the report on the condition of labor in Europe recently made by Mr. Walter T. Griffin, United States commercial agent at Limoges, France.*

#### JOHN MALLOY.

Mr. SAWYER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 8907) to increase the pension of John Malloy, to report it without amendment, and I ask unanimous consent that it may be now considered.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to increase the pension of John Malloy, late a seaman on the sloop-of-war Preble, in the war with Mexico, from \$8 to \$45 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### SENATE PRIVILEGES AND ELECTIONS.

Mr. HOAR. I am directed by the Committee on Privileges and Elections, who were instructed to cause to be prepared for the use of the Senate a new edition of the book entitled "Senate Election Cases," with an addition in regard to the privileges of the Senate, to report that they have complied with the order of the Senate, and the same is offered to the Senate for its acceptance. I suppose the document will lie on the table and be printed.

The PRESIDING OFFICER (Mr. HARRIS in the Chair). It will be so ordered.

Mr. HOAR submitted the following concurrent resolution; which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring), That there be printed and bound, in addition to the usual number, 3,100 copies of the*

*compilation entitled "Senate Privileges and Elections" prepared by the Committee on Privileges and Elections under resolution of the Senate passed February 28, 1891, of which 1,500 copies shall be for the use of the Senate and 1,500 copies for the use of the House of Representatives and 100 for the clerk and printer.*

#### REPORT OF COMMISSIONER OF FISH AND FISHERIES.

Mr. LANDERSON, from the Committee on Printing, to whom was referred the following concurrent resolution, submitted by him on the 13th instant, reported it without amendment, and it was considered by unanimous consent, and agreed to:

*Resolved by the Senate (the House of Representatives concurring), That the report of the Commissioner of Fish and Fisheries, covering the operations of the Commission for the fiscal year ending June 30, 1892, be printed; and that there be printed 5,000 extra copies of said report, for the use of the Senate, 1,000 for the use of the House of Representatives, and 100 for the use of the Commissioner of Fish and Fisheries. The illustrations to be obtained by the Public Printer under the direction of the Joint Committee on Printing.*

#### BILLS INTRODUCED.

Mr. BATE introduced a bill (S. 3611) to amend the record of Capt. Thomas H. Reeves, United States Army, retired; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. DAWES introduced a bill (S. 3612) for the relief of Henry M. Everest, late a private of the Fifteenth Battery, Massachusetts Artillery Volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CAMERON introduced a bill (S. 3613) amending section 1113 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 3614) authorizing the Secretary of the Navy to make certain rules and regulations in relation to the naval rendezvous in April next, and for other purposes; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 3615) amendatory of an act making appropriations for the naval service for the fiscal year ending June 30, 1893, and for other purposes, approved July 19, 1892; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 3616) for the relief of Lieut. T. R. Kennedy, Company F, Ninth Pennsylvania Reserves; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CULLOM introduced a bill (S. 3617) concerning the testimony of witnesses before the Interstate Commerce Commission; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 3618) to amend an act entitled "An act to regulate commerce," approved February 4, 1887; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. DAWES introduced a bill (S. 3619) for the relief of Nathaniel McKay; which was read twice by its title, and referred to the Committee on Claims.

Mr. PROCTOR introduced a bill (S. 3620) to amend the act of Congress of February 12, 1887, entitled "An act to amend section 1661 of the Revised Statutes, making an annual appropriation to provide arms and equipments for the militia," which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3621) to reduce the number of officers in and the expenses of the Signal Corps of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DAVIS introduced a bill (S. 3622) for the relief of Anna W. Osborn; which was read twice by its title, and referred to the Committee on Claims.

Mr. McMEELAN introduced a bill (S. 3623) to amend an act of March 3, 1875, for the relief of the Columbian University, in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PERKINS introduced a bill (S. 3624) to pay Thompson McKinley \$375 for service voucher issued to him during the late war by Capt. George W. Harrison, assistant quartermaster, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3625) granting an honorable discharge to Walter Mitchell; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PLATT introduced a bill (S. 3626) granting a pension to Mrs. Honora Hennessey; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3627) granting a pension to Britton Brent; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WARREN introduced a bill (S. 3628) donating to the county

of Laramie, Wyo., certain bridges on the abandoned Fort Laramie military reservation, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. SHERMAN introduced a bill (S. 3629) to extend to the North Pacific Ocean the provisions of the statutes for the protection of fur seals and other fur-bearing animals; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 3630) for the relief of Nicholas Krier and others; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3631) granting a pension to Irvin B. Wright; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MANDERSON introduced a bill (S. 3632) to equalize the pay of officers of the Navy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 3633) to remove the charge of desertion from the military record of George W. McCloughan, late of Company B, Second United States Cavalry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. TELLER introduced a bill (S. 3634) to provide for building and maintaining an Indian industrial school at Unalaska, Alaska; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. STOCKBRIDGE introduced a bill (S. 3635) granting a pension to Mrs. John G. Malley; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PADDOCK introduced a bill (S. 3636) granting a pension to Mrs. Attie Grubb; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3637) granting an increase of pension to John Grady; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 3638) for the relief of N. J. Coffin; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. ALDRICH introduced a bill (S. 3639) granting a pension to Alice Warren; which was read twice by its title, and, with the accompanying paper, was referred to the Committee on Pensions.

He also introduced a bill (S. 3640) granting a pension to Eliza A. Fiske; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 3641) granting a pension to Sarah M. Phillips; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 3642) granting a pension to Honora Breslin; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. CAREY introduced a bill (S. 3643) to provide for the disposal of the Fort Bridger abandoned military reservation in the State of Wyoming; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HANSBROUGH introduced a bill (S. 3644) for the relief of the families of certain Indian policemen who were killed during the engagement at Sitting Bull's camp, on Grand River, December 15, 1890, and for the relief of Alexander Middle, who was wounded in said engagement; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 3645) granting medals to certain Indian policemen of the Standing Rock Agency, N. Dak.; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. McMILLAN introduced a joint resolution (S. R. 121) directing the Secretary of War to investigate the subject of raft-towing on the Great Lakes and their connecting waters; which was read twice by its title, and referred to the Committee on Commerce.

#### REGENTS OF SMITHSONIAN INSTITUTION.

Mr. MORRILL. I introduce a joint resolution and ask for its present consideration.

The joint resolution (S. R. 123) to fill vacancies in the Board of Regents of the Smithsonian Institution was read the first time by its title and the second time at length, as follows:

*Resolved by the Senate and House of Representatives, etc., That the vacancies in the Board of Regents of the Smithsonian Institution of the class other than members of Congress, shall be filled by the reappointment of James B. Angell, of Michigan, whose term of office expires on January 19, 1892.*

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. VEST. What is the measure?

Mr. MORRILL. It is a joint resolution providing for the reappointment of President Angell to the Board of Regents of the Smithsonian Institution.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The VICE-PRESIDENT. In this connection the Chair appoints the Senator from Delaware [Mr. GRAY] to fill the vacancy on the Board of Regents of the Smithsonian Institution caused by the death of the late Senator Gibson of Louisiana.

#### HERBERT CUSHMAN.

Mr. PALMER. I move that the vote by which the bill (S. 1754) for the relief of Herbert Cushman was indefinitely postponed be reconsidered with a view to its recommitment to the Committee on Military Affairs.

The motion to reconsider was agreed to by unanimous consent. The VICE-PRESIDENT. The bill will be recommitted in the absence of objection.

#### COUNT OF ELECTORAL VOTES.

Mr. TELLER. I submit a concurrent resolution for reference to the Committee on Privileges and Elections.

The concurrent resolution was read, as follows:

*Resolved by the Senate (the House of Representatives concurring). That the two Houses of Congress shall assemble in the Hall of the House of Representatives on Wednesday, the 8th day of February, 1893, at 1 o'clock in the afternoon, pursuant to the requirement of the Constitution and laws relating to the election of President and Vice-President of the United States, and the President of the Senate shall be the presiding officer; that two persons be appointed tellers on the part of the Senate, and two on the part of the House of Representatives, to make a list of the votes as they shall be declared; that the result shall be delivered to the President of the Senate, who shall announce the state of the vote and the persons elected, to the two Houses assembled as aforesaid, which shall be deemed a declaration of the persons elected President and Vice-President of the United States; and, together with a list of the votes, be entered on the journals of the two Houses.*

Mr. TELLER. I should like to state that after examining the statutes it seems to me that the statute executes itself. But this was the course pursued four years ago, and I thought it better to introduce the resolution and have it referred to the Committee on Privileges and Elections, so as to take the opinion of the committee upon the subject.

Mr. HOAR. I desire to say to the Senator from Colorado, the chairman of the Committee on Privileges and Elections, that the provision of the Constitution that each House may prescribe the rules of its own proceeding has been sometimes thought to prevent Congress from enacting by law provisions for the direction of either House as to the time or mode of its proceeding without the special assent of that particular House in the particular Congress. Without suggesting for a moment that that is a sound view, the committee four years ago thought it the safer way, in a matter of such transcendent importance, to avoid that question by having the provisions of the statute also made a joint rule of the two Houses.

The VICE-PRESIDENT. The concurrent resolution will be referred to the Committee on Privileges and Elections.

#### MRS. MARY A. MERRITT.

Mr. DAVIS submitted the following resolution: which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay, out of the miscellaneous items of the contingent fund of the Senate, to Mrs. Mary A. Merritt, widow of John G. Merritt, deceased, late a messenger acting as assistant door-keeper of the United States Senate, the sum of \$300, being an amount equal to six months' salary at the rate per annum allowed by law to the aforesaid messenger acting as assistant door-keeper, said sum to be considered as including the funeral expenses and all allowances.*

#### HEARINGS BEFORE COMMITTEE ON INDIAN AFFAIRS.

Mr. DAWES submitted the following resolution: which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved, That the Committee on Indian Affairs have authority for the employment of a stenographer to report the hearing before said committee on the 16th instant relative to payment of Indian depredation claims; also that said committee be authorized to employ a stenographer to report hearings before said committee whenever the committee shall so order; the expense of such employment to be paid out of the contingent fund of the Senate.*

#### INDIAN DEPREDAATION CLAIMS.

Mr. FAULKNER. I submit a resolution, and ask for its present consideration.

The resolution was read, as follows:

*Resolved, That the Attorney-General be, and he is hereby, directed to report to the Senate the total number of Indian depredation claims already filed in the Court of Claims, with the total amount claimed therein; the number of cases claimed as entitled to priority of consideration and the amount claimed therein; the number to which such consideration has been given and the amount claimed therein; and the number and amount of*

proceeded with immediately after the routine business to-morrow morning. Is there objection? The Chair hears none.

#### SALE OF NAVY-YARD LANDS IN BROOKLYN.

Mr. McPHERSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from New Jersey?

Mr. HOAR. Let my motion be considered as having been informally waived.

Mr. McPHERSON. I wish to ask for the immediate consideration of House bill 8760, Order of Business 1153, a bill which will only take the time necessary to read it. It is a short but an important bill.

Mr. HOAR. Let the bill be read for information.

The PRESIDING OFFICER. The title of the bill will be stated.

The SECRETARY. A bill (H. R. 8760) to provide for the sale of navy-yard lands in the city of Brooklyn.

The PRESIDING OFFICER. The Senator from New Jersey asks unanimous consent of the Senate that the bill, the title of which has been read, be now considered. Is there objection?

Mr. HOAR. I desire to have the bill read at length for information.

The PRESIDING OFFICER. The bill will be read at length, subject to objection.

The Secretary read the bill, and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### SALE OF LANDS NEAR FORT MIFFLIN.

Mr. HOAR. I now move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is the bill (H. R. 7845) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling certain products to obtain license, and for other purposes, pending which the Senator from Massachusetts moves that the Senate proceed to the consideration of executive business.

Mr. CAMERON. With the consent of the Senator from Massachusetts, I ask that the Senate take up at this time a bill which has come from the House of Representatives, with amendments.

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Pennsylvania?

Mr. CAMERON. The bill will take but a moment.

Mr. HOAR. Very well.

Mr. CAMERON. I ask that the amendments of the House of Representatives to Senate bill 3298 may be laid before the Senate, and that the amendments made by the House of Representatives be concurred in.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3298) authorizing the sale of land in the vicinity of Fort Mifflin on the River Delaware.

The amendments of the House of Representatives were, in line 1, after the words "Secretary of War," to insert "and the Secretary of the Navy;" in the same line, after the word "being," to strike out "is" and insert "are;" in line 3, to strike out the word "himself" and insert "themselves;" and in line 13, after the words "Secretary of War," to insert "the Secretary of the Navy."

The PRESIDING OFFICER. The question is on the motion of the Senator from Pennsylvania that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

#### EXECUTIVE SESSION.

Mr. HOAR. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened.

#### DEALING IN "OPTIONS" AND "FUTURES."

The PRESIDING OFFICER. The Senate, as in Committee of the Whole, resumes the consideration of the bill (H. R. 7845) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling such products to obtain license, and for other purposes. The pending question is upon the amendment proposed by the Senator from Virginia [Mr. DANIEL], to strike out section 19.

Mr. BLACKBURN. I move that the pending bill be laid aside, and that the Senate proceed at this time to the consideration of the bill (S. 2626) to authorize the New York and New Jersey

Bridge Company to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey.

The PRESIDING OFFICER. The Senator from Kentucky moves that the Senate proceed to the consideration of the bill indicated by him.

Mr. WASHBURN. I rise to a parliamentary inquiry. If the motion of the Senator from Kentucky prevails, do I understand that the antioption bill would lose its place on the Calendar as unfinished business?

The PRESIDING OFFICER. If the motion of the Senator from Kentucky prevails it would displace the unfinished business.

Mr. BLACKBURN. Before making the motion, I wish ask unanimous consent that the Senate now proceed to the consideration of the bill I have indicated.

The PRESIDING OFFICER. The Senator from Kentucky asks the unanimous consent of the Senate that the bill indicated by him be now considered, the unfinished business being informally laid aside.

Mr. FRYE. I object.

Mr. BLACKBURN. Then I withdraw my motion.

The PRESIDING OFFICER. The Senator from Kentucky moves that the Senate proceed to the consideration of Senate bill 2626.

Mr. FRYE. I hope the Senator from Kentucky will withhold the motion until after the holiday recess.

Mr. BLACKBURN. I should like to know upon what ground that request is based.

Mr. FRYE. I have just received.

The PRESIDING OFFICER. The Chair indulges this colloquy by unanimous consent. The question pending is not a debatable one.

Mr. BLACKBURN. I understand it, sir, and I do not desire to debate it.

Mr. FRYE. I have a telegram dated December 19—

Mr. BLACKBURN. I object to any debate unless we are to be heard on both sides.

Mr. WASHBURN. I call for the regular order, and demand the yeas and nays upon the motion of the Senator from Kentucky [Mr. BLACKBURN].

Mr. BLACKBURN. I second that call.

The yeas and nays were ordered.

Mr. BATE. I have just come into the Chamber. Will the Chair let us know what we are to vote on?

The PRESIDING OFFICER. The Senator from Kentucky moves that the Senate proceed to the consideration of the bill (S. 2626) to authorize the New York and New Jersey Bridge Company to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey. The question is, Will the Senate agree to the motion, upon which the yeas and nays have been ordered? The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. VEST (when Mr. COCKRELL'S name was called). My colleague [Mr. COCKRELL] is absent on account of affliction in his family. He is paired with the Senator from Iowa [Mr. ALBISON].

Mr. BERRY (when Mr. IRBY'S name was called). The Senator from South Carolina [Mr. IRBY] requested me to state that he was necessarily compelled to be at home, and I understood him to say that he is in favor of the antioption bill, and would vote against the pending motion.

Mr. PALMER (when his name was called). On this question I am paired with the Senator from South Dakota [Mr. KYLE]. I understand that if he were present he would vote "nay" and I should vote "yea."

Mr. QUAY (when his name was called). I have a general pair with the Senator from West Virginia [Mr. FAULKNER]. I am not aware of his opinion on the bridge bill, and I withhold my vote.

Mr. DUBOIS (when Mr. SHOTT'S name was called). My colleague [Mr. SHOTT] is absent, having been appointed by the Vice-President a member of the committee to attend the funeral of the late Senator Gibson, of Louisiana.

Mr. WALTHALL (when his name was called). I am paired on this question with the Senator from Rhode Island [Mr. DIXON], who is absent on account of illness in his family. If he were present, I should vote "nay."

Mr. WILSON (when his name was called). I have a general pair with the Senator from Georgia [Mr. CONGER]. I do not know how he would vote on the pending motion, and I therefore withhold my vote.

The roll call is concluded.

Mr. CAMERON. I am paired with the Senator from South Carolina [Mr. BARTER]. Not knowing how he would vote, I withhold my vote.

Mr. HILL (after having voted in the affirmative). I am paired with the Senator from South Carolina [Mr. JEBB] on the anti-option bill. I am told that the effect of the pending motion is to displace the anti-option bill. I have no desire to do that. Possibly I ought to withdraw my vote, and not vote at all upon this question. I think I will withdraw my vote under the circumstances.

THE PRESIDING OFFICER. The Senator from New York withdraws his vote.

Mr. WILSON. I am informed that the Senator from Georgia [Mr. CONQUEST], if present, would vote "nay." I will therefore vote "aye."

The result was announced yeas—43, nays 41, as follows:

YEAS—43.			
Albion,	Gibson,	Mills,	Vilas.
Blanchard,	Gray,	Senders,	
Booth,	Harris,	Stewart,	
Brace,	Hunt,	Vest,	
NAYS—41.			
Allan,	Dubois,	Michell,	Sherman,
Bate,	Frye,	Morgan,	Stockbridge,
Berry,	Gallinger,	Morrill,	Teller,
Call,	George,	Pasco,	Turpie,
Cass,	Hale,	Pfeffer,	Vance,
Chandler,	Hansbrough,	Perkins,	Washington,
Cole,	Hiscock,	Platt,	Wilson,
Cullom,	Hoar,	Proctor,	Wheeler,
Davis,	Jones of Ark.,	Pugh,	
Davies,	McMillan,	Ransom,	
Dolph,	Manderson,	Sawyer,	
NOT VOTING—33.			
Allison,	Paulaner,	Kenna,	Squire,
Butler,	Pelton,	Kyle,	Stonford,
Cameron,	Docton,	McPherson,	Voorhees,
Cary,	Corman,	Paddock,	Wadsworth,
Carlisle,	Howan,	Palmer,	Warren,
Cochran,	Hughes,	Pettigrew,	White,
Coleman,	Hill,	Power,	
Daniel,	Irby,	Quay,	
Dixon,	Jones of Nev.,	Shoup,	

So the motion was not agreed to.

THE PRESIDING OFFICER. The pending question is on the amendment proposed by the Senator from Virginia [Mr. DANIEL] to strike out section 10.

Mr. FRYE and Mr. MORGAN. Let it be read.

THE PRESIDING OFFICER. The Secretary will read the amendment.

The Secretary read the section proposed to be stricken from the bill.

Mr. PALMER. Mr. President, I have no embarrassment in regard to my position on this measure. During my canvass for Senator in Illinois I was asked publicly by a body which claimed to represent the farmers of Illinois whether I would vote for a bill like this, and by a public letter, or a letter which was published, and in speeches made in various parts of the State I said no.

The option clause, the first section of the bill, is in itself satisfactory and comprehensive to my mind than the statute of Illinois on the same subject. We have in that State a well considered statute which covers all and much more than the first section of this bill. The statute of Illinois does not attempt to define options, but it is assumed in the statute that the word "option" is one that has a known legal signification, and dealing in options is prohibited and is punished in addition by adequate fines and penalties.

I therefore said to those who asked me that there being a law in the State, a careful, well-considered statute, nothing more could be gained by mere legislation. It was said to me by gentlemen who differed with me that the law of Illinois was not thoroughly enforced. I admitted that to be true, and I said, and say here, it is not wise to enact laws simply to be disregarded. I apprehend that this proposed law would like that be disregarded, if it were free from any constitutional objection.

I regret, Mr. President, this disposition on the part of the people, for it is with them, and a disposition which I believe by their representatives in the States and in Congress, to multiply criminal or penal statutes. It may be said, and some contradictory, too, to say it, that the enactment of a law which public opinion will not sustain and enforce is of itself demoralizing. The example of the disregard of law is of itself an evil; it is demoralizing. Legislation, in my judgment, to be wise must be but the mere expression of the public will and supported by the public conscience.

If we are to believe the reports we have through the press, option dealing is regarded in most of the large cities as absolutely free from offense. I regret that it is so, but it is the case; and while that state of public sentiment exists it seems to me to be unwise to multiply mere formal declarations, frequently declarations or claims made by the people without understanding

them very clearly; and frequently laws of that sort are passed in the States and in Congress from a mere suspicion that they are demanded by the people when really they are not.

In view of a section of the pending bill to which I will refer, I regret that the definition of options in the bill is so imperfect and unsatisfactory. The twelfth section of the bill provides—

That neither the payment of the taxes hereinafter provided nor the collection thereof by the collector of internal revenue under this act shall be held to exempt any person as partner, copartner, or corporation from any penalty or punishment now or hereafter provided by the laws of any State or Territory for making, transferring, or assigning contracts or agreements such as are hereinafter defined as "options," or "futures," or contracts or agreements, or in any manner to authorize the making, transferring, or assigning of such contracts or agreements, within any State, Territory, or locality contrary to the law of such State, Territory, or locality; nor shall the payment of the taxes imposed by this act be held to exempt any State, Territory, or municipality from placing a tax or duty on the same trade, transaction, or business for State, Territory, municipal or other purposes.

I supposed that the options defined by the first section of the bill were transactions condemned by the laws of Illinois, and I was inclined to oppose the bill upon the ground that this exception destroyed its uniformity. If the bill receives the construction contended for by those who favor it, the section I have read does destroy its uniformity, because its effect would be to take out of the operation of the bill all the States in which options are forbidden, as in many of the States, or futures, which are forbidden I believe by the laws of but one of the States of the Union. I am inclined to think from a very cursory examination that in the State of Georgia there is or was a law forbidding transactions in futures.

But in examining this bill more carefully I am inclined to think that the options of the bill are not the options of the courts and the Legislatures. I am inclined to believe that the options of the bill are a harmless transaction which has never been made the subject of judicial or legislative discussion or reprehension. For the purpose of making myself understood, I will read the first section:

That for the purposes of this act the word "options" shall be understood to mean any contract or agreement whereby a party thereto, or any party for whom or in whose behalf such contract or agreement is made, acquires the right or privilege, but is not thereby obligated, to deliver to another or others, at a future time, or within a designated period, any of the articles mentioned in section 3 of this act.

As I suppose contracts precisely such as are defined in this section are unknown in commerce it would be valueless; it would do no harm and no good. I know of no instance in which such contracts have been made. The options of the books and the law are contracts for the sale and delivery of articles at a future time with an express or implied agreement that particular articles are not to be delivered according to the contract, but that the differences between values at the two periods, the time of the sale and the time of the supposed delivery, are to be adjusted by the parties. Those are the options of the text-books.

In this case nothing more is necessary. I suppose, to convict a party that a contract or agreement shall be produced whereby a party thereto, or any party for whom or in whose behalf such contract or agreement is made, acquires the right or privilege, but is not thereby obligated to deliver to another or others, at a future time or within a designated period, any of the articles, which are named in section 3. I suppose the essential element of options is entirely wanting in the definition of options furnished by the bill for its own purposes. The essential element of an option, whether the contract is in the form of a privilege or in any other of the forms recognized in trade, is that there shall be an agreement or understanding, either expressed in the contract or implied outside of the contract, that the differences in value shall be adjusted between the parties at the time fixed or at some time to be agreed upon.

If there was an indictment under this section and a contract was shown in evidence whereby in addition to the privileges the party was obliged to deliver, I suppose that would satisfy the requirement of the proposed statute and would necessarily meet the charge of a violation of this bill if enacted into law. It seems to me therefore that the section is of itself without meaning, and I am quite sure it is not covered by any of the statutes of any of the States in which options are defined or punished.

I wish to state, in addition, that options, as understood, are contrary to the laws of all the States, and if the bill did, in fact, define options, it might be said that it would have no operation in any State, because in every State, I believe, if there are any exceptions I do not know what the exception is, option contracts, wager contracts, are forbidden; I do not mean by statutes, but the courts have held them to be wager contracts, contrary to public policy and public morality; and in every instance the courts have refused to enforce them. I think that is the law of all the States in the Union.

If, then, the first section did in fact define the options to which I refer, options within the meaning of the laws or the wager contract which is condemned by laws and by judicial decisions,

der, crippled son of a Revolutionary soldier—to the Committee on Pensions.

By Mr. RUSSELL: A bill (H. R. 9988) granting a pension to Sarah Warner—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1, Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BELTZHOFF: Four petitions of York, Pa., one of the United Brethren Congregation, the second of the Calvary Presbyterian Church, the third of the Trinity Evangelical Lutheran Church, and the fourth of the Keystone League of the Christian Endeavor Society, all against the opening of the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition for the relief of William and Mary College, to accompany House bill 6862—to the Committee on War Claims.

By Mr. CHIPMAN: Petition of Frankziska Eeendorff, to remove charge of desertion from the record of Leopold Rodopp—to the Committee on Military Affairs.

By Mr. CRISP (by request): Petition of the Southwest Silver Convention, held at El Paso, Tex., asking the passage of a bill for the free and unlimited coinage of silver—to the Committee on Coinage, Weights, and Measures.

Also, memorial of the Legislature of the State of Georgia, asking the repeal of the 10 per cent tax on State banks—to the Committee on Ways and Means.

By Mr. DOLLIVER: Petition of Joseph Graham, of Boone County, Ill., for relief—to the Committee on Military Affairs.

Also, petition of Francis McElroy, of Pocahontas County, Iowa, for relief—to the Committee on Invalid Pensions.

By Mr. HAYNES of Ohio: Petition of the Sunday School Association of Ohio, against the opening of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. LAYTON: Protest of the Sabbath Association of Illinois, against the opening of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. MARTIN: Affidavit of applicant and affidavits and petition of his neighbors, to accompany House bill granting a pension to Joseph W. Snyder, crippled son of a Revolutionary soldier—to the Committee on Pensions.

By Mr. ROBINSON of Pennsylvania: Petition of the Sabbath Association of Illinois, against the reconsideration of the Sunday-closing law as to the World's Fair—to the Select Committee on the Columbian Exposition.

By Mr. SCOTT: Petition of Alfred N. Muney, for relief—to the Committee on Accounts.

By Mr. SIPE: Resolutions of the Upper Ten Mile Presbyterian Church, of Washington County, Pa., commending Congress for closing the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WAUGH: Papers to accompany House bill 7444, of Henry W. Hackley, for correction of his military record and his discharge—to the Committee on Military Affairs.

#### SENATE.

WEDNESDAY, December 21, 1892.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

#### REPORT OF INTERSTATE COMMERCE COMMISSION.

The VICE-PRESIDENT laid before the Senate the sixth annual report of the Interstate Commerce Commission: which, on motion of Mr. CULLOM, was, with the accompanying papers, ordered to lie on the table, and be printed.

#### PETITIONS AND MEMORIALS.

Mr. SHERMAN presented the petition of Charles A. Hawkins and 24 other citizens of Toledo, Ohio, praying for the appointment of a Senate committee to investigate the combine formed to depreciate the price of grain, and asking for the postponement of the Washburn-Hatch antiopion bill until such committee shall report; which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of Twin Valley Grange No. 657, Patrons of Husbandry, of El Dorado Grange Patrons of Husbandry, and of Pomona Grange No. 64, Patrons of Husbandry, all in the State of Ohio, praying for the passage of the Washburn-Hatch antiopion bill; which were ordered to lie on the table.

Mr. BATE presented the petition of M. E. Spurgin and other citizens of Hilton, Tenn., and the petition of C. L. Wall and

other citizens of Fayette County, Tenn., praying for the passage of the Washburn-Hatch antiopion bill; which were ordered to lie on the table.

Mr. MORGAN. I present a memorial of the General Assembly of the State of Alabama, and ask that it be read.

The memorial was read, as follows:

Joint memorial to Congress in reference to construction of Nicaragua Canal.

The joint memorial of the senate and house of representatives of the State of Alabama in General Assembly convened to the Senate and House of Representatives of the United States of America in their assembled session, respectfully shows unto your honorable bodies:

First. That the construction of the Nicaragua Canal would greatly benefit the State of Alabama by opening up new markets for her agricultural products, notably cotton, and for her mineral products, particularly iron, steel, and coal. That it would increase her sales of lumber and ship stores, and by making the Gulf of Mexico the highway for the trade and commerce of the world, would stimulate the growth of her Gulf ports and the development of all her resources.

Second. That the entire Mississippi Valley, including the lake ports, would feel the beneficial influence of practically another mouth to the great river opening into the Pacific Ocean.

Third. That the Atlantic seacoast will reap benefit by the shortening of the distances to our Pacific coasts and to the East, enabling it better to compete with Europe for the Pacific Ocean trade, and stimulating its ship-building and shipping interests.

Fourth. That our Pacific coast States would find every industry and source of prosperity stimulated by lower freights and closer connection with the Central and Eastern States, so that it is said herein that our whole country is interested in the construction of this great highway for the commerce of the world.

Fifth. That the strategic importance of this canal is such that the Government of the United States should secure its absolute control.

Sixth. That the Canal Company having expended some \$6,000,000, estimates the entire cost of construction of the canal at \$100,000,000 and seeks the aid of the United States Government in raising the sum.

Seventh. That judging from the revenue accruing to the Suez Canal it would be safe to expect this greater work to pay a good dividend on the amount invested.

Eighth. For these reasons, your memorialists earnestly urge that such measures be adopted as will in your wisdom, best secure the speedy construction of this canal and its control by the United States Government.

*Resolved*, That the governor of this State be requested to furnish a copy of this memorial to each of our Senators and Representatives in Congress.

J. C. COMPTON,  
President of the Senate.

Approved December 3, 1892.

THOMAS G. JONES, Governor,  
FRANCIS L. PETTUS,

Speaker of the House of Representatives.

I hereby certify that the above is a true copy of the original papers now on file in my office.

J. D. BARRON,  
Secretary of State.

Mr. MORGAN. In the same connection I present a memorial upon the same subject by Mr. George L. Converse, of Ohio; Edward F. Cragin, of Illinois; R. L. Edwards, of New York; and T. J. Odendahl, of Louisiana, a committee appointed by the convention which recently met in New Orleans, composed of 700 delegates from about 38 States of the Union, earnestly urging upon Congress the passage of the bill to aid in the construction of the Nicaragua canal. The memorial, under the rules of the Senate, I believe I have no right to read, and thus place it upon the records of the Senate. I move that this memorial and the one which has just been read be printed together as a document, and laid upon the table.

The motion was agreed to.

Mr. HARRIS presented a petition unanimously signed by citizens of Shelby County, Tenn., praying for the passage of the antiopion bill; which was ordered to lie on the table.

Mr. HILSCOCK presented the petition of Frederick Heyl and 41 other citizens of Chautauque, N. Y., praying for the appointment of a Senate committee to investigate the combine formed to depreciate the price of grain, and asking for the postponement of the Washburn-Hatch antiopion bill until such committee shall report; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the board of aldermen of Buffalo, N. Y., praying Congress to direct the Government Board of Engineers to prepare plans for the extension of the breakwater at Buffalo Harbor to Stony Point, and report thereon as speedily as possible; which was referred to the Committee on Commerce.

He also presented the petition of T. J. Yost and 154 other citizens of Altamont, N. Y., praying that Congress rescind its former action in regard to the sale of intoxicating liquors on the grounds of the World's Columbian Exposition as not to infringe upon existing laws of Illinois; which was referred to the Committee on the Quadro-Centennial Subject.

Mr. PROCTOR presented the memorial of P. J. Boardman and other citizens of Norwich, Vt., remonstrating against repealing the provision requiring that the World's Columbian Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial Subject.

Mr. McPHERSON presented a petition of the New Jersey State Horticultural Society, praying for the enactment of legislation to prohibit gambling in foot-ped acts; which was ordered to lie on the table.



Mr. QUAY presented memorials of the Center Presbyterian Church of New Park of the Christ Lutheran Congregation of York; of the Lutheran Evangelical Congregation of York, and of the Church of God Congregation of Columbia, all in the State of Pennsylvania, remonstrating against the passage of any legislation repealing the provisions of the act closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. FELTON presented a petition of the Afro-American citizens of the State of California, praying for the passage of legislation authorizing the board of management and control of the United States Government exhibit of the World's Columbian Exposition to collect statistics, etc., concerning the colored race; which was referred to the Committee on the Quadro-Centennial (Select).

#### REPORTS OF COMMITTEES.

Mr. TURPIE, from the Committee on Pensions, to whom was referred the bill (H. R. 5012) to increase the pension of Thomas Elnow, reported it without amendment, and submitted a report thereon.

Mr. VILAS, from the Committee on Claims, to whom was referred the bill (S. 3028) for the relief of William P. Dunwoody, submitted an adverse report thereon: which was agreed to, and the bill was postponed indefinitely.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the bill (S. 2594) for the adjustment of the rights of the Indians and Indian tribes to lands owned or occupied by them in the Indian Territory, and for other arrangements, with a view to the creation of a State embracing such Territory, reported it with amendments.

Mr. MORGAN. As a member of the Committee on Indian Affairs I dissent from the report just made. The bill itself, prepared and introduced by the Senator from Arkansas [Mr. BERRY], is admirably adapted to carry out the purposes which he has in view, but it provides for a commission to go to the five civilized tribes and negotiate with them for a release of their lands to the United States. I do not believe that the Legislatures of those different tribes have that power, nor do I believe that it is practicable under their organic law, or under treaties, or under the legislation of the United States to assemble in those five tribes any body of citizen Indians who have the right to make the concessions in the broad way in which they are proposed to be made through the agency of this commission.

Nevertheless, I believe that there is connected with the patents we have issued to those tribes as tribes for the lands a trust in behalf of the citizens of the respective nations or tribes, and the question remains as to who shall execute that trust. Inasmuch as it is a function of supreme sovereign power to execute the trust, I believe that the Government of the United States ought to execute it by the legislation of Congress, I will say, out of hand. The Legislatures of the respective tribes, I think, have not the power to execute it, nor do I think it is consistent with the nature of the trust itself that they should execute it, nor do I believe that they can execute it peacefully.

I believe that the Government of the United States ought now to pass laws for the proper distribution amongst the Indians of their domain, having respect, delicate respect, to every equity that has arisen out of former transactions, occupancy, etc. I believe that if we were to pass a just law it would be accepted by the Indians quietly, peacefully, and gratefully, and that we should avoid thereby those strife and contentions which I am very much afraid will be aroused if we send a commission there to treat with any supposed legislative body or any supposed authorized body of citizens for the acquisition of this Territory.

So I enter my protest against the passage of the bill in its present form, and at the proper time when the bill is up for consideration I hope I shall be able to offer an amendment in the line of my remarks.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. SHERMAN. I am directed by the Committee on Foreign Relations, to whom was referred the bill (S. 1218) to amend the act entitled "An act to incorporate the Maritime Canal Company of Nicaragua," approved February 20, 1889, to report it with amendments and to submit a written report.

I am also directed to ask that the report made on this subject by the same committee on the 10th of January, 1891, be printed as a part of the report now submitted. Within a few days I will furnish to the clerk a report upon the amendments proposed by the committee.

The VICE-PRESIDENT. Does the Senator from Ohio desire to have the printing withheld until the additional matter is furnished?

Mr. SHERMAN. Yes. In a day or two I will hand it to the Secretary. I give notice that at as early a day as practicable in the business of the Senate I shall seek to secure action upon and the passage of the bill.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 1353) for the relief of Morgan Everts, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

#### CENSUS ENUMERATORS.

Mr. VANCE, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. VEST on the 6th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Whereas it has been charged by the public press that officials of the Government employed in the Census Bureau of the Interior Department have been guilty of gross misconduct for partisan purposes, and especially that the enumerators appointed to make the enrollment of population for the census of 1890 in the State of Missouri and elsewhere, did under instructions from certain officers of the Bureau, make at the same time lists of voters for partisan use;

And also, that certain clerks and accountants employed in said Bureau were sent to the State of New York during the recent canvass to perform partisan service while drawing pay from the Government: Therefore,

Resolved, That the Committee on the Census is directed to investigate said charges, and to report by bill or otherwise; that said committee have power to send for persons and papers, and to employ a stenographer, the expenses to be paid out of the contingent fund of the Senate.

#### PROTESTANT EPISCOPAL CATHEDRAL FOUNDATION.

Mr. McMILLAN. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 9417) to incorporate the Protestant Episcopal Cathedral Foundation of the District of Columbia, to report it favorably, without amendment. I ask that it take the place of Senate bill 3391 now on the Calendar, and that the Senate bill be indefinitely postponed. This being a House bill, and as there are some reasons why it should pass at an early day, I ask permission to have it considered now.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. COCKRELL. Let it be read.

The VICE-PRESIDENT. The bill will be read for information.

The bill was read; and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. COCKRELL. I should like to ask the Senator who reported the bill if it may not be a little too latitudinarian in its construction. It is, as I understand, an exact copy of Senate bill 3391, which has been reported heretofore and is on the Calendar.

Mr. McMILLAN. It is an exact copy of that bill.

Mr. COCKRELL. The language of the bill is that the persons named—

Are hereby constituted a body politic and corporate by the name of the Protestant Episcopal Cathedral Foundation of the District of Columbia, with power to sue and be sued, plead and be impleaded, and have perpetual succession; to acquire, take, by devise, bequest, or otherwise hold, purchase, encumber, and convey such real and personal estate as shall be required for the purposes of its incorporation.

Would not that enable the corporation to acquire real estate and invest its funds in that way, and then turn around and sell the real estate, and continue to acquire and to convey such property at will at a pleasure? It seems to me it is a pretty wide authority to give to any corporation.

Mr. McMILLAN. That is not the purpose. There are certain parties in the district now who are ready to turn over to this corporation a large amount of property, and it is intended of course that they shall own and control the property. The intention is to hold it, just the same as property is held by other institutions here.

Mr. COCKRELL. When the bill was up at the last session I had an amendment prepared, which would limit the holding of real estate simply to that which might be necessary for the purposes of the corporation, so far as holding it is concerned.

Mr. McMILLAN. There is no objection to an amendment of that kind, if the Senator will present it.

Mr. COCKRELL. I heard the bill was coming up and I looked for the amendment, but I can not find the exact amendment which I proposed at the time.

Mr. FAULKNER. I ask the Senator from Missouri whether the legal construction of the language used in the bill is not that the only property that can be acquired by this corporation is for the purpose of carrying out the objects and purposes of its creation, and if that is not a limitation?

Mr. COCKRELL. Then why acquire the right to sell it. If it acquires it for that purpose and holds it there would be no objection to the bill, but the bill provides that it may acquire it and change it. It may change property back and forth just as it pleases in the matter of investing funds in real estate or anything else.

Mr. FAULKNER. I suggest to the Senator from Missouri

whether that is not the legal right by reason of its being a corporation created with power to hold real estate? Would it not have power to sell any property it may acquire? That is simply an enlargement of what would be the usual expression, perhaps, in the charter of a corporation. It certainly would not affect the legal right of the corporation itself to dispose of property it might acquire.

The importance of the passage of the bill is owing to the fact that this property has been acquired and the conveyance is to pass from the vendors to the corporation this week. So unless this bill is passed a trust will have to intervene and the conveyance be made to a trustee instead of being made directly to the corporation. The conveyance is to be made this week under the terms of the contract.

The VICE-PRESIDENT. Are there amendments to the bill as in Committee of the Whole?

Mr. COCKRELL. I simply desire to put myself on record as saying that I think it is an exceedingly dangerous bill; but I do not intend to oppose its passage any further than to record my vote against it.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The VICE-PRESIDENT. The bill (S. 3391) to incorporate the Protestant Episcopal Cathedral Foundation of the District of Columbia will be indefinitely postponed.

#### REPORT ON FOREIGN STREETS AND HIGHWAYS.

Mr. MANDERSON. I am directed by the Committee on Printing to report back the concurrent resolution providing for printing the consular report relating to streets and highways in foreign countries, and I ask for its present consideration. There are certain blanks that I will move to fill.

The concurrent resolution submitted by Mr. MANDERSON on the 15th instant was read, as follows:

*Resolved by the Senate (the House of Representatives concurring). That there be printed — thousand copies of the special consular report relating to streets and highways in foreign countries, heretofore published by the Department of State, of which — thousand copies shall be for the use of the Senate and — thousand copies for the use of the House of Representatives.*

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. MANDERSON. I wish to state that this work, which is one of the consular reports published by the State Department, was issued in somewhat limited number by the Department of State. The demand for it has been very great, indeed. In response to applications made by myself to the State Department for copies of this report, I was informed by the Secretary of State that their edition is entirely exhausted; and he says further in his letter:

In reply to that portion of your communication wherein you ask my opinion as to whether Congress should not order a special edition of this work, I would say that in view of the great interest now being manifested throughout the country in regard to good highways and the fact that this work contains the world's experience in road building, it would be hard to overestimate the good which would result from a proper general distribution thereof, a distribution which, owing to the limited amount appropriated for the publication of consular reports, this Department can not make.

In view of these facts I move to fill the blanks as they occur, so that the whole number printed shall be 12,000 copies, 1,000 for the Senate and 8,000 for the House of Representatives.

Mr. COCKRELL. In view of the importance of the document and the demand for it, I move to make the number 15,000 copies, 5,000 for the Senate and 10,000 for the House of Representatives. I do not think that is an excessive number.

Mr. MANDERSON. I do not object to that amendment.

Mr. COCKRELL. I think it is a book that ought to be published and sent broadcast over the country. There is very great demand for it.

Mr. SHERMAN. My own impression is that a large number ought to be printed. There are 300,000 copies of the Agricultural Report printed, and I have had more letters in regard to this than the Agricultural Report.

Mr. COCKRELL. I think it ought to be liberally printed, and I have no objection to the Senator from Ohio amending my proposed amendment, and making the number 10,000 and 20,000.

Mr. SHERMAN. I think about 20,000 or 25,000 copies should be printed.

Mr. COCKRELL. I suggest 10,000 copies for the Senate and 20,000 copies for the House.

Mr. MANDERSON. I do not object to the amendment.

The VICE-PRESIDENT. The amendment will be stated.

The Chief Clerk read the concurrent resolution, as proposed to be amended, as follows:

*Resolved by the Senate (the House of Representatives concurring). That there be printed 30,000 copies of the special consular report relating to streets and highways in foreign countries, heretofore published by the Department of State, of which 10,000 copies shall be for the use of the Senate and 20,000 copies for the use of the House of Representatives.*

The amendment was agreed to.

The resolution as amended was agreed to.

#### BILLS INTRODUCED.

Mr. PERKINS introduced a bill (S. 3646) to remove the charge of desertion against Alfred Rebsamen; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CULLOM introduced a bill (S. 3647) for the relief of William Martin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. FELTON introduced a bill (S. 3648) for the improvement of San Pedro Bay; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CALL introduced a joint resolution (S. R. 125) to suspend approvals of lists of public lands to States or corporations until the further action of Congress; which was ordered to lie on the table.

Mr. McPHERSON introduced a joint resolution (S. R. 126) authorizing and directing the Secretary of the Treasury to suspend all purchases of silver bullion as provided in the act of July 14, 1890; which was read the first time by its title.

Mr. McPHERSON. I ask that the joint resolution be read at length. It is very short.

The joint resolution was read the second time at length, as follows:

*Resolved by the Senate and House of Representatives in Congress assembled, That the Secretary of the Treasury be, and he is hereby is, authorized and directed to suspend, until otherwise ordered by Congress, all purchases of silver bullion as provided in the first section of the act of July 14, 1890, entitled "An act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes."*

Mr. McPHERSON. I desire that the joint resolution may be printed and laid upon the table, to be called up at some future time by myself, after the holiday recess.

The joint resolution was ordered to lie on the table.

#### CHANGE OF REFERENCE.

Mr. TELLER. Yesterday I introduced a bill (S. 3634) to provide for building and maintaining an Indian industrial school at Unalakleet, Alaska, which I intended to have referred to the Committee on Indian Affairs, but it appears to have been referred to the Committee on Military Affairs. I ask that an order may be made discharging the Committee on Military Affairs from the further consideration of the bill, and that it be referred to the Committee on Indian Affairs.

The PRESIDING OFFICER (Mr. PLATT in the chair). That order will be made in the absence of objection.

#### UNLAWFUL DISPOSITION OF PUBLIC LAND.

Mr. CALL submitted the following resolution; which was ordered to lie on the table and be printed:

*Resolved, That it be, and is hereby, referred to a special committee of five Senators, to be appointed by the President of the Senate, to inquire and report to the Senate whether there have been approvals of land by the Secretary of the Interior to States or railroad corporations in violation of the acts of Congress, and to report by bill or otherwise the measures necessary for the opening of such land to the use and occupation of citizens of the United States under the homestead laws and for the protection of actual settlers on said land.*

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the concurrent resolution of the Senate to print the report of the Commissioner of Fish and Fisheries for the fiscal year ending June 30, 1892, and extra copies of the same.

The message also announced that the House had passed the following bills: in which it requested the concurrence of the Senate:

A bill (H. R. 1484) for the relief of Mary A. Lewis;

A bill (H. R. 8915) granting an increase of pension to Joseph Coffman; and

A bill (H. R. 9649) to provide for the purchase of Fort Brown, Texas.

#### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 6644) to amend an act entitled "An act authorizing the sale of title of the United States in lot 3 in square south of square 990," approved March 3, 1891;

A bill (H. R. 8760) to provide for the sale of navy-yard lands in the city of Brooklyn; and

A bill (H. R. 8907) to increase the pension of John Malloy.

#### DELEZELL R. BRADFORD.

Mr. STOCKBRIDGE. I ask unanimous consent of the Senate to consider the bill (H. R. 6737) granting a pension to Delezell R. Bradford, Twenty-fourth Michigan Volunteers. The bill has been passed by the other House and reported favorably by the Senate committee, and I may say that unless it is passed immediately it will do the beneficiary no good.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll, subject to the provisions and limitations of the pension law of June 27, 1890, the name of Delzell R. Bradford, late a private in the Twenty-fourth Regiment of Michigan Volunteers.

Mr. COCKRELL. Let the report be read.

The VICE-PRESIDENT. The report will be read.

The Secretary read the report submitted by Mr. TURPIE December 15, 1902, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 6777) granting a pension to Delzell R. Bradford, have had the same under consideration, and report:

From the facts stated in the House report on this case, which is hereby approved and made a part of this report, your committee believe this to be a meritorious measure and recommend its passage by the bill.

[House Report No. 1872, Fifty-second Congress, first session.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6777) granting a pension to Delzell R. Bradford, have had the same under consideration and submit the following report:

As shown by the records of the Adjutant-General's Office, the soldier enlisted March 25, 1865, as a private, unassigned, in the Twenty-fourth Regiment Michigan Volunteers, and was honorably discharged June 21, 1865. He filed application for pension September 5, 1890, under the act of June 7, 1890, alleging illness and general disability. The claim was rejected August 9, 1891, on the ground that the claimant was not in the United States service ninety days, therefore not entitled to pension under the provisions of said act.

The claimant alleges that the records of the Adjutant-General's Office are in error in giving the date of his enlistment as March 27, 1865, and that the date should be corrected to read March 17, 1865. In proof thereof he files a certificate from the adjutant-general of Michigan as follows:

MILITARY DEPARTMENT, MICHIGAN,  
ADJUTANT-GENERAL'S OFFICE,  
Lansing, October 20, 1901.

I certify that it appears from official records on file in this office, that private Delzell R. Bradford, company unassigned, Twenty-fourth Regiment Michigan Infantry, enlisted on the 17th day of March, 1865, at Grand Rapids, Mich., and was duly mustered into the service of the United States for the term of one year. Mustered out at Detroit, June 21, 1865.

J. S. FARRAR,  
Adjutant-General of Michigan.

C. W. ROBERTSON,  
Assistant Adjutant-General.

In an affidavit dated November 25, 1891, the claimant testified that he enlisted on the 17th day of March, 1865, and knows this because he remembers that it was on St. Patrick's day that he enlisted at Grand Rapids, Mich. On the next day, the 18th day of March, he went to Jackson, Mich., from there he went to Camp Butler, near Springfield, Ill., where he was taken sick with typhoid pneumonia, and was given a sick leave. When he got able he was discharged at Detroit, June 21, 1865.

Charles Hochkiss testifies as follows:

I am well and personally acquainted with Delzell R. Bradford prior to his enlistment into the Army. I remember very distinctly the fact that on St. Patrick's day, March 17, 1865, he was, with many of my other friends, taken on the city of Grand Rapids, and that time he had on the uniform of a soldier. He then informed me that he had enlisted into the United States Army, and I then, very naively, told him that his claims were true, from the fact that he had on the uniform. I do not think that was on March 17, 1865, because of its being St. Patrick's day. I am quite firmly of the opinion that he had been assigned to the Twenty-fourth Regiment Infantry.

George M. Buck, circuit judge, Kalamazoo, Mich., says, after examining the evidence:

It seems to me that the proof is ample to show that the record at Washington is wrong, and the record at Lansing is right, and much as the two would be in case of equal age and value, and the proof on this case is clear, in fact, the general conclusion contradicts the report at Washington.

Coming to the question of his enlistment, since he was discharged, he must have been in the service for ninety days, and he cannot have been in the service for ninety days, and he cannot have been in the service for ninety days, and he cannot have been in the service for ninety days.

George S. Wood and Nellie B. Wood testify that they are well acquainted with the claimant, that he is in poor health, and that he is suffering with lung and bowel trouble and rheumatism and piles. They know him to be unable to perform manual labor, and that he is destitute of means, and is dependent on others who are not legally bound for his support.

George W. Hamilton and E. A. Hamilton testify that they are well acquainted with the claimant and know that he is in destitute circumstances, and is now dependent upon the charity of others not bound for his support, that he is unable to do any kind of manual labor whatever.

Chris Bussey, Assistant Secretary of the Interior, in attesting the correctness of record of the claimant, says:

The requirement is made by the records of the War Department, and the record of the claimant is not in the records of the War Department, and the record of the claimant is not in the records of the War Department, and the record of the claimant is not in the records of the War Department.

The inability of the claimant to earn his living by manual labor by reason of physical disabilities having been fully and satisfactorily proved, the only question to be determined by the committee is as to the date of the soldier's enlistment.

After amending the bill in line 5 by striking out of the word "laws" the letter "s", and inserting the letter "t" after the word "of June 27, 1890," your committee recommend the passage of the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### HOLIDAY RECESS.

The VICE-PRESIDENT. According to the unanimous agreement made yesterday, the Chair lays before the Senate the bill (S. 1958) to submit to the Court of Private Land Claims, established by an act of Congress approved March 3, 1891, the title of William McGarraghan to the Rancho Pameche Grande, in the State of California, and for other purposes; upon which the Senator from Virginia [Mr. HUNTON] is entitled to the floor.

Mr. DAWES. I ask the Senator from Virginia to yield to me to call up a resolution.

Mr. HARRIS. Before proceeding with the bill which has been laid before the Senate, I think the concurrent resolution for the holiday adjournment should be disposed of. Whatever the Senate proposes to do with it ought to be done this morning.

Mr. DAWES. That is the resolution I rose to call up.

The VICE-PRESIDENT. The Chair lays before the Senate the concurrent resolution of the House of Representatives, which will be read.

The concurrent resolution was read and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Thursday, December 22, they will stand adjourned until Wednesday, January 4, 1903.

#### SOCIETY OF AMERICAN FLORISTS.

Mr. PADDOCK. I desire to make an appeal to the Senator from Virginia to allow me a moment to call up a bill for present consideration.

Mr. HUNTON. I will yield to the Senator from Nebraska, provided his bill provokes no discussion, and with the understanding that if it shall provoke discussion he will withdraw it.

Mr. PADDOCK. Certainly. It is a bill which was considered on the day prior to the adjournment of the last session, was read at length, and laid aside at the request of the Senator from Missouri [Mr. COCKRELL], who, I think, is now satisfied as to its provisions. As I am to leave the Senate to-day or to-morrow, to be absent on some matters of considerable personal concern to myself, until perhaps the month of February, there would perhaps be no chance for me to bring the measure to the attention of the Senate before the close of the session. I desire, therefore, the indulgence of the Senate for its present consideration. It is Calendar No. 174, Senate bill 1674.

By unanimous consent, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1674) incorporating the Society of American Florists.

The VICE-PRESIDENT. The bill will be read.

Mr. PADDOCK. The bill has heretofore been read at length.

Mr. SHERMAN. I think the bill should be read now, as some time has passed since it was last under consideration.

Mr. COCKRELL. Let the bill be read.

The VICE-PRESIDENT. The bill will be read.

The Secretary read the bill.

Mr. MILLS. I suggest to the Senator from Nebraska that in all these acts of incorporation the Government retains the right to alter or amend the charter, and I think such a provision should be inserted in this bill.

Mr. PADDOCK. There is no objection to such an amendment, and I shall very cheerfully accept it.

Mr. MILLS. I hope the Senator will have that amendment inserted, and then I shall have no objection to the bill.

Mr. COCKRELL. I suggest that there be added to the bill the words:

"That the Secretary of the Interior, upon receipt of this act in whole or in part,

The VICE-PRESIDENT. The amendments reported by the Committee on Agriculture and Forestry will first be stated.

The amendments reported by the Committee on Agriculture and Forestry were, in line 19, to strike out the name "Joseph C. Vaughan" and insert "John C. Vaughan;" in line 24, after the word "horticulture," to strike out "and for the benefit of its members, and the public in general;" in line 25, after the word "organized," to insert "to adopt a constitution and to make by-laws, and to insist it with law;" and after the words "donated out of the end of the profits," to strike out "the proceeds made in other sections of the United States, to adopt a constitution, and to make by-laws, and to insist it with law," and insert "be granted an act of Congress or Territory, or State, or that all property so held, and the proceeds thereof, shall be held and used solely for the purpose set forth in this act;" so as to make the bill read:

*In it enact, etc.* That James Dean, of Bay Ridge, in the State of New York; William A. Stewart, Michael H. Norton, and Patrick Welch, of Boston, in the State of Massachusetts; Edward G. Hall, of Richmond, in the State of Virginia; John N. May, of Summit, in the State of New Jersey; William R. Smith, John Sudd, and Benjamin Burfee, of Washington, in the District of Columbia; Myron A. Hunt, of Terre Haute, in the State of Indiana; John H. Lee, Joseph T. Anthony, and John C. Vaughan, of the State of Illinois; Robert Craig, Edwin Lonsdale, and John Burton, of Philadelphia, in the State of Pennsylvania; Alexander Johnston, of Pittsburgh, in the State of Pennsylvania; John M. Jordan, of St. Louis, in the State of Missouri; John T. Felt, of Day, in the State of Iowa; Charles W. Hoyt, of Neshaminy, in the State of New Hampshire; William Falconer, of Glen Cove, and Daniel B. Long, of Buffalo, both in the State of New York, and Albert Mandel, of Short Hills, in the State of New Jersey, their associates and successors, are hereby created a body corporate and politic, by the name of The Society of American Florists, for the elevation and advancement of horticulture in all its branches, to increase and diffuse the knowledge thereof, and for kindred purposes in the interest of horticulture. Said association is authorized to adopt a constitution and to make by-laws not inconsistent with law, to hold

odist Episcopal, Baptist, and Presbyterian churches of Cass City, Mich.; a petition of 150 citizens of Montague, Mich.; a petition of the Lake Superior (Mich.) Association of Congregational Churches; the petition of Rev. D. B. Davidson, and 30 other citizens of Mount Pleasant, Mich., and the petition of Rev. Wm. H. Hoffman and 44 other citizens of Mount Pleasant, Mich., praying that the World's Columbian Exposition be closed on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented the memorial of Hiram Hatch and 14 other members of the Seventh-Day Adventist Church of Copernish, Mich., remonstrating against the commitment of the United States Government to a union of religion and the state by the passage of any legislation closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. DOLPH presented a petition of citizens of Oregon, praying that an extension of time be granted for payment of forfeited railroad lands; which was referred to the Committee on Public Lands.

Mr. QUAY presented memorials of professors and students of the Reformed Presbyterian Seminary of Allegheny; of the First Reformed Congregation of Sunbury; of the First United Presbyterian Church of Allegheny; of the Methodist Episcopal Church of Myersdale; of the First Presbyterian Church of Sunbury; of the Union Presbyterian Church of Coleraine; of the United Presbyterian Presbytery of Allegheny; of the Sixth United Presbyterian Church of Allegheny; of the Ridge Avenue Methodist Episcopal Congregation of York; of the United Presbyterian Church of West Bellevue; and of St. Paul's English Evangelical Lutheran Congregation of York, all in the State of Pennsylvania, remonstrating against the repeal of the law closing the gates of the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Journeymen Tailors' Union of Pittston, Pa., praying for the passage of House bill 5335, limiting the free entry of wearing apparel of foreign manufacture; which was referred to the Committee on Finance.

Mr. MITCHELL presented the petition of Marshall R. Hathaway, of Vancouver, Wash., praying that a pension be granted him on account of services in various Indian wars in the Territory of Washington; which was referred to the Committee on Pensions.

He also presented a petition of the Chamber of Commerce of Portland, Or., praying that the financial aid of the Government be extended in furtherance of the speedy completion of the Nicaragua interoceanic canal; which was ordered to lie on the table.

He also presented resolutions adopted by members of Columbia Harbor, No. 22, Astoria, Oregon; California Harbor, No. 15, and Marine Engineers, No. 35, of San Francisco, Cal., at recent meetings held by those bodies, reciting that the signers view with alarm the action of Congress in passing the so-called Cockran bill providing for the admission of foreign vessels to American registry, and protesting against the passage of any law whereby the foreign officers of said and similar vessels shall be continued in service on their respective vessels after transfer to the American flag, without regard to their qualifications as citizens of the United States; which was referred to the Committee on Commerce.

Mr. TELLER presented the petition of V. W. Mays and 22 other citizens of Arapahoe County, Colo., praying for the appointment of a Senate committee to investigate the combine formed to depreciate the price of grain, and asking for the postponement of the Washburn-Hatch antioption bill until such committee shall report; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of sundry citizens of Colorado, remonstrating against the removal of the Southern Ute Indians from their present reservation in Colorado to Utah Territory; which was referred to the Committee on Indian Affairs.

He also presented a petition of the Journeymen Tailors' Union of Leadville, Colo., praying for the passage of House bill 5335, limiting the free entry of wearing apparel of foreign manufacture; which was referred to the Committee on Finance.

Mr. PERKINS presented a petition of Journeymen Tailors' Union, No. 20, of Wichita, Kans., praying for the passage of House bill 5335, limiting the free entry of wearing apparel of foreign manufacture; which was referred to the Committee on Finance.

He also presented resolutions of the Presbyterian and Methodist Episcopal churches of Cawker City, Kans., thanking Congress for the closing of the World's Columbian Exposition on Sunday, for the passage of the anti-lottery bill, and praying for the passage of the Washburn-Hatch antioption bill; for the renewal by Congress of its action excluding the sale of intoxicating liquors from

the grounds of the World's Columbian Exposition; for the restriction of immigration by consular examinations, educational tests, and high tariff on immigrants, and the submission of the proposed sixteenth amendment to the Constitution; which were ordered to lie on the table.

Mr. WARREN presented resolutions adopted by the irrigation convention held in Las Vegas, N. Mex., praying that the Government grant in trust, upon such conditions as shall serve the public interest, to the States and Territories needing irrigation all lands now opened or hereafter acquired by the United States within such States and Territories; which were referred to the Select Committee on Irrigation and Reclamation of Arid Lands.

Mr. SHERMAN presented the petition of Hamer Grange, No. 451, of the State of Ohio, praying for the passage of the pure food bill; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of the First Presbyterian Church of Tombstone, Ariz., praying Congress not to repeal the law closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented resolutions of the Cincinnati, Ohio, Chamber of Commerce, favoring the construction of the Nicaragua Canal under the supervision of the United States; which were ordered to lie on the table.

He also presented the petition of Rev. H. A. Thompson, secretary of the Ohio Sabbath Association, praying that the World's Columbian Exposition be closed on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented petitions of Wellington Grange, Patrons of Husbandry; of Milton Grange, No. 733, Patrons of Husbandry; of the Greenwich Farmers' Institute Association; of the Lorain County Institute; of Sylvania Grange, Patrons of Husbandry; of Hamer Grange, No. 54, Patrons of Husbandry, and of Chapel Grange, No. 24, Patrons of Husbandry, all in the State of Ohio, praying for the passage of the Washburn-Hatch antioption bill; which were ordered to lie on the table.

Mr. COKE presented petitions of J. W. Rice and other citizens of Frio County; of J. S. Webb and other citizens of Fayette County; of J. R. Proctor and other citizens of Upshur County, and of James W. McKenzie and other citizens of Carlton, all in the State of Texas, praying for the passage of the Washburn-Hatch antioption bill; which were ordered to lie on the table.

Mr. VEST presented the petition of L. A. Meyer and other citizens of Saline and Lafayette Counties; a petition of the Farmers' Alliance and Industrial Union of Livingston County; the petition of Cyrus Henry and other citizens of Nevada, and the petition of B. K. Dunn and other citizens of Livingston County, all in the State of Missouri, praying for the passage of the Washburn-Hatch antioption bill; which were ordered to lie on the table.

He also presented a petition of Bancroft Grange, No. 406, Patrons of Husbandry, of Missouri, praying for the passage of the Paddock pure food bill; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of B. K. Dunn and other citizens of Livingston County, Mo., and a petition of the Farmers' Alliance and Industrial Union of Livingston County, Mo., praying for the passage of the Conger land bill; which were referred to the Committee on Agriculture and Forestry.

He also presented the petition of John N. Straat, and 16 other citizens of St. Louis, Mo., praying for the submission of an amendment to the Constitution of the United States to limit the term of President and Vice-President to six years; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Bar Association of the First judicial division of the Indian Territory, praying that additional jurisdiction be conferred upon the United States court in the Indian Territory; which was referred to the Committee on the Judiciary.

Mr. COCKRELL presented the petition of E. C. Morlan and sundry other citizens of Dublin, Mo., praying for the passage of the Washburn-Hatch antioption bill; which was ordered to lie on the table.

He also presented memorials of the New Providence Presbyterian Church of Bon Bow; of the First Presbyterian Church of Warrensburg; of the Methodist Episcopal Church South of Warrensburg; of the Cumberland Presbyterian Church of Warrensburg, and of the Christian Church of Warrensburg, all in the State of Missouri, remonstrating against any action being taken to repeal the present law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. COCKRELL presented the memorial of Mrs. Caroline F. Corbin, of No. 597 Dearborn avenue, Chicago, Ill., on behalf of remonstrants against woman suffrage, and I ask that it be re-

ferred to the Select Committee on Woman Suffrage. I ask especially that at the next hearing of those who favor woman suffrage Mrs. Corbin and her friends may be allowed to be heard against it, so that the hearing will not be one-sided, as it has been for many years past.

The VICE-PRESIDENT. The memorial will be referred to the Select Committee on Woman Suffrage.

Mr. HARRIS presented a memorial of the Synod of Tennessee, remonstrating against any action being taken to repeal the present law closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition numerously signed by citizens of Shelby County, Tenn., praying for the passage of the Washburn-Hatch antioption bill; which was ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 3525) to authorize the construction of bridges across the Hiwassee, the Tennessee, and the Clinch Rivers, in the State of Tennessee, reported it with amendments.

He also, from the same committee, to whom was referred the bill (H. R. 6798) to authorize the construction of a bridge across the Warrior River by the Montgomery, Tuscaloosa and Memphis Railway Company, reported it with amendments.

Mr. WARREN, from the Select Committee on Woman Suffrage, to whom the subject was referred, submitted a report thereon, accompanied by a joint resolution (S. R. 129), proposing an amendment to the Constitution of the United States, extending the right of suffrage to women; which was read twice by its title.

Mr. VANCE subsequently said: I ask leave to submit the views of the minority of the Committee on Woman Suffrage on the joint resolution proposing an amendment to the Constitution extending the right of suffrage to women, in order that it may be printed with the report of the majority of the committee which was submitted this morning.

The PRESIDING OFFICER (Mr. PLATT in the chair). The views of the minority will be received and printed with the report of the majority of the committee.

Mr. HARRIS, from the Committee on Epidemic Diseases, submitted a report to accompany the bill (S. 2707) granting additional quarantine powers, and imposing additional duties upon the Marine Hospital Service, heretofore reported by him.

#### WATER WORKS IN ERIE, PA.

Mr. QUAY. I am instructed by the Committee on Public Buildings and Grounds to report back favorably, with amendments, the bill (H. R. 9826) granting certain rights and privileges to the commissioners of water works in the city of Erie, Pa. If there is no objection, I ask that the Senate proceed to the consideration of the bill at this time.

Mr. COCKRELL. Let it be read for information.

After reading, the Senate, by unanimous consent, proceeded to consider the bill as in Committee of the Whole.

The first amendment of the Committee on Public Buildings and Grounds was, in line 8, after the word "across," to insert "the land belonging to the United States or;" so as to read:

That the commissioners of water works in the city of Erie, in the State of Pennsylvania, be, and they are hereby, granted the right to lay, extend, and maintain their intake pipe from their present pumping station at the foot of Chestnut street, at Erie, Pa., across the Bay of Presque Isle to the peninsula, thence across the land belonging to the United States on the peninsula to the shore of Lake Erie, etc.

The amendment was agreed to.

The next amendment was, in line 15, after the word "also," to insert "the use of;" in the same line, after the word "land," to insert "belonging to the United States;" and in line 16, after the word "crossing," to strike out the words "and the use of same;" so as to read:

Also the use of such land belonging to the United States as may be required for a road, or roads, to and from the main land to place of crossing; all according to such plans and specifications as may be approved by the Secretary of War, and such plans shall be executed under his direction and supervision.

The amendment was agreed to.

The next amendment was to add the following additional section:

SEC. 2. The right to alter, amend, or repeal this act is hereby reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. QUAY. I move that the Senate request a conference with the House of Representatives on the bill and amendments.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. QUAY, Mr. MORRILL, and Mr. VEST were appointed.

#### BILLS INTRODUCED.

Mr. FRYE introduced a bill (S. 3659) authorizing the appointment of a commission to make a settlement of the claims growing out of the issue of bonds by the United States to aid in the construction of certain railroads and to secure to the United States payment of all indebtedness of certain railroad companies therein mentioned; which was read twice by its title, and referred to the Select Committee on the President's Message transmitting the Report of the Pacific Railway Commission.

Mr. COKE introduced a bill (S. 3660) for the establishment of a light-house, fog signal, and line lights at or near the mouth of the Brazos River, Texas; which was read twice by its title, and referred to the Committee on Commerce.

Mr. DAWES introduced a bill (S. 3661) for the relief of the estate of John R. Bigelow; which was read twice by its title, and referred to the Committee on Claims.

Mr. CHANDLER introduced a bill (S. 3662) to prohibit unlawful military organizations; which was read twice by its title, and referred to the Select Committee on the Employment of Armed Bodies of Men for Private Purposes.

He also introduced a bill (S. 3663) establishing additional regulations concerning immigration to the United States; which was read twice by its title, and referred to the Committee on Immigration.

Mr. McMILLAN introduced a bill (S. 3664) creating form of real-estate deed for the District of Columbia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. QUAY introduced a bill (S. 3665) for the relief of George R. Barnett; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3666) enlarging the limit for the construction of a post-office building at Allegheny, Pa.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. PERKINS introduced a bill (S. 3667) granting a pension to Willis Clayton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3668) granting a pension to Mrs. Sarah Bardsley; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3669) granting a pension to Isaac Newman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SAWYER introduced a bill (S. 3670) granting an increase of pension to Charles A. Lang; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a joint resolution (S. R. 130) to amend an act entitled "An act making Saturday a half holiday for banking and trust companies in the District of Columbia," approved December 22, 1892; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CULLOM introduced a joint resolution (S. R. 131) giving the views of Congress on the construction of the swamp land act, approved September 28, 1850; which was read twice by its title, and referred to the Committee on Public Lands.

#### USE OF STREETS IN WASHINGTON.

Mr. GORMAN. I introduce a joint resolution and ask unanimous consent for its present consideration.

The joint resolution (S. R. 128) to authorize the Secretary of War to grant permits for the use of reservations and public spaces in the city of Washington, and for other purposes, was read the first time by its title and the second time at length, as follows:

*Resolved by the Senate and House of Representatives, etc.,* That the Secretary of War is hereby authorized to grant permits to the executive committee on inaugural ceremonies for the use of any reservation, or other public space, in the city of Washington, on occasion of the inauguration of the President-elect on the 4th day of March, 1893, which in his opinion will inflict no serious or permanent injury upon such reservation or public space; and the Commissioners of the District of Columbia may designate for such and other purposes such streets, avenues, and sidewalks in the District as they may deem proper and necessary therefor.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. HOAR. Let the joint resolution be read again.

The joint resolution was again read.

Mr. GORMAN. I will state to the Senator from Massachusetts that by the appropriation act of 1890 special provision was made that no seats or structures of any kind should be erected upon the streets in this city without the consent of Congress.



He also presented petitions of J. D. Adams and 17 other citizens of Marion; of Garret M. Walrod and 17 other citizens of Marion County; of S. A. Billeys and 16 other citizens of Worcker; of Christian Low and 20 other citizens of Virgo; of W. B. King and 17 other citizens of Lafayette County; of Nicolaus Roussel and 21 other citizens of Randolph; of J. R. Henderson and 21 other citizens of Vincennes, and of Charles W. Tritt and 19 other citizens of Randolph, all in the State of Indiana, praying for the appointment of a Senate committee to investigate the combine formed to depreciate the price of grain, and now existing between the elevators, millers, and railroads at Minneapolis, Minn., and at St. Louis, Mo., and asking for the postponement of the Washburn-Hatch antioption bill until such committee shall report; which were referred to the Committee on Agriculture and Forestry.

Mr. BERRY presented a memorial of citizens of the Cherokee Nation residing or having improvements in what is known as the Cherokee Outlet, remonstrating against the ratification of the Cherokee agreement until their rights in that Territory are properly provided for; which was referred to the Committee on Indian Affairs.

Mr. ALLISON presented the petition of T. Thorson and other citizens of Winneshiek County, Iowa, praying for the passage of the Washburn-Hatch antioption bill; which was ordered to lie on the table.

He also presented petitions of the Journeymen Tailors' Unions of Ottumwa, Des Moines, Fort Dodge, Cedar Rapids, and Burlington, all in the State of Iowa, praying for the passage of House bill 8535, limiting the free entry or wearing apparel of foreign manufacture; which were referred to the Committee on Finance.

He also presented the memorial of J. Wesley Brown, of Emery, S. Dak., remonstrating against the importation of tea and coffee into the United States as being unwholesome beverages; which was referred to the Committee on Finance.

He also presented the petition of J. Wesley Brown, of Emery, S. Dak., praying for the passage of a law making persons committing perjury in Federal courts and before registers and receivers of United States land offices responsible in damages to the party injured by the same, and also allowing the prosecuting party one-half of all money collected as fines or forfeiture in such cases; which was referred to the Committee on the Judiciary.

He also presented a joint resolution of the Legislature of Iowa, a petition of citizens of Polk County, Iowa, and the petition of W. W. Blair and other citizens of Lamoni, Iowa, praying for the passage of the Washburn-Hatch antioption bill; which were ordered to lie on the table.

He also presented memorials of Bruna Vista Grange, No. 514, Patrons of Husbandry, of Murphy, of four churches of Keokuk, of the Presbyterian Synod of Burlington, and of the Presbyterian Church of Keokuk, representing 2,500 members, all in the State of Iowa, remonstrating against the repeal of the law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. CULLOM presented petitions of E. M. Miller and other citizens of Jefferson County; of D. Akin and other citizens of Franklin County; of Ferdinand Long and other citizens of St. Clair County; of Joseph Dietl and other citizens of Jasper County, and of James E. Stevens and other citizens of Hardin County, all in the State of Illinois, praying for the appointment of a committee to investigate the combine formed to depreciate the price of grain, and asking for the postponement of the Washburn-Hatch antioption bill until such committee shall report; which were referred to the Committee on Agriculture and Forestry.

Mr. SHERMAN presented petitions of the Ohio State Grange, Patrons of Husbandry; of the Eastern Erie County Farmers' Institute; Jennings Grange, No. 1320, Patrons of Husbandry; of 77 citizens of Franklin County; of 18 citizens of Henry County; and of 81 Ohio Grange, No. 1388, Patrons of Husbandry, all in the State of Ohio, praying for the passage of the antioption bill; which were ordered to lie on the table.

He also presented a petition of the Board of Trade of Cleveland, Ohio, praying for the passage of a national quarantine law with ample appropriations to secure its proper execution, and the enactment of such other regulations as will protect the United States from the introduction of cholera; which was referred to the Committee on Epidemic Diseases.

He also presented memorials of the Young People's Society of Christian Endeavor of the Presbyterian Church of Chicago; of citizens of Lockland; of the Presbytery of Steubenville; of the Second United Presbyterian Church of New Concord, and of the Reformed Presbyterian Congregation of New Concord, all in the State of Ohio, remonstrating against the repeal of the law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. HOAR. I present a petition very largely signed by the most eminent merchants and bankers of Boston, Mass., repre-

senting, I am quite sure, the unanimous opinion of all classes of persons in that community, praying for the repeal of the present law for the purchase of silver bullion. I move that the petition be referred to the Committee on Finance.

The motion was agreed to.

Mr. QUAY presented a petition of the select and common councils of Philadelphia, Pa., praying that an appropriation be made for an examination, survey, and report for a channel between the Delaware River and Raritan Bay; which was referred to the Committee on Commerce.

He also presented the petition of Mrs. Brennan, widow of Bernard Brennan, and many other citizens of Philadelphia, Pa., praying for the removal of the charge of desertion against the military record of Bernard Brennan, alias Henry O'Brien, of Company H, Forty-eighth Regiment Pennsylvania Volunteer, which was referred to the Committee on Military Affairs.

He also presented memorials of the Cumberland Presbyterian Church of Carmichaels, Pa.; of the First United Presbyterian Church of Mercer, Pa.; of the Quarterly Meeting of the Ministerial Union of Philadelphia, Pa.; of the First Methodist Episcopal Church of York, Pa.; of the Presbyterian Church of Wrightsville, Pa.; of the Meyersville Council, No. 14, Junior Order of American Mechanics, of Meyersville, Pa.; of the Presbytery of Pitsburg, Pa.; of the Meeting of the Presbytery of Redstone, held at Markleton, Pa.; of the Presbyterian Church of New Bedford, Pa.; of the United Presbyterian Church of New Bedford, Pa.; of the Second Street Lutheran Congregation of Columbia, Pa.; and of the Upper Ten Mile Congregation, of Washington County, Pa., remonstrating against the sale of intoxicating liquors at the World's Columbian Exposition and the repeal of the present law closing the Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. CAMERON presented a petition of the select and common councils of Philadelphia, Pa., praying that an appropriation be made for an examination, survey, and report for a channel between the Delaware River and Raritan Bay; which was referred to the Committee on Commerce.

He also presented a petition of the Maritime Exchange of Philadelphia, Pa., praying for the passage of a national quarantine law; which was referred to the Committee on Epidemic Diseases.

He also presented memorials of the First Presbyterian Congregation of York, Pa., and the United Presbyterian Presbytery of Allegheny, Pa., remonstrating against the repeal of the present law closing the World's Columbian Exposition on Sunday; which were ordered to lie on the table.

Mr. PROCTOR presented the memorial of Rev. C. W. Morse and members of the Methodist Episcopal Church of Peacham, Vt., remonstrating against the passage of legislation repealing the provision closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. FELTON presented a petition of the survivors of the crew of the late United States steamer Rodgers, of the Albatross expedition, praying for the passage of legislation for their relief; which was referred to the Committee on Naval Affairs.

Mr. PERKINS presented the petition of John Fuller, sr., and 23 other citizens of Seneca, Kans., praying for the adoption of the sixteenth amendment to the Constitution of the United States prohibiting any State from passing any law respecting religion; which was referred to the Committee on the Judiciary.

Mr. COCKRELL. Presuming that a petition is a matter of right, I present the petition of Mrs. Ella G. Snow, of Schell City, Mo., praying for an investigation of the cause of the death of her daughter, Laura Snow, a teacher in the Presbyterian mission school at Richfield, Utah Territory, October 1, 1892, accompanied by a very elaborate statement and a very elaborate appendix to such statement. I move that the petition be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. BRICE presented a petition of the Cleveland, Ohio Board of Trade, adopted December 30, 1892, praying for the passage of legislation relative to the establishment of a national quarantine; which was referred to the Committee on Epidemic Diseases.

He also presented a petition of the Bailors' Exchange of Cincinnati, Ohio, praying for the passage of the Toney bankruptcy bill; which was referred to the Committee on the Judiciary.

He also presented a petition of Rank and File Garrison, N. Y. 77, Regular Army and Navy Union, of Cleveland, Ohio, praying for the passage of legislation providing for the retirement of enlisted men after twenty-five years of faithful service; to increase the pay of noncommissioned officers in the Army; to construct allowances of enlisted men so as to include fuel and quarters, and to provide a retired list for enlisted men of the Army; which was referred to the Committee on Military Affairs.



He also presented a petition of the Cincinnati (Ohio) Chamber of Commerce praying for the passage of legislation favoring the construction of the Nicaragua canal under the supervision and guaranty of the Government; which was ordered to lie on the table.

He also presented the petition of A. Hurd, of Findlay, Ohio, praying for the passage of legislation making certain reforms in the pension system; which was referred to the Committee on Pensions.

He also presented petitions of F. G. Thompson and 19 other citizens of Springfield, Ohio; of Frank R. Packum and 17 other citizens of Springfield, Ohio, and of grain growers of various parts of the United States, praying for the appointment of a Senate Committee to investigate the combine formed to depreciate the price of grain, and asking for the postponement of the Washburn-Hatch antioption bill until such committee shall report; which were referred to the Committee on Agriculture and Forestry.

He also presented memorials of 28 citizens of Perry; of the Ohio Sunday School Association; of Rev. J. P. Sharp, of Findlay; of the congregation of the First Presbyterian Church of Toledo; of Rev. J. A. Crayton, of Westerville; of Thomas H. Pearce, of Xenia; of M. M. Murphy, of Ripley; of the congregation of the Presbyterian Church of Clifton; of several church organizations of East Liverpool, aggregating over 3,000 communicants; of J. S. Postle and 26 other members of the Young People's Society of Christian Endeavor; of Rev. P. A. Wilber, pastor Presbyterian Church of Mount Vernon and president of Knox County (Ohio) Sabbath Association; of Rev. J. W. Best, pastor Second Presbyterian Church of Carrollton; of Rev. E. P. Thorson, in behalf of the Second Presbyterian Church of Springfield; and of the congregation of the Second United Presbyterian Church of New Concord, all in the State of Ohio, remonstrating against the passage of any legislation opening the gates of the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented petitions of the Ohio Farmers' Institute; of H. Nettleton, of Windfall; of Charles O. Hale, of Summit County; of the State convention Ohio Farmers' Alliance; of the Farmers' Institute of Erie County; of Homer Grange, No. 451, Patrons of Husbandry, of Georgetown; of Chapel Grange, No. 26, Patrons of Husbandry, of Xenia; of Sylvania Grange, No. 1188, Patrons of Husbandry, of Lucas County; of Washington Hall Alliance, No. 240, of Carrollton; of Huron Grange, No. 186, Patrons of Husbandry, of Greenwich; of the Farmers' Institute of Portage County; of the Farmers' Institute of Polk and Wellington; of the Wellington (Ohio) Grange, No. 1339, Patrons of Husbandry; of Victory Association, No. 1646, Patrons of Husbandry of North America, Liberty Center; of Wyandot Grange, No. 549, Patrons of Husbandry; of Jennings Grange, No. 1330, Patrons of Husbandry, of Venedocia; of Scioto Grange, No. 1333, Patrons of Husbandry, of Circleville; of Progressive Grange, No. 1362, Patrons of Husbandry, of Festonia; of the Ohio State Grange, Patrons of Husbandry; of Wilbur L. Sparks, of Clyde; of Greenwich Farmers' Institute Association, of Greenwich; of St. Clair Grange, No. 1377, Patrons of Husbandry; of Milton Grange, No. 733, Patrons of Husbandry; of Albert Hale, president of the Farmers' Institute of Summit County; of M. J. Grimes and 17 other farmers of Henry County; of 53 citizens of Spring Mills and vicinity; of Madison Grange, No. 194, Patrons of Husbandry, of Canal Winchester; of Pomona Grange, No. 64, Patrons of Husbandry, of Huron County; of Eldorado Grange, of Eldorado, and of Twin Valley Grange, of Lewisburg, all in the State of Ohio, praying for the passage of the Washburn-Hatch antioption bill; which were ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. DOLPH, from the Committee on Commerce, to whom was referred the bill (S. 3568) providing for the establishment and enforcement of rules and regulations for the use and navigation of United States canals and similar works of navigation, and for other purposes, reported it with amendments.

Mr. COKE, from the Committee on Commerce, to whom was referred the bill (H. R. 9824) to amend "An act to promote the construction of a safe deep-water harbor on the coast of Texas," approved February 9, 1891, reported it with an amendment.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 9930) for the construction and maintenance of a bridge across the St. Lawrence River, reported it with an amendment.

#### RAFT-TOWING ON THE GREAT LAKES.

Mr. FRYE. I am instructed by the Committee on Commerce to report back favorably, without amendment, the joint resolution (S. R. 124) directing the Secretary of War to investigate the subject of raft-towing on the Great Lakes and their connecting

waters. I was requested by the committee to ask immediate consideration, as the commission should be appointed before the spring opens.

Mr. COCKRELL. Let the joint resolution be read for information, then, subject to objection.

Mr. FRYE. It is very simple.

After reading, the Senate, by unanimous consent, proceeded to consider the joint resolution as in Committee of the Whole. It directs the Secretary of War to appoint a board, to consist of three officers of the Engineer Corps of the Army, to investigate the subject of raft-towing on the Great Lakes and their connecting waters, and to report to Congress as to what restrictions, if any, should be placed upon the size and manner of constructing and towing rafts upon the Great Lakes and their connecting waters.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. IRBY introduced a bill (S. 3671) for the relief of Louisa G. Heyward and others; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. CAMERON introduced a bill (S. 3672) to amend the act approved June 8, 1880, relating to the pay of the Judge-Advocate-General of the Navy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. COCKRELL introduced a bill (S. 3673) granting a pension to Eli Browning; which was read twice by its title.

Mr. COCKRELL. In connection with the bill I present a petition of citizens of Bates County, Mo., praying for the granting of the pension, and the affidavits of William C. Thompson, Edwin Heavilin, and Dr. E. E. Gilmore, and I move that the bill be referred, with these papers, to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 3674) granting a pension to Lucy F. Watson, widow of Joseph W. Melton, deceased; which was read twice by its title.

Mr. COCKRELL. I present a petition in behalf of this widow, accompanied by the affidavits of John H. Reid and Martha C. Reid. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 3675) granting a pension to Maria Hall, widow of Joseph E. Deak, deceased; which was read twice by its title.

Mr. COCKRELL. I present with the bill the petition of Mrs. Hall, and the affidavits of S. J. Snow, Morris Edwards, Martin Rice, and John Bynum, and a Pension Office letter of August 10, 1892. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 3676) granting a pension to James F. Crump; which was read twice by its title.

Mr. COCKRELL. I present a petition to accompany the bill, with an affidavit, and I move their reference, with the bill, to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 3677) granting a pension to John G. Hanna; which was read twice by its title.

Mr. COCKRELL. The bill is accompanied by the unverified petition of Mr. Hanna. I move that the bill and petition be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 3678) granting a pension to Margaret Garrison, widow of James G. Garrison; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3679) for the relief of Eliza Dickertoff, widow of Louis Dickertoff, deceased, of Company A, Cape Girardeau (Mo.) Home Guards; which was read twice by its title.

Mr. COCKRELL. I also present a petition from the widow, praying for a correction of the military record of her husband and for the granting of a pension; I suppose the bill ought to go to the Committee on Pensions. I move that it be so referred, with the accompanying petition.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 3680) for the relief of Bernard J. D. Irwin; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUAY introduced a bill (S. 3681) to provide for the retirement of Lieut. Col. James Cooper McKee, surgeon United States Army, as full colonel; which was read twice by its title, and, with

M. Colman, widow, to prosecute a claim—to the Committee on War Claims.

By Mr. COBB of Alabama: A bill (H. R. 10053) for the relief of Robert C. Burton—to the Committee on Claims.

By Mr. HENDERSON of Illinois: A bill (H. R. 10054) granting an increase of pension to Sylvanus Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10055) granting an honorable discharge to Adam Hand—to the Committee on Military Affairs.

By Mr. McCREARY: A bill (H. R. 10056) for the relief of Dr. O. P. Hill—to the Committee on War Claims.

By Mr. PATTERSON of Tennessee: A bill (H. R. 10057) for the relief of Absalom B. Jewell—to the Committee on Pensions.

By Mr. PATTISON of Ohio: A bill (H. R. 10058) to remove the charge of desertion against F. E. Williams—to the Committee on Military Affairs.

By Mr. STONE of Kentucky: A bill (H. R. 10059) for the relief of Cordelia A. Ritchie—to the Committee on War Claims.

Also, a bill (H. R. 10060) for the relief of Augustus P. Green—to the Committee on War Claims.

By Mr. WISE: A bill (H. R. 10061) for the relief of John M. Blankenship—to the Committee on Naval Affairs.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on Clerk's desk and referred as follows:

By Mr. ANDREW: Petition of Henry B. Bowyer, Joseph W. Howard, John I. Monroe, and 500 others, of Massachusetts, praying for the repeal of the act to prohibit the coming of Chinese persons into the United States, approved May 5, 1892, and known as the "Geary bill," excepting the first section thereof—to the Committee on Foreign Affairs.

Also, petition of 15 citizens of Boston, Mass., praying for the repeal of the Geary bill—to the Committee on Foreign Affairs.

By Mr. BELKNAP: Petition of Hon. A. B. Turner and 87 others, representing the business interests of the city of Grand Rapids, Mich., for free postal delivery when practicable by good roads—to the Committee on the Post-Office and Post-Roads.

Also, petition of A. A. Lyon and 51 others of Pewamo, Mich., to open the World's Columbian Exposition on Sundays—to the Select Committee on the Columbian Exposition.

By Mr. BELTZHOVER: Petition of the members of the Methodist Church of Shermanstown, Pa., against the opening of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of the Chamber of Commerce of New York, for the enactment of a suitable law placing the control of quarantine in New York and all other places, under national control—to the Select Committee on Immigration and Naturalization.

By Mr. BOUTELLE: Memorial of citizens of Pembroke, Me., in favor of legislation for the preservation of the Sabbath, and other purposes—to the Select Committee on the Columbian Exposition.

Also, petition of physicians of Penobscot County, Me., in favor of an appropriation for a medical congress in September, 1893—to the Committee on Appropriations.

By Mr. BRETZ: Petition of the Ohio Sabbath Association, protesting against reconsidering the proposition to open the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. BRODERICK: Petition of George Taylor and others, of Meriden, Jefferson County, Kans., in favor of restricting foreign immigration—to the Select Committee on Immigration and Naturalization.

By Mr. CHIPMAN: Claim of William E. Tew, to accompany House bill for the relief of William E. Tew—to the Committee on Invalid Pensions.

Also, petition of Charlotte Davis, for damages during the late war—to the Committee on War Claims.

Also, petition of Detroit Lodge, No. 2, International Association of Machinists, in favor of retaining the duty on sugar-making machinery so long as a bounty is paid to sugar producers—to the Committee on Ways and Means.

Also, petition of citizens of Ohio and Michigan, in favor of the passage of the House bill, No. 9759, entitled "To protect American workmen"—to the Committee on Labor.

By Mr. CRISP: Memorial from the Savannah Cotton Exchange, requesting the passage of the bill entitled "An act to regulate commerce"—to the Committee on Interstate and Foreign Commerce.

By Mr. CUTTING: Memorial of the Chamber of Commerce of San Francisco, Traffic Association of California, California State Board of Trade, San Francisco Produce Exchange, Board of Trade of San Francisco, Board of Trade of Oakland, Cal., Geo-

graphical Society of the Pacific, California League of Progress, and the Manufacturers' Association of California, urging speedy enactment of legislation for the construction of the Nicaragua Canal under control of the United States—to the Committee on Interstate and Foreign Commerce.

By Mr. DINGLEY: Petition of the board of managers of the National Temperance Society, for the prohibition of the sale of intoxicating liquors within the grounds of the Columbian Exposition—to the Select Committee on the Columbian Exposition.

By Mr. GEISSENHAINER: Petition of the First Lutheran church of Cranbury, N. J., in favor of closing the World's Fair on the Sabbath day—to the Select Committee on the Columbian Exposition.

By Mr. HARE: Two papers, one a protest of the State Association of Illinois, and the other a memorial of the Southern Association of Ohio, both against the repeal of laws closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HARTER: Petition of the Young People of Chicago in favor of Chicago, Ohio, asking that the World's Fair be closed on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of citizens of Morrow County, Ohio, praying for an appropriation to assist in defraying the expenses of the Pan-American Medical Congress—to the Committee on Appropriations.

By Mr. HEARD: Petition of members of the faculty of Central College of Fayette, Mo., in favor of the adoption of the metric system of weights and measures in the Government customs service—to the Committee on Coinage, Weights, and Measures.

Also, by request, petition of E. L. Phillips, for extra services performed—to the Committee on Accounts.

By Mr. HENDERSON of Illinois: Resolutions of the Methodist Association of the Dixon district of the Rock River conference, in relation to the opening of the World's Columbian Exposition on the Sabbath—to the Select Committee on the Columbian Exposition.

By Mr. HITT: Memorial and resolutions of Middle Church Presbyterian Church of Freeport, Ill., against the repeal of the Sunday-closing law of last Congress for the World's Fair—to the Select Committee on the Columbian Exposition.

Also, petition of Mrs. Ellen F. Miller, to accompany House bill 10062, asking that her pension be increased—to the Committee on Invalid Pensions.

By Mr. LANE: Petition of William Rhoads and citizens of Moultrie County, Ill., relative to a combination between millers, railroads, and elevators for the purpose of depressing the price of wheat, and praying for a Congressional investigation—to the Committee on Agriculture.

By Mr. O'NEILL of Pennsylvania: Memorial from the Philadelphia Board of Trade, urging legislation for Government aid in constructing the Nicaragua Canal by passing the bill reported to the Senate by the Committee on Foreign Relations only some similar bill—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Philadelphia Board of Trade, favoring pooling by an amendment to the interstate-commerce law, to the Committee on Interstate and Foreign Commerce.

By Mr. PEARSON: Petition of John E. Grimes and others of Belpre, Ohio, asking that the sale of intoxicating liquors be forbidden at the World's Columbian Exposition—to the Select Committee on the Columbian Exposition.

By Mr. RICHARDSON: Petition of B. W. Warner and others, asking for an appropriation to complete the "Seawall of Pitworth Addition to the city of Washington"—to the Committee on Appropriations.

By Mr. SHIVELY: Petition of Marshall E. Bodden and 31 others, of Ekhardt County, praying that the World's Fair be not opened on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. SCOTT: Petition of G. W. Hughes and others, of Detroit, Ill., relative to a combination between millers, railroads, and elevators for the purpose of depressing the price of wheat, and praying for a Congressional investigation, etc.—to the Committee on Agriculture.

Also, petition of the State Grange of Indiana, Farmers of Handry, praying for the revival of the free act—to the Committee on Ways and Means.

By Mr. WILLIAM A. STONE: Resolutions of the First Presbyterian of Alleghany, against opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. STORRE: Petition of L. M. Hosen and 500 others, citizens of Cincinnati, Ohio, for the passage of a bill, to reduce the postage to 1 cent—to the Committee on the Post-Office and Post-Roads.

Also, petition of H. F. Almstead and sundry citizens of Lockland, Ohio, against opening the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of the Cincinnati Chamber of Commerce, in favor of the Nicaragua Canal bill—to the Committee on International and Foreign Commerce.

By Mr. WAUGH: Petition of 14 members of the medical profession of Hamilton County, Ind., for an appropriation to assist in defraying the expenses of the Pan-American Medical Congress—to the Committee on Appropriations.

Also, petition of 418 citizens of Indiana, against opening the gates of the Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

## SENATE.

FRIDAY, January 6, 1893.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

### PRESIDENTIAL ELECTORS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of State, transmitting, in pursuance of the provisions of the act of Congress approved February 3, 1857, a certified copy of the final ascertainment of the electors for President and Vice-President appointed in the State of Washington at the election held there in on the 8th of November, 1892, as certified to him by the governor of that State; which was ordered to lie on the table.

### PAYMENT TO ATTORNEYS FROM INDIAN FUNDS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the Senate of July 12, 1892, a letter from the Commissioner on Indian Affairs, together with a detailed statement showing amounts paid to attorneys out of appropriations made by the Fifty-first Congress, and also the contracts made between Indian tribes and attorneys for the recovery of moneys, etc., under which such payments were made; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

### PETITIONS AND MEMORIALS.

Mr. WILSON presented the petition of A. E. Booth and 800th or citizens of Adams County, Iowa, praying for the passage of the Washburn-Hatch anti-option bill; which was ordered to lie upon the table.

Mr. SHERMAN presented memorials of 27 citizens of Camp Chase, of the Congregational and Disciple Societies of Christian Endeavor of Chagrin Falls, and of the Ministerial Association of Osborn, all in the State of Ohio, remonstrating against the repeal of the law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial Selects.

He also presented a petition of 63 citizens of Belpre, Ohio, praying for the passage of a law prohibiting the sale of intoxicating liquors on the grounds of the World's Columbian Exposition; which was referred to the Committee on the Quadro-Centennial Selects.

Mr. CULLOM presented petitions of sundry laborers and farmers of Saline County and of citizens of Gallatin County, all in the State of Illinois, praying for the appointment of a Senate committee to investigate the combine formed to depreciate the price of grain and asking for the postponement of the Washburn-Hatch anti-option bill until such committee shall report; which were referred to the Committee on Agriculture and Forestry.

Mr. HANSBROUGH presented a petition of Gen. C. H. Smith, Garrison No. 3, Regular Army and Navy Union of Fort Yates, N. Dak., praying for the passage of legislation providing for the retirement of enlisted men after twenty-five years' service; which was referred to the Committee on Military Affairs.

Mr. QUAY presented a memorial of Trinity Church of the Evangelical Association of Sunbury, Pa., and a memorial of the Methodist Episcopal Church of Sunbury, Pa., remonstrating against the repeal of the law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial Selects.

He also presented a memorial of sundry Methodist preachers of Philadelphia, Pa., remonstrating against the sale of intoxicating liquors at the World's Columbian Exposition; which was referred to the Committee on the Quadro-Centennial Selects.

Mr. PERKINS presented a memorial of the Presbyterian Church of Humboldt, Kans., remonstrating against the repeal of the present law closing the World's Columbian Exposition on

Sunday; which was referred to the Committee on the Quadro-Centennial Selects.

Mr. PASCO presented the petitions of George E. Pace and 33 others, of C. D. Yoder and 31 others, of John E. Walton and 7 others, of P. H. Parsons and 34 others, of P. W. Butler and 35 others, and of M. W. Lovell and 33 others, all citizens of the United States, who are largely interested in the mining and shipment of phosphatic rock, etc., of Florida, praying that such appropriation may be made as may be necessary to protect the entrance to Cumberland Sound and the harbor of Fernandina, Florida, and prevent the destruction of the work already commenced; which were referred to the Committee on Commerce.

Mr. HOAR presented a petition of merchants and other business men of Boston, Mass., praying for the passage of legislation repealing the present law for the purchase of silver bullion by the Treasury, commonly known as the Sherman act of 1890; which was referred to the Committee on Finance.

### REPORTS OF COMMITTEES.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the bill (S. 2265) for the removal of snow and ice from the sidewalks, crosswalks, and gutters in the cities of Washington and Georgetown, and for other purposes, reported it with amendments and submitted a report thereon.

### SATURDAY BANK HALF HOLIDAY.

Mr. McMILLAN. I am directed by the Committee on the District of Columbia, to whom was referred the joint resolution (S. R. 136) to amend an act entitled "An act making Saturday a half holiday for banking and trust companies in the District of Columbia," approved December 22, 1892, to report it with an amendment in the nature of a substitute and to ask for its immediate consideration, as it is a matter of importance to the District.

The VICE-PRESIDENT. The joint resolution will be read for information, if there be no objection.

Mr. COCKRELL. Has it just been reported?

The VICE-PRESIDENT. It has just been reported from the Committee on the District of Columbia.

Mr. McMILLAN. It refers to an act which was passed by the Senate at the last session and became a law in December. The act did not cover Georgetown or Anacostia. It is an amendment to that act so as to cover those two parts of the District.

The VICE-PRESIDENT. The proposed substitute to the joint resolution will be read, if there be no objection.

The CHIEF CLERK. The Committee on the District of Columbia report to strike out all after the resolving clause and insert:

"That section 1 of the act of Congress, approved December 22, 1892, entitled 'An act making Saturday a half-holiday for banking and trust company purposes in the District of Columbia,' be, and it is hereby, amended so as to read as follows:

"SECTION 1. That every Saturday which under existing laws shall not become a legal holiday in its entirety, in the District of Columbia, shall thereon be a legal holiday, from 12 o'clock at noon, for all purposes respecting the presentation for payment or acceptance of, or the protesting or giving notice of the dishonor of bills of exchange, bank checks, drafts, promissory notes, and all commercial paper whatsoever, whether made in or beyond the said District, or whether made before or after the passage of this act, and all such bills of exchange, bank checks, drafts, promissory notes, and commercial paper which otherwise would be due and payable, or presentable for acceptance or payment, in said District, on such day of holiday Saturday, shall, to wit, be due and payable, or presentable for acceptance or payment on the secular or business-day next succeeding *that day*. That any acceptance or payment thereof with interest thereon to said date when the said bills or interest made on such half-holiday Saturday before 12 o'clock noon shall be lawful.

And all bills of exchange, bank checks, drafts, promissory notes, and commercial paper whatsoever, which, but for existing law, would be due and payable, or presentable for acceptance or payment, in said District, on any day which is a full legal holiday, or on Sunday, shall thereon be payable, or presentable for acceptance or payment, on the secular or business-day next succeeding, and all acts and parts of acts so far as inconsistent with this act are hereby repealed.

The VICE-PRESIDENT. If there be no objection, the joint resolution is before the Senate as in Committee of the Whole.

Mr. HOAR. I should like to inquire how the joint resolution comes up at this time.

Mr. McMILLAN. It is a report made by the Committee on the District of Columbia, relating to the former act which was passed by the Senate at the last session. It is requested by all the bankers here and it covers the whole District, giving a half-holiday to the banks. The act did not cover Georgetown or Anacostia, and the proposed amendment of it covers all the banks of the District. It also provides for all classes of commercial paper and secures against some inaccuracies which were found in the present law when an attempt was made to put it into operation.

Mr. HOAR. I wish the Senator would allow the joint resolution to remain pending until Monday, or if it has any advantage by being reported now he can withdraw the report and it can be made just as well at another time.

Mr. McMILLAN. The only objection is that to-morrow is Saturday, and the joint resolution ought to be passed at once.

Mr. HOAR. It is a serious subject, affecting the time of the maturity of negotiable paper, and I should like to have an opportunity to glance at it before it is passed. The Senator can bring it up later in the day, perhaps.

Mr. McMILLAN. All right, I have no objection.

The VICE-PRESIDENT. The joint resolution will be laid aside informally.

#### BILLS INTRODUCED.

Mr. BUTLER introduced a bill (S. 3686) for the relief James B. McElhose; which was read twice by its title, and referred to the Committee on Claims.

Mr. HUNTON (by request) introduced a bill (S. 3687) for the relief of Thomas H. G. Todd; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. McMILLAN introduced a bill (S. 3688) to authorize the Washington and Marlboro Electric Railway Company to extend its line within the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HIGGINS introduced a bill (S. 3689) for the relief of the owners of the schooner Henry R. Tilton, and of personal effects thereon; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a joint resolution (S. R. 132) to print 100,000 copies of special report of the Bureau of Animal Industry on diseases of cattle and on cattle feeding; which was read twice by its title, and referred to the Committee on Printing.

#### NICARAGUAN CANAL.

On motion of Mr. MORGAN, it was

*Ordered*, That 3,000 copies of the Senate bill No. 1218 be printed for the use of the Senate.

#### INTRODUCTION OF REINDEER IN ALASKA.

Mr. TELLER submitted the following resolution: which was considered by unanimous consent and agreed to:

*Resolved*, That the Commissioner of Education be directed to transmit a copy of the latest report of Dr. Sheldon Jackson on the introduction of domesticated reindeer into Alaska.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the joint resolution (S. R. 123) to fill vacancies in the Board of Regents of the Smithsonian Institution.

The message also announced that the House had agreed to the amendment of the Senate to the joint resolution (H. Res. 166) to authorize the Secretary of the Treasury to cover back into the Treasury \$48,800 of the appropriation to Choctaw and Chickasaw Indians.

The message further announced that the House had passed a bill (H. R. 9923) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, in which it requested the concurrence of the Senate.

#### PROPOSED SUSPENSION OF IMMIGRATION.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Chief Clerk read the resolution submitted yesterday by Mr. HILL, as follows:

*Resolved*, That the Clerk of the Senate be directed to transmit to the honorable the Secretary of State a copy of Senate bill No. 3513, now pending in this body, entitled "A bill for the suspension of immigration for one year," and that the Secretary of State be, and is hereby, respectfully requested to inform the Senate at his earliest convenience whether the provisions of the said bill absolutely suspending immigration for the period of one year are in conflict with any treaties now existing between the United States and any foreign countries; and, if so, with what countries, and any further information which he may deem necessary for the information of the Senate in relation to the propriety of the enactment of the said bill in its present form.

Mr. CHANDLER. Mr. President, there is no objection to the adoption of the resolution. Immediately after the bill referred to therein was taken up for consideration by the Committee on Immigration the questions suggested by the resolution were asked informally of the Secretary of State, and he is now ready to reply to them. Therefore I hope that the resolution may be passed, although I see that the Senator from New York [Mr. HILL] is absent. I desire to say that upon consultation with the Senator from Ohio [Mr. SHERMAN] it is thought the resolution ought to have certain verbal changes which I send to the desk and move as amendments to the resolution.

Mr. CARLISLE. The Senator from New York [Mr. HILL] is necessarily absent this morning, and requested me to have the resolution passed over without losing its place until he should return; but I have examined the amendments suggested by the Senator from New Hampshire, and I am satisfied that with those

amendments, if the Senator from New York were here, he would desire to have the resolution passed, so I do not ask to have it go over.

The VICE-PRESIDENT. The amendments will be stated.

The CHIEF CLERK. It is proposed to amend the resolution so as to read:

*Resolved*, That the Secretary of the Senate be directed to transmit to the Secretary of State a copy of Senate bill numbered 3513, now pending in this body, entitled "A bill for the suspension of immigration for one year," and that the Secretary of State be, and is hereby, respectfully requested to inform the Senate, whether the provisions of the said bill absolutely suspending immigration for the period of one year are in conflict with any treaties now existing between the United States and any foreign countries; and, if so, with what countries, and any further information which he may deem necessary for the information of the Senate in relation to the propriety of the enactment of the said bill in its present form.

The VICE-PRESIDENT. The question is on agreeing to the amendments submitted by the Senator from New Hampshire.

The amendments were agreed to.

The resolution as amended was agreed to.

#### HOUSE BILL REFERRED.

The bill (H. R. 9923) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

#### ADDITIONAL QUARANTINE POWERS.

The VICE-PRESIDENT. Is there further morning business? If not, pursuant to the agreement already reached, the Chair lays before the Senate the bill (S. 2707) granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service.

Mr. QUAY. I rose to move that when the Senate adjourns to-day it adjourn to meet on Monday next. I make that motion.

Mr. CHANDLER. I desire unanimous consent to remind the Senator from Pennsylvania that to-day and to-morrow have been assigned as a special order to consider the quarantine bills. It may be that we shall not need to-morrow and that at the close of to-day we can adjourn until Monday, but until it is entirely certain that we shall get through with this subject, as we do not wish to displace the unfinished business next week, I hope the Senator will withdraw the motion, renewing it later in the day if there be occasion for it.

Mr. QUAY. Upon the suggestion of the Senator from New Hampshire I will withdraw the motion.

The VICE-PRESIDENT. The motion is withdrawn.

Mr. MITCHELL. I desire to inquire whether the special orders for to-day and to-morrow are to commence immediately after the morning business. If otherwise, I ask that we proceed with the Calendar until 2 o'clock.

Mr. CHANDLER. The consideration of the bills is to commence after the routine morning business.

The VICE-PRESIDENT. The agreement will be read.

The Chief Clerk read the order adopted on the 4th instant, as follows:

*Ordered*, That on Friday next, after the routine business of the morning hour is transacted, and on Saturday, if necessary, bills on the Calendar reported by the Committees on Epidemic Diseases, and Immigration having relation to the danger of the introduction of cholera into this country during the present year shall be the special orders and have exclusive consideration on those days, without otherwise displacing the present unfinished business.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2707) granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service, which had been reported from the Committee on Epidemic Diseases with amendments.

The first amendment was in section 1, line 3, before the word "vessel," to insert the word "other," so as to read:

That it shall be unlawful for any merchant ship or other vessel from any foreign port, etc.

Mr. DOLPH. I should like to ask the Senator in charge of the bill if that would not subject the vessels of our Navy returning from foreign ports to the quarantine regulations of the States?

Mr. HARRIS. I did not hear the question of the Senator from Oregon.

Mr. DOLPH. If the amendment inserting the word "other," in line 3 of the first section, is adopted, would it not subject one of our naval vessels arriving after a cruise from a foreign port to State quarantine regulations?

Mr. HARRIS. I think it affects all vessels sailing from a foreign port to the port of this country, whether they be our own or those of foreign countries.

Mr. CHANDLER. That is the present law, I understand. Our naval vessels are expected, when coming from a foreign port or any infected port, to comply with the State quarantine regulations.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, in section 1, line 4, after the word "port," to insert "or place;" so as to read:

"Section 1. That no immigrant for any merchant ship or other vessel from any foreign port or place touching any port of the United States except in accordance with the provisions of this act and with such rules and regulations of State and municipal health authorities as may be made in pursuance of or consistent with this act.

The amendment was agreed to.

Mr. WHITE. I wish to ask the chairman of the committee, through the Vice-President, whether we are now simply acting upon the committee amendments?

Mr. HARRIS. Yes.

Mr. WHITE. And whether other amendments will be excluded if not offered now?

Mr. HARRIS. Other amendments will be in order in Committee of the Whole and in the Senate after the bill shall have been reported from the committee.

The next amendment of the Committee on Epidemic Diseases was, in section 3, line 26, after the word "another," to strike out "which" and insert "and;" in the same line, after the word "when," to insert "said rules and regulations have been," and after the word "secretary," at the end of line 27, to insert "they;" so as to read:

"The Marine Hospital Service shall report the facts to the Secretary of the Treasury, who shall, if in his judgment it is necessary and proper, order said Marine Hospital Service to make such additional rules and regulations as are necessary to prevent the introduction of such diseases into the United States from foreign countries, or into one State from another, and when said rules and regulations have been so made and approved by the Secretary, they shall be promulgated by the Marine Hospital Service and enforced by the sanitary authorities of the States and municipalities, where the State or municipal health authorities will undertake to execute and enforce them; but if the State or municipal authorities shall fail or refuse to enforce said rules and regulations the President may detail an officer or appoint a proper person for that purpose.

The amendment was agreed to.

The next amendment was to insert as a new section the following:

"Sec. 6. That on the arrival of an infected vessel at any port not provided with proper facilities for treatment of the same, the Marine Hospital Service may detain said vessel, at its own expense, to the nearest national or other quarantine station where accommodations and appliances are provided for the necessary disinfection and treatment of the vessel, passengers, and cargo; and after treatment of any infected vessel at a national quarantine station, and after certificate shall have been given by the United States quarantine officer at said station that the vessel, cargo and passengers are clean and all free from infectious disease, or danger of conveying the same, said vessel shall be admitted to entry to any port of the United States named within the certificate. But at any ports where sufficient quarantine provision has been made by State or local authorities the Marine Hospital Service may direct vessels bound for said ports to undergo quarantine at said State or local station.

The amendment was agreed to.

The VICE-PRESIDENT. The next committee amendment will be stated.

Mr. PLATT. Was the last amendment agreed to, Mr. President?

The VICE-PRESIDENT. It was agreed to.

Mr. PLATT. I do not think I quite understand it; but I do not know that it is important that I should.

The VICE-PRESIDENT. The amendment will be again read.

Mr. PLATT. I do not ask to have it read, but I should like to know what the last clause of the section means? It reads:

"But at any ports where sufficient quarantine provision has been made by State or local authorities the Marine Hospital Service may direct vessels bound for said ports to undergo quarantine at said State or local station.

Suppose the authorities will not take them?

Mr. HARRIS. It simply refers to the plant necessary to treat an infected vessel by disinfecting the vessel and its cargo, and where a State quarantine happens to be nearer the port of entry than another quarantine. If that State quarantine is equipped with such plant, that is the Marine Hospital Service authority to send the vessel to that quarantine for treatment.

The next amendment of the Committee on Epidemic Diseases was to insert as a new section the following:

"Sec. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera or yellow fever in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine disease this danger is so increased by immigration that a suspension of the same is demanded in the interest of the public health, the President shall have power to suspend immigration from such countries or places and for such period of time as he may deem necessary.

Mr. CHANDLER. I ask the Senator from Tennessee to allow that amendment to pass over without being voted upon until after I shall have submitted some remarks upon the bill.

Mr. HARRIS. I have no objection to complying with the request of the Senator.

The VICE-PRESIDENT. The amendment will be passed over for the present.

Mr. HARRIS. In section 2, line 11, after the word "satisfied," I move to insert the word "that;" so as to read:

"To be satisfied that the matters and things therein stated are true.

The amendment was agreed to.

Mr. HARRIS. In line 20 of the same section, after the word "of," I move to insert "furnishing information and." These are amendments suggested by the Marine Hospital Service and the Secretary of the Treasury.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In section 2, line 20, after the word "of," it is proposed to insert "furnishing information and;" so as to read:

"The President, in his discretion, is authorized to detail any medical officer of the Government to serve in the office of the command at any foreign port for the purpose of furnishing information as to the nature of the inspection, etc.

The amendment was agreed to.

Mr. HARRIS. In section 3, line 33, after the word "exists," I move to insert "or from which the President has reason to believe that infected articles of merchandise are being shipped."

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In section 3, line 33, after the word "exists," it is proposed to insert "or from which the President has reason to believe that infected articles of merchandise are being shipped;" so as to read:

"The Marine Hospital Service shall make such rules and regulations as are authorized by the laws of the United States and necessary to be observed by vessels at the port of departure and on the voyage, where such vessels sail from any foreign port or place at which contagious or infectious diseases exist, or from which the President has reason to believe that infected articles of merchandise are being shipped to any port or place in the United States, to secure the best sanitary condition of such vessel, her cargo, passengers, and crew.

The amendment was agreed to.

#### EXECUTIVE SESSION.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business. It will take but a few minutes.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

#### COMMITTEE SERVICE.

The VICE-PRESIDENT. The Senator from Maryland [Mr. GIBSON] wishes to be excused from further service upon the Committee on Epidemic Diseases, and asks that the Senator from Louisiana [Mr. WHITE] be appointed in his stead.

Mr. HARRIS. I ask that the Chair fill the vacancy.

The VICE-PRESIDENT. That order will be made.

#### ADDITIONAL QUARANTINE POWERS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2767) granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service.

Mr. HARRIS. In section 2, I move to strike out the word "and," being the last word in line 33. I see the word is repeated.

The amendment was agreed to.

Mr. CHANDLER. Mr. President, it is my duty and privilege to support this bill (S. 2767) granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service. It has been reported by the Senator from Tennessee [Mr. HARRIS], who has for many years given the subjects of quarantine and of epidemic diseases his close attention as chairman of the Committee on Epidemic Diseases. I had occasion to serve during the Fifty-third and Fifty-fourth Congresses as a member of that committee, and retired in the present Congress in order that my colleague [Mr. GALLINGER], who, I believe, is the only physician in this body, might appropriately have a place upon it. I have had abundant opportunity to notice the intelligence and fidelity which the Senator from Tennessee has brought to the preparation of measures to be acted upon by Congress concerning quarantine and the exclusion of infectious diseases either seeking to enter from foreign countries into this country or to pass from State to State, and I take it for granted that the details of this bill which has been submitted by him are in the most wise and judicious.

I am in favor of every possible step which can be devised for the protection of this country from cholera during the coming season. All the powers of the State governments should be put in motion to prevent its introduction, and all the powers of the National Government should be exerted for the same purpose. To be specific, I believe that the Treasury Department should, without a day's delay, promulgate rules and regulations prescribing the quarantine methods to be adopted to prevent the introduction of disease by sea, which rules and regulations should govern the immigrants for a certain period on the other side of the water before they take ship, should prescribe the regimen to be adopted and the precautions to be resorted to on shipboard during the voyage, and should also provide the sanitary measures to

tained by said vessel in collision with the United States steamer Chicago; which was referred to the Committee on Claims.

#### BUREAU OF ANIMAL INDUSTRY.

The SPEAKER also laid before the House a communication from the Secretary of Agriculture, submitting report of the operations of the Bureau of Animal Industry for the year 1892; which was referred to the Committee on Agriculture.

#### PRESIDENTIAL ELECTORS, WASHINGTON.

The SPEAKER also laid before the House a certified copy of the final ascertainment of the electors for President and Vice-President of the State of Washington; which was laid upon the table.

#### REFERENCE OF SENATE BILLS.

The SPEAKER also laid before the House Senate bills; which were severally read twice, and referred as indicated, namely:

A bill (S. 1664) for the relief of Lister Noble—to the Committee on War Claims.

A bill (S. 1933) concerning testimony in criminal cases or proceedings based upon or growing out of alleged violations of an act entitled "An act to regulate commerce," approved February 4, 1887, as amended March 2, 1889, and February 10, 1891—to the Committee on Interstate and Foreign Commerce.

A bill (S. 3382) to authorize a corrected patent to be issued for the donation land claim of Wheelock Simmons and wife—to the Committee on Private Land Claims.

A bill (S. 3537) for the relief of M. P. Deady—to the Committee on the Judiciary.

Joint resolution (S. R. 124) directing the Secretary of War to investigate the subject of raft-towing on the Great Lakes and their connecting waters—to the Committee on Interstate and Foreign Commerce.

#### WETMORE & BROTHER.

The SPEAKER also laid before the House the bill (S. 29) for the relief of Wetmore & Brother, of St. Louis, Mo.

Mr. COBB of Missouri. Mr. Speaker, I ask unanimous consent for the present consideration of this bill.

The SPEAKER. The bill will be read, after which the Chair will ask if there be objection.

The bill was read at length.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COBB of Missouri. I will ask that the report be read.

The SPEAKER. There is no House report accompanying the bill.

Mr. COBB of Missouri. I ask that the Senate report be read.

The Senate report was read at length.

Mr. KILGORE. I would like to make some inquiry in regard to this bill. This is a Senate bill, I understand?

The SPEAKER. It is.

Mr. KILGORE. Has it been considered by a committee of the House?

The SPEAKER. The gentleman from Missouri can answer the question.

Mr. COBB of Missouri. It has not been reported by a House committee; but the amount being small and it having been passed unanimously by the Senate, I deem it unnecessary that such action should be taken, in view of the insignificance of the amount involved. It carries only \$200.

Mr. KILGORE. I object to its consideration because it has not been considered by a House committee.

Mr. COBB of Missouri. It is a very small matter.

Mr. KILGORE. I do not know anything of the merits of the case, but I think that all of these bills should go through the regular channel.

The SPEAKER. Objection is made, and the bill will be referred to the Committee on Claims.

#### CLAIMS OF THE CHOCTAW AND CHICKASAW INDIANS.

The SPEAKER also laid before the House the Senate amendment to the joint resolution (H. Res. 166) to authorize the Secretary of the Treasury to cover back into the Treasury the sum of \$45,000 of the appropriations for the Choctaw and Chickasaw Indians.

Mr. PEEL. I ask for the reading of the Senate amendment, with a view of moving concurrence.

The SPEAKER. The Senate amendment will be read.

The Clerk read as follows:

Add the following proviso:

*Provided, however,* That neither the passage of the original act of appropriation to pay the Choctaw and Chickasaw tribes of Indians for their interest in the lands of the Cheyenne and Arapahoe Reservation, dated March 3, 1891, nor of this joint resolution shall be held in any way to commit the Government to the payment of any further sum to the Choctaw and Chickasaw Indians for any alleged interest in the remainder of the lands situated in what is commonly known and called the leased district."

Mr. PEEL. I move to concur in the Senate amendment. It simply provides that this, as well as preceding legislation on the

subject, shall not establish a precedent for other appropriations of a similar character.

The Senate amendment was concurred in.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. ELLIS, for five days, on account of important business. To Mr. DOAN, indefinitely, on account of sickness in his family. Mr. CAMPBELL. Mr. Speaker, I ask leave of absence for one week from Monday next.

The SPEAKER. Without objection, this request will be granted.

There was no objection.

#### ORDER OF BUSINESS.

Mr. JOHNSON of Indiana. Mr. Speaker—

The SPEAKER. For what purpose do the gentleman ask? Mr. JOHNSON of Indiana. I ask unanimous consent to introduce the resolution which I send to the Clerk's desk and for its reading, and that it be then referred to the Committee on Printing, which is the appropriate committee.

The SPEAKER. The resolution can be referred. The Chair understands that the gentleman desires to have it read.

Mr. JOHNSON of Indiana. I ask unanimous consent to have it read.

The SPEAKER. The gentleman from Indiana [Mr. JOHNSON] asks unanimous consent to have the resolution read for reference.

Mr. RICHARDSON. I object.

Mr. JOHNSON of Indiana. The gentleman need not object to this—

Mr. RICHARDSON. Let it be referred under the rules.

The SPEAKER. Objection is made.

Mr. JOHNSON of Indiana. This is a resolution to which I want to call the attention of the House by having it read; that is all.

Mr. RICHARDSON. Let it take the regular course.

#### BOARD OF REGENTS, SMITHSONIAN INSTITUTION.

Mr. CUMMINGS. Mr. Speaker—

The SPEAKER. The Chair understands that the gentleman from New York [Mr. CUMMINGS] has a resolution respecting the filling of a vacancy in the Board of Regents of the Smithsonian Institution.

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent to report back a resolution to fill a vacancy in the Board of Regents of the Smithsonian Institution. It is from the Committee on the Library. I ask for its immediate consideration.

The SPEAKER. The Clerk will report the title of the resolution.

The Clerk read as follows:

Joint resolution (S. R. 123) to fill vacancy in the Board of Regents of the Smithsonian Institution.

The SPEAKER. The gentleman from New York [Mr. CUMMINGS] asks unanimous consent for the consideration of this resolution, and the Clerk will read it, after which the Chair will ask if there be objection.

The resolution was read, as follows:

*Resolved, etc.* That the vacancy in the Board of Regents of the Smithsonian Institution, in the class other than members of Congress, be filled by the reappointment of James B. Angell, of Michigan, whose term of office expires January 19, 1893.

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. HOLMAN. I did not understand its purport.

Mr. CUMMINGS. If the Clerk will read the report, it will be satisfactory to the gentleman, I think.

The SPEAKER. This is a joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution. The Clerk will again report it, so that the House will understand it.

The Clerk again read the resolution.

The SPEAKER. Is there objection to the consideration of the resolution?

Mr. DINGLEY. Do I understand from the gentleman from New York that an amendment to the resolution is proposed?

Mr. CUMMINGS. No amendment whatever. This is the original Senate joint resolution.

The SPEAKER. The Chair hears no objection.

The resolution was ordered to a third reading and was accordingly read the third time, and passed.

On motion of Mr. CUMMINGS, a motion to reconsider the last vote was laid on the table.

#### MUSTER AND PAY OF CERTAIN MEMBERS OF THE VOLUNTEER FORCES.

The SPEAKER. On the 17th of December last there was before the House the bill (H. R. 6649), called up by the Committee



on Military Affairs, the Chair believes. By unanimous consent, the vote upon it was postponed until January 6, 1893, it appearing on the vote then taken that there was no quorum. Now, the Clerk will report the bill, so that the House will know what it is.

The Clerk read as follows:

A bill (H. R. 6699) to extend the provisions of an act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces.

*Reit-ended, &c.* That the provisions of an act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces, approved June 1 1881 as amended by an act approved February 5, 1887, be, and the same are hereby, revived and extended for a period of three years from the 31 day of June, 1892.

Mr. OUTHWAITE. I have discovered a clerical error in the bill, and I ask unanimous consent to change the word "four," in line 5 of the printed bill, to the word "third," and the word "fifth," in line 6, to the word "third."

Mr. McMILLIN. Mr. Speaker, how does this bill come before the House?

The SPEAKER. On the 17th of December last this bill was before the House. Under the operation of the previous question it was ordered to be engrossed and read a third time, and it was accordingly engrossed and read a third time; and on the question, Shall the bill pass? the ayes were 70 and the noes 5, whereupon the gentleman from Texas [Mr. LONG] made the point of no quorum. Tellers were appointed, and pending the discharge of their duty the gentleman from Ohio [Mr. OUTHWAITE] made the following request:

Mr. Speaker, it appears that there is not a quorum present, and I ask unanimous consent that this bill go over until the 6th day of January, to be voted upon immediately after the first morning hour.

The SPEAKER. Is there objection to the request of the gentleman from Ohio that the consideration of the pending bill go over until January 6, immediately after the first morning hour.

And there was no objection. That is the way in which the bill comes before the House now.

Mr. KILGORE. I want to make a point of order upon this.

Mr. McMILLIN. Have we entered upon the first morning hour?

The SPEAKER. The Chair does not think the committees have been called.

Mr. McMILLIN. Then it would not be in order until that is done.

The SPEAKER. The Chair will direct the Clerk to call the committees.

Mr. OUTHWAITE. It makes no difference about that.

Mr. McMILLIN. The only difference is, that if we get into consideration in the morning hour it might not be concluded in the hour, and that would be the difference.

Mr. BELTZHOVER. Mr. Speaker, I believe I am entitled to be recognized to make a privileged motion.

The SPEAKER. The Clerk will call the standing and select committees for reports.

The Clerk proceeded to call the committees for reports.

#### POST TRADERSHIPS.

Mr. OUTHWAITE, from the Committee on Military Affairs, reported back favorably the bill (S. 317) relating to post traderships; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### BIG HORN SOUTHERN RAILROAD.

Mr. PICKLER, from the Committee on Indian Affairs, reported back favorably the bill (S. 3317) extending the time for the construction of the Big Horn Southern Railroad through the Crow Indian Reservation; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### BRIDGES ACROSS THE HIWASSEE, THE TENNESSEE, AND THE CLINCH RIVERS, TENNESSEE.

Mr. GEARY, from the Committee on Commerce, reported back favorably the bill (H. R. 10015) to authorize the construction of bridges across the Hiwassee, the Tennessee, and the Clinch Rivers, in the State of Tennessee; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

The call of committees was resumed and concluded.

#### MUSTER AND PAY OF CERTAIN OFFICERS AND ENLISTED MEN OF THE VOLUNTEER FORCES.

The SPEAKER. This completes the call of the standing and select committees. Now, under the order, the House will consider the bill referred to by the gentleman from Ohio, which the Clerk will again report.

Mr. KILGORE. Mr. Speaker, I desire to assail the validity of the order heretofore made by the House in relation to that bill with a point of order. When the agreement was concurred in by the House the statement was made in that connection that there was no quorum present; and if there was no quorum pres-

ent, it was not competent for the House to enter into any agreement or make any order which would be binding upon any subsequent session of this body.

The SPEAKER. "There was not a quorum voting." [Laughter.]

Mr. REED. I hope the gentleman from Texas [Mr. KILGORE] understands the distinction. It is a perfectly legal one.

Mr. KILGORE. I think the order read that there "was no quorum present."

The SPEAKER. The Chair will state to the gentleman from Texas that the vote was taken on a division and it appeared that there was no quorum voting. The point was made, whereupon tellers were ordered, and just at that stage this agreement was made.

Mr. KILGORE. The statement is made by the gentleman from Ohio himself that he was satisfied that there was no quorum present, and for that reason asked that the further consideration of the bill be postponed without prejudice.

The SPEAKER. The trouble is, that although the gentleman from Ohio might be satisfied, it does not follow that there was not a quorum present.

Mr. OUTHWAITE. There is nothing to indicate that the House was satisfied.

The SPEAKER. The Clerk will again report the bill, so that the House may understand it.

The bill was again read.

Mr. OUTHWAITE. I move the previous question on the passage of the bill.

Mr. HOLMAN. I hope the gentleman will permit the report to be read.

Mr. OUTHWAITE. The report was read when the bill was up before, and I do not know whether the order permits any debate. The order is that the vote shall be taken at this time.

Mr. McMILLIN. I will state to the gentleman while the order does not in strictness permit of debate, the report might be read by unanimous consent.

Mr. OUTHWAITE. I have no objection whatever to that.

Mr. McMILLIN. I would suggest that.

Mr. BELTZHOVER. Mr. Speaker, can it be read without unanimous consent?

A MEMBER. It is submitted "without objection." The report can be read if there be no objection.

The SPEAKER. The previous question had been ordered, and the Chair does not think it can be read, because the terms of the order is that the vote shall be taken.

Mr. BELTZHOVER. I understand the order.

The SPEAKER. The gentleman from Ohio [Mr. OUTHWAITE] had requested the correction of clerical errors as to dates. Without objection these corrections will be made. [After a pause.] The Chair hears none, and it is so ordered. The question now is, Shall the bill pass?

The question was taken, and the bill was passed.

On motion of Mr. OUTHWAITE, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### ORDER OF BUSINESS.

Mr. BELTZHOVER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole for the purpose of considering business on the Private Calendar.

Mr. MARTIN. Mr. Speaker, I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. MARTIN. I desire to inquire whether the first thing in order is not the taking of a vote on the bill which was under consideration when the House adjourned?

The SPEAKER. The Chair will state to the gentleman from Pennsylvania [Mr. BELTZHOVER] and the House that there are pending certain pension bills reported to the House from the Committee of the Whole at the Friday evening sessions, upon each one of which bills the previous question has been ordered to its final passage, and under the practice of the House that operates to make those bills in order immediately after the reading of the Journal. Therefore the vote must first be taken on those bills, although under the rules of the House generally it is in order on Friday, immediately after the first morning hour, to make a motion to go into Committee of the Whole for the consideration of business on the Private Calendar.

If the gentleman from Indiana [Mr. MARTIN] had waived the point by not calling attention to it, the Chair might not have brought it to the attention of the House, because his mind would not have been directed to it; but as the gentleman from Indiana makes the point, the Chair thinks that those bills on which the previous question has been ordered to their final passage have priority and are properly in order at this time.

Mr. BELTZHOVER. I hope the gentleman from Indiana [Mr. MARTIN] will give way.

The SPEAKER. The Clerk will report the first bill.

Wheeling, held at St. Clairsville, Ohio, December 20, 1892, against the repeal of the Sunday-closing law the first session of the Fifty-second Congress for the World's Columbian Exposition—to the Select Committee on the Columbian Exposition.

By Mr. SCOTT: Petition of the State Grange of Illinois, Patrons of Husbandry, for the passage of the pure-food bill—to the Committee on Agriculture.

Also, petition by the same body, for free postal delivery in rural districts—to the Committee on the Post-Office and Post-Roads.

Also, petition by the same body, for Government control of railroads—to the Committee on Railroads and Canals.

Also, petition by the same body, in favor of the National Government issuing the money of the people, and for other reforms—to the Committee on Banking and Currency.

Also, petition by the same body, favoring the establishment of United States postal savings banks—to the Committee on Banking and Currency.

Also, petition by the same body, favoring the free coinage of silver—to the Committee on Coinage, Weights, and Measures.

By Mr. STONE of Kentucky: Papers in the matter of Augustus P. Green, to accompany House bill 19060—to the Committee on War Claims.

By Mr. WILLIAMS of Massachusetts: Petition of 17 citizens of Norwood (Mass.) Lodge, No. 33, International Association of Machinists, praying for legislation not to permit any kind of machinery used in the manufacture of sugar to come into the United States at a lower rate of duty than other machinery—to the Committee on Agriculture.

By Mr. WILSON of Washington: Petition of citizens of the State of Washington, for the opening of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WISE: Papers in the matter of John M. Blankenship, to accompany House bill 10061—to the Committee on Naval Affairs.

## SENATE.

SATURDAY, January 7, 1893.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

### PRESIDENTIAL ELECTORS.

The VICE-PRESIDENT laid before the Senate communications from the Secretary of State, transmitting, in pursuance of the provisions of the act of Congress approved February 3, 1887, certified copies of the final ascertainment of the electors for President and Vice-President appointed in the States of Kansas, Missouri, Nebraska, and Minnesota at the elections held therein on the 8th of November, 1892, as certified to him by the governors of those States; which, with the accompanying papers, were ordered to lie on the table.

### EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting a letter from the adjutant-general of the State of Maryland suggesting the passage of a law providing for an encampment of 100,000 United States and State troops to be held at Chicago on the occasion of the World's Columbian Exposition; which, on motion of Mr. SHERMAN, was, with the accompanying papers, referred to the Committee on the Quadro-Centennial (Select), and ordered to be printed.

### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 3d instant approved and signed the act (S. 1675) granting increase of pension to soldiers of the Mexican war in certain cases.

The message also announced that the President had on the 6th instant approved and signed the following acts:

An act (S. 2381) for the relief of the Citadel Academy of Charleston, S. C.; and

An act (S. 3298) authorizing the sale of land in the vicinity of Fort Mifflin, on the river Delaware.

### PETITIONS AND MEMORIALS.

Mr. SHERMAN presented the petition of James Cutler and 46 other citizens of Richwood, Ohio, praying for the immediate repeal of the act of July 14, 1890, directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes; which was referred to the Committee on Finance.

He also presented a petition of Buck Creek Grange, No. 750, Patrons of Husbandry, of Ohio, praying for the early passage of the Washburn-Hatch anti-option bill; which was ordered to lie on the table.

He also presented memorials of 71 citizens of Antrim, Ohio; of a union meeting of Christian people of Van Wert, Ohio; of the Methodist Churches of New Concord, Ohio, and of the Presbyterian Church of Savannah, Ohio, remonstrating against any repeal of the law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. McMILLAN presented a petition of citizens of Washington and Georgetown, in the District of Columbia, praying Congress to grant the use of the Aqueduct bridge on the Clearinghouse; which was referred to the Committee on the District of Columbia.

Mr. KYLE presented petitions of Rev. Eugene A. Johnson and 24 others; of Rev. William A. Credit and 70 others; of Rev. Francis J. Grinkle and 72 others, and of George W. Cook and 76 others, all citizens of the District of Columbia, praying for the passage of a bill authorizing the board of management of the United States Government exhibit at the World's Columbian Exposition to collect and publish certain facts relating to the industrial, moral, and educational development of the American negro during the last thirty years, etc.; which were referred to the Committee on Education and Labor.

He also presented memorials of B. M. Hiebey and 20 other citizens of Minnehaha County, S. Dak.; of J. M. Spensley and 21 other citizens of Clay County, S. Dak.; of John Clark and 16 other citizens of Minnehaha County, S. Dak.; of K. Westerhuis and 22 other citizens of Clay County, S. Dak.; of J. H. Hooker and 23 other citizens of McCook County, S. Dak.; of M. H. Payne and 23 other citizens of Cass County, N. Dak.; of A. B. Parker and 23 other citizens of Union County, S. Dak.; of J. J. Duffack and 21 other citizens of Yankton County, S. Dak.; of Peter Karsen and 23 other citizens of Clay County, S. Dak.; of J. J. Michaels and sundry other citizens of Rich Center, S. Dak., and of J. L. Monks and 21 other citizens of Watertown, S. Dak., praying for the appointment of a committee to investigate the combine formed to depreciate the price of grain, and asking for the postponement of the anti-option bill until such committee reports; which were referred to the Committee on Agriculture and Forestry.

He also presented the petition of Tom O'Hara and other citizens of De Smet, S. Dak., praying for the passage of the Washburn-Hatch anti-option bill; which was ordered to lie on the table.

Mr. HARRIS presented the petition of M. Broderick and other citizens of Tennessee, and the petition of J. H. Pitt and other citizens of Carroll County, Tenn., praying for the passage of the Washburn-Hatch anti-option bill; which were ordered to lie on the table.

Mr. HOAR. I present resolutions of the Boston Chamber of Commerce, desiring that there be no obstructions to the advantages now enjoyed by Canadian railroads in the commerce between New England and the Northwest. The resolutions are in the nature of a petition, and I move that they be referred to the Committee on Interstate Commerce.

The motion was agreed to.

Mr. HOAR presented a resolution adopted by the Boston Chamber of Commerce, at a meeting held January 3, 1893, praying for the repeal of the Sherman silver act, so called; which was referred to the Committee on Finance.

Mr. QUAY presented resolutions of the Pennsylvania Peace Society and of the executive committee of the Universal Peace Society, favoring the repeal of the law prohibiting the coming of Chinese into the United States; which was referred to the Committee on Foreign Relations.

Mr. CULLOM presented petitions of farmers and laborers of Johnson County; of Farmers of Franklin County, and of J. M. Martin and other citizens of Clay County, all in the State of Illinois, praying for the appointment of a committee to investigate the combine formed to depreciate the price of grain, and asking for the postponement of the Washburn-Hatch anti-option bill until such committee shall report; which was referred to the Committee on Agriculture and Forestry.

Mr. CAMERON presented a petition of the Board of Trade of Philadelphia, Pa., praying for the passage of legislation providing Government aid in the construction of the Nicaragua Canal; which was ordered to lie on the table.

He also presented a petition of the Maritime Exchange of Philadelphia, Pa., praying for the passage of a Federal quarantine law; which was ordered to lie on the table.

He also presented the petition of William Ledyard Edsforth, of Philadelphia, Pa., praying for relief as the original inventor and owner of patents granted by the United States for improvements in fire extinguishers; which was referred to the Committee on Patents.

He also presented a petition of the Board of Trade of Philadelphia, Pa., praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Chinese Equal Rights League of Philadelphia, Pa., praying for the repeal of the Chinese restriction law; which was referred to the Committee on Foreign Relations.

Mr. COCKRELL presented the memorial of J. C. Thornton, secretary of the Johnson Sabbath School Association of Warrenburg, Mo., remonstrating against the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of the Merchants' Exchange of St. Louis, Mo., remonstrating against the passage of the Washburn-Hatch anti-option bill; which was ordered to lie on the table.

Mr. COCKRELL. I present a memorial of members of the confederated Kaskaskia, Peoria, Wea, and Piankeshaw Indians, and a memorial of members of the Peoria and Miami Indians, all of the Quapaw Agency, in the Indian Territory, remonstrating against the passage of the bill (S. 3939) to provide for the allotment of lands among the several Indian tribes in the Quapaw Agency, in the Indian Territory, and for the sale of surplus lands of such tribes; and for the creation of the county of Cayuga, in the Territory of Oklahoma, and for other purposes.

That bill is upon the Calendar, and I ask that the memorials may be laid on the table with other papers protesting against the passage of the bill referred to.

The motion was agreed to.

#### REPORTS OF COMMITTEES.

Mr. QUAY, from the Committee on the Library, to whom was referred the bill (S. 1425) to provide for the erection of a monument to Maj. Gen. Nathaniel Greene on the battlefield of the battle of Guilford Court-House, N. C., fought March 15, 1781, and for other purposes, reported it with amendments, and submitted a report thereon.

#### COLUMBIAN UNIVERSITY.

Mr. HIGGINS. I am instructed by the Committee on the District of Columbia, to whom was referred the bill (S. 3623) to amend the act of March 3, 1873, for the relief of the Columbian University, in the District of Columbia, to report it without amendment, and I ask for its present consideration.

The bill was read, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to so amend the act that hereafter the treasurer and secretary of the Columbian University need not be one person nor a member of the trustees of the corporation, but the trustees and overseers, in convention assembled, shall annually elect by ballot two suitable persons from among the trustees or not, as they may deem proper, one to be treasurer and the other secretary of the corporation and of the board of trustees.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 317) granting an increase of pension to John M. Roberts;

A bill (S. 2592) granting an increase of pension to William C. Tarkenton;

A bill (S. 2999) for the relief of George W. McKinney; and

A bill (S. 3314) for the relief of E. Darwin Gage, late lieutenant-colonel of the One hundred and forty-eighth New York Infantry.

The message also announced that the House had passed the bill (S. 1303) to increase the pension of Mrs. S. A. Farquharson, with an amendment; in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. 1318) granting a pension to Martha A. Harris;

A bill (H. R. 2077) for the relief of William B. Price;

A bill (H. R. 2592) for the relief of Andrew B. Knapp;

A bill (H. R. 2912) to pension John T. Fleenor;

A bill (H. R. 3713) for increase of pension of Francis P. Gardner;

A bill (H. R. 4047) granting a pension to Ellen Hewett;

A bill (H. R. 4329) granting a pension to Thomas S. Kennedy;

A bill (H. R. 4916) granting a pension to Thomas Tucker, of Battery A, Fourth United States Artillery;

A bill (H. R. 6272) to pension Susan S. Murphy;

A bill (H. R. 6649) to extend the provisions of an act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces;

A bill (H. R. 7234) granting a pension to Mary Millard;

A bill (H. R. 7238) granting a pension to Amanda Atherton;

A bill (H. R. 7713) granting a pension to Benajah Morgan, late private in captain Burn's company, Third Regiment, Third Brigade of Mounted Volunteers in the Black Hawk war;

A bill (H. R. 8498) to pension Sophia Kagwaich;

A bill (H. R. 8574) granting an honorable discharge to James C. Jennings;

A bill (H. R. 8921) granting a pension to the widow of James A. Kelly;

A bill (H. R. 8969) to grant a pension to Lydia Bollman, a dependent sister;

A bill (H. R. 9215) granting a pension to Eliza Holmes;

A bill (H. R. 9229) granting a pension to Mrs. Caroline Hardee Dyall, widow of James R. Dyall, veteran of the Florida war, 1836;

A bill (H. R. 9233) to grant a pension to Harriet Cota; and

A bill (H. R. 9599) granting a pension to Cornelius Day.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 2187) granting a pension to Margaret M. Rice;

A bill (S. 2593) granting an increase of pension to Samuel M. Campbell;

A bill (S. 1786) granting a pension to Mrs. Jennie Gray;

A bill (S. 1831) to admit free of duty the wreckage of the ships Trenton and Vandalia, presented by the United States to the King of Samoa;

A bill (S. 3029) authorizing the construction of a bridge across the Columbia River in the State of Washington;

A bill (S. 3448) granting to the Blue Mountain Irrigation and Improvement Company a right of way for reservoir and canals through the Umatilla Indian Reservation in the State of Oregon;

A joint resolution (S. R. 123) to fill vacancies in the Board of Regents of the Smithsonian Institution; and

A joint resolution (H. Res. 166) to authorize the Secretary of the Treasury to cover back into the Treasury \$48,800 of the appropriation to Choctaw and Chickasaw Indians.

#### BILLS INTRODUCED.

Mr. VANCE introduced a bill (S. 3699) to incorporate the Tabernacle Society of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. McMILLAN introduced a bill (S. 3691) regulating the employment of certain persons in manufactories, workshops, and stores in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PLATT. I introduce a bill to provide a temporary government for Alaska, and for other purposes, and I ask the indulgence of the Senate to say a single word.

The present government of Alaska is very crude in many respects, inefficient, and altogether abnormal in our history and policy. That there ought to be an improvement upon that government is undoubted. This bill has been prepared at the Department of the Interior and upon consultation with the present governor of Alaska; and while in many respects it is a great improvement upon the present law for the government of Alaska, it has some features in it which I do not think I am in favor of. With that declaration I introduce the bill.

The bill (S. 3702) to provide a temporary government for Alaska, and for other purposes, was read twice by its title, and referred to the Committee on Territories.

Mr. SAWYER introduced a bill (S. 3683) granting a pension to Fred S. Chamberlain; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 3691) for the relief of certain purchasers of public lands within the limits of Congressional land grant; which was read twice by its title, and referred to the Committee on Public Lands.

#### TREATY WITH INDIANS OF OREGON.

Mr. MITCHELL. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

*Resolved*, That the Secretary of the Interior be, and he is hereby, directed to transmit to the Senate a copy of a treaty negotiated by Joel Palmer, then superintendent of Indian Affairs for the Territory of Oregon on or about the 10th day of August, 1855, with the various Indian tribes inhabiting the coast of Oregon from the Columbia River to the California line, consisting of Tillamook, Clatsop Bay, Chinook, Toke, Chinook, Clatsop, and Lower Chinook Indians, and where, if they, it is alleged, ceded all the country claimed by them between the country theretofore ceded by various other treaties and the Pacific Ocean, estimated to contain 500,000 acres of land, and by the terms of which it is alleged there was a reservation of a tract of country on the coast within the limits of the coast reservation established by the President, estimated to contain 750,000 acres; and that the Secretary of the Interior be further directed to advise the Senate whether such treaty was ever transmitted to the Senate for ratification; also whether the United States, if said treaty was not ratified, has acted upon the terms stipulated therein and received the benefits of the cession therein provided; and if so, whether said Indians were ever paid the amounts stipulated in such treaty to be paid to them for and on account of the lands so

ceded, and if so, when were such payments made; and further that he advise the Senate fully whether such treaty became operative and whether the terms thereof or any of them have been enforced against the Indians, or the stipulations therein complied with by the United States.

Mr. PLATT. To what treaty does the resolution refer?

Mr. MITCHELL. The treaty of 1855.

Mr. COCKRELL. I think the resolution had better be printed so that we may examine it. There are certain questions asked as to whether certain obligations were assumed. I do not think the Secretary of the Interior or any Cabinet officer has a right to bind the United States by his opinion. I think the resolution ought probably to be amended so as simply to state what was done, and not to ask whether we were bound.

Mr. MITCHELL. The resolution simply calls for information. First, it asks that a copy of the treaty, if one was made at the time designated, be transmitted to the Senate. Second, although the resolution is somewhat lengthy, it simply calls for information as to what, if anything, has been done under the treaty. That is all. I have no particular objection to letting the resolution go over and be printed, if the Senator from Missouri desires that course.

Mr. COCKRELL. Let it be printed and we can then look at it.

Mr. MITCHELL. All right; let the resolution go over and be printed, to be called up to-morrow morning.

The VICE-PRESIDENT. The resolution will go over and be printed.

#### SATURDAY BANK HALF HOLIDAY.

Mr. McMILLAN. I should like to call up the joint resolution (S. R. 130) to amend an act entitled "An act making Saturday a half holiday for banking and trust companies in the District of Columbia," approved December 22, 1892, reported by me yesterday from the Committee on the District of Columbia with an amendment in the nature of a substitute. It went over yesterday on the objection of the Senator from Massachusetts [Mr. HOAR].

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution.

The VICE-PRESIDENT. The substitute reported by the Committee on the District of Columbia was read at length yesterday. The question is on agreeing to the amendment of the committee.

Mr. HOAR. I have examined the joint resolution since it went over. It is only intended, as I understand from reading it and from the assurance of members of the committee who reported it, to extend to Georgetown and Annapolis, in the District of Columbia, the provisions of the act passed in December, which applies to banks and other like institutions in Washington. I think after this measure shall become a law it would be safe for all holders of negotiable paper and persons desiring to enforce all other contracts which require an act to be performed at a bank on a given day, the indorsers of promissory notes or the makers of conditional contracts, to have the acts necessary for holding persons with whom they have contracted performed on both days. I think it is exceedingly doubtful whether the courts would hold that an act of Congress merely establishing a legal holiday would operate to create a new obligation on the part of an indorser of negotiable paper. I shall not in regard to a measure which is so convenient interpose any objection or insist on any amendment, but simply make the suggestion that in my judgment it would be safe for such persons to have the tender or demand made on both days.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the Committee on the District of Columbia, striking out all after the resolving clause and inserting a substitute.

The amendment was agreed to.

Mr. PLATT. Perhaps no other member of the Senate will agree with me in what I am about to say with reference to this measure, but I do not see any necessity for it. I am not going to oppose its passage. I know we have been making holidays for every conceivable reason, but I do not see any reason at all for making a half holiday in the District of Columbia simply for banks and trust companies. If Saturday were a half holiday so that business closed here at 12 o'clock that would be another thing, but the banks open at 9 and close at 3 in the afternoon. I think, and I do not see any particular necessity for this measure which authorizes them to close at 12 on Saturday. Their hours are not late. Business goes on upon Saturday afternoon, we have no half holiday as to general business, and such a measure seems to me quite unnecessary. But, as I said, I am not going to oppose the passage of the joint resolution. I wanted simply to express my views on the subject.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

#### HOUSE BILLS REFERRED.

The following bills, this day received from the House of Representatives, were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 1318) granting a pension to Martha A. Harris;

A bill (H. R. 2342) to pension John T. Egan;

A bill (H. R. 3713) for increase of pension of Francis P. Gardner;

A bill (H. R. 1947) granting a pension to Ellen Howart;

A bill (H. R. 6320) granting a pension to Thomas S. Kennedy;

A bill (H. R. 1946) granting a pension to Thomas Fennell, of Battery A, Fourth United States Artillery;

A bill (H. R. 6272) to pension Susan A. Kelly;

A bill (H. R. 7231) granting a pension to Miss Milner;

A bill (H. R. 7238) granting a pension to Amanda M. Mott;

A bill (H. R. 7513) granting a pension to Benjamin McLaughlin, private in Captain Barn's company, Third Regiment, Third Brigade of Mounted Volunteers in the Black Hawk war;

A bill (H. R. 8488) to pension Sophia Kugwaleh;

A bill (H. R. 8924) granting a pension to the widow of James A. Kelly;

A bill (H. R. 8962) to grant a pension to Lydia Bollman, a dependent sister;

A bill (H. R. 9215) granting a pension to Eliza Holmes;

A bill (H. R. 9220) granting a pension to Mrs. Caroline Hardee Dyall, widow of James R. Dyall, veteran of the Florida war 1896;

A bill (H. R. 9233) to grant a pension to Harriet Cotar and

A bill (H. R. 9590) granting a pension to Charles Day.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 2077) for the relief of William B. Prier;

A bill (H. R. 2392) for the relief of Andrew B. Knapp;

A bill (H. R. 6649) to extend the provisions of an act to provide for the muster and pay of certain officers and enlisted men of the volunteer force; and

A bill (H. R. 5574) granting an honorable discharge to James C. Jennings.

#### ADDITIONAL QUARANTINE POWERS.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed and the Chair lays before the Senate the regular order, which is the bill (S. 2707) granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service.

The Senate, as in Committee of the Whole, resumed the consideration of the bill; the pending question being on the amendment proposed by Mr. VEST, in line 1, of section 7, after the word "service" to insert, "shall immediately after this act takes effect examine the quarantine regulations of all State and municipal boards of health in the execution and enforcement of the laws and regulations of such boards and in the execution and enforcement of the laws and regulations made by the Secretary of the Treasury."

That the Marine Hospital Service, which, immediately after this act takes effect, examine the quarantine regulations of all State and municipal boards of health, and shall cooperate with said State and municipal boards of health in the execution and enforcement of the laws and regulations of such boards and in the execution and enforcement of the laws and regulations made by the Secretary of the Treasury.

Mr. HARRIS. There is no objection to the amendment of the Senator from Missouri [Mr. VEST].

The amendment was agreed to.

The VICE-PRESIDENT. The question now is on agreeing to the amendment of the committee to insert an additional section as section 7.

Mr. WOLCOTT. This measure is a most important one, and the Senate seems to be quite thin. I suggest that there is no quorum present. Let the roll be called.

The VICE-PRESIDENT. The roll will be called by the Secretary.

The Secretary called the roll, and the following Senators answered to their names:

Berry,	Dodge,	M. McLean,	Sawyer,
Blackburn,	Dyer,	McPherson,	Sherman,
Cull,	George,	Mills,	Squire,
Cameron,	Gibson,	Mitchell,	Stewart,
Carlisle,	Hansbrough,	Morgan,	Teller,
Chandler,	Harris,	Morris,	Vanderpool,
Cockrell,	Hazen,	Palmer,	Vest,
Cole,	Hoar,	Patten,	Wadsworth,
Cullum,	Loomis,	Platt,	Wells,
Daniel,	Jones of Ark.	Prentiss,	Wilson,
Dawes,	Kyle,	Quay,	Wood,

The VICE-PRESIDENT. Forty-four Senators have responded to their names. A quorum is present. The question remains on agreeing to the amendment of the committee's reportings, after 7.

Mr. HARRIS. In section 3, line 23, after the word "State," to conform that part of the section to certain amendments suggested by the Senator from Missouri [Mr. VEST], I move to strike out the words "from and to" and insert "from Territory of the District of Columbia from another State or Territory of the District of Columbia," so as to read:

Are not sufficient to prevent the introduction of such diseases into the

United States, or into one State or Territory or the District of Columbia from another State or Territory or the District of Columbia, the Secretary of the Treasury shall, in his judgment, etc.

The amendment was agreed to.

Mr. TELLER. I do not know what stage the bill is in, but I wish to make a correction in an amendment as we find it printed in the bill on our tables. I moved yesterday an amendment to section 3, on page 5, which does not seem to be printed in the bill as it is in the RECORD. I moved to amend in lines 38 and 39 in the present bill, so as to read in this way:

But if the State or municipal authorities shall fail or refuse to enforce said rules and regulations, the President shall execute and enforce the same, and may detail officers or appoint proper persons for that purpose.

As it reads in the printed amendment, it is simply that the President may "appoint officers for that purpose." It is correctly printed in the RECORD, but not in the bill as it is reprinted.

Mr. CHANDLER. It says "detail" in the bill.

Mr. TELLER. The Secretary will find in the CONGRESSIONAL RECORD this morning on page 408 the exact words of the amendment as I proposed it.

Mr. HARRIS. Does not the Senator from Colorado think, as the language appears in the bill, it accomplishes his object perfectly? It seems to me it does.

Mr. TELLER. I suppose the committee desires to have it in the power of the President not only to appoint persons but to detail officers.

Mr. CHANDLER. The bill so reads.

Mr. TELLER. It does not in the print I have.

Mr. CHANDLER. It does in the print I have.

Mr. TELLER. In the copy I have it reads that the President "may appoint officers."

Mr. CHANDLER. "May detail or appoint officers."

Mr. HARRIS. It reads:

The President shall execute and enforce the same and may detail or appoint officers for that purpose.

Mr. TELLER. I overlooked the word "detail."

Mr. HARRIS. The word "detail" remains in the bill.

Mr. TELLER. If it means that the President may detail or appoint officers, it is all right. The bill, as printed, does not give the amendment exactly in the language in which I offered it.

The VICE-PRESIDENT. The question is on the amendment proposed by the Committee on Epidemic Diseases, to insert as a new section, section 7.

Mr. PLATT. Let the section be reported as it now stands.

The VICE-PRESIDENT. The section will be read.

The Secretary read as follows:

SEC. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera or yellow fever in a foreign country, there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by immigration that a suspension of the same is demanded in the interest of the public health, the President shall have power to suspend immigration from such countries or places as he shall designate and for such period of time as he may deem necessary.

Mr. KYLE. I move to amend in line 3 of the section by striking out the words "yellow fever," and inserting "other infectious or contagious diseases."

I will state my reasons for doing this. I notice section 8, at the close of the bill, repeals the old law in regard to contagious diseases, and by this morning's Post I notice there are 600 cases of typhus fever in Old Mexico. The same may occur upon the Canadian border, and I think by striking out the words "yellow fever" and substituting "other infectious diseases," the essential part of the old law proposed to be repealed by section 8 will be retained.

Mr. WHITE. I should like to ask the chairman of the committee in charge of the bill whether the power given under section 7 to the President is not a simple reiteration of the power given to the Secretary of the Treasury under previous provisions of the bill?

Mr. HARRIS. I do not think it is.

Mr. WHITE. A previous provision of the bill says that the Secretary may frame such rules and regulations as to detention in all respects, as to the prevention of diseases in all respects, and that such rules and regulations, when promulgated by him, shall have the effect of law. Now, have you not lodged in the Secretary of the Treasury under the previous provisions of the bill, if it means anything, all the power which you lodge here? Where is the limitation upon the power of the Secretary of the Treasury stated in the previous provision of the bill?

Mr. HARRIS. The Senator will allow me to suggest that the rules and regulations which the Secretary of the Treasury may make are in respect to vessels, passengers, crews, and cargo, which are sailing to this country, which are coming. The power given to the President is, in case of an exigency which in his opinion demands it, to prevent the coming at all. That is the difference, as it appears to me.

The VICE-PRESIDENT. The question is on the amendment

proposed by the Senator from South Dakota [Mr. KYLE], to the amendment of the committee inserting a new section as section 7, which will be reported.

The SECRETARY. In section 7, after the words "cholera or," in line 3, it is proposed to strike out "yellow fever" and insert "other infectious or contagious diseases;" so as to read:

That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera or other infectious diseases in a foreign country, etc.

Mr. WHITE. With the greatest deference to the distinguished Senator from Tennessee [Mr. HARRIS], I think that he states a distinction without a difference. The admission is that the previous sections of the bill give to the Secretary of Treasury full power to make all such rules and regulations as he may deem best as to the coming of vessels, as to the time of detention, and as to what shall be done to them after they get here; in other words, the fullest and most plenary power to prevent the coming into the United States of any person whom his regulations may choose to exclude. Under the terms of the previous sections the exercise of this power to make regulations is not exhausted by calling the power into being at one time. It is a lodgment in the Secretary of the Treasury of a continuous power, a power coeternous and coexisting with his official function. Now, is not that all the power given in this section?

But the Senator says the distinction is this, that one is the power given to the President to prevent them from coming, the other is the power given to the Secretary of the Treasury to prevent them from coming in. Is not that a distinction without a difference? Where is the distinction between the two? If the Secretary of the Treasury promulgates his regulations, saying that nobody shall come in, is not that a regulation saying that nobody shall come unless it is to be supposed that a man knowing he can not come in is going to come? The power of the President in suspending immigration can not go any further than preventing immigrants from coming in; his authority is not extraterritorial; he can not prevent a man from being guilty of the act of folly of shipping for this country, if he pleases, with the knowledge that he can not come in.

Mr. HARRIS. Will the Senator from Louisiana allow me to suggest, that I must have been unfortunate in my expression or be unfortunate enough not to have understood what I said. The difference, as I conceive it to be, is this: The Secretary of the Treasury makes rules and regulations under which persons may come in. The power given to the President is, in case of such exigency as may possibly arise, to say they shall not come at all. The difference is between being authorized to come in under certain circumstances, and not being authorized to come at all.

Mr. WHITE. Mr. President, the explanation of the distinguished Senator reads the provision out of the bill, for the very elementary conception of the quarantine power is that it contains within itself *ex vi terminum* the power to disinfect, the power to detain for a particular time, or the power to prevent coming in for as long a time as may be considered necessary. When you use the expression "quarantine," it is used as understood by civilized nations, and in every quarantine in the United States where it is considered proper that the party should not come in, the regulation goes, saying he shall not come in for three months or for forty days, or for six months, or he shall not come in for the time necessary to protect the public health.

Therefore, if the rules and regulations which the Secretary of the Treasury is to make under the previous provisions of this bill do not include the power to make rules and regulations as to quarantine, as commonly and at all times understood, then the previous provisions of the bill mean nothing, and you have lodged in the Secretary of the Treasury no power whatever.

I say this power ought to be lodged somewhere. If it be lodged at all, it ought not to be lodged in two places. If you confide it to the Secretary of the Treasury, then why go on and reconfide the same power in the President? If you do not wish to confide the power to the Secretary, then insert in your bill a provision confiding it to the President.

Mr. HOAR. I should like to inquire of the Senator from Louisiana if he extends his argument so far that he conceives that a municipality or a State, under the quarantine powers which are now exercised or which are conceded to it by this bill, would have the power to pass a quarantine regulation which should prohibit for one year or three years all immigration from Europe to the ports of that State?

Mr. WHITE. I will answer the Senator by saying that the quarantine regulations of my State, which have been in existence for a great many years and which have been declared constitutional by the Supreme Court of the United States after an elaborate examination, give the health officer power to detain a vessel six months with everybody on it, if he pleases.

Mr. HOAR. That is not quite my question.

Mr. WHITE. My argument is that the power to quarantine



effect; which was read twice, and referred to the Committee on Indian Affairs.

Mr. MANDERSON introduced a bill (S. 3696) for the relief of Brig. Gen. John R. Brooke, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CULLOM introduced a bill (S. 3697) to remove the charge of desertion from the record of Wade H. Newman; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. QUAY introduced a bill (S. 3698) granting an increase of pension to Mrs. Olivia Betton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a joint resolution (S. R. 133) instructing the Secretary of War to cause an examination to be made of the piers of the Aqueduct bridge, and the District Commissioners to furnish a statement of expenditures on account of said bridge, since it became the joint property of the United States and the District of Columbia; which was read twice, and referred to the Committee on the District of Columbia.

#### REPORT ON CATTLE DISEASES.

Mr. McMILLAN submitted the following concurrent resolution; which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring therein), That there be printed of the special report on the diseases of cattle and cattle feeding, prepared by the Bureau of Animal Industry of the Department of Agriculture, 100,000 copies, of which number 30,000 shall be for the use of the Senate, 60,000 for the use of the House of Representatives, and 10,000 to be distributed by the Secretary of Agriculture.*

#### REPORT ON SHEEP INDUSTRY.

Mr. McMILLAN submitted the following concurrent resolution; which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring therein), That there be printed of the special report on the sheep industry of the United States, prepared by the Bureau of Animal Industry of the Department of Agriculture, 35,000 copies, of which number 10,000 shall be for the use of the Senate, 20,000 for the use of the House of Representatives, and 5,000 for distribution by the Secretary of Agriculture.*

#### OBSERVATIONS OF NAVAL OBSERVATORY.

Mr. MANDERSON submitted the following concurrent resolution; which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring therein), That the annual volumes of the observations of the Naval Observatory, commonly known as the "Washington Observations," for the years 1889, 1890, 1891, and 1892, be printed, and that 1,500 additional copies of each volume be printed, of which 500 shall be for the use of the Senate, 700 for the use of the House, and 300 for the use of the Naval Observatory; and, furthermore, that 1,200 separate copies of each of the astronomical appendices, and 1,000 separate copies of the meteorological and magnetic observations, extracted from each of the above volumes be printed for the use of the Naval Observatory.*

#### TREATY WITH INDIANS OF OREGON.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. MITCHELL on the 7th instant, as follows:

*Resolved, That the Secretary of the Interior be, and he is hereby, directed to transmit to the Senate a copy of a treaty negotiated by Joel Palmer, then superintendent of Indian affairs for the Territory of Oregon, on or about the 11th day of August, 1855, with the various Indian tribes inhabiting the coast of Oregon from the Columbia River to the California line, consisting of Tillamook, Coos Bay, Coquille, Too-too-to-hey, Chero, Siuslaw, Clatsop, and Lower Umpqua Indians, and whereby they, it is alleged, ceded all the country claimed by them between the country theretofore ceded by various other treaties and the Pacific Ocean, estimated to contain 5,000,000 acres of land, and by the terms of which it is alleged there was a reservation of a tract of country on the coast within the limits of the coast reservation established by the President, estimated to contain 750,000 acres; and that the Secretary of the Interior be further directed to advise the Senate whether such treaty was ever transmitted to the Senate for ratification, also whether the United States, if said treaty was not ratified, has acted upon the terms stipulated therein and received the benefits of the cession therein provided; and if so, whether said Indians were ever paid the amounts stipulated in such treaty to be paid to them for and on account of the lands so ceded, and if so, when were such payments made; and further that he advise the Senate fully whether such treaty became operative and whether the terms thereof or any of them have been enforced against the Indians, or the stipulations therein complied with by the United States.*

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 7th instant approved and signed the joint resolution (S. R. 112) to print and bind 2,000 extra copies each of the Drill Regulations for Infantry, Cavalry, and Artillery.

The message also announced that the President had on this day approved and signed the joint resolution (S. R. 123) to fill vacancies in the Board of Regents of the Smithsonian Institution.

#### ADDITIONAL QUARANTINE POWERS.

The VICE-PRESIDENT. The Chair lays before the Senate the quarantine bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2707) granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service.

The VICE-PRESIDENT. The pending question is on the amendment proposed by the Senator from Tennessee [Mr. HARRIS], which will be stated.

The CHIEF CLERK. In section 4, line 1, before the words "Marine Hospital," insert "Supervising Surgeon-General of the:" so as to read:

That it shall be the duty of the Supervising Surgeon-General of the Marine Hospital Service, under the direction of the Secretary of the Treasury, to perform all the duties in respect to quarantine and quarantine regulations, etc.

#### COINAGE OF SILVER.

Mr. McPHERSON. Mr. President, in accordance with the notice previously given, I desire to call up Senate joint resolution 126, which I had the honor to introduce a few days ago, and I ask that it be read.

The VICE-PRESIDENT. The Chair lays the joint resolution before the Senate. It will be read.

The joint resolution (S. R. 126) authorizing and directing the Secretary of the Treasury to suspend all purchases of silver bullion, as provided in the act of July 11, 1890, was read, as follows:

*Resolved, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to suspend, until otherwise ordered by Congress, all purchases of silver bullion as provided in the first section of the act of July 11, 1890, entitled "An act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes."*

Mr. McPHERSON. Mr. President, I ask to have read what I send to the desk.

The Chief Clerk read as follows:

We denounce the Republican legislation known as the Sherman act of 1890 as a cowardly makeshift, fraught with possibilities of danger in the future which should make all of its supporters, as well as its author, anxious for its speedy repeal. We hold to the use of gold and silver as the standard money of the country, and to the coinage of both gold and silver without discriminating against either metal or charge for minting, but the dollar unit of coinage of both metals must be of equal intrinsic exchangeable value, or be adjusted through international agreement or by such safeguards of legislation as shall insure the maintenance of the parity of the two metals and the equal power of every dollar at all times in the markets and in the payment of debts; and we demand that all paper currency shall be kept at par with and redeemable in such coin. We insist upon this policy as especially necessary for the protection of farmers and laboring classes, the first and most defenseless victims of unstable money and a fluctuating currency.

Mr. McPHERSON. Mr. President, this is the proclamation of the Democratic party in national convention assembled in June last in the city of Chicago. That convention was composed of delegates representing every State, every hamlet in the American Union, and the convention almost unanimously, and without division, voted down every amendment that had for its object to bind the national Democracy to the support of a different policy. The delegates there assembled seemed not to be oblivious to the fact that a crisis, fraught with great distress and danger to the Republic, had been reached in the financial affairs of the Government, and they enjoined upon those temporarily intrusted with leadership in legislation and in administration, that the perils which threatened us demanded the prompt and speedy repeal of the Sherman act. That in the coinage of both gold and silver the dollar unit of both metals must be of equal intrinsic and exchangeable value.

And to make this command still more emphatic, we insist (say they) upon this policy as especially necessary for the protection of farmers and laboring classes, the first and most defenseless victims of unstable money and a fluctuating currency.

Assuming as we must, I think, that to the Democratic national convention, constituted as it is, and to it alone, belongs the right to determine, define, and proclaim the faith and policy of the party at least to those citizens who give to it their allegiance—is it not also fair to assume that neither Democratic President, Senator, or Representative in Congress will arrogate to himself absolute liberty of judgment and action—even to the extent of nullifying the pledges made by party to people—on a subject so vital to them as a possible violent change in their entire monetary system? It was upon the strength of this pledge, made in national convention, that gave to Mr. Cleveland more than one hundred electoral votes, not one of which he could have received without it. And now that the Democratic party is soon to be in absolute control of the legislative and executive departments of this great Government in all its branches, the people, alarmed at the present situation, demand to know when and in what mode this pledge is to be fulfilled.

In obedience to this command, and in apparent fulfillment of this pledge, the distinguished Senator from New York [Mr. HILL] introduced a bill to repeal the Sherman act of 1890. As a



foil to this bill, the distinguished Senator from Nevada [Mr. SHERMAN] again vaults into the arena with all his old-time vigor for the dollar of the daddies and open mints. As the direct, responsible representative, we assume, of the new party the distinguished Senator has done so much to create, and while defiantly dangling a his belt the bleeding scalps of a goodly number of an old-fashioned American Statesmen, he gives notice that preceding the repeal of the Sherman law provision by law must be made for the free, unlimited coinage of the standard silver dollar.

The Sherman act (so called) which we seek to repeal was a masterpiece of contrivance (receiving in this Chamber only Republican support), invented and intended to hold the silver-producing States in the West, then wavering in their allegiance, firmly in the Republican column. The public interest was thus sacrificed to partisan advantage. Its all-sufficient justification was found in the perpetuation of the rule of the Republican party, notwithstanding it was plainly apparent to every reflecting mind that under the operation of this law, if long enough continued, once in currency must be silver, and silver only. It was further apparent to the people that no relief from this incubus was possible except by the united action of both Houses of Congress and the concurrence of the Executive.

The American people were thus bound hand and foot to the terms of the definite alliance made between the Republican party, to which party many had given their allegiance, and the mine-owner, under and by virtue of which alliance the people were made to take all the risks, to bear all the losses, while the mine-owner gets all the profits.

Is it any wonder then that the people now begin to see with clearer vision the aims and intentions, the object and purpose of each political party, and are engaged in new and more earnest efforts over policies that are irreconcilable, over measures that are inherently and inevitably in conflict.

But more, if permitted to diverge a moment from the line of my argument to give additional reasons why the people recently denied to the Republican party the support they had so long accorded to it and turned for relief to the Democratic party.

The people had seen the Republican party make also a definite alliance with the manufacturing and corporation classes, to the injury of all other classes, and more recently they had seen this alliance renewed and strengthened.

And it had been further agreed, as a part of the bond between the Republican party and its mercenary allies, that as the first expressions of popular wrath would be felt in the popular branch, appropriations for subsidies would be made part of the permanent annual expenditures, in order that a Democratic House might not take from the corporations the people's forced contributions.

The people had seen the virtues of popular government; and they then beheld the vices of a government by an oligarchy of money.

They had seen the elections, once pure, become matters of annual bargain between the candidates and their supporters, and money poured into the elections in rolling streams of gold—money, the only and one thought, from the pious cabinet minister to the poorest wretch whose vote he buys.

They had seen individuals and giant corporations given sanction to oppose the people, and they had seen these beneficiaries of Republican favor return at each succeeding election with millions more for fresh riot.

The Democratic people in national convention declared their abhorrence of all these evils existing in the Government and made it the duty and the mission of those intrusted with the responsibility of making their laws to stamp out these evils. Especially and expressly did they enjoin upon their servants in Congress, "that in the coinage of both gold and silver, the dollar unit of both metals must be of equal intrinsic and exchangeable value, and that all paper currency shall be kept at par with and redeemable in such coin;" that the cowardly makeshift known as the Sherman law must be repealed.

Mr. President, gold and silver are something more than mere commodities; they are the only monetary metals, and as such are distinguished from all other metals and all other commodities.

In the international monetary conference which met in Paris in 1881, the Hon. William M. Evarts, then a delegate for the United States, voicing the sentiment and contention of the people of the United States in that conference, spoke, not precisely in words but in substance, as follows:

"Since the days of barter, both gold and silver have been used as money by civilized nations upon some accepted relative ratio of value. There has been no single period in history in which their united strength was more than adequate for the unfolding process of society in the interchange of the products of the world, by providing ther for an intrinsic money with which to measure values. If to this we add the wide expanse of credit in

the developed commerce of the world, which finally rests upon the intrinsic money of the world, it will be found impossible for the volume of both the metals that the bounty of nature could yield to the urgent labor of man to perform the task. This credit is almost without a figure a vast globe, and this service of the precious metals to sustain it—that of an Atlas upon whom the whole fabric rests. All attempts to find a permanent enduring support for domestic circulation and for participation in commerce, upon less than the broad basis, the united strength, firmness, and fixity of the two metals which should make one money out of the two metals for all the world is a vain hope and invites disaster."

This I believe to be the opinion and firm conviction of a large majority of the people of the United States; in other words, the people are bimetallicists. The number of people in this country who will advocate monometallism either in gold or silver, or who will approve legislation that will tend to drive or drift us to monometallism of either gold or silver is infinitesimal. Neither the "gold bugs" nor the "silver barons" (so called) would consent to a policy which they force will tend to suppress one-half the intrinsic money of the State. All concede that with both metals acting in harmonious relationship as money its use has often been found too narrow; with but one it may be positively unsafe.

What then are the essential features of a bimetallic system of currency which our people favor and advocate to the fullest extent consistent with the safety of the finances?

First, "An open mint ready to coin any quantity of either gold or silver which may be brought to it."

Second, "The right on the part of the debtor to discharge his liabilities, at his option, in either of the two metals at a ratio fixed by law."

Under this true definition of bimetallicism neither the United States nor any state in Europe can be said to have a bimetallic system of currency, while prior to 1871 the United States and nearly all the great states of Europe were bimetallic states, such as England and Portugal.

#### BIMETALLISM ABANDONED.

Germany was the first to break loose from the great group of states which had used silver and adopt a gold standard, and the United States, in 1873, joined Germany and other states of Europe in destroying the relation which had theretofore subsisted between the white and the yellow metal. The Scandinavian states followed the lead of Germany and discarded silver, while the states of the Latin Union, unable to absorb in their circulation the surplus silver of Germany without the loss of their gold, closed their mints against silver. The fall of silver was easy to foresee. It was inevitable. The mischief was already done. The die completely cast.

To prohibit in ten great states, first in civilization, in finance, and commerce, the minage of a metal which had hitherto enjoyed like mint privileges with gold and to expect this metal would maintain its former value in the face of the most unequalled silver production would be inconsistent and absurd.

The effect of the demonetization of silver by Germany was threefold: it not only overloaded a market more than supplied, but also a cessation of the demand for fresh silver, and the increased demand for gold.

Moreover, the public mind in Europe now seems to be undergoing a change not unfavorable to silver. "Other European nations, jealous of the growing financial power and commercial progress of England, where a monetary system based upon the gold standard had been long in use and had satisfied all the requirements of that country, sought for some advantage by which, without too great loss, to change their money standards." Germany succeeded, and as to other great states the purpose seems not to have been entirely abandoned.

This declaration seems to be justified in the views expressed and the votes cast by the European delegates in the several international monetary conferences which met in Paris in 1867, 1875, 1881, and 1892. It is further apparent in their persistent hungry demand for gold to strengthen their gold reserves.

#### INTERNATIONAL CONFERENCES.

In view of the fact that the United States had invited two and recently called for a third international monetary congress, I will refer briefly to this subject. It will be remembered the conference of 1867 recommended a gold standard, and the legislation of Germany in 1871 was strictly in line with the recommendations of that Congress. The conference of 1875 was called at the urgent request of the United States. The invitation was freely responded to by all the important states except Germany; but though the delegates were present in the body, they were absent in spirit. Our invitation was accepted more in a spirit of courtesy than born of a desire to establish a fixity of ratio between gold and silver and such mint regulations as would make one

Mr. CALL. I have no objection to an adjournment at this time.

Mr. SAWYER. I will ask the Senator to change that to a motion for an executive session.

Mr. TELLER. I have no objection to an executive session.

Mr. HARRIS. Allow me, before either motion is put, to say that I do not think it probable that we have a quorum here at this time, so that we shall probably not be able to dispose of the amendment of the Senator from Louisiana [Mr. WHITE] this evening. Feeling that it is very important that Congress shall dispose of this matter in whatever way it proposes to dispose of it, I think it very important that this bill, or something containing powers such as this bill confers, should be passed very promptly.

I shall ask the Senate to-morrow morning immediately after the routine morning business to continue the consideration of the bill at least up to 2 o'clock. I shall go no further than 2 o'clock at this time. If the Senator from Minnesota [Mr. WASHBURN] objects, then I shall not interfere with him; but I am very anxious to come to a final vote upon the pending measure at the earliest possible moment.

Mr. TELLER. The McGarrahan case was made the special order for to-morrow after the routine morning business, but to accommodate the pending bill, if I can have an order for the consideration of the McGarrahan case for Wednesday morning, instead of to-morrow morning, after the routine morning business, I shall not object. Preparatory to making the arrangement proposed by the Senator from Tennessee, because this seems to be a bill of national importance, I ask that the McGarrahan bill may be taken up on Wednesday morning immediately after the conclusion of the routine morning business.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado [Mr. TELLER]?

Mr. HARRIS. I am greatly obliged to the Senator from Colorado, and hope there will be no objection to his request.

The PRESIDING OFFICER. The Chair hears no objection to the request of the Senator from Colorado, and it is granted.

Mr. HARRIS. I now ask unanimous consent that immediately after the routine business to-morrow morning the Senate proceed to the consideration of the pending bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee? The Chair hears none, and it is so ordered.

Mr. WASHBURN. I give notice to Senators that I shall call up the antiopion bill at 2 o'clock to-morrow.

Mr. HARRIS. My request extends only to the morning hour at present. I do not know what I shall ask to-morrow.

Mr. WASHBURN. I hope the Senator will not ask anything further to-morrow.

#### EXECUTIVE SESSION.

Mr. SAWYER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 10, 1893, at 12 o'clock m.

#### NOMINATIONS.

*Executive nominations received by the Senate January 9, 1893.*

##### PROMOTIONS IN THE ARMY.

###### Pay Department.

Lieut. Col. Charles M. Terrell, deputy paymaster-general, to be assistant paymaster-general with the rank of colonel, January 6, 1893, vice Gibson, retired from active service.

Maj. James P. Canby, paymaster, to be deputy paymaster-general with the rank of lieutenant-colonel, January 6, 1893, vice Terrell, promoted.

###### Subsistence Department.

First Lieut. Guy Howard, Twelfth Infantry, to be commissary of subsistence with the rank of captain, January 7, 1893, vice Woodruff, promoted.

#### CONFIRMATION.

*Executive nomination confirmed by the Senate January 9, 1893.*

##### FIRST ASSISTANT POSTMASTER-GENERAL.

Henry Clay Evans, of Tennessee, to be First Assistant Postmaster-General.

## HOUSE OF REPRESENTATIVES.

MONDAY, January 9, 1893.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Saturday last was read and approved.

#### EXPENSES OF COMMITTEE ON AWARDS, WORLD'S COLUMBIAN COMMISSION.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting, with a favorable recommendation, an estimate of appropriation submitted by a president of the World's Columbian Exposition for the expenses of the committee on awards of the World's Columbian Exposition, which was referred to the Committee on Appropriations, and ordered to be printed.

#### MILITARY ENCAMPMENT AT CHICAGO.

The SPEAKER also laid before the House a letter from the Secretary of War, with inclosures, relating to the passage of an act by Congress to provide for an encampment of 100,000 United States and State troops to be held at Chicago on the occasion of the World's Columbian Exposition, which was referred to the Committee on Military Affairs, and ordered to be printed.

#### FINDINGS OF COURT OF CLAIMS.

The SPEAKER also laid before the House copies of the findings of the Court of Claims in the following named cases, which were severally referred to the Committee on War Claims, and ordered to be printed:

A. M. Carmell and George Leonhart *vs.* The United States; and

Betty A. Aldrich *vs.* The United States.

#### RELIEF OF COLUMBIAN UNIVERSITY, DISTRICT OF COLUMBIA.

The SPEAKER also laid before the House a bill (S. 3623) to amend the act of March 3, 1873, "for the relief of the Columbian University in the District of Columbia."

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that that bill be taken up and considered at this time.

There being no objection, the bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. HEMPHILL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. WHITING, indefinitely, on account of illness.

To Mr. JOHNSON of North Dakota, for two weeks, on account of important business.

#### ENROLLED BILLS SIGNED.

Mr. OHLLIGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles: when the Speaker signed the same:

A bill (S. 317) granting an increase of pension to John M. Roberts;

A bill (S. 2592) granting an increase of pension to William C. Tarkington;

A bill (S. 2990) for the relief of George W. McKinney; and

A bill (S. 3311) for the relief of E. Darwin Gage, late lieutenant-colonel of the One hundred and forty-eighth New York Infantry.

#### BRIDGES ACROSS THE HIAWASSEE, TENNESSEE, AND CLINCH.

Mr. EVERETT. Mr. Speaker, on Saturday last I asked the House to consider the bill (H. R. 1001) to authorize the construction of bridges across the Hiawassee, Tennessee, and Clinch Rivers. It is drawn up in the usual form of bridge bills and has the approval of the Secretary of War. My friend from Kansas [Mr. ORIS, under a misapprehension of one of its provisions] objected to the consideration of the bill. He now withdraws his objection, and I ask unanimous consent that the bill be put upon its passage.

The SPEAKER. This bill was read in full on Saturday, but objection was made by the gentleman from Kansas [Mr. ORIS] to its consideration. The Chair is informed that the gentleman withdraws the objection. Is there further objection to the request of the gentleman from Georgia?

Mr. TAYLOR of Illinois. Has the bill been reported from a committee?

The SPEAKER. It has.

There being no objection, the bill was ordered to be engrossed

Mr. DOCKERY. I desire to call the attention of the gentleman from New Jersey to the fact that there is no session remaining hour to-day, this being District day.

Mr. BUCHANAN of New Jersey. The gentleman begs the question; that is the very point I am raising.

specifically but urgently praying that Congress will promptly enact such conservative legislation as shall secure the speedy construction of the Nicaragua Canal, under the control of the Government of the United States and with such provisions as will obtain the completion of this beneficent work at the lowest possible cost, thereby securing cheap tolls to our producers and merchants. The petitioners further pray that the Government of the United States shall consider and comply with the unanimous demand of our fellow citizens all over the Republic in securing an interoceanic highway through Nicaragua in the interest of our general welfare, industrially, commercially, and as a means of national defense. They state that no subject presented at this time to the American people is of greater moment to their prosperity, and with their unanimous approval and urgent request they respectfully represent that Congress should act promptly and decisively in obtaining "an American canal under American control."

I desire to have unanimous consent to have the petition printed in the RECORD. It is not voluminous. It does not embrace over a paragraph.

Mr. SHERMAN. I have no objection to having the petition printed as a document, but we have agreed on both sides to object to the printing of petitions in the RECORD. The Senator from Tennessee [Mr. HARRIS] objects on the other side and I think I shall have to take the privilege of objecting on this side.

Mr. FELTON. I would not make the request, but the petition is signed by a half dozen prominent associations of California on a subject in which they have a deep interest. If Senators on the other side fail to object I am very sorry that the Senator from Ohio does so.

Mr. SHERMAN. I will say to the Senator from California that I have no objection to the petition being printed as a document, and in that form it is much better to be distributed, but to print petitions in the RECORD is to increase the cost of printing to an untold amount. Probably the cost of printing in the RECORD would be twenty times as much as if printed in the form of a document, and to print it in document form will answer every purpose.

Mr. FELTON. I do not think it would receive any consideration if printed in the form of a document, and unless distributed it would be unnecessary. Therefore I will not ask that the petition be printed as a document. I move that it lie on the table, the bill having been reported.

The motion was agreed to.

Mr. QUAY presented a memorial of the Evangelical Lutheran, the Presbyterian, and other churches of Duncannon, Pa.; a memorial of the Central Presbyterian Church of Mercer County, Pa.; a memorial of the Mount Zion Lutheran Church of York, Pa., and a memorial of a number of citizens and churches of Elgin, Ill., remonstrating against any repeal of the law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. WASHBURN presented a memorial of the commissioners of the sinking fund of the city of New York, remonstrating against the erection of a bridge over the Hudson River with approaches at or about Seventieth street in that city; which was referred to the Committee on Commerce.

He also presented a memorial of the Presbyterian Synod of Minnesota, remonstrating against the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented petitions of the State Grange of Minnesota; of 38 citizens of Nicolet County, and of 29 citizens of Sibley County, all in the State of Minnesota, praying for the passage of the Washburn-Hatch anti-option bill; which were ordered to lie on the table.

Mr. TELLER presented a petition of the Reformed Presbyterian Church of La Junta, Colo., praying for the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. MORGAN presented a memorial of 42 citizens of Selma, Ala., and vicinity, remonstrating against the passage of the Washburn-Hatch anti-option bill; which was ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. BLODGETT, from the Committee on Pensions, to whom was referred the bill (S. 9433) granting a pension to Mrs. Ann Mercer Slaughter, reported it without amendment, and submitted a report thereon.

Mr. VILAS, from the Committee on Pensions, to whom was referred the bill (H. R. 1795) to increase the pension of A. J. Copenhagen, late a soldier in the Mexican war, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 8038) granting a pension to William M. Watson, of

Walker County, Ga., reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Mines and Mining, to whom was referred the bill (H. R. 9286) to create the California Débris Commission and regulate hydraulic mining in the State of California, reported it with amendments.

Mr. MILLS, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (H. R. 5676) for the relief of R. L. Jennings, late postmaster at Marshall, Tex., reported it without amendment, and submitted a report thereon.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 7633) to ratify and confirm an agreement with the Kickapoo Indians in Oklahoma Territory, and to make appropriations for carrying the same into effect, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 3329) to increase the area of the Northern Cheyenne or Tongue River Indian Reservation, Montana, and to authorize the Secretary of the Interior to settle the claims of bona fide settlers within the present reservation and the addition thereto, and to make appropriation for that purpose, reported it without amendment.

Mr. DANIEL, from the Committee on Claims, to whom was referred the bill (S. 651) for the relief of Aaron Van Camp and V. P. Chapin & Co., submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (S. 2243) for the relief of W. C. Piper, of Moscow, Idaho, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 3570) granting an increase of pension to Charles A. Lang, reported it without amendment, and submitted a report thereon.

#### JOSIAH PICKETT.

Mr. SAWYER. I am directed by the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 3544) for the relief of Josiah Pickett, to report it with an amendment.

Mr. HOAR. I ask that the bill may be considered now. It is very short.

Mr. SAWYER. I hope the bill will be considered at this time.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Post-Offices and Post-Roads was, in line 7, before the word "satisfied," to strike out the word "reasonably;" so as to make the bill read:

*Be it enacted, etc.*, That the Postmaster-General be directed to settle the account of Josiah Pickett, of Worcester, Mass., formerly postmaster at that place, by crediting to said Josiah Pickett all such sums received by him as interest on public moneys deposited as the Postmaster-General shall be satisfied have been applied by said Josiah Pickett for public purposes in connection with his office as postmaster aforesaid.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### WILLIAM J. AND JOSEPH M. CORNELL.

Mr. DOLPH. By direction of the Committee on Public Lands, I report back with amendments the bill (S. 3549) for the relief of William J. Cornell and Joseph M. Cornell, the only amendment being a change in the spelling of the name. It is an important private bill, will only occupy the time of reading, and I ask for its present consideration.

Mr. SHERMAN. Let it be read for information.

After reading, the Senate, by unanimous consent, proceeded to consider the bill as in Committee of the Whole. It proposes to appropriate \$800, \$400 of which shall be paid to William J. Cornell, on account of an overpayment of that sum to the receiver of the United States land office at Lagrange, Oregon, on land entry numbered 4298, for the south half of section 27, township 3 north, of range 39 east, and \$400 thereof to Joseph M. Cornell, on account of an overpayment by him of that sum to the receiver, on land entry numbered 4292, for the north half of section 27, township 3 north, range 39 east, these entries having been made under the third section of the act of September 29, 1890, and the parties having been, by mistake of the officers of the land office, required to pay \$2.50 per acre instead of the legal price thereof, namely, \$1.25 cents per acre.

The VICE-PRESIDENT. The amendments of the Committee on Public Lands will be stated.

The CHIEF CLERK. In lines 6 and 11 change the spelling of the name from "Cornell" to "Carnell."

The amendment was agreed to.

The CHIEF CLERK. In line 9 strike out the word "north" and insert the word "south" so as to read "south half."

The amendment was agreed to.

Mr. DOLPH. The amendments merely correct mistakes made in printing.

The bill was reported to the Senate as amended, and the amendments were encauried in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of William J. Carnell and Joseph M. Carnell."

#### PRINTING OF PURE-FOOD BILL.

Mr. MANDERSON. I am directed by the Committee on Printing to report a Senate resolution, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution; which was read, as follows:

*Resolved*, That 500 copies of Senate bill No. 1 be printed as reported by the Committee on Agriculture of the House for the use of the Committee on Agriculture and Forestry.

Mr. MANDERSON. This is a reprint of what is known as the pure-food bill. The printing is desired by the committee.

The resolution was agreed to.

#### BILLS INTRODUCED.

Mr. WILSON introduced a bill (S. 3699) for the relief of John Bryson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

Mr. CHANDLER introduced a bill (S. 3700) for the relief of Arthur C. Heffenger; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. BUTLER introduced a bill (S. 3701) granting a pension to Franklin A. Stoddard; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DAWES introduced a bill (S. 3702) granting to the Chicago, Rock Island and Pacific Railway Company the use of certain lands at Chickasha Station, and for a "Y" in the Chickasaw Nation, Indian Territory; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. VOORHEES introduced a bill (S. 3703) for the relief of John Spicer; which was read twice by its title, and referred to the Committee on Claims.

Mr. PEPPER (by request) introduced a bill (S. 3704) to amend an act entitled, "An act to provide a temporary government for the Territory of Oklahoma, to enlarge the jurisdiction of the United States court in the Indian Territory, and for other purposes," approved May 2, 1890; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. MORGAN introduced a bill (S. 3705) to ratify and confirm an agreement with the Wichita and affiliated bands of Indians in Oklahoma Territory and to make appropriations for carrying the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. BERRY submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. McMILLAN submitted an amendment intended to be proposed by him to the District appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. QUAY submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

#### LEWIS D. ALLEN.

Mr. COCKRELL. When the Senator from Oregon [Mr. MITCHELL], chairman of the Committee on Claims, reported adversely the bill (S. 1421) for the relief of Lewis D. Allen, I asked that it might be placed on the Calendar until I could examine the report. I ask now that the bill be indefinitely postponed, as the committee recommended. I have examined the report. I wish simply to rid the Calendar of the bill.

Mr. MITCHELL. I will state to the Senator from Missouri that there are two bills in the interest of this same claimant, both reported adversely, I think.

Mr. COCKRELL. I think the other bill has already been postponed indefinitely.

Mr. MITCHELL. Perhaps so.

Mr. COCKRELL. I do not find the other bill on the Calendar. This is the only one I find.

Mr. MITCHELL. I think the other bill was perhaps indefinitely postponed.

Mr. COCKRELL. I do not think any one asked to have the other bill placed on the Calendar.

The VICE-PRESIDENT. The bill will be postponed indefinitely, if there be no objection.

#### J. C. IRWIN & CO. AND OTHERS.

Mr. COCKRELL. The bill (S. 21) for the relief of J. C. Irwin & Co. and C. A. Perry & Co. was reported adversely on the 27th of January, 1892, from the Committee on Claims by the senior Senator from Kansas [Mr. PEPPER], and was placed on the Calendar. I have conversed with him, and he makes no objection to my request that the bill and adverse report be recommitted to the Committee on Claims.

Mr. PEPPER. The Senator from Missouri called my attention to this particular case and suggested that some other and further evidence bearing upon the matter of the claim would be presented. Upon that account I think that the bill should be recommitted to the committee. I have no objection to the course suggested.

The VICE-PRESIDENT. The Senator from Missouri moves that the bill be recommitted to the Committee on Claims.

The motion was agreed to.

#### ADDITIONAL QUARANTINE POWERS.

The VICE-PRESIDENT. If there is no further morning business, that order is closed, and the Chair lays before the Senate the regular order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2797) granting additional quarantine power and imposing additional duties upon the Marine Hospital Service, the pending question being on the amendment proposed by Mr. WHITE, to add to the last section of the bill the following:

All the provisions of this act shall expire on the 1st day of January, 1895.

Mr. GALLINGER. The Senator from Florida [Mr. CALL] has the floor, I understand. Does he wish to proceed now?

Mr. CALL. I will yield the floor to the Senator from New Hampshire if he desires to make some observations at this time.

Mr. GALLINGER. Mr. President, there can be no doubt in the mind of any Senator as to the importance of the legislation contemplated by the bill under consideration. It is but proper, however, that I should say, as a member of the Committee on Epidemic Diseases which reported the bill, that it had not a very thorough consideration in committee, and it was understood that each member of the committee might express on the floor his own judgment as to the proposed legislation, and vote as his conscience might dictate.

I have been greatly interested in reading the discussion of this bill during my enforced absence from the Senate. I was yesterday interested in hearing the assurances from the lips of the distinguished Senator from Tennessee [Mr. HARRIS], the chairman of the Committee on Epidemic Diseases, that in his judgment this legislation was constitutional. I was reminded during his speech of the fact that when the bill to establish a national sanitarium for the treatment of pulmonary diseases was before the same committee, the Senator from Tennessee and the Senator from Louisiana [Mr. WHITE] were both very clearly of the opinion that the proposed legislation in that bill was unconstitutional, and those Senators so reported to the Senate; but the bill now under consideration, the provisions of which not only authorize the use of public money with which to extirpate cholera and yellow fever, but also smallpox, diphtheria, scarlet fever, measles, and chickenpox, as well—for it covers all forms of contagious and epidemic diseases—is constitutional.

I do not quarrel with the distinguished chairman of the Committee on Epidemic Diseases as to the view he takes of this bill, but simply wish to suggest to him that he ought to reverse the views he announced on the bill to establish a national sanitarium.

Tuberculosis has destroyed in this country during the last twenty years a hundred times more people than cholera and yellow fever combined, and hence, in my judgment, has a superior claim for legislation by Congress.

After the bills relating to quarantine and immigration have been considered, I propose to ask action upon the sanitarium bill, which stands adversely reported by the Committee on Epidemic Diseases.

Mr. President, in reading the discussions on this question in this Chamber last week, I was very much surprised to find that some severe animadversions were indulged in concerning the Supervisor-General of the Marine Hospital Service. I desire simply, in a single word, to say that from my personal and professional acquaintance with that gentleman he should be shielded from any personal attack on this floor. He is a man who stands high in his profession, a man who is recognized the country over, and perhaps the world over, as a distinguished sanitarian. It strikes me that it was proper that that officer should be interested in legislation such as is now before the Senate, and that he might properly, whether he did or not, come to the Capitol

I read in the reports here that, in consequence of the war established by Russia and Germany, the country is in a worst imprisonment to which it has not been subjected for centuries of worse than that prescribed by the laws of the country itself there. It is not a question of the rights of the people, but allow such a condition of things to continue, and the people are worthy of an enlightened people, and the country should exist as did exist in the past. But the people are not the people refuse to be ruled by the government, and the people feel that the people are not the people, and the people are with this deadly war, and the people are not the people.



public opinion, of this country demands some legislation, the most thorough and complete, to attain the end required by modern science.

But these considerations, Mr. President, it seems are not pertinent to the occasion. The general opinion seems to be that there is no time, unless we adopt this bill, in which other provisions could be made. While, therefore, I desire and I think it would be far better to have a system in which intelligent medical opinion of the different States outside of the Marine Hospital Service should be required to be made use of by the President in connection with it, while I think there should be a provision in this bill that in every State there should be one place, one port, where baggage and persons from infected countries must land, and there complete arrangements be made for their isolation, detention, and disinfection, the shortest possible time being required for that, so that commerce may be as free as possible from unnecessary obstruction—while I am of that opinion, and would, if time were allowed, introduce amendments to this bill or a substitute for it, I shall give the bill my support.

The PRESIDING OFFICER (Mr. SHOUR in the chair). The question is on the amendment proposed by the Senator from Louisiana [Mr. WHITE], which will be stated.

The SECRETARY. At the end of the bill it is proposed to insert:

All the provisions of this act shall expire on the 1st day of January, 1895.

Mr. HARRIS. Mr. President, I desire simply to say in respect to the amendment of the Senator from Louisiana, that if this bill shall be passed and shall be found to be defective in any respect, the Senator from Louisiana, as well as all other Senators, knows that Congress may amend it and repeal it at any hour of any session it may choose. It is not entirely as experimental as many Senators seem to think it, for, if Senators will look at the act approved June 2, 1879, they will find that on that day an act was approved which contains every power contained in this bill; indeed, the bill which is now pending was taken from that act, the only difference being in substance that that act conferred these powers upon the National Board of Health, which then existed and which still exists in the statute, under the direction of the Secretary of the Treasury, while this bill drops the National Board of Health out of view, and proposes to repeal the act which created it.

The only other exception to be found as between that act and the pending bill is the section which gives the President the power in cases of emergency to suspend immigration temporarily. That act expired by its own limitation, for it was amended just before its passage by a provision that the act should expire in four years from the date of its approval. It was in force for four years, from 1879 to 1883, and under its provisions the yellow fever which occurred in 1879 was promptly stamped out; there was no further importation, and the country was freed for those years from imported contagion.

Mr. BUTLER. May I ask the Senator from Tennessee if that act went as far as the pending bill in the direction of establishing national quarantine?

Mr. HARRIS. Absolutely.

Mr. BUTLER. As far as this measure?

Mr. HARRIS. Absolutely. The Senator will find it on page 5, of the twenty-first volume, of the Statutes at Large.

Mr. BUTLER. The act expired by its own limitation?

Mr. HARRIS. It expired by its own limitation, but was in force for four years, and was enforced for four years; and so far as the sanitarians of the country generally are concerned it was universally approved.

That is all I desire to say. Let us have a vote upon the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Louisiana [Mr. WHITE].

Mr. WHITE. On that I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Alabama [Mr. PUGH]. If he were present, I should vote "yea."

Mr. HOAR (when his name was called). I have a pair with the Senator from Alabama [Mr. PUGH], but he and I agree upon this question, and I have his permission to vote. I vote "nay."

Mr. HARRIS. I desire to state that the Senator from Alabama [Mr. PUGH] before leaving the Chamber told me he was paired with the Senator from Massachusetts [Mr. HOAR], but he and the Senator from Massachusetts agree, and the Senator from Alabama asked me to pair him with any one on the other side. I asked the Senator from Florida [Mr. CALL] to pair with him, which he agreed to do.

Mr. CALL. I have announced my pair.

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN]. If he were present I should vote "nay."

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY]. If he were present I should vote "yea."

Mr. QUAY (when his name was called). I have a general pair with the Senator from West Virginia [Mr. FAULKNER]. I am not aware of his sentiments on this question. If he were present I should vote "yea."

Mr. RANSOM (when his name was called). The Senator from Maine [Mr. FRYE] has just reminded me of my pair with his colleague [Mr. HALE]. If the Senator from Maine [Mr. HALE] were present he would vote "nay," and I should vote "yea."

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. BERRY. My colleague [Mr. JONES of Arkansas] is paired with the Senator from New York [Mr. HISCOCK]. I do not know how either of them would vote.

Mr. DANIEL (after having voted in the affirmative). I am paired with the Senator from Washington [Mr. SQUIRE]. I therefore withdraw my vote.

Mr. MORGAN (after having voted in the affirmative). Finding that the Senator from Massachusetts [Mr. DAWES] has not voted, I withdrew my vote.

Mr. COCKRELL. I desire to announce that my colleague [Mr. VEST] is necessarily detained on business from the Chamber to-day and is paired with the junior Senator from Kansas [Mr. PERKINS] on general questions. But I understand they would both vote the same way on this question, and therefore they ought not to be paired.

Mr. HARRIS. Both are against the amendment?

Mr. COCKRELL. They would both vote against the pending amendment, but I have not been able to procure a pair for my colleague, and as it would not change the result I simply announce the fact.

Mr. DANIEL. If necessary to make a quorum I feel at liberty to vote.

The PRESIDING OFFICER. A quorum has voted.

The result was announced—yeas 13, nays 33, as follows:

YEAS—13.			
Blackett.	Gibson.	Palmer.	White.
Harber.	Gorman.	Platt.	
Geddes.	Gray.	Vance.	
	Mills.	Vilas.	
NAYS—33.			
Aldrich.	Dubois.	McMillan.	Stewart.
Allen.	Edison.	McPherson.	Stockbridge.
Berry.	Frye.	Mitchell.	Teller.
Cameron.	Hansbrough.	Post.	Walthall.
Chandler.	Harris.	Pettigrew.	Washburn.
Cockrell.	Higgin.	Proctor.	Wolcott.
Cole.	Horn.	Sawyer.	
Dixon.	Hamlin.	Sherman.	
Dodge.	Hely.	Shoup.	
NOT VOTING—11.			
Allen.	Davis.	Ryle.	Sanborn.
Bates.	Dwight.	Manly.	Squire.
Bridgman.	Farquhar.	Morgan.	Stanford.
Crane.	Garmon.	McRill.	Turpie.
Cull.	Hale.	Pallock.	Vest.
Craw.	Hawley.	Pasco.	Voarhes.
Crisley.	Hill.	Perkins.	Warren.
Cushman.	Hiscock.	Powers.	Wilson.
Cushman.	Jones Ark.	Pugh.	
Culver.	Jones Nev.	Quay.	
Daniel.	Kenna.	Ransom.	

So the amendment was rejected.

Mr. HARRIS. The last section, section 8, of the proposed act repeals the act which created the National Board of Health. I have a note from the secretary of the National Board of Health asking me to have that section amended so as to authorize him "to turn over to such officer as may be designated by the Secretary of the Treasury for that purpose all books, papers, records, furniture, and other property belonging to said Board now in his charge." I think the amendment eminently proper, and I offer it to section 8, so as to authorize the secretary of the Board to turn the property over.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the end of the last section of the bill it is proposed to add:

The secretary of the National Board of Health is hereby authorized, and directed to turn over to such officer as may be designated by the Secretary of the Treasury for that purpose, all books, papers, records, furniture, and other property belonging to said Board now in his charge and contained in the Army Medical Museum.

Mr. WHITE. I ask the chairman of the committee whether there is no change by implication of an admission that that officer is continued in the discharge of his functions up to this time?

There was a claim referred to the Committee on Claims on behalf of this officer claiming that for all these years he has been in the service and in the employ of the Government and asking an appropriation to pay him.

Mr. COCKRELL. Was not that claim reported adversely by the Committee on Claims?

Mr. WHITE. Yes; but if we adopt this provision may there not be an implication resulting from it? I only ask it as a question. It strikes me so.

Mr. HARRIS. I do not think it possible that there can be. The amendment simply authorizes him to turn over the property in his custody, and we have either to authorize him to turn it over to such officer as the Secretary of the Treasury may designate to receive it or he continues in the custody of it.

Mr. COCKRELL. Is there anything that he has belonging to the Government?

Mr. HARRIS. Oh, yes; the furniture of the National Board of Health, and all the books, papers, and records.

Mr. COCKRELL. I remember very distinctly the report of the Committee on Claims, and I thought it was an excellent report, made by the Senator from Wisconsin [Mr. VILAS]. I should be very sorry to give this claimant, cormorant as he is, any ground for basing another claim against the Government.

Mr. VILAS. I suggest to the chairman of the committee in charge of the bill that he could avoid the criticism which has been suggested by the Senator from Louisiana, by omitting any words in respect of the person in whose alleged charge the furniture or property of the Government has been, and simply provide by the amendment that this board shall take charge of all property formerly in the custody of the National Board of Health.

Mr. HARRIS. Let the Secretary send the amendment to the Senator from Wisconsin, and I will ask him to formulate it. My object, and my only object, is to allow that officer to rid himself of the custody of property which is not being used.

Mr. GALLINGER. I have two or three amendments to offer to the phraseology of the bill. Will the Senator from Tennessee permit me to offer them while the amendment is being modified?

Mr. HARRIS. Certainly; while the Senator from Wisconsin is modifying or preparing the amendment the Senator from New Hampshire may proceed.

Mr. GALLINGER. I am satisfied the chairman of the committee will accept the amendments. They merely change the phraseology. I move to strike out in section 2, line 1, the words, "all vessels at foreign ports" and insert "any vessel at any foreign port." In line 9 of the same section the singular form is used and the plural form in line 1 ought to be singular, I think.

The PRESIDING OFFICER (Mr. FRYE in the chair). The Senator from New Hampshire offers an amendment, which will be reported.

The SECRETARY. In line 1, section 2, strike out after the word "that" the words "all vessels at foreign ports," and insert "any vessel at any foreign port;" so as to read:

That any vessel at any foreign port clearing for any port or place in the United States shall be required to obtain from the consul, vice-consul, or other consular officer of the United States at the port of departure, or from the medical officer where such officer has been detailed by the President for that purpose, a bill of health, in duplicate, etc.

Mr. HARRIS. I think the amendment accomplishes precisely the object which is already accomplished by the language in the section. I have no objection to changing the phraseology.

The amendment was agreed to.

Mr. GALLINGER. In section 3, line 24, I move to strike out the words "from another" and insert the words "or Territory or the District of Columbia from another State or Territory or the District of Columbia;" so as to conform to the phraseology used throughout the bill except in this one instance.

The PRESIDING OFFICER. The Secretary informs the Chair that that amendment has already been adopted and is in the bill.

Mr. GALLINGER. Then it is all right.

Mr. VILAS. I think what I propose will probably meet the wishes of the Senator from Tennessee. I move to add at the end of the last section of the bill the following:

And the Secretary of the Treasury is directed to obtain possession of any property, furniture, books, papers, or records belonging to the United States which are not now in the possession of an officer of the United States under the Treasury Department which were formerly in the use of the National Board of Health or any officer or employee thereof.

Mr. HARRIS. I wish to call the attention of the Senator from Wisconsin to the fact that the language he has employed authorizes the Secretary of the Treasury to obtain the possession of any property not now in the possession of an officer of the United States.

Mr. VILAS. Under the Treasury Department.

Mr. HARRIS. Under the Treasury Department. The National Board of Health was, I think, under the Treasury Department, and until we pass this or some other bill repealing the act

which created the National Board of Health the matter of doubt is whether the office does not exist.

Mr. VILAS. To strike out the word "now" would relieve that difficulty.

Mr. HARRIS. I simply call the Senator's attention to the fact so that he may accomplish his object certainly.

Mr. VILAS. I will change it in that respect.

The PRESIDING OFFICER. Does the Senator from Tennessee accept the amendment proposed by the Senator from Wisconsin?

Mr. HARRIS. I have no objection to it, sir.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HARRIS. If there be no further amendment as in Committee of the Whole let the bill be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. GRAY. I move in line 9, of section 3, to strike out the words "and into one State from another," and wherever that phrase occurs as qualifying or defining the jurisdiction of this national quarantine service.

I believe it would be quite sufficient in this tentative step that we are taking to confine the quarantine service and the cooperation of the Federal authorities with the State authorities to the quarantine of foreign vessels at our seaports, where hitherto all quarantine has been confined. I think that we are not prepared, without some such limitation as that proposed by the Senator from Louisiana to enlarge the jurisdiction of the Federal quarantine to the extent of giving authority to establish quarantine at any point in the United States whatsoever. I think the States are quite capable of taking charge of the quarantine of their own territory much better than they are on the seaboard where they are exposed to the foreign commerce of the country, which is exclusively under the jurisdiction and regulation of the Federal Government.

The PRESIDING OFFICER. The Chair informs the Senator from Delaware that in line 9 the words in print "from another" have been stricken out and that in the present form it reads:

And into one State or Territory or the District of Columbia from another State or Territory or the District of Columbia.

Mr. GRAY. I do not quite understand what it would mean with those words stricken out. Let the Secretary read the clause as it stands.

The PRESIDING OFFICER. The Secretary will read the clause as it now stands in the bill.

The Chief Clerk read as follows:

And in the execution and enforcement of the rules and regulations made by the Secretary of the Treasury to prevent the introduction of contagious or infectious diseases into the United States from foreign countries and into one State or Territory or the District of Columbia from another State or Territory or the District of Columbia.

Mr. GRAY. Then I move to strike out the language after the word "countries" and ending with the word "another" in line 9, because the language read means the same, and is the same enlargement of the quarantine jurisdiction proposed to be conferred upon the Federal authority at which I was aiming when I proposed the amendment.

Mr. HARRIS. The precise point of the amendment of the Senator from Delaware seems to me to be, and I suppose that is what he means to limit Congressional regulation of commerce in respect to quarantine to foreign commerce alone and to exclude any Congressional regulation of State commerce in this respect.

Mr. GRAY. As to interstate commerce.

Mr. HARRIS. Yes, as to interstate commerce. That is the object of the amendment. I think it would cripple very much and destroy to a very great extent the uniformity of quarantine regulations. It is a question of course for every Senator to decide for himself. I think it strips the bill of very important powers and duties, and I shall vote against the amendment myself.

Mr. PLATT. The object of the amendment, I understand, is to prohibit the General Government from taking any measures to prevent the spread of a contagious or infectious disease from one State to another.

Mr. HARRIS. That is the object.

Mr. PLATT. Then I wish to vote against the amendment. The bill commits quite enough of the power of dealing with contagious and infectious diseases to the States. It makes the Government subordinate in all instances to State authorities, to State quarantine, to State regulations. I think there had better be in the bill some power on the part of the Government not to prevent the spread of disease from one State to another, if it should effect a lodgment. It is already expressly given, if I am not mistaken, in the statute of 1860 passed by Congress. This would seem to be going back upon what Congress has already done in that respect and would be a virtual repeal of the act of 1860.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware [Mr. GRAY].

The amendment was rejected.

Mr. VILAS. I have not the bill before me, but I understand it is the seventh section which contains a provision giving the President authority, in his discretion, to suspend all immigration.

Mr. HARRIS. That is the section.

Mr. VILAS. And that section has been adopted?

Mr. HARRIS. Yes, as in Committee of the Whole and in the Senate.

Mr. VILAS. I wish to move to strike out of that section the word "immigration," and to insert instead "all passenger travel, but not immigration alone."

The point to the amendment which I wish to make is this: It may become necessary, in the opinion of the President, to take so violent a remedy as to prohibit the access to our shores of people from foreign lands lest they should bring here the seeds of cholera. If it be so, and the Senate be willing to invest him with that great authority, I think it ought not to be an authority which discriminates in the manner in which the word "immigration" operates a discrimination. They come in as immigrants who are poor, and who are unable to come in the general position upon the ship of first-class or second-class travelers; but they who come as immigrants, and who are necessarily classed under that term, are the friends, the relatives often of the very best people whom we have in our land, so far as faithful citizenship, good service as citizens, usefulness in the development of the country are concerned. I am unwilling that it should be decreed to prevent the friends and relatives of people who have been sent for to join their pioneer friends in this country from coming into the United States unless it shall also be provided that the exigency which shall forbid them shall be sufficient to forbid all.

Mr. HARRIS. I have no objection whatever to the amendment of the Senator from Wisconsin. However, the amendment is not strictly in order at this time.

The PRESIDING OFFICER. The Chair will consider the amendment inserting section 7 as open.

Mr. HARRIS. I was going to ask unanimous consent that the amendment of the Senator from Wisconsin may be considered, and I certainly have no objection to it.

Mr. McPHERSON. Let it be read.

The PRESIDING OFFICER. Section 7, as an amendment, will be considered open, and the Senator from Wisconsin has offered to it an amendment, which will be reported.

The CHIEF CLERK. In section 7, line 10, it is proposed to strike out the word "immigration" and insert in lieu thereof the words "all passenger travel, but not immigration alone," so as to read:

The President shall have power to suspend all passenger travel, but not immigration alone, from such countries or places as he shall designate and for such period of time as he may deem necessary.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin.

Mr. PASCO. I call the attention of the Senator from Wisconsin to line 7, and ask whether it is not proper that there should be a modification there also, as the word "immigration" occurs at that place?

Mr. VILAS. I think it would be sufficient (and I intended to make that motion) to simply strike out "immigration" there and insert "passenger travel."

Mr. HARRIS. Let the section be read as proposed to be amended.

The CHIEF CLERK. In section 7, line 7, it is further proposed to strike out the word "immigration" and insert "passenger travel," so as to read:

Sec. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera or other infectious or contagious diseases in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by passenger travel that a suspension of the same is demanded in the interest of the public health, the President shall have power to suspend all passenger travel, but not immigration alone, from such countries or places as he shall designate and for such period of time as he may deem necessary.

Mr. HARRIS. I suggest that the amendment be modified by leaving out the words "but not immigration alone," which seem to me to be wholly unnecessary.

Mr. VILAS. As it would read without those words it would be the greater power conferred on the President which would include the less, and I desire to be specific.

Mr. HARRIS. I simply desired to call the attention of the Senator to the point.

Mr. CHANDLER. I understand the Senator from Wisconsin to state distinctly that he is not willing the President in any exigency shall suspend immigration alone, but that if he finds there is any danger from immigration of any kind he shall then

suspend all passenger travel if he suspends any. That is the object of the Senator, I understand.

Mr. PALMER. I had supposed, in examining the language of the bill, that something more would be necessary in order to protect the public interest than the mere restriction upon passenger travel. I had supposed that some stronger word, such a term as to prohibit intercourse or to use means to prevent the transmission of disease from abroad would be proper subjects of prohibition. I had myself proposed to introduce the word "non-intercourse," as being a more satisfactory term.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair will lay before the Senate the unfinished business.

The CHIEF CLERK. A bill (H. R. 7845) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling certain products to obtain a license, and for other purposes.

Mr. HARRIS. I wish to appeal to the Senator from Minnesota [Mr. WASHBURN]. I think we shall get through in half an hour, but it may run an hour. I will ask that he give me an hour, and I will promise not to seek any further indulgence this morning.

Mr. WASHBURN. Agreed.

Mr. HARRIS. An hour if necessary.

The PRESIDING OFFICER. The Chair hears no objection to laying the unfinished business aside informally. The question recurs on agreeing to the amendment proposed by the Senator from Wisconsin [Mr. VILAS].

Mr. GRAY. Mr. President, my objection, and the only objection, to the pending bill is the fact that it tends to place within the grasp of the Federal Government very extraordinary powers, and a class of powers the extent of which has not yet been measured and which have never heretofore been exercised by Federal authority. I am always reluctant to increase the domain of Federal power unless some clear exigency or necessity demands it. The exigency which is supposed to justify a total embargo upon immigration, to wit, the apprehension of the invasion of contagious diseases, is sufficient in the opinion of some Senators and in my opinion to justify this extraordinary power of the entire suspension of immigration.

But I do not believe that the immigration interests, so to speak, are so overwhelming, so great that they should subordinate every interest of the native-born or resident citizen of the United States, and that there can be no possible discrimination between the immigrant who comes here to settle and make his home and those who happen to be abroad and wish to return to their native home. I believe that a suspension of immigration, if that would in any way meet the exigency, is not so great a hardship upon those who are prevented from seeking a new home in this country that it could not be justified, but I do believe that we can discriminate wisely between those who come on that account and those who already have a vested interest in citizenship and home in this country, to whom this country already belongs. I think we are not doing any injustice to those who are ambitious of citizenship in this country if we ask them to pause a little until what we may think a threatened danger has passed away.

I see no great injustice in the discrimination. The people who are designated as immigrants, worthy people, people who have in the past and present contributed and are contributing to develop the wealth of the country, nevertheless come for their own benefit; they come for the improvement of their own condition; and they are not so absolutely necessary to the health and wealth of this country that we should feel we were under bond even in so grave an emergency as a threatened contagion of cholera not to interfere with their rights.

Mr. MILLS. I wish to ask my friend if he thinks the cholera would be less destructive if it were brought here by a native-born citizen who had some vested rights in this country?

Mr. GRAY. Not at all. The Senator from Texas only makes a suggestion which may or may not come to be realized. If there is danger from any passenger class, then I say, with the power to suspend it, the Congress of the United States can exercise their unquestioned authority to lay an embargo upon all passenger traffic; there is no doubt about that; but if, in the opinion of those who have considered the question, we can avert a threatened danger or deal with it successfully by a discriminating embargo, I see no injustice in discriminating in favor of our own citizens and our own people as against those who intend become citizens and to make their home among us. A qualified, provisional, temporary embargo of immigration I think will work no very great wrong if not carried to excess. Whether that discretion ought to be in the President of the United States at all is quite another question.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin [Mr. VILAS].

Mr. VILAS. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. IRBY (when his name was called). I am paired on this vote with the senior Senator from Maryland [Mr. GORMAN]. If he were present I should vote "yea."

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. PASCO (when his name was called). I again announce my pair with the Senator from North Dakota [Mr. CASEY]. If he were present I should vote "yea."

Mr. QUAY (when his name was called). I am paired generally with the Senator from West Virginia [Mr. FAULKNER]. If he were present I should vote "nay."

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were present I should vote "nay."

The roll call was concluded.

Mr. FELTON. I am paired with the Senator from Ohio [Mr. BRICE]. If he were present I should vote "nay."

Mr. VOORHEES. I desire to announce (and I may as well announce it now for the future votes) that my colleague [Mr. TURPIE] is paired with the Senator from Minnesota [Mr. DAVIS]. Both Senators are absent, and I make the announcement so that it may be understood why they are not voting.

Mr. JONES of Arkansas. I am paired with the Senator from New York [Mr. HISCOCK], but I will vote to make a quorum. I vote "yea."

The result was announced—yeas 17, nays 27, as follows:

#### YEAS—17.

Berry.	Gibson.	Morgan.	Walthall.
Blodgett.	Harris.	Palmer.	White.
Butler.	Jones of Ark.	Vance.	
Cockrell.	Kyle.	Vilas.	
George.	Mills.	Voorhees.	

#### NAYS—27.

Call.	Frye.	McPherson.	Sherman.
Cameron.	Gallinger.	Mitchell.	Shoup.
Chandler.	Gray.	Morrill.	Stockbridge.
Dawes.	Hansbrough.	Peffer.	Teller.
Dixon.	Higgin.	Platt.	Washburn.
Dolph.	Hunt.	Proctor.	Wheeler.
Dubois.	McMillan.	Sawyer.	

#### NOT VOTING—3.

Aldrich.	Cullom.	Hoar.	Quay.
Allen.	Daniel.	Irby.	Ransom.
Alison.	Davis.	Jones of Nev.	Sanders.
Bate.	Faulkner.	Kenna.	Squire.
Blackburn.	Pelton.	Manderson.	Stantford.
Brice.	Gordon.	Paddock.	Stewart.
Carey.	Gorman.	Pasco.	Turpie.
Carlisle.	Hale.	Perkins.	Vest.
Casey.	Hawley.	Pettigrew.	Warren.
Coke.	Hill.	Power.	Wilson.
Colquitt.	Hiscock.	Pugh.	

So the amendment was rejected.

Mr. PALMER. If it be in order, I move to amend the bill, in line 7, section 7, by striking out, after the word "by," the word "immigration," and inserting the words "the introduction of persons or property from such country;" in line 8, before the word "same," to insert "the right to introduce;" and in line 10, to strike out the words "suspend immigration," and insert "prohibit the introduction of persons and property."

The PRESIDING OFFICER. There are three amendments offered by the Senator from Illinois to the same section, all of which will be reported.

The CHIEF CLERK. In section 7, line 7, after the word "by," it is proposed to strike out "immigration" and insert "the introduction of persons or property from such country;" in line 8, before the word "same," to insert "the right to introduce;" and in line 10, to strike out the words "suspend immigration" and insert "prohibit the introduction of persons and property;" so as to read:

That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera or yellow fever or other infectious or contagious diseases in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country, that a suspension of the right to introduce the same is demanded in the interest of the public health, the President shall have power to prohibit the introduction of persons and property from such countries or places as he shall designate and for such period of time as he may deem necessary.

Mr. HOAR. I suggest to the Senator from Illinois to insert the words "in whole or in part," after the word "prohibit."

Mr. PALMER. I have no objection to any words that will be more comprehensive.

Mr. HOAR. I suggest an amendment to the Senator's amendment by adding the words "in whole or in part," so that the President may make a partial as well as a total prohibition. For instance, he may desire to prohibit a particular kind of property, like rags, coming into the country, which he has the power to do now.

Mr. PALMER. I am satisfied with the suggestion of the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Illinois accepts the amendment offered by the Senator from Massachusetts, and the amendment will be so modified.

Mr. McPHERSON. Let the amendment be reported as it will then appear.

The PRESIDING OFFICER. The amendment as modified will be stated.

The CHIEF CLERK. It is proposed to amend so as to read:

Sec. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera or yellow fever or other infectious or contagious diseases in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country, that a suspension of the right to introduce the same is demanded in the interest of the public health, the President shall have power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate and for such period of time as he may deem necessary.

Mr. CHANDLER. I hope the amendments will be adopted. It seems to me that they solve the difficulty which has been raised by the motion of the Senator from Wisconsin [Mr. VILAS].

In deference to the judgment of the Senator from Tennessee [Mr. HARRIS], the chairman of the committee, I was about to move that the authority of the President to suspend immigration should also be extended to all other classes of travelers, but with the provision that the suspension might be made either wholly or partially. A discretion to do an act of this kind in a great emergency certainly ought to have the authority coupled with it to act either in whole or in part according to the exigency.

It seems to me now that the amendment proposed by the Senator from Illinois exactly meets the case. I think the power now exists on the part of the Executive to keep out infectious property; but there is no harm in adopting the amendment in this form, and certainly there can be no objection, if the power is given to the President, in whole or in part, to exclude that which will bring cholera to these shores, to provide that he may, if the exigency demands, exclude all other passenger travel as well as immigration.

Mr. HARRIS. The amendment of the Senator from Illinois, as modified at the suggestion of the Senator from Massachusetts, is entirely satisfactory to me.

The PRESIDING OFFICER. The amendments of the Senator from Illinois to the amendment of the committee to insert section 7, will be treated as one amendment if there be no objection. The Chair hears none; and the question is on the amendment, as modified.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question recurs on the amendment to insert section 7 as amended.

Mr. VILAS. I understand the yeas and nays have been called for on the adoption of section 7.

Mr. CHANDLER. Section 7 has been adopted, has it not?

The PRESIDING OFFICER. The Chair stated that it would be considered open.

Mr. CHANDLER. As excepted from the order of the Senate?

The PRESIDING OFFICER. That was the understanding of the Chair. On this question the Senator from Wisconsin [Mr. VILAS] demands the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. PASCO (when his name was called). I again announce my pair with the Senator from North Dakota [Mr. CASEY].

Mr. QUAY (when his name was called). I desire again to announce my pair with the Senator from West Virginia [Mr. FAULKNER]. If he were present I should vote "yea."

Mr. RANSOM (when his name was called). I am paired with the Senator from Maine [Mr. HALE]. If he were present I should vote "nay."

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were present I should vote "yea."

The roll call was concluded.

Mr. FELTON. I am paired with the Senator from Ohio [Mr. BRICE]. If he were present I should vote "yea."

The result was announced—yeas 37, nays 10, as follows:

#### YEAS—37.

Call.	George.	Morgan.	Shoup.
Cameron.	Hansbrough.	Palmer.	Teller.
Chandler.	Harris.	Pelton.	Vance.
Cockrell.	Higgin.	Pettigrew.	Washburn.
Dawes.	Hoar.	Platt.	Wheeler.
Dixon.	Irby.	Proctor.	Wilson.
Dolph.	Kyle.	Pugh.	
Dubois.	McMillan.	Sawyer.	
Frye.	McPherson.	Sherman.	
Gallinger.	Mitchell.	Shoup.	

## NAYS—10.

Berry,  
Blodgett,  
Butler,

Coke,  
Gray,  
Huntton,

Mills,  
Morgan,  
Vilas,

White.

## NOT VOTING—10.

Aldrich,  
Allen,  
Allison,  
Bate,  
Blackburn,  
Brice,  
Carry,  
Carlisle,  
Casey,  
Colquitt,

Cullom,  
Daniel,  
Davis,  
Faulkner,  
Felton,  
Gibson,  
Gordon,  
Gorman,  
Hale,  
Hawley,

Hill,  
Hiscock,  
Jones of Ark.  
Jones of Nev.  
Kenna,  
Manderson,  
Paddock,  
Pasco,  
Perkins,  
Power,

Quay,  
Ransom,  
Sanders,  
Squire,  
Stamford,  
Stewart,  
Turpie,  
Vest,  
Warren,  
Wilson.

So the amendment as amended was agreed to.

Mr. MORGAN. I offer an amendment, which I send to the desk, to come in at the end of the bill.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed to add as a new section:

Nothing in this act contained shall be so construed as to authorize the United States, or any officer thereof on its behalf, to take into its ownership or control for quarantine purposes, any place in any State and to exercise therein exclusive jurisdiction without the consent of such State.

Mr. MORGAN. Mr. President, I have offered that amendment for the purpose of reconciling some of the apparent conflicts of jurisdiction between the State governments and the Federal Government, which seem to be presented in the bill, and which, I am afraid, will lead to lawsuits and injunctions at a time when we want absolute certainty in our proceedings.

Mr. CHANDLER. Will the Senator allow me to inquire whether he means to prevent buildings from being taken possession of, and land as well?

Mr. MORGAN. You could not take possession of a building without taking possession of the land as well.

Mr. CHANDLER. I understand; but you can take possession of land without taking possession of a building.

Mr. MORGAN. If there was no building on it, you certainly could.

Mr. CHANDLER. I would go along with the Senator in a willingness not to have this act construed to authorize any State buildings or any of the paraphernalia of a State, which had been prepared for quarantine purposes, being taken possession of there by the greater power of the National Government; but I should not be willing to put the United States where it could not anywhere on the seacoast go upon a vacant piece of land and establish there a national quarantine.

Mr. MORGAN. There is not a vacant piece of ground in any State in this Union in the sense in which the Senator speaks. The ground in every State of this Union is owned by some individual, by the State, or by the United States. Therefore, there is no vacant place; there is no place in the United States to-day where there is not an ownership of the land.

Mr. HOAR. I desire to ask the Senator if he means—I heard his amendment read imperfectly, perhaps—to prohibit the National Government, in case of emergency, from getting a quarantine ground anywhere on the seashore of a State when the State Legislature is not in session?

Mr. MORGAN. The State Legislature, Mr. President, could provide in advance, if it was necessary to provide, for the Government of the United States to be admitted in all cases of emergency to establish quarantine buildings, quarantine stations, or even to occupy the stations of the State. That ought to be the law of the State; but I can not alter the Constitution of the United States, which prohibits the Government of the United States from acquiring ownership or taking the occupation of any piece of land in any State without the consent of the Legislature. The plain injunction is there in the Constitution, in Article I, clause 17, and we are running right over it.

Mr. CHANDLER. Why not leave it, then, on the Constitution?

Mr. MORGAN. I want to put in that express qualification so as to show that we had the Constitution in our eye, in contemplation, at the time we enacted this law, and to show that it was not the purpose of Congress to break down that provision of the Constitution, and without this qualification, I think it would be very clear that such was the purpose—and to prevent lawsuits and injunctions, as I said before, at a time when there may be very great public emergency for quarantine regulations on the part of the United States.

Mr. President, there is no use in trying to disguise the fact that this is a bill of subvention for the benefit of the State governments. It is a bill to take off the State authorities and localities the expenses of quarantine, and I think where the quarantine is leveled against the introduction of a pest from abroad, that that is a good purpose, it is a rightful purpose, and I think there are many particulars in which the State authorities and the United States authorities can cooperate. Even in the matter of making regulation, I think it is altogether practicable where the regulation itself does not necessarily carry with it the ex-

clusive right of legislation, the exclusive right of making laws to control the place in the State where the quarantine buildings are located, where the quarantine is made effectual.

I think we had better, while we are making this emergent legislation, have some regard to our powers and duties. I very much hope, if this bill shall go to another part of the Congress of the United States, that they will, at all events, take this subject into consideration and see that there is no unseemly and improper conflict created by the bill itself between the State authorities and the Federal authorities. If we get up a question of that kind we are going to have trouble about it, and more than we have had oftentimes in the United States, particularly in respect of interstate prohibitions upon migration, immigration, etc.; we shall have the shotgun quarantine. Do we not remember how the banks of the Mississippi River, and other rivers also and the railroads, have been frequently picketed by men with shotguns in their hands to prevent the coming and going of trains and mails and everything of that sort?

Is our experience on that subject so indefinite or so very smooth as that we do not remember the trials and troubles we have had upon this question in the United States? When we come to deal with the right of a man to take his goods or his family from one State to another, and from an infected country to one that is not infected, we have as between him and the community to which he is going, a very serious conflict. We ought not to permit that conflict to go into the legislation of the country; we ought to try to smoothe it out; we ought to try to so provide as that the United States Government can exercise rightful, proper, constitutional authority within the borders of a State, which can always be done and always will be done by the State inviting or accepting our assistance in this way of raising money to enforce a quarantine. There is no difficulty about getting authority for the United States Government to assist in a quarantine when you carry the money along to pay the expenses.

The doctors may disagree, and probably will become a little strenuous and pragmatical about their respective professional authority and dignity, and the like of that. They are always quarreling with each other. It is part of the business of the profession, I believe, to understate, undervalue, and quarrel with each other in their opinions, etc. Perhaps that is all right, but it is not very convenient, and it is not a very useful thing in an epidemic; it produces strife and contention. I have seen it in my State, when the doctors were almost by the ears, some contending that one party had the right to control; others that another party had the right to control; and the king of terrors seems to have no power at all unless he has got a doctor for a leader in some way or other.

I believe that our duty is to provide, as far as our constitutional authority can possibly go, for the prevention of the introduction of these epidemics. It is a peculiarly binding and obligatory duty at this time. In view of the great World's Fair we are to hold in Chicago, we ought to provide a system of laws here which will give an assurance to the world that we will protect the health of this country against an introduction of cholera or yellow fever or anything else in such a way as to become disastrous. If we do not do that we shall have to rely entirely upon our own people for the support of the enormous expenditures in connection with that great exhibition.

So I fully concur in the whole measure if we can only keep the Government of the United States and the State governments out of conflict; and I believe the adoption of my amendment as the last clause in this bill, showing what our purpose and intent is, will better enable the two governments, the State governments and the Federal Government, to reconcile their difficulties and disputes with each other. That is my whole purpose in offering the amendment.

Mr. DOLPH. Mr. President, the constitutional provision to which the Senator from Alabama [Mr. MORGAN] has reference I suppose is subdivision 17 of section 8 of Article I. Section 8 provides that Congress shall have the power to lay and collect taxes, etc., and then, passing to the seventeenth subdivision, it provides that—

The Congress shall have power to exercise exclusive legislation in all cases whatsoever over such district, not exceeding ten square miles, as may, by decision of particular State and the concurrence of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings.

It is the custom of the General Government, in providing for the purchase of land for these particular purposes, to require as a precedent to the expenditure of money that the consent of the Legislature shall be obtained. There is no objection to that; but it does not follow that the United States can not lease or occupy property or even buy property and use it for special purposes, as I understand, of the States, without the consent of the Legislature.

Mr. MORGAN. I do not deny that.

Mr. DOLPH. The only question is the question of the exercise of exclusive jurisdiction to legislate.

Mr. MORGAN. That is the point in the case.

Mr. DOLPH. And exclusive judicial jurisdiction. I do not understand that there is anything in the bill before the Senate which would prevent the United States occupying, with the consent of the owner, real property, land alone, or the land with the improvements, for the purpose of carrying out quarantine regulations. If the United States undertook to exercise exclusive judicial or legislative jurisdiction over the land without the consent of the State Legislature, then the question would arise; but if we are going to make any great expenditure for the purchase of land and the erection of large buildings, if it was practicable to do so, I should insist with the Senator from Alabama that we should first obtain the consent of the State. I do not think, however, that such a provision as he proposes is necessary to this bill. It might as well be put in any bill which authorizes certain acts to be done by the General Government for a general purpose. Certainly no officer, as specified in that amendment, could exercise this jurisdiction. The attempt to exercise the jurisdiction must be through the Congress of the United States or by the judicial department of the Government. I do not think the amendment is necessary to the bill.

Mr. MORGAN. My purpose is not to shut out the United States from the right to get the occupation of property within a State for the purposes of quarantine; but after having obtained it, from exercising therein exclusive jurisdiction. I think this bill does provide for an exercise of exclusive jurisdiction on the part of the officers of the Government of the United States. I think that under this bill, if an epidemic of cholera were prevailing in the city of New York, or was likely to prevail there, the Secretary of the Treasury could go and drive out the officers of the State of New York from the quarantine stations, take possession, and run them at his will and pleasure. That is the way I understand the bill.

Mr. CHANDLER. The Senator says the Constitution does not allow an officer to do so.

Mr. MORGAN. Oh, I am talking about the frame of this bill. I want to know whether the power is not given here to the Secretary of the Treasury to take possession of the quarantine stations and all the property devoted to quarantine purposes in the city of New York and put in operation there exclusively the power of the United States Government?

Mr. CHANDLER. I think the bill does, if that authority is to be deduced from the provision that the President shall take such steps as he deems necessary to keep the cholera out; but it is only to be inferred from that very broad language. Now, can we not trust the President of the United States under that clause not to take possession of Hoffman and Swinburne Islands?

Mr. MORGAN. I trust no President, I trust no man by putting in his possession a power which violates the Constitution of my country. I am sworn not to do that and I do not mean to do it. I had rather put a check upon his power and say that he, as well as myself, must act in accordance with the Constitution. This is the object of my amendment, and the Senate may vote upon it.

The PRESIDING OFFICER. The question is on the amendment submitted by the Senator from Alabama.

Mr. MORGAN. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. VILAS. I ask that the amendment be again reported.

The PRESIDING OFFICER. The amendment will be again stated.

The CHIEF CLERK. It is proposed to add a new section at the end of the bill, as follows:

Nothing in this act contained shall be so construed as to authorize the United States of any officer thereof in its behalf to take into its ownership or control for quarantine purposes any place in any State, and to exercise therein exclusive jurisdiction without the consent of such State.

The Secretary proceeded to call the roll.

Mr. CHANDLER (when Mr. CULLOM's name was called). I desire to announce that the Senator from Illinois [Mr. CULLOM] is detained from the Senate by illness.

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. PASCO (when his name was called). I again announce my pair with the Senator from North Dakota [Mr. CASEY].

Mr. QUAY (when his name was called). I am paired with the Senator from West Virginia [Mr. FAULKNER].

Mr. RANSOM (when his name was called). I am paired with the Senator from Maine [Mr. HALE]. If he were present I should vote "yea."

Mr. WILSON (when his name was called). I again announce my pair with the Senator from Georgia [Mr. COLQUITT]. If he were present I should vote "nay."

The roll call was concluded.

Mr. GORDON. I am paired with the Senator from Wyoming [Mr. WARREN]. If he were here I should vote "yea."

The result was announced—yeas 19, nays 28; as follows:

YEAS—19.			
Berry,	Gorman,	Mills,	Vilas,
Blodgett,	Gray,	Morgan,	Voorhees,
Butler,	Huntin,	Palmer,	Wadhall,
Coke,	Kyle,	Pugh,	White,
Daniel,	McPherson,	Vanoe,	
NAYS—28.			
Call,	Frye,	Irby,	Proctor,
Cameron,	Gallinger,	McMillan,	Sawyer,
Chandler,	George,	Mitchell,	Sherman,
Cookrell,	Hansbrough,	Monroe,	Shoup,
Dwight,	Harris,	Peterson,	Stockbridge,
Dolph,	Higgins,	Peterson,	Teller,
Dubois,	Hoar,	Platt,	Washburn
NOT VOTING—40.			
Aldrich,	Cullom,	Hiscock,	Ransom,
Alben,	Davis,	Jones, Ark.,	Sanders,
Allen,	Dixon,	Jones, Nev.,	Squire,
Bate,	Faulkner,	Kenna,	Stanton,
Blackburn,	Feltton,	Manderson,	Stewart,
Brice,	Gibson,	Paddock,	Tarple,
Caney,	Gordon,	Pasco,	Vest,
Charles,	Hale,	Perkins,	Warren,
Casey,	Hawley,	Power,	Wilson,
Colquitt,	Hill,	Quay,	Wheeler,

So the amendment was rejected.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

On motion of Mr. HARRIS the title was amended so as to read: "A bill granting additional quarantine powers and imposing additional duties upon the Secretary of the Treasury and Marine Hospital Service, and for other purposes."

Mr. CHANDLER. I desire to say that I shall allow the next special order, being the bill for the suspension of immigration for one year, to lapse without asking to take it up at this time, but at an early day I hope to bring that bill before the Senate for its consideration.

#### DEALING IN OPTIONS AND FUTURES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7815) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling certain products to obtain license, and for other purposes.

Mr. WASHBURN. Before proceeding with the discussion of the bill, I ask for the adoption of the following order:

Resolved, That 2,000 extra copies of House bill 7815, a bill defining "options" and "futures," etc., be printed for the use of the Senate.

The order was agreed to.

The VICE-PRESIDENT. The pending amendment, which was offered by the Senator from Louisiana [Mr. WHITE], will be stated.

The CHIEF CLERK. At the end of section 2 it is proposed to strike out the following proviso:

*Provided, however,* That such contract or agreement shall not be made, settled for by delivery or settlement of differences, or by any other mode of performance or settlement in or upon any board of trade, produce, cotton, merchants, or other exchange, or other commercial association, or in any place or upon any premises where price quotations of such articles are announced, bulletined, or published, nor be subjected to the rules or regulations of any such board, exchange, or other commercial association.

The VICE-PRESIDENT. Is the Senate ready for the question?

Mr. WASHBURN. The yeas and nays have been ordered on that amendment.

Mr. VILAS. Mr. President, the Senate did me such honor in patiently listening to a long constitutional discussion when this bill was last under consideration, that I can not but feel some reluctance in again soliciting the favor of its hearing. But the subject to which I wish to address attention to-day, although kindred, is another than that which formed the subject of the remarks I had the honor to submit to the Senate a few days since.

It is necessary in order to the presentation of the constitutional objections to this measure that it should be demonstrated, if demonstrated it can be, that the substitute proposed by the minority of the Judiciary Committee, and particularly championed by the distinguished and able Senator from Mississippi [Mr. GEORGE], should also be shown to face the authority necessary in the Constitution for its enactment, and that what I feel I am obliged to address some objections is.

The substitute possesses, as I have submitted, at least one quality. It is open in its purposes, direct in its exercise of legislative authority, using no cloak or cover, and, upon the assumption of constitutionality, is, for the most part, legislation fully adapted to the purposed use of the power. It denounces directly and legal the methods of business it condemns, and provides appropriate criminal sanctions.



But when this is said, the end of commendation seems to me to be reached. I can not regard it as any less certain that the power to regulate commerce with foreign nations and among the several States no more authorizes the projected invasion of the constitutional rights of the people in their State governments than does the power to raise revenue for the support of the National Government.

The argument for reliance upon the commerce clause has been left substantially to the learned and distinguished Senator from Mississippi [Mr. CHANDLER]—it needs not be said it could be in no able hands—and it was presented with all the skill the case permitted. Yet, though his dialectics commanded admiration, it seemed to me the fallacy of the argument was generally felt, if not yet fully expounded. If I venture that attempt, I must, in fair justice, deal with it as he has made it; and, in doing so, may feel assured I encounter all that can be urged in support of that theory of authority.

I can not regard it necessary, however, to recapitulate and in detail discuss all that he so skillfully constructed, nor to pursue the same order that he adopted. Very much, indeed, of what has already been presented in opposition to the employment of the taxing power will be recognized by the Senate as addressing equal force against the authority claimed under the commerce clause, and due regard for this consideration demands abbreviation of what might otherwise have been proper to say if the commerce clause were alone invoked to support this legislation.

Divested of mere words, and stripped to the skin by a fair analysis, the entire substance of the learned Senator's contention seems to stand upon two prime assumptions:

1. Congress may directly interpose to suppress any domestic transactions sanctioned by the laws of a State and conducted by its own citizens wholly within its borders, although in no wise interstate or foreign dealing, not even amounting to commerce at all, if their indirect effect in some manner unfavorably influences, or, in his language, obstructs or restrains other transactions, whether by the same or other persons, which are, or might become, interstate or foreign commerce.

2. Congress may conclusively assert that any such domestic, intra-State transaction does unfavorably influence interstate or foreign commerce, conclusively declare it an obstruction to such commerce, and thus foreclosing inquiry of the fact by the courts invest itself with legislative power to denounce and suppress the domestic transaction which otherwise citizens of a State might rightfully engage in, protected and sustained by its laws.

Each and both of these propositions appear to me to be utterly untenable; indeed, distressingly subversive of all sound principles of constitutional interpretation.

The first commands first attention. And that there may be no chance for claim that I have overstated it, I read from his speech of last July—in which he submitted the supporting argument—some extracts to show that he maintains it in the full proportions. He argued, in connection, as he said, of the fact that—

Some persons have been misled as to the character of the amendment I propose, because it is supposed by them that these dealings in futures in New Orleans and in New York really constitute internal and domestic commerce in New York and Louisiana, respectively, and that it is the object of the amendment to regulate this alleged commerce—

Among other things, that—

They are not commerce in a constitutional sense, for there is no actual transfer of title to any property whatever. The contract is a mere personal contract to deliver at a future day or pay damages. There is in the contract nothing to give title to or interest in property, and there is no transfer of the property to the title of the buyer—no transportation of the thing from seller to buyer. Without such transfer or transportation there is no commerce. In *Railroad Company v. Husen*, 95 U. S., pages 495-475, it is said "transportation is essential to commerce."

As no title passes on these pretended sales, as the buyer gets nothing but the obligation or promise of the seller to deliver, at his option, cotton as the seller may select of twelve different grades, at any day within a named month, and a market is put up by either party as the cotton may rise or fall, it is evident that the value of such a contract depends upon the reliability of the seller, and the buyer can never get the cotton unless the seller is willing to deliver and he can not get damages for non-delivery unless the seller is willing and able to pay.

In all such cases the dealings are held not to be commerce in a constitutional sense.

I read that not to controvert it, but to show that the proposition of the learned and able Senator extends to the suppression of transactions within a State which he holds are not interstate or foreign commerce in any part; not commerce at all. And next, to the second supposed error, he answered:

A further conclusive answer to this view is that the amendment does not propose to regulate these dealings. The regulation proposed by the amendment is the regulation of interstate and foreign commerce in cotton, wheat, etc. What it does with these future dealings is to abolish them, to remove them.

This presents the question of the extent of the power of Congress to remove obstructions to or restraints on interstate and foreign commerce.

Thus the distinguished Senator made the purpose plain to abolish or remove any obstructive or restraining transactions carried on within a State by her citizens, although not in a proper constitutional sense the transactions of commerce, even domestic or internal.

Nor can it be disputed that the reasoning proffered to us in support of this power necessarily extends it to such a compass that whatever thing, of any nature, may interfere with the current of interstate or foreign commerce as it would otherwise flow, or, more exactly, whatever Congress shall declare to interfere, may be prohibited and abolished by virtue of the power "to regulate" such commerce.

And what is the course of reasoning adduced to the extraordinary proposition? The argument of the learned Senator is summary. He asserts, first, that Congress may remove physical obstructions from the navigable waters of the country; and this is well established by many decisions of the Supreme Court. I shall not dispute it, but only endeavor to explain its foundation and meaning by the language of the court. The case of *The Daniel Ball*, 10 Wall. 557, which he cites, declares, on page 563-564 of the report, the settled rule. When a navigable water, as a lake or river, is used, or susceptible of being used, in its ordinary condition as a highway of commerce, and forms in whole or in part, with connecting waters, "a continued highway over which commerce is or may be carried on with other States or foreign countries in the customary modes in which such commerce is conducted by water," it is a public navigable water of the United States and subject to "appropriate legislation" in the exercise of the commerce power of the Constitution. Upon which the court says:

The power which Congress has to regulate legislation for the protection or advancement of interstate or foreign commerce, and for that purpose the removal of obstructions to the convenient and safe navigation of all the navigable waters of the United States, whether that legislation consists in regulating the removal of obstructions to their use, in prescribing the form and equipment of vessels employed upon them, or in subjecting the vessels to inspection in case of call, to secure their proper construction and equipment. The power to regulate in this manner, this court said in *Gibbs v. Paul*, 10 Wall. 574, is a power to regulate the control for that purpose, and to that end, the safety of all navigable waters of the United States which are accessible from a State other than that in which they lie. For this purpose they are the public property of the nation and subject to all the requisite legislation of Congress.

Mr. BUTLER. Who delivered the opinion of the court?

Mr. VILAS. Mr. Justice Field.

Then the learned Senator adduces another authority in the following passage from his speech:

In the case of the *United States v. Roberts*, 12 Peters, page 72-74, Curtis, 634, the court upheld a suit for punishing as larceny the taking of goods belonging to a wrecked vessel above high-water mark, not property in course of transportation, but property belonging to the vessel.

There is no occasion to question these authorities, or the doctrine they enunciate, which is doubtless sound, and is to me satisfactory. But it will be observed that both deal with nothing but the means and implements of interstate and foreign commerce; the former with the water highways upon which it is borne, the latter with the vessels by which it is borne.

Nothing more is decided than that over the navigable waters of the United States, being "the public property of the nation," the Federal authority is paramount to State control, according to the original arrangement of the Constitution, and of course carries the power of appropriate legislation; and that it is for the Federal Government to denounce and punish that species of piracy, that outrage upon them who "go down to the sea in ships," which is known as wrecking. There is in them no pretext of relation to anything which is not, in physical fact, part of the transaction of interstate or foreign commerce, nor intimation of an extension of the power of Congress to anything beyond, merely because it may be a potential subject of commerce, or indirectly concern what may become a transaction of such commerce.

And so with this suggestion, that this power of regulation extends to acts done on land. Obviously this must be so, because both interstate and foreign commerce must be in part on land though the carriage be by water, and much of both may be wholly on land where the communication is not by water. Surely this requires no further attention.

These plain considerations, as it seems to me, entirely strip the argument of all aid from any of the cases which the learned and able Senator from Mississippi adduced to the support of the collateral propositions, not in fact contributory to the true point, yet adduced in a manner which seemed to bring them into relation with it as authorities upon which his proposition might rest.

The theory of the proposed substitution thus stands out as an isolated and independent assertion of constitutional power now for the first time brought before Congress as authority for legislation. Whatever else may be its merits or its faults, it is entitled to distinction for novelty and surely infringes upon no pre-emption of others. It is to be judged, therefore, by its own peculiar intrinsic weight and force.

Let the further argument be stated in the exact words of its distinguished proponent:

Now, as the power to remove obstructions to commerce is a part of the power to regulate commerce, being necessary and proper to enable Congress to regulate commerce, it is clear that this removal of obstructions extends

denounce as crimes the transactions of a large and hitherto respected body of merchants and dealers in our land, and to stigmatize them as criminals?

Besides, sir, let me add now, in support of my intended motion, that I can not regard the evidence before us sufficient to establish the fact sought to be so declared in law. Assume it to be true, if you will, that this system of dealing in futures does operate to depreciate the price of the commodities in question. Does it follow thereby that interstate and foreign trade in them is obstructed? Generally speaking, the more the price of an article of common desire is lowered, the more extensive becomes its use and the more active the traffic in it. In what manner does that familiar rule find qualification in respect to these staples of husbandry which so largely feed and clothe mankind? No explanation has been vouchsafed us: and I doubt, in advance of it, if any be possible.

The distinguished Senator complains that none but members are admitted to trade in the chambers of commerce and exchanges of the country. But does this rule, quite necessary to their existence and affairs, abridge the rights of other citizens to trade when and where they will with one another? And without debating the merits or the faults of these organizations, can anyone who turns a fair observation on the tremendous accomplishments of our modern system of business, which so quickly gather every year the enormous products of our fields into the gigantic currents of our commerce to flow out in distributing streams to the consumers of the civilized world; who saw a year ago a crop of 600,000,000 bushels of wheat and 9,000,000 bales of cotton picked up in our country as by Titanian hands and spread before the eager wants of humanity more easily and swiftly than a third the quantity could be handled a generation ago, sincerely affirm that the commerce of the States, and with foreign countries, has been in truth obstructed and fettered by the usages of business during recent years?

Mr. President, the grave and serious character of the proposed legislation, the learning and dignity of the minority of the Judiciary Committee who reported this substitute, the skill and force of the learned Senator who has been its champion, and the necessary requirements of debate upon any question of constitutional interpretation will sufficiently justify me, I feel assured, in the protracted care with which I have sought to refute the claim of right to employ the power of the commerce clause for the purpose of this legislation.

I am well aware that the mere discussion of a legal question can interest but few except those whose minds have been turned by the habits of their lives to it. But I have made the argument with the conviction that, however short I may have come of demonstrating it, yet the power granted by that clause is utterly inadequate to the enactment of the proposed substitute.

And so, sir, I feel that both claims for authority in Congress to enact this law are utterly insupportable, and to do this thing which is asked of us will be to attempt a violation of the Constitution, an encroachment upon the rights of the States and the liberties of our countrymen at the sacrifice of the fidelity and duty which not only my oath exacts of me, but every intelligent conviction, every sentiment of public responsibility compels me to observe as sacredly as a priest should minister at the altar of God.

And now let me ask what necessity is upon us to do this deed? We do not stand confronted by any dire exigency, imminent in evil menace, and otherwise remediless; such as sometimes has seemed to offer warrant to patriots for extreme and doubtful measures lest the Republic should take some detriment. Here is no unforeseen contingency unprovided for in the constitutional arrangement of the powers of government, no *casus omnisus* in human forecast demanding extraordinary provision. So far from it, the power of the people to redress this evil, if evil it be, is ample, easy of exercise, in handy reach, much nearer to their use and wishes than we are.

No one can pretend to question the plenitude of right and power in the several State Legislatures to provide any measures, however vigorous, requisite to overmaster and correct any of the asserted injuries to the popular interests which it is professed inspire the promotion of this measure. We may bethink ourselves also of the fact—it ought to give cheek to our acceptance of the clamor so easily prepared to our ears—that in every State Legislature which assembles a large proportion of its membership is directly composed of intelligent farmers, besides other men very closely acquainted with and representative of the agricultural interests.

The Legislature of Illinois has but just convened. The Chamber of Commerce of Chicago, the largest grain market, I believe, in the world, and surely the largest speculative market, is the creature of that Legislature. If it be the child of evil we hear it decried in this Chamber, the hand of its creator may be now laid upon it. If the chambers of commerce or boards of

trade of St. Paul and Minneapolis are the guilty visitors of wrong upon the farmers of Minnesota which the distinguished Senator from that State may leave us to infer, in the former city the sovereignty of his State is now assembled, clothed with plenary authority to suppress them.

In these legislative bodies the intelligence of the farming class, as well as its interests and strength, are abundantly exemplified by men of character and ability from its own very ranks. In the Legislature of Wisconsin, which conferred upon me the honor of a seat in this illustrious assemblage, one-third of its members, roundly speaking, forty-three of its one hundred and thirty-three Senators and assemblymen, were farmers by occupation, able men, worthy and well qualified to know and declare the wants of agriculture and provide the remedies its interests might demand. What is there in the composition of this body to justify claim of a better knowledge of or render it more sensitive to the needs of husbandry than the Legislatures of the States?

Sir, when the Legislature of a State recognizes the necessity of some measure of public importance which lies within the power of Congress to make provision for, there is an easy and familiar practice prevalent in the Union. They memorialize the legislature of the Federal sovereignty to take such step as they think prudent and requisite for the accomplishment of the ends they regard of public importance. Let us respect them as they respect us, and if, in the judgment of this body, in the State of Illinois, there is a great speculative grain market which ought to be attacked, let us deal with our fellow-sovereign, the State of Illinois in proper comity, and memorialize the body which possesses the power of that State to apply the proper remedy in the interests of the country.

Will it not be time enough, sir, for us to begin this violence upon the constitution and order of our Government when one State, at least, shall have shown the necessity for it by the failure of its legislation well applied to the end? or, I might add, by the failure or refusal to respond by the attempt at proper legislation to the rightful solicitations and representations of its sister States or of the Legislature of the Federal Union?

The remedy now proposed is a most drastic and perilous one. No man, it seems to me, can reflect upon its possible effects without a shudder of apprehension from the inevitable derangement it must work in the business transactions of our country, from the consequences of injury it is liable to inflict, especially upon our husbandmen themselves. It is one of the many advantages of our system that such an experiment as this may be tried by a single State, and its merits thus tested, without the entail upon all the country of the misfortunes of failure, if failure ensue, with the example of benefit to all, if success attend. This has been signally illustrated in many things; perhaps in none more notably than in the numerous reformations of the codes of law and practice which, by successive steps and many local failures, have now become almost universally accepted in some form by the several States.

So has it been with our system of public education, our reformatories and penal institutions, the enfranchisement of women from social bondage, and other measures of social and business advancement. What is there in this alleged reform of business methods to demand this sudden and revolutionary experiment, which may involve in its reckless adoption such evils to the entire body of our people?

Sir, the history of civilization well instructs us there is nothing more perilous, nothing more fraught with harmful results than the hasty crystallization in immoderate publication of the impulses of popular misconceptions. It is the peculiar peril of republics, always prone to storms like the freedom of the sea. In anxious guard against it the wisdom of our fathers established our plan of dual sovereignties, in which the States ought to play a useful part, like the many iron compartments of the modern ships that meet the storms of ocean with an assurance of security that has multiplied a thousand-fold its availability to trade and travel. Are we to overthrow all this upon such an occasion as is here presented?

But, sir, grievous as will be the injury inflicted by this law, if it shall become a law, upon the interests of business and especially, perhaps, to our husbandmen, and harsh and bitter as may be the visitation of such a condemnation upon those who have hitherto held high place in all the marts of trade in our great cities, all these are as trifles in comparison with the peril of the step to be taken across the lines of constitutional duty this body is solemnly charged to defend.

It may indeed be that this law you propose to enact shall speedily flee from the statute book pursued by a popular rage far beyond what is misconceived to urge its passage.

And while I do not undertake to declare any prophetic vision, nor to wield the thunderbolts of any class, I certainly invoke the attention of Senators in this Chamber to the fact that the busi-

ness interests of this country have rested in satisfaction upon the belief that this law would never receive the indorsement of this body. If it shall happen that the result is contrary there may be awakened a spirit better worthy of consideration before it shall be stirred.

But if done, the fatal precedent will have been set, the barrier thrown down, the open breach of the great trust reposed by the Constitution avowed and complete.

Shall we be told that no real danger lurks in such a precedent? That its experiment, if harmful, will terminate with a repeal as easily as enactment?

Sir, that constitutes no answer. Repeal is the remedy of bad legislation. No remedy is adequate to the perverse and purposed injury of the Constitution. The precedent stands for invocation whenever any powerful and menacing interest may seek influence or illegal advantage; a lurking demon of disorder, ready to join in effectively when the cry of devils is raised against our institutions and social order has most need of angelic friends. What better could illustrate the base utility of a bad precedent than this very debate? What could have lent more strength to this demand for misuse of the taxing power than the production of one undeniable and successful instance of the like abuse by any preceding Congress? What has been more satisfactory than the clear and certain absence, which has been shown, of any such former evil doing?

Let us assume, Mr. President, that this deed which is set to us may be successfully perpetrated; that we may, declaring our purpose to impose a tax, put the millstone on the necks of the class of business for which this snare is devised; that the Supreme Court shall pull the blinding bandage down over the judicial countenance to hide not less its mantling shame than its vision of the outraged Constitution, and, in deference to its coordinate member of the Government, shall declare this act to lay only a heavy tax, whose oppression it was alone for the Legislature to weigh, the power to tax being a power to destroy, even the Constitution itself. What then, sir, must be the sentiments in the inmost hearts of all who do see what the court must refuse to see, who know that in real fact the breach is complete, the wall down, and the very citadel open to the worst enemies of liberty whenever they shall form for assault.

I shall presume to speak for no other, but for myself I may say, with immense sincerity, it will not comfort me that I valiantly strove against it. All my reading of the historic records of mankind will but serve to portray to the mind the fearful pictures of the future in store for that great frame work of liberty which we were taught in youth to love, in our years of manhood we have revered and obeyed, and in our days of highest trust and honor have solemnly sworn to support and defend.

Sir, this is to me no more contest of interests of a brief and temporary consequence; the ordinary struggle which may be expected to happen over one thing or another from Congress to Congress; which may leave its wounds, indeed, but upon men and things of the time only, to slip like all else which is of human individuality, into early oblivion.

This measure involves far more. I have shown you, sir, by a careful review of others of supposed likeness, that it is without precedent, that it must grievously injure the rights of the people to their local self-government, that it is in nature insidious, treacherous and of far more peril than an open defiance of the Constitution, subject to judicial redress.

It remains to add the harsh and note of danger, that of harkening to a cry outside, which gives resolution when judgment hangs inclining the other way; that through these walls which ought to impose a fearless and serene statesmanship the *clibanarius ardor pro ca jubantium* may come to penetrate, and so fiercely that the adamant of the Constitution melts before the fervent heat.

If that day, the historic precursor of republican decay, and so often followed by the roar of the conamine, be approaching, who can drink it too much to attribute to this measure a vast influence, possibly far-reaching and direful?

I am not but feel confident that evil day is not upon us, but that the exigency will be met here and now in this Chamber, and the friends of constitutional liberty will be numerous enough and strong enough for the emergency which is upon them.

Mr. MITCHELL. For my own information I should like to ask the Senator from Wisconsin a question at this time, if he has concluded his speech? Assuming that the Senator from Mississippi, Mr. GEORGE, is right in his contention, that the power to deal directly with this alleged evil exists by virtue of the clause in the Constitution which authorizes Congress to regulate commerce with foreign nations and among the several States, and that the Senator from Wisconsin is wrong in reference to that contention, would the Senator from Wisconsin then have any doubt as to the constitutional power on the part of Congress to deal with that evil by invoking the taxing power?

Mr. VILAS. If the power to do this thing exists in Congress

under the commerce clause, it may be that the court would support it as they supported the levy of the 50 cents a head upon passengers in the celebrated head-money cases, not as an exertion of the power to tax, but as an exertion of the right to regulate commerce. But it would be an abuse of the power, because it would be done, not as it was there, professedly in regulation of commerce, for that act was an act relating to immigration, but it would be done in abuse of the power, in covert concealment of the true purpose. It seems to me that if the power were to be found to exist, the honest constitutional way is to exert it in accordance with the nature of the power which is asserted.

Mr. MITCHELL. But I understood the Senator to argue at length and with great ability the other day that in cases where Congress had the power by virtue of some constitutional provision to deal with any particular evil, then Congress had the right to invoke the taxing power.

Mr. VILAS. I think the Senator from Oregon must have misunderstood my argument. I argued that the instance, in which under the form of a tax a power had been exercised or exerted to suppress a certain line of transactions which Congress desired to interdict, was not supported by the court as an exercise of the power to tax but as the exertion of another power within the authority given by the Constitution to Congress. Therefore the court could not hold it unconstitutional although it took the form of a tax.

The PRESIDING OFFICER (Mr. JONES of Arkansas in the chair). The question is on the adoption of the amendment proposed by the Senator from Louisiana [Mr. WHITE].

Mr. HARRIS. Let the amendment be read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the end of section 2, strike out the proviso, the words to be stricken out being as follows:

*Provided, however,* That such contract or agreement shall not be made, settled for by delivery or settlement of differences, or by any other mode of performance or settlement in or upon any board of trade, produce, cotton, mercantile, or other exchange, or other commercial association, or in any place or upon any premises where price quotations of said articles are announced, bulletined, or published, nor be subjected to the rules or regulations of any such board, exchange, or other commercial association.

The PRESIDING OFFICER. Upon this question the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). In am paired generally with the Senator from Pennsylvania [Mr. CAMERON]. I do not see that he is in the Chamber, and I therefore withhold my vote.

Mr. DAWES (when his name was called). The Senator from Alabama [Mr. MORGAN, being absent from the Chamber, I withhold my vote. I am paired with him.

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH], who is absent, but I understand in conference with some of his friends on the other side that when this question was up before he voted the same way that I would vote, and that is "nay." I vote "nay."

Mr. GORMAN (when his name was called). I am paired with the Senator from Maine [Mr. HALE] on this amendment. Otherwise I should vote "yea."

Mr. HANSBROUGH (when his name was called). I am paired with the Senator from Montana [Mr. SANDERS] on this question. I have been advised that the Senator from Nevada [Mr. JONES] who is absent, desires to be paired in favor of this measure in all of its features. So I take the liberty of transferring my pair with the Senator from Montana to the Senator from Nevada, and I vote "nay."

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORTON]. Not knowing how he would vote upon this question, I withhold my vote.

Mr. HEDDY (when his name was called). I am paired with the Senator from New York [Mr. HUNT]. If he were present I should vote "nay."

The PRESIDING OFFICER (when the name of Mr. JONES of Arkansas was called). The occupant of the chair is paired with the Senator from New York [Mr. HISCOCK].

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE]. I understand that he would vote against the amendment, and therefore I will vote "nay." I vote "nay."

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN], but I am assured by the Senator in charge of the bill that he would vote "nay" on this question, and I therefore vote "nay."

Mr. PLATT (when his name was called). My colleague [Mr. HAWLEY], who is absent from the Senate, requested me to pair him as being in favor of the bill. I suppose that he would vote against the pending amendment, and I should vote for it. I will pair myself with my colleague.

Mr. QUAY (when his name was called). I am paired generally with the Senator from West Virginia [Mr. FAULKNER]. Not knowing how he would vote upon this amendment, I withhold my vote.

Mr. SAWYER (when his name was called). I am paired on the bill and amendments with the Senator from Minnesota [Mr. DAVIS], and withhold my vote.

Mr. STOCKBRIDGE (when his name was called). I am paired with the Senator from Maryland [Mr. GIBSON] for to-day on the bill, and therefore withhold my vote.

Mr. WILSON (when his name was called). I have a general pair with the Senator from Georgia [Mr. COLQUITT]. I am informed that if he were present he would vote against the adoption of the pending amendment. I therefore vote "nay."

The roll call was concluded.

Mr. GRAY (after having voted in the affirmative). I voted inadvertently, not observing that the Senator from Illinois [Mr. CULLOM], with whom I have a general pair, is absent. I therefore withdraw my vote. I do not know how he would vote on the pending amendment.

Mr. GORMAN. I announced my pair with the Senator from Maine [Mr. HALE]. Since then I have been requested to pair the Senator from Maine with the Senator from Rhode Island [Mr. ALDRICH] and to vote. I therefore vote "yea."

Mr. HANSBROUGH. I desire to announce that my colleague [Mr. CASEY] is paired against this amendment with the Senator from Kentucky [Mr. CARLISLE].

The result was announced—yeas 10, nays 21, as follows:

#### YEAS—10.

Blodgett,	Huntton,	Mitchell,	White,
Dixon,	McPherson,	Palmer,	
Gorman,	Mills,	Vilas,	

#### NAYS—21.

Allison,	Gallinger,	Manderson,	Walthall,
Call,	George,	Pasco,	Washburn,
Cockrell,	Hansbrough,	Peffer,	Wilson,
Coke,	Higgins,	Pettigrew,	
Dubois,	Kyle,	Pugh,	
Frye,	McMillin,	Teller,	

#### NOT VOTING—50.

Aldrich,	Daniel,	Hoar,	Sanders,
Allen,	Davis,	Irby,	Sawyer,
Bate,	Dawes,	Jones of Ark.	Sherman,
Berry,	Dolph,	Jones of Nev.	Shoup,
Blackburn,	Faulkner,	Kenna,	Squire,
Brice,	Felton,	Morgan,	Stanford,
Butler,	Gibson,	Morrill,	Stewart,
Cameron,	Gordon,	Paddock,	Stockbridge,
Carey,	Gray,	Perkins,	Turpie,
Carlisle,	Hale,	Platt,	Vance,
Casey,	Harris,	Power,	Vest,
Chandler,	Hawley,	Proctor,	Voorhees,
Colquitt,	Hill,	Quay,	Warren,
Cullom,	Hiscock,	Ransom,	Wolcott,

The PRESIDING OFFICER. No quorum having voted, the Secretary will call the roll.

Mr. BUTLER. I move that the Senate adjourn.

Mr. HOAR. I wish the Senator would allow the roll to be called so that we may have a brief executive session. It will take only about three minutes.

Mr. HARRIS. I beg leave to suggest to the Senator from Massachusetts that a roll call will not develop a quorum.

Mr. HOAR. Oh, yes; it will.

Mr. HARRIS. We may just as well adjourn.

Mr. HOAR. A roll call will develop a quorum, I think.

Mr. BUTLER. I insist on my motion.

The PRESIDING OFFICER. The Senator from South Carolina moves that the Senate adjourn.

The motion was agreed to, and (at 4 o'clock and 37 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 11, 1893, at 12 o'clock m.

## HOUSE OF REPRESENTATIVES.

TUESDAY, January 10, 1893.

[CALENDAR DAY January 9, 1893.]

The recess having expired, the House reassembled at 11:55 a. m.

### ORDER OF BUSINESS.

Mr. HEMPHILL. Mr. Speaker, I move that the House resolve itself into Committee of the Whole on the state of the Union for further consideration of the bill (H. R. 3591) in relation to the Norfolk and Western Railroad.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. DOCKERY in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the further consideration of the bill (H. R. 3591) to authorize

the Norfolk and Western Railroad Company of Virginia to extend its line of road into and within the District of Columbia, and for other purposes.

The pending question is on an amendment offered by the gentleman from Pennsylvania [Mr. ATKINSON] upon which a vote was taken yesterday, when the gentleman from Pennsylvania made the point that no quorum had voted.

Mr. HEMPHILL. Mr. Chairman, there is manifestly a quorum present, and I trust that the gentleman from Pennsylvania will withdraw the point.

Mr. ATKINSON. I am not certain that there is manifestly a quorum in the House at this time, but I do not care to insist upon another vote upon my amendment, and I therefore withdraw the point of no quorum.

The CHAIRMAN. The point of no quorum having withdrawn, the House have it, and the amendment is rejected.

The Clerk read as follows:

SECTION 7. That Congress shall have power to regulate the manner and speed of running the cars of said railroad within the corporate limits of Washington and Georgetown.

An amendment recommended by the committee striking out the word "Congress," in the first line of the section, and inserting "the Commissioners of the District of Columbia," was agreed to.

The Clerk read as follows:

SEC. 8. That where the line of the Norfolk and Western Railroad Company or the route thereof as herein authorized shall coincide with or occupy any portion or portions of the route or right of way of any other railroad or transportation company or corporation holding from Congress a charter or authority to construct a line of railroad, and such company or corporation has not, pursuant to such authority, actually graded its roadbed and laid its tracks along and over the whole of the said portion or portions of its said route, ready for the efficient operation of its line of railroad before the 1st day of March 1893, then and in that event the Norfolk and Western Railroad Company is hereby authorized to acquire in the manner herein before provided the said portion or portions of the said route or right of way, to grade its roadbed and lay tracks along and over the same, and to occupy the same for the operation of its line of railroad, hereinafter provided; but should the said company or corporation before the said date complete, in a substantial manner, the grading of their roadbed and the laying of their lines of tracks ready for the efficient transportation of steam railroad passenger and freight cars, then the Norfolk and Western Railroad Company, from the point where their tracks shall so coincide or connect with the tracks of the said company or corporation, shall use the same under the same terms and conditions provided in the second section of this act, to the same extent as is hereinbefore provided. *Provided, however,* That the language in this section contained shall be so construed as to authorize the said railroad company to acquire or occupy any portion of the property rights or rights of way of the said Chesapeake and Ohio Canal Company, excluded by the proviso to section 1 of this act without the consent of said company, its officers or assigns.

The committee recommended an amendment in line 11, striking out "ninety" and inserting "ninety-three," which was agreed to.

The committee also recommended an amendment in line 27, inserting, after "Provided," the word "however," which was agreed to.

Mr. COMPTON. Mr. Chairman, I desire to offer the amendment which I send to the desk.

The amendment was read, as follows:

Strike out all after the word "company," in line 31 of section 8, to the end of the section, and substitute in lieu thereof the following: "Without the consent of the stockholders of said company, or after condemnation proceedings and proper compensation to said Chesapeake and Ohio Canal Company."

Mr. COMPTON. Mr. Chairman, the purpose and effect of this amendment, if adopted, will simply be to protect absolutely the rights of property of the Chesapeake and Ohio Canal Company. The provision for that purpose in this bill, on page 7, reads as follows:

*Provided,* That nothing in this section contained shall be so construed as to authorize the said railroad company to acquire or occupy any portion of the property rights or rights of way of the said Chesapeake and Ohio Canal Company excluded by the proviso to section 1 of this act.

The proviso in section 1 here referred to is as follows:

*Provided, however,* That nothing in this act shall be so construed as to authorize said company to acquire, occupy, or use any portion of the water way, berm bank, towpath, or slope of the canal, or to use the said towpath or the land is covered by such slope.

As far as this goes, Mr. Chairman, it is a together right, but it does not go far enough, for the reason that the canal company owns other property besides the particular thing contemplated in the proviso of section 1, and it seems to me that that company should be protected in all its rights of property, and that in what that property may consist. I do not wish to be understood that the effect of the passage of this bill is to give a through connection to the Baltimore and Ohio canal.

Mr. MEREDITH. The yeas and nays are ordered.

Mr. COMPTON. That is all right. I am not an opponent of this bill. If it shall reach the floor of Congress I shall hail it and shall be glad of a liberal vote for it. For this city, as I presume gentlemen are ready to admit, the people want all the railroad facilities that can be had, as a rule it is only existing opposition companies that object to an increase of railroad facilities. The effect of my amendment, I

repeat, is simply and only to protect absolutely all the rights of property of the Chesapeake and Ohio Canal Company. That canal is owned by the State of Maryland, the General Government, and private stockholders. The amendment provides that their property shall not be interfered with without the consent of the stockholders, or after proceedings by condemnation and proper compensation. It does seem to me, Mr. Chairman, that such a provision is preeminently right, just, and proper, and I hope the friends of this bill will accept the amendment.

Mr. HEMPHILL. If the gentleman will consent to make it read "without the consent of the majority of the stockholders," I shall not object. It would be practically impossible to get the consent of all the stockholders. I think the majority of the stockholders should have a right to act in this matter as in other analogous cases, and I trust the gentleman will agree to that modification.

Mr. COMPTON. Of course, Mr. Chairman, I assume that a concession by a majority of the stockholders would be the act of the stockholders.

Mr. HEMPHILL. Well, your amendment says "without the consent of the stockholders," which may mean all the stockholders. Now, why not agree to the modification I suggest?

Mr. COMPTON. I do not think it is necessary.

Mr. HEMPHILL. Well, if it is not necessary it will not do any harm.

Mr. COMPTON. The meaning is, consent of a majority of the stock.

A MEMBER. Say "without the consent of the company."

Mr. COMPTON. No; I will not accept that.

Mr. HEMPHILL. Let it read, "without the consent of a majority of the stock of said company."

Mr. COMPTON. One word before I accept that amendment. There is this technical objection to it. The stock of this company is held, as I have said, in part by the Federal Government, in part by the State of Maryland, and in part by private stockholders.

Now if we substitute "a majority of the stockholders," as suggested by the gentleman, for the words I have put in the amendment, it might be that a majority of the individual stockholders, or a majority of the private stockholders in interest in other corporations, might defeat the rights of the State of Maryland and the General Government.

Mr. HOPKINS of Illinois. Under the present reading of the proposed amendment, if there should be a meeting of the stockholders of the company and that meeting should determine in favor of the proposition, would not that be a compliance with the language of the amendment?

Mr. COMPTON. I do not know whether it would be or not.

Mr. HOPKINS of Illinois. I think it would.

Mr. HEMPHILL. I believe the gentleman from Maryland and myself have the same idea; and I suggest that he make the amendment read "without the consent of the owners of a majority of the stock." That will cover the point.

Mr. COMPTON. I think that will answer the purpose.

Mr. HEMPHILL. If the gentleman will modify his amendment in that way I will assent to it.

The CHAIRMAN. The Clerk will read the amendment of the gentleman from Maryland as modified.

The Clerk read as follows:

Strike out all after the word "company," in line 31, section 8, to the end of the section, and substitute in lieu thereof the following: "Without consent of the owners of a majority of the stock of said company or after condemnation proceedings and proper compensation to said Chesapeake and Ohio Canal Company."

The amendment as modified was agreed to.

Mr. HOPKINS of Illinois. I move an amendment to come in after section 8.

The Clerk read as follows:

*Provided further,* That such damage as is contemplated in the proviso to section 1, shall be determined pursuant to the provisions of chapter 18 of the Revised Statutes of the District of Columbia relating to railroad companies, so far as the same may be applicable thereto.

Mr. HOPKINS of Illinois. I will say to the gentleman from South Carolina that the amendment adopted yesterday will be ineffective unless some provision of this kind be adopted.

Mr. WILLIAM A. STONE. The gentleman from New Jersey [Mr. BERGEN] offered an amendment which would meet the case. I will not state positively that it was adopted.

Mr. HOPKINS of Illinois. I understand there is no opposition to my amendment.

Mr. HEMPHILL. It seems to me to be superfluous.

Mr. HOPKINS of Illinois. I find on examination that the object sought by my amendment is accomplished by an amendment which was adopted yesterday. I therefore withdraw the amendment.

Mr. WILLIAM A. STONE. I move to amend by striking out the word "three," in line 12, page 7, and inserting "four;" so

as to read "1894" instead of "1893." Perhaps the gentleman from South Carolina will assent to this amendment.

Mr. HEMPHILL. I believe I have no objection to it.

The CHAIRMAN. Without objection the amendment offered by the gentleman from Pennsylvania [Mr. WILLIAM A. STONE] will be considered as a read to.

Mr. HEMPHILL. Wait one moment. This company is required to commence the construction of its road within one year and complete it within two. The amendment suggested by the gentleman from Pennsylvania will give the company that has already been chartered some two years ago the Dock and Barge Company—until 1894, to lay down the tracks it is authorized to lay down. That will prevent this company from doing anything toward acquiring that property until 1894, which I think is rather too long a time.

Mr. WILLIAM A. STONE. They only have to begin the work within a year; they do not have to complete it.

Mr. OUTHWAITE. But they have to complete it within two years.

Mr. WILLIAM A. STONE. We give them a year in which to begin it; and if they are prevented from completing it by any action of the company already there, all they have to do is to show a bona fide effort to complete it within the time required, and they can then complete it after the expiration of the time.

Mr. HEMPHILL. What is the object of the gentleman in offering the amendment?

Mr. WILLIAM A. STONE. The bill in its present form is practically a confiscation of any rights that any other company may have there. I simply propose to give them time to carry out the work for which the company was formed.

Mr. HEMPHILL. Suppose we say October, 1893, instead of March, 1894. That will give ample time.

Mr. WILLIAM A. STONE. Very well; let my amendment be modified in accordance with the suggestion of the gentleman from South Carolina.

The amendment of Mr. WILLIAM A. STONE as modified was read, as follows:

In line 11, page 7, strike out the word "March" and insert the word "October;" so as to read "1st day of October, 1893."

The amendment was agreed to.

Mr. BUCHANAN of New Jersey. I offer an amendment to come in as a new section between section 8 and section 9.

The Clerk read as follows:

SEC. 9. That the Attorney-General of the United States shall forthwith apply to the judges of the supreme court of the District of Columbia to assess the value of the rights, franchises, and privileges heretofore granted, and until the amount so assessed shall be paid into the treasury of the United States, to be used in the cities of Washington or Georgetown shall be taken used, or sold, or otherwise occupied by said company.

Mr. BUCHANAN of New Jersey. Mr. Chairman, I have drawn this amendment and present it now because I believe it should be embodied in this bill. I believe that it should also be embodied in the franchise of every corporation asking for the privilege of occupying the streets of any of the cities of the United States.

Mr. OUTHWAITE. How about the railroads already occupying the streets here; do you wish to embody them?

Mr. BUCHANAN of New Jersey. The provision should have been in their charters in the first instance. The franchise is in those cases have already been granted. The mischief is done.

Mr. OUTHWAITE. Will you put it in now?

Mr. BUCHANAN of New Jersey. The gentleman knows that could not be done on this bill. It would not be germane. It would be general legislation on a special or private bill.

Mr. OUTHWAITE. It can go into the law that they shall be compelled to comply with a general provision such as that you propose here, and that their property shall be paid for upon the same terms. You can assess what they are holding now of the public property.

Mr. BUCHANAN of New Jersey. And the gentleman knows that such a provision would be subject to the point of order. It would not be germane.

Mr. OUTHWAITE. Nobody is going to make the point of order on this side.

Mr. BUCHANAN of New Jersey. It is not in accordance with the practice heretofore. I repeat it would not be germane. But does the gentleman from Ohio say that that provision should be in this bill?

Mr. OUTHWAITE. I will offer it myself if you will accept it.

Mr. BUCHANAN of New Jersey. I ask the gentleman again, does he say that restriction should be put upon the other companies? [After a pause.] Silence gives consent; and if so why not apply it now, when we are framing a bill for the benefit of this company. As to this company we are now in a parliamentary position to act.

Mr. Chairman, this company is taking advantage of the unrest and discontent which exist in this city as to the limited railroad

and the selection of committees, that we shall be brought here within sixty days after our election.

The Senate, Mr. Speaker, is more in touch with the people of this country than the House of Representatives; and why? Because one-third of their members go out and their successors are elected by their respective Legislatures, and they come here and are kept in session for special purposes, whereas the House does not meet until thirteen months after its members have been chosen by the people to represent them.

Suppose that the election of the President had devolved upon the last Congress, when the gentleman from Maine [Mr. REED] was reputed to have counted umbrellas and walking canes, what chance would the Democratic party have had for the election of a President? None, whatever. Now, I say, Mr. Chairman, that this House ought not to be for nine months without a Speaker, as it is under existing conditions. I say that the men who are elected in November ought to be here within sixty days after their election, at their post of duty, responding to the will of the people expressed at the polls.

I say that it was wrong for the Mills Congress to be in session at the short session for three months, legislating for the people after that bill had been repudiated. I say with equal force, because it is not partisan, that the Republican Congress ought not to have been in session for three months after the McKinley bill had been repudiated. The will of the people was thwarted. The representatives of the people felt that they had been repudiated; and nobody will deny the statement that a man who has been beaten by his people at the polls is not as efficient a representative as when he came here with a majority in his favor.

This measure may be beaten. I am not wedded to it, as I told gentlemen on the other side. I do think there ought to be a remedy for the evils of which the people, through the press, complain. I do not think that those evils can be remedied by legislative enactment. I am fortified in the presentation of this case from a legal standpoint by Attorneys-General of the United States. I am fortified by the statement of the Committee on the Judiciary, and I have the pleasure to say that I have at my back in the presentation of this amendment the distinguished gentleman from Maine, who represents the opposition to this matter. Having stated these facts and the principles which are necessarily evolved by them, I yield, of course, to the will of the House.

Mr. CHIPMAN. Mr. Speaker, I now renew my motion for the previous question on the third reading of the joint resolution.

The previous question was ordered.

The SPEAKER. The question now is on the third reading of the joint resolution.

The question was taken; and the Speaker announced that the yeas seemed to have it.

Mr. SPRINGER. I would suggest to gentlemen on the other side that they allow the previous question to be ordered on the adoption of this resolution, and then we can adjourn, and to-morrow, when the House is full, it can take action.

Mr. COCKRAN. Take the yeas and nays now, there is a quorum present.

Mr. CHIPMAN. I demand a division.

The House divided; and there were—yeas 33, yeas 86.

Mr. CHIPMAN. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 49, nays 128, not voting 152; as follows:

## YEAS—49.

Beaman,	Daniell,	Lagan,	Stout,
Boatner,	De Armond,	Long,	Taylor, Ill.
Boutelle,	Donovan,	Mallory,	Tucker,
Brown, Md.	Durbin,	McGinn,	Warner,
Bryan,	Elliott,	McKag,	Weadeck,
Busey,	Everett,	McLaurin,	White,
Bushnell,	Gantz,	McKae,	Wilke,
Butler,	Geary,	Moore,	Wilcox,
Chipman,	Hare,	Moses,	Winn,
Clarke, Ala.	Hayes, Iowa	Scott,	Younts,
Coolidge,	Hooker, Miss.	Smith,	
Covert,	Houk, Ohio	Springer,	
Crain,	Jones,	Stone, Ky.	

## NAYS—128.

Alexander,	Broderick,	Cobb, Ala.	English,
Allen,	Brookshire,	Coburn,	Gessenhainer,
Andrew,	Brosius,	Cockran,	Grady,
Anthony,	Brown, Ind.	Coombs,	Greenleaf,
Atkinson,	Brunner,	Cox, Tenn.	Hall,
Babbitt,	Buchanan, N. J.	Crawford,	Hallowell,
Bailey,	Buchanan, Va.	Crosby,	Halyorson,
Baker,	Burrows,	Cummings,	Harries,
Bartine,	Burns,	Curtis,	Henderson, Ill.
Barwig,	Cadmus,	Cutting,	Herbert,
Beltzhoover,	Caminetti,	Dickerson,	Hitt,
Bergen,	Castle,	Dingley,	Hoar,
Blount,	Catchings,	Dockett,	Holman,
Branch,	Cate,	Doliver,	Hopkins, Ill.
Breckinridge, Ark.	Clancy,	Dunphy,	Hunk, Tenn.
Bretz,	Clark, Wyo.	Ehmanns,	Huff,

Jolley,	Meredith,	Pool,	Stockdale,
Kem,	Meyer,	Pendleton,	Stone, W. A.
Kendall,	Miller,	Perkins,	Taylor, Tenn.
Kellips,	Montgomery,	Post,	Taylor, J. D.
Kyle,	Oates,	Rey,	Terry,
Lan,	O'Ferrall,	Rail,	Tillman,
Latham,	O'Neill, Pa.	Rice,	Tracey,
Lawson, Va.	Otis,	Ryan,	Turner,
Lester, Ga.	Orrin, Ind.	Richardson,	Waller,
Livingston,	Paine,	Rosen, La.	Wilson,
Louis,	Paterson, Tenn.	Sage,	Wheeler, Ala.
Manner,	Patton,	Sage,	Wheeler, Mass.
Martin,	Payne,	Sage,	Wheeler, N. H.
McAleer,	Payne,	Sage,	Wheeler, N. Y.
McCarthy,	Payson,	Sage,	Wilson, W. Va.
McMullin,	Payson,	Sage,	Wilson,

## NOT VOTING—152.

Abbott,	DeForest,	Johnson, N. D.	Harvey,
Adleron,	Dixon,	Johnson, Ohio	Hill,
Amernau,	Doan,	Johnson, S. C.	Johnson, Pa.
Arnold,	Dugan,	Kelham,	Kellogg,
Bacon,	Elliott,	Kellogg,	Kerr,
Bankhead,	Endoe,	Kellogg,	Kerr,
Belden,	Enochs,	Kellogg,	Kerr,
Bellamy,	Epper,	Kellogg,	Kerr,
Bentley,	Fellows,	Kellogg,	Kerr,
Bingham,	Fitch,	Kellogg,	Kerr,
Blanchard,	Fithian,	Kellogg,	Kerr,
Bland,	Fitch,	Kellogg,	Kerr,
Bowers,	Forman,	Kellogg,	Kerr,
Bowman,	Forman,	Kellogg,	Kerr,
Brady,	Forman,	Kellogg,	Kerr,
Breckinridge, Ky.	Forman,	Kellogg,	Kerr,
Brieker,	Fyall,	Kellogg,	Kerr,
Bullock,	Gillespie,	Kellogg,	Kerr,
Bunn,	Goodnight,	Kellogg,	Kerr,
Bunting,	Gorman,	Kellogg,	Kerr,
Burns,	Griswold,	Kellogg,	Kerr,
Cable,	Grout,	Kellogg,	Kerr,
Caldwell,	Hamilton,	Kellogg,	Kerr,
Campbell,	Harner,	Kellogg,	Kerr,
Capchert,	Harter,	Kellogg,	Kerr,
Caruth,	Hatch,	Kellogg,	Kerr,
Cauley,	Haugen,	Kellogg,	Kerr,
Cheatham,	Haynes, Ohio	Kellogg,	Kerr,
Clover,	Heard,	Kellogg,	Kerr,
Cobb, Mo.	Hemphill,	Kellogg,	Kerr,
Cogswell,	Henderson, Iowa	Kellogg,	Kerr,
Compton,	Henderson, N. C.	Kellogg,	Kerr,
Cooper,	Hermann,	Kellogg,	Kerr,
Cowles,	Hilborn,	Kellogg,	Kerr,
Cox, N. Y.	Hooker, N. Y.	Kellogg,	Kerr,
Culberson,	Hopkins, Pa.	Kellogg,	Kerr,
Dabell,	Hull,	Kellogg,	Kerr,
Davis,	Johnson, Ind.	Kellogg,	Kerr,

So the House refused to order the joint resolution to a third reading.

The following pairs were announced:

Until further notice:

Mr. FORNEY with Mr. BELDEN.

Mr. WHITING with Mr. SWEET.

Mr. CAMPBELL with Mr. JOHNSON of North Dakota.

Mr. BLANCHARD with Mr. DOAN.

Mr. HEARD with Mr. WEVER.

Mr. HATCH with Mr. HARMER.

Mr. WASHINGTON with Mr. SANFORD.

Mr. GOODNIGHT with Mr. KETCHAM.

The following were announced as paired for this day:

Mr. SNOODGRASS with Mr. SCULL.

Mr. CAUSEY with Mr. RANDALL.

Mr. OWENS with Mr. MILLER.

Mr. ABBOTT with Mr. PICKLER.

Mr. TARSNEY with Mr. QUACKENBUSH.

Mr. TURPIN with Mr. GRISWOLD.

Mr. BLAND with Mr. BINGHAM.

Mr. LANHAM with Mr. HOPKINS of Pennsylvania.

Mr. O'NEIL of Massachusetts with Mr. LOBB.

Mr. ARNOLD with Mr. O'DONNELL.

Mr. HENDERSON of North Carolina with Mr. STORER.

Mr. ALDERSON with Mr. MORSE.

Mr. MITCHELL with Mr. RICE.

Mr. CARUTH with Mr. VINCENT A. TAYLOR.

Mr. ENLOE with Mr. TOWNSEND.

Mr. SAYERS with Mr. GROUT.

The following as paired for the rest of this day:

Mr. BOWMAN with Mr. HULL.

Mr. LIVINGSTON with Mr. HENDERSON of Iowa.

Mr. MANSUR with Mr. BINGHAM for two days.

The result of the vote was then announced as follows:

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. V. C. Allen, its secretary, announced that the Senate had passed on the bill for the relief of Joseph M. Carnell.

A bill (S. 3561) for the relief of Joseph M. Carnell.

A bill (S. 3562) for the relief of William J. Carnell.

## ENROLLED BILLS—SENATE.

Mr. OHLIGER, from the Committee on Education, reported.



ported that they had examined and found truly enrolled bills of the following titles: when the Speaker signed the same:

A bill (S. 118) for the relief of the estate of Isaac W. Talking-ton, deceased; and

A bill (S. 3623) to amend the act of March 3, 1873, for the relief of the Columbian University, in the District of Columbia.

#### REPRINT OF A BILL.

On motion of Mr. PEEL, by unanimous consent, an order was made for the reprint of the bill (H. R. 9190) to ratify and confirm an agreement with the Cherokee Indians of the Indian Territory, etc.

#### SATURDAY HALF-HOLIDAY IN THE DISTRICT OF COLUMBIA.

The SPEAKER laid before the House a Senate joint resolution (S. R. 133) to amend an act entitled "An act to make Saturday a half-holiday for banking and trust companies in the District of Columbia," which was referred to the Committee on the District of Columbia.

#### ELECTION OF PRESIDENT, VICE-PRESIDENT, AND REPRESENTATIVES.

Mr. COCKRAN moved to reconsider the vote by which the House had refused to order the joint resolution (H. Res. 98) to a third reading; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WOLVERTON, on account of important business.

To Mr. BLAND, for to-day, on account of sickness.

The House then, on motion of Mr. SPRINGER (at 5 o'clock and 24 minutes p. m.), adjourned.

#### REPORTS OF COMMITTEES.

Under clause 2 of Rule XIII, Mr. PAGE, from the Committee on Claims, reported the bill (S. 730) for the relief of H. W. Shipley (Report No. 2215), which was delivered to the Clerk's desk, ordered to be printed, and referred to the Committee of the Whole House.

#### BILLS, MEMORIALS, AND RESOLUTIONS.

Under clause 3 of Rule XXII, bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARTINE: A bill (H. R. 10115) to provide a battery of modern field guns for the Nevada National Guard—to the Committee on Military Affairs.

By Mr. STORER: A bill (H. R. 10116) to amend an act entitled "An act to regulate commerce," approved February 4, 1887—to the Committee on Interstate and Foreign Commerce.

By Mr. BRYAN: A bill (H. R. 10117) to amend "An act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River near Council Bluffs, Iowa, and Omaha, Nebr., and to extend the time for the completion of the bridge therein provided for"—to the Committee on Interstate and Foreign Commerce.

By Mr. BACON: A bill (H. R. 10118) to amend section 5209 of the Revised Statutes—to the Committee on Banking and Currency.

By Mr. ENOCHS: A joint resolution (H. Res. 184) to print 250,000 copies of the special report of the Bureau of Animal Industry on diseases of cattle and on cattle feeding—to the Committee on Printing.

Also, a joint resolution (H. Res. 185) to print 100,000 additional copies of the special report of the Agricultural Department on the diseases of the horse—to the Committee on Printing.

By Mr. BROSTUS: A resolution to amend Rule XLI of the House—to the Committee on Rules.

By Mr. DUNPHY: To investigate why War Department refuses to grant in dals of honor to those who, during rebellion, served in Army of United States as acting assistant surgeons—to the Committee on Military Affairs.

By Mr. MILLER: A resolution in relation to labor—to the Committee on Labor.

By Mr. STOUT: A resolution calling upon the Secretary of the Interior for information as to the opening of a portion of the Navajoe Indian Reservation in Utah—to the Committee on the Public Lands.

#### PRIVATE BILLS, ETC.

Under clause 1 of Rule XXII, private bills of the following titles were presented and referred as indicated below:

By Mr. BROOKSHIRE: A bill (H. R. 10119) to pension Lemuel M. Walker—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 10120) for the relief of Brig. Gen. John R. Brooke, United States Army—to the Committee on Military Affairs.

By Mr. BOATNER: A bill (H. R. 10121) for the relief of the estate of Samuel Richardson, deceased, late of East Carroll Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 10122) for the relief of J. S. Douglass, deceased, late of Tensas Parish, La.—to the Committee on War Claims.

By Mr. CLANCY: A bill (H. R. 10123) for the relief of Ellen Fitzgerald—to the Committee on Invalid Pensions.

By Mr. CATCHINGS: A bill (H. R. 10124) for the relief of the estate of Madison Stephenson, deceased, late of Warren County, Miss.—to the Committee on War Claims.

By Mr. HOLMAN: A bill (H. R. 10125) granting a pension to James Theodore Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10126) granting a pension to Laura M. Cheek—to the Committee on Invalid Pensions.

By Mr. KYLE: A bill (H. R. 10127) for the relief of the estate of Alice Hardaway—to the Committee on War Claims.

By Mr. KENDALL: A bill (H. R. 10128) removing the charge of desertion from John Ward—to the Committee on Military Affairs.

Also, a bill (H. R. 10129) removing the charge of desertion from the record of James F. Prewitt—to the Committee on Military Affairs.

By Mr. LODGE: A bill (H. R. 10130) to relieve Charles M. Shattuck of the charge of desertion—to the Committee on Military Affairs.

By Mr. LONG: A bill (H. R. 10131) for the relief of C. P. Gooch—to the Committee on Claims.

By Mr. PARRETT (by request): A bill (H. R. 10132) to correct the military record of Henry S. Scull—to the Committee on Military Affairs.

By Mr. REED: A bill (H. R. 10133) to grant a pension to Helen C. Goodwin, widow of Andrew J. Harmon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10134) granting a pension to Lucina H. Harmon—to the Committee on Invalid Pensions.

By Mr. SNODGRASS (by request): A bill (H. R. 10135) for the relief of Slater and William Cowart, of Hamilton County, Tenn.—to the Committee on Claims.

By Mr. JOSEPH D. TAYLOR: A bill (H. R. 10136) granting an honorable discharge to John Benson—to the Committee on Military Affairs.

Also, a bill (H. R. 10137) granting a pension to Elizabeth Parry—to the Committee on Pensions.

By Mr. WHEELER of Alabama: A bill (H. R. 10138) for the relief of Francis Wilkes, of Lauderdale County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 10139) for the relief of the estate of Josiah Jackson, of Lauderdale County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 10140) for the relief of the estate of Alexander F. Perryman, deceased, late of Lauderdale County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 10141) for the relief of the estate of William D. Humphrey, deceased, late of Madison County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 10142) for the relief of Calvin S. Hill, of Lauderdale County, Ala.—to the Committee on War Claims.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANDREW: Petition of Robert G. Ingersoll, the executive committee of the Evangelical Alliance, the Hon. Abram S. Hewitt, the Rev. John P. P. Peters, the Rev. A. S. Kavanaugh, the Rev. F. Hamlin, the Rev. J. Wesley Johnston, the Rev. H. Baumann, the Rev. David H. Greer, the Rev. R. S. MacArthur, the Rev. Thomas B. Hughes, and other organizations and citizens, for the repeal of an act to prohibit the coming of Chinese persons into the United States, excepting the first section—to the Committee on Foreign Affairs.

Also, petition of Charles J. Roberts, president Boston Fruit and Produce Exchange; F. O. White, president Boston Retail Grocers' Association; F. L. Young, president Oil Trade Association of Boston; Chadwick Lead Works, George O. Carpenter, New England Paint and Oil Club, Boston Merchants' Association, all of Boston, Mass.; C. E. Adams and C. B. Coburn, Lowell, Mass.; H. E. Smith & Co., of Worcester, Mass.; The J. M. Moore Company, of Cincinnati, Ohio; German-American National Bank, H. S. Hill, E. C. Howlett, of Peoria, Ill.; Detroit White Lead Works, of Detroit, Mich.; Buckeye Paint and Var-

Mr. VILAS presented a memorial of the union meeting for national thanksgiving, held at Lodi, Wis., November 24, 1892, remonstrating against the repeal of the present law closing the World's Columbian Exposition on Sunday, and thanking Congress for its passage; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. VEST presented a memorial of the Merchants' Exchange of St. Louis, Mo., remonstrating against the passage of the Washburn-Hatch antiopion bill; which was ordered to lie on the table.

He also presented a petition of the Merchants' Exchange of St. Louis, Mo., praying for the passage of legislation providing for the purchase of the Cherokee Strip and the opening of the land to settlement; which was ordered to lie on the table.

Mr. COCKRELL presented memorials of J. P. Fullerton, of Pleasant Hope; of Rev. A. L. Gridley, of Kidder; of Rev. R. W. Ely, of Neosho; of members of Benton family, of Lexington; of Rev. Frank Russell, of Center View; of Rev. J. N. Huggins, of Springfield; of Rev. Edgar A. Hamilton, of Springfield; of Rev. John P. Triplett, of Clayton; of M. Reed and other citizens of Center View, and of Rev. F. J. Leavitt, of Springfield, all in the State of Missouri, remonstrating against the repeal of the law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. COCKRELL. I present a petition of the Merchants' Exchange of St. Louis, Mo., praying for the passage of legislation providing for the purchase of the claim of the Cherokee Nation to the Cherokee Strip. This petition is similar to the one presented by my colleague [Mr. VEST]. I believe that the bill has already been reported from the Committee on Indian Affairs, and is now upon the Calendar, and I hope that the Committee on Indian Affairs will press the consideration of the bill at no distant day.

Mr. DAVES. I will state to the Senator from Missouri that the bill in reference to the Cherokee Outlot is in charge of the Senator from Connecticut [Mr. PLATT], and I know he and the Senator from Kansas [Mr. PERKINS] will engage the attention of the Senate upon the bill at the earliest possible moment.

The VICE-PRESIDENT. The petition will lie on the table.

Mr. WOLCOTT presented a petition of the Denver (Colo.) Chamber of Commerce and Board of Trade, praying for a national quarantine system; which was ordered to lie on the table.

He also presented a petition of the Denver (Colo.) Chamber of Commerce and Board of Trade, praying for the passage of legislation encouraging an interchange of trade between the United States and foreign countries; which was referred to the Committee on Finance.

He also presented a petition of the Denver (Colo.) Chamber of Commerce and Board of Trade, praying that the city of Denver, Colo., be selected as the headquarters of the Military Department of the West; which was referred to the Committee on Military Affairs.

He also presented the petition of J. W. McCullah and 19 other citizens of Delta County, Colo., praying for the appointment of a Senate committee to investigate the combine formed to depreciate the price of grain, and asking for the postponement of the Washburn-Hatch antiopion bill until such committee shall report; which was referred to the Committee on Agriculture and Forestry.

Mr. JONES of Arkansas presented the petition of Mrs. E. L. Eblen, formerly Mrs. E. L. McElrath, of Tahlequah, Ind. T., praying for the passage of legislation authorizing the payment of the sum of \$22,400 to her for the possession and use by the United States Army during the late rebellion of certain mill property located in Tennessee; which was referred to the Committee on Claims.

He also presented the petition of Frances E. Gale and J. S. Blackford, administratrix and administrator, respectively, of the estate of Capt. Charles Willey, deceased of San Francisco, Cal., praying for the passage of legislation authorizing the payment to them as the legal representatives of the deceased, the sum of \$45,000, the same being the value of four vessels which were seized by the Federal Government during the war of the rebellion; which was referred to the Committee on Claims.

Mr. KYLE presented a memorial of the pastor and 140 members of the Baptist Church of Mitchell, S. Dak., remonstrating against the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PROCTOR presented a petition of the Board of Trade of Rutland, Vt., praying for the establishment of a national road department or the passage of such other legislation as will tend to promote the building and maintaining of improved highways in the United States; which was referred to the Committee on Interstate Commerce.

Mr. PETTIGREW presented petitions of M. Hoffman and 23

other citizens of Union County; of A. J. Robinson and 23 other citizens of Yankton County; of J. D. Conley and 22 other citizens of Union County; of G. U. Smith and 19 other citizens of Clay County; of J. N. Moore and 20 other citizens of East Fall River; of Frank Bark igh and 17 other citizens of Yankton County; of George Sawyer and 22 other citizens of Yankton County; of W. P. Shoop and 21 other citizens of Yankton County; of G. G. J. Peterson and 23 other citizens of Clay County, and of B. S. Pigley and 24 other citizens of Clay County, and in the State of South Dakota, praying for the appointment of a Senate committee to investigate the combine formed to depress the price of grain, and asking for the postponement of the Washburn-Hatch antiopion bill until such committee shall report; which were referred to the Committee on Agriculture and Forestry.

Mr. WASHBURN presented a memorial of the Presbyterian Pastors' Association of Minneapolis, Minn., remonstrating against any repeal of the law closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a memorial of the Minneapolis (Minn.) Board of Trade, remonstrating against additional restrictions being placed upon the shipment of grain products to the northwest seacoast; which was referred to the Committee on Commerce.

Mr. HILL presented a petition of business men and citizens of Albany, N. Y., praying for the repeal of the Sherman silver act; which was referred to the Committee on Finance.

He also presented a petition of 121 members of the New York Cotton Exchange, praying for the repeal of the Sherman silver act; which was referred to the Committee on Finance.

Mr. HISCOCK presented a petition of the Chamber of Commerce of the State of New York, praying for the passage of legislation placing the quarantine at New York and all other places under national control; which was referred to the Committee on Immigration.

He also presented a petition of 121 members of the New York Cotton Exchange, praying for the repeal of the act of Congress known as the Sherman act; which was referred to the Committee on Finance.

He also presented a memorial of the Methodist Church of Ellington, N. Y., remonstrating against the opening of the World's Columbian Exposition on Sunday, and praying that the sale of intoxicating liquors be prohibited thereat; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Merchant Tailors' Society of the City of New York, praying for the passage of House bill 8735, limiting the free entry of wearing apparel of foreign manufacture; which was referred to the Committee on Finance.

#### FUR-SEAL FISHERIES.

Mr. SHERMAN. I am directed by the Committee on Foreign Relations, to whom was referred the bill (S. 3629) to extend to the North Pacific Ocean the provisions of the statutes for the protection of fur seals and other fur-bearing animals, to report it without amendment. As this is a matter of considerable importance, I ask for the present consideration of the bill. In view of the meeting of the tribunal of arbitration to take place next summer in regard to the fisheries it is deemed necessary to have the bill passed, and I believe upon reading it there will be no objection to it. The bill is strongly recommended by the President of the United States and was prepared at the State Department.

The VICE-PRESIDENT. The Senator from Ohio asks for the present consideration of the bill. It will be read for information.

The Chief Clerk read the bill, as follows:

*Be it enacted, etc.*, That whenever the Government of the United States shall conclude an effective international arrangement for the protection of fur seals in the North Pacific Ocean, by agreement with any power, or as a result of the decision of the tribunal of arbitration, or in the convention concluded between the United States and Great Britain, February 22, 1892, and so long as such arrangement shall continue, the provisions of section 1395 of the Revised Statutes, and all other provisions of the statute of the United States so far as the same may be applicable, relative to the protection of fur seals and other fur-bearing animals within the limits of Alaska or in the waters thereof, shall be extended to and cover all that portion of the Pacific Ocean included in such international arrangement. Whenever an effective international arrangement is concluded as aforesaid, it shall be the duty of the President to declare that fact by proclamation, and to include in the act his portion of the Pacific Ocean to which it applies, and that this act has become operative, and likewise when such arrangement shall be declared that fact and that this act has become operative, and his proclamation with respect thereto shall be conclusive. During the extension of the aforesaid of said laws for the protection of fur seals and other fur-bearing animals all violations thereof in said territory or portion of the Pacific Ocean shall be held to be the same as if committed within the limits of Alaska or in the waters thereof, but they may be prosecuted either in the district court of Alaska or in any district court of the United States in California, Oregon, or Washington.

Mr. TELLER. I should like to have the bill read a second time. I do not know exactly what it is.

Mr. SHERMAN. In view of the meeting of the tribunal of arbitration, of which the Senator from Alaska [Mr. McLEAN]

is a member, it is deemed necessary to give the President of the United States certain power—

Mr. COCKRELL. Mr. President, we can not hear anything going on in the way of an explanation.

The VICE-PRESIDENT. The Senate will be in order.

Mr. SHERMAN. Perhaps the shortest statement that could be made of the matter would be to read the brief report which embodies the message of the President of the United States, but I will state the substance of it.

In view of any judgment that may be made by the tribunal of arbitration next summer in respect to the sea-island fisheries it will be necessary to arm the President of the United States with power to issue a proclamation to extend the present law, which applies only to Bering Sea, to the North Pacific Ocean. That is the judgment of all parties who know anything about the subject-matter. The bill simply gives the President of the United States the power to extend the provisions of existing law over the North Pacific, because the real trouble in the seal fisheries is in the North Pacific. The bill is recommended very clearly and forcibly in the message of the President of the United States, and was prepared by the Secretary of State. It has met with the approval of every member of the Committee on Foreign Relations, and the necessity for its passage now is apparent to everyone, because whatever judgment may be rendered, that instant it will necessarily involve the exercise of this power.

Mr. TELLER. I certainly do not desire to antagonize the bill when I understand it, because, as the chairman of the committee has stated, the trouble in the preservation of seals is not in Bering Sea, but in the North Pacific Ocean; and although we may succeed in the arbitration in having it determined that we can protect the seals in Bering Sea, they will be utterly destroyed if we do not extend some protection to the seals in the North Pacific Ocean.

Mr. FRYE. There is no objection to the bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### REPORTS OF COMMITTEES.

Mr. SAWYER. I am instructed by the Committee on Pensions, to whom was referred the bill (H. R. 6939) for the relief of Elisha Brown, to report it favorably, without amendment, and I ask for its immediate consideration.

Mr. VEST. I object to the consideration of the bill until we finish the morning business. I do not know anything about the bill, but we should proceed with the routine business.

The VICE-PRESIDENT. Objection is made by the Senator from Missouri, and the bill will be placed on the Calendar.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (H. R. 5705) to increase the pension of Amelia Graham, reported it without amendment and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 7099) granting an increase of pension to Samuel S. Anderson, reported it with an amendment and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 8925) to increase the pension of Harvey Lyon, reported it without amendment and submitted a report thereon.

Mr. PASCO, from the Committee on Claims, to whom was referred the bill (H. R. 915) for relief of the heirs of Noah Noble, deceased, submitted an adverse report thereon, which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (H. R. 2281) for the relief of Miss Jane Linn, submitted an adverse report thereon, which was agreed to, and the bill was postponed indefinitely.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 3691) regulating the employment of certain persons in manufactories, workshops, and stores in the District of Columbia, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3622) to narrow California avenue within Bellair Heights, District of Columbia, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, reported an amendment intended to be proposed to the District appropriation bill, which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MITCHELL. For the Senator from Virginia (Mr. DANIEL), who is necessarily absent from the Senate, I report back with amendments from the Committee on Claims the bill (H. R.

1036) for the benefit of Logan, Simpson, Hardin, and Hart Counties and of the city of Louisville, Ky., and of Sumner and Davidson Counties, Tenn., accompanied by a written report.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bill and joint resolution:

A bill (S. 3195) granting to the Yuma Pumping Irrigation Company the right of way for two ditches across that part of the Yuma Indian Reservation lying in Arizona; and

A joint resolution (S. R. 113) providing for the printing of the Agricultural Report of 1892.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 9824) to amend "An act to promote the construction of a safe deep-water harbor on the coast of Texas," approved February 9, 1891.

The message further announced that the House has passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. 3591) to authorize the Norfolk and Western Railroad Company of Virginia to extend its line of road into and within the District of Columbia, and for other purposes; and

A bill (H. R. 10015) to authorize the construction of bridges across the Hiwassee, the Tennessee, and the Clinch Rivers, in the State of Tennessee.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 118) for the relief of the estate of Isaac W. Talkington, deceased; and

A bill (S. 3623) to amend the act of March 3, 1873, for the relief of the Columbian University, in the District of Columbia.

#### BILLS INTRODUCED.

Mr. FRYE introduced a bill (S. 3706) providing for a commission on the subject of the social vice; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 3707) making an appropriation for establishing buoyage on the water front of Chicago, Lake Michigan, Illinois; which was read twice by its title, and referred to the Committee on Commerce.

Mr. WOLCOTT introduced a bill (S. 3708) granting a pension to Helen L. Dent; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 3709) granting a pension to John E. Barnes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. WILSON (by request) introduced a bill (S. 3710) to incorporate the Chesapeake and Washington Underground Electric Railway Company; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BERRY. The junior Senator from New Jersey (Mr. BLOOMER) was compelled to be absent this morning and requested me to introduce for him a bill and have it referred to the Committee on Military Affairs.

The bill (S. 3711) granting the right of way through the Arlington Reservation for railroad purposes, was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. HILL introduced a bill (S. 3712) to grant the right of way for electric railroad purposes through certain lands of the United States in Richmond County, N. Y.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 3713) to provide an American register for the steam yacht Golden Fleece; which was read twice by its title, and referred to the Committee on Commerce.

Mr. DAWES introduced a bill (S. 3714) to ratify and confirm an agreement with the Comanche, Kiowa, and Apache tribes of Indians in Oklahoma Territory, and to make appropriations for carrying the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PROCTOR introduced a bill (S. 3715) to authorize the appointment of an associate professor of mathematics at the Military Academy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. MORRILL submitted an amendment intended to be proposed by him to the District appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

Mr. HALE submitted an amendment intended to be proposed by him to the fortification appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### NICARAGUA CANAL.

Mr. MORGAN. I submit a resolution, and ask that it be printed and lie on the table, to be called up to-morrow.

The resolution was read, as follows:

*Resolved*, That the Committee on Commerce be instructed to inquire and report to the Senate the advantages, if any, that will accrue to the productions, industries, coastwise and foreign commerce, immigration, and other interests of the United States, by means of the additional facilities of transportation, and the reduction of the cost thereof that would be afforded by the building of a ship canal to connect the waters of the Atlantic and Pacific Oceans through Lake Nicaragua.

Mr. MORGAN. I shall call up the resolution to-morrow morning, and desire the opportunity to make a very few brief observations to the Senate upon it.

The VICE-PRESIDENT. Meanwhile the resolution will lie on the table and be printed.

#### DISTRIBUTION OF SOUVENIR COINS.

Mr. WILSON submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Treasury be directed to transmit to the Senate a copy of the opinion of the law officer of the Government for his Department under which he is disbursing the \$2500,000 in souvenir coins in aid of the World's Columbian Exposition appropriated by the act of Congress approved August 5, 1892, and conditioned upon Sunday closing; and also to transmit a copy of such regulations relative to the issuance and delivery of said coins as he may have established in pursuance of said opinion.

#### PRINTING OF A REPORT.

Mr. HANSBROUGH. I move that the report of the subcommittee of the Committee on the District of Columbia on the Senate resolution directing an investigation of the garbage question in the District of Columbia be printed.

The motion was agreed to.

#### COINAGE OF SILVER.

Mr. MORRILL. I was requested in a note from the Senator from New Jersey [Mr. McPHERSON] to ask that the joint resolution (S. R. 126) authorizing and directing the Secretary of the Treasury to suspend all purchases of silver bullion as provided in the act of July 14, 1890, be referred to the Committee on Finance.

The VICE-PRESIDENT. The joint resolution will be so referred if there be no objection.

Mr. STEWART. Is it proposed to call up the joint resolution?

The VICE-PRESIDENT. The Senator from Vermont [Mr. MORRILL] moves that the joint resolution be referred to the Committee on Finance.

Mr. MORRILL. I was requested by the Senator from New Jersey [Mr. McPHERSON] to have it referred to that committee.

Mr. STEWART. I hope the joint resolution will not be referred. I know that several Senators wish to make some remarks upon it. I think after the Senator from New Jersey has made a speech on the joint resolution, and several Senators have signified their intention to reply to him, that to remove it from the Senate for the purpose of preventing a reply would not look well. I do not think the Senator from New Jersey would like to have that done.

Mr. MORRILL. I do not think there is any such purpose on the part of the Senator from New Jersey. He desired to have the joint resolution before the committee previous to its next meeting, and I ask to have it so referred.

Mr. STEWART. I hope it will not be referred until Senators have had an opportunity to reply to the Senator from New Jersey. When such measures are retained for the purpose of debate, after a speech has been made on them it is usual to give an opportunity to reply before they are referred.

Mr. MORRILL. The Senator will see that the amendment proposed by the Senator from Rhode Island [Mr. ALDRICH] is still before the Senate, and that brings up the whole subject.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Vermont.

Mr. STEWART. I suppose that the question of reference is debatable?

The VICE-PRESIDENT. It is.

Mr. STEWART. Upon that question I should like to make a few remarks. This is the most serious proposition that has been presented—

Mr. TELLER. I ask the Senator from Nevada to yield. I appeal to the Senator from Vermont to withdraw the motion. He knows very well that the joint resolution can not be referred this morning if persisted in, and there is no reason why it should be referred. The speech of the Senator from New Jersey has been made, and it is no more than fair that before the joint resolution goes to the committee somebody on our side shall have

a chance to reply to him. The Senator knows that Senators wish to reply, and I think he should not desire a reference.

Mr. MORRILL. I do not insist upon my motion. I merely made it at the request of the Senator from New Jersey.

Mr. SHERMAN. If the Senator from Nevada will allow me a word, I will state that I myself do not see any special reason or any necessity for referring the joint resolution to the Committee on Finance before its next meeting. The Committee on Finance have three or four bills on the calendar, to be considered before them; but as this subject has already been considered by the Committee on Finance in Senate from New Jersey desired that his proposition should be considered at the same time. As a matter of course we would not consider it now. It is a mere matter of form, and rather than to let it go to rest upon the silver question (upon which I hope that the motion of the Senator from New Jersey will not be carried) I will suggest.

Mr. HALE to Mr. MORRILL. Would you withdraw the motion?

Mr. MORRILL. I have no objection to withdrawing the motion.

Mr. HARRIS. What is the motion of the Senator from Vermont?

The VICE-PRESIDENT. The motion has been withdrawn. The motion was that the joint resolution be referred to the Committee on Finance.

#### MEMORIAL ADDRESSES ON THE LATE SENATOR BARBOUR.

Mr. HUNTON. Upon consultation with my colleague, Mr. DANIEL, and at his request, I give notice that on Tuesday, the 21st instant, I shall ask the Senate to suspend its business in order that fitting tributes may be paid to the memory of our late predecessor in the Senate, Hon. John S. Barbour.

#### THE PRESIDENTIAL TERM.

Mr. PEPPER. I give notice that next Monday morning, as soon as the routine morning business is completed, I shall call up the joint resolution (S. R. 95) proposing an amendment to the Constitution of the United States, to limit the office of President to one term for each incumbent, and that I shall ask the Senate at that time to indulge me while I submit a few remarks upon the joint resolution.

#### PRINTING OF QUARANTINE BILL.

Mr. HARRIS. There has been no print of Senate bill 2707, the quarantine bill as passed by the Senate, and as there are a great many demands for copies, I move that the bill be printed as it passed the Senate.

The motion was agreed to.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. UTIDEN, one of his secretaries, announced that the President had, on the 10th instant, approved and signed the following acts:

An act (S. 1831) to admit free of duty the wreckage of the ships *Trenton* and *Vandalia*, presented by the United States to the King of Samoa; and

An act (S. 3029) authorizing the construction of a bridge across the Columbia River, in the State of Washington.

The message also announced that the President of the United States had on the 11th instant approved and signed the following acts:

An act (S. 1786) granting a pension to Mrs. Jennie Gray.

An act (S. 2187) granting a pension to Margaret M. Riker and

An act (S. 2593) granting an increase of pension to Samuel M. Campbell.

The message further announced that the President of the United States had, on the 12th instant, approved and signed the following acts:

An act (S. 317) granting an increase of pension to John M. Roberts;

An act (S. 2592) granting an increase of pension to William C. Tarkington;

An act (S. 2990) for the relief of George W. McKinney;

An act (S. 3048) granting to the Blue Mountain Freighter and Improvement Company a right of way for roads and trails through the Umatilla Indian Reservation in the State of Oregon; and

An act (S. 3314) for the relief of E. Darach, late lieutenant-colonel of the One hundred and forty-third New York Infantry.

#### HOUSE BILLS REFERRED.

The bill (H. R. 10015) to authorize the construction of bridges across the Hiwassee, the Tennessee, and the Clinch Rivers, was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 3591) to authorize the Norfolk and Western Railroad Company of Virginia to extend its line of road, and

within the District of Columbia, and for other purposes, was read twice by its title, and referred to the Committee on the District of Columbia.

#### REPORT ON LABOR IN EUROPE.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States: which was read:

*To the Senate:*  
In compliance to the resolutions of the Senate, dated December 29, 1892, and January 6, 1893, respectively, I transmit herewith a report from the Secretary of State of the 10th instant, accompanying the reports of Mr. Walter T. Gillet, United States commercial agent at Limoges, France, and Mr. W. H. Edwards, United States consular general at Berlin, Germany, which were called for by the aforesaid resolutions.

BENJ. HARRISON.

EXECUTIVE MANSION,

Washington, January 11, 1893.

Mr. CHANDLER. I move that the message and accompanying papers be referred without printing to the Committee on Immigration.

Mr. COCKRELL. Is there anything in the papers that ought not to be printed and made known to the public?

Mr. CHANDLER. Certainly not; but they are very bulky, and the committee propose to make a preliminary consideration of the question as to whether they shall be printed.

Mr. COCKRELL. If they are so bulky as appears, it is all right.

The VICE-PRESIDENT. The message and accompanying papers will be referred to the Committee on Immigration without printing.

#### ANNUAL REPORT OF THE BUREAU OF AMERICAN REPUBLICS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States: which was read, and, with the accompanying papers, referred to the Committee on Appropriations, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith for your information a letter from the Secretary of State, enclosing the annual report of the Bureau of American Republics for the year ending June 30, 1892.

BENJ. HARRISON.

EXECUTIVE MANSION, January 11, 1893.

#### WASHINGTON FREE PUBLIC LIBRARY.

Mr. WOLCOTT. I ask unanimous consent of the Senate for the present consideration of Order of Business No. 967 on the Calendar under Rule VIII. The reason for asking its consideration at this time (the bill being to establish a free public and departmental library and reading room in the District of Columbia) is that the library room is to be in the new post-office building, and it will be necessary for the architect of the building to make suitable preparations for its proper construction. The bill is accompanied by a short report, which explains its purpose.

If the bill becomes a law no additional expense will be incurred by the Government of the United States except the expense of compensating two people to take charge of the books and the documents of the library, the books being those now received by the different Departments and surplus books in the hands of the Librarian of Congress. The Librarian of Congress strongly recommends the passage of the bill, which will relieve a great deal of the pressure now on the Congressional Library, and will get the books now in circulation in the different Departments altogether in one department. Each Department of the Government now has a library and reading room. These will be consolidated into one library and one reading room.

While there is an appropriation for the compensation of two people to take care of the proposed library, yet the services of clerks in the different Departments, who now draw pay from the Government for taking care of the books of each Department, will be increased with, and upon the point of expenditure the Government will be the gainer. I ask that the report, which is very short, may be read.

The VICE-PRESIDENT. The bill will first be read for information.

The Secretary read the bill (S. 1491) to establish a free public and departmental library and reading room.

Mr. MORRILL. I am cordially in favor of a free public library for the District of Columbia, but I can not quite agree with the propriety of emptying all the departmental libraries and pouring them into one spot alone. Take, for instance, the Treasury Department. There is in that Department a very considerable and valuable miscellaneous library, where the large number of clerks there employed can go, take their books as they go home at night, and, after they read them, bring them back in the morning without loss of time. If they have to go to another public institution it will be necessary for those clerks to make two journeys.

Then it seems to me that nearly all of the Departments will have to keep up a library in consequence of the public docu-

ments which they require for constant usage. Therefore, while I am in favor of a free library for the District, I do not see the entire propriety of emptying the libraries of the various Departments. I am very sure it will impose a burden upon the employees of those Departments and a very considerable loss of time. I hope, therefore, that that part of the bill will be modified.

Mr. HALE. Mr. President, it struck me, as the bill was being read, that it involves a pretty large enterprise. It would seem to me even the provisions of the bill as the Secretary read them, that it inaugurates not only the removal of the small departmental libraries from the different departmental buildings to the city post-office, but establishes what will be in time a great public library here in Washington in addition to the Congressional Library proper.

I think if that is the view of the committee which reports this bill through the Senator from Colorado, that he should state to the Senate what the scope of the bill is and whether it is the intention of the committee in the bill to lay the foundation of a great public library in addition to the Congressional Library; because, if that is done, it will not be a question of a few rooms or a limited space in one of the floors of the new post-office building, but this library will advance and aggrandize, and before many years will require a large proportion of the room of a very great building.

I do not say that it is not desirable that we should have such a library here for the departmental clerks and employees and for anybody else in the District, but it should be understood clearly that, when we embark upon all these great matters, the vast amount of room and the number of books which will be required should be anticipated by the Senate.

I thought also that I noticed a provision in the bill—perhaps I am wrong about that—which is rather a novelty, and that is, that provision should be made by messenger service for furnishing books to persons outside. That is a thing which the Senator, I hope, comprehends in its full extent.

If Congress is to incorporate such a provision into this bill for a public library for the citizens of this District and the departmental employees and clerks, and is also to send them books and take them back, as is done now in a limited way for Senators and Members of the House of Representatives, it will be a very great advance in expenditure; nobody will go to the library, but orders will be given for books; and a force of messengers will be engaged in carrying the books to the houses of the persons and returning them. It may be that that is desirable; it may be that the Senator has taken all this in view. If he has, I hope he will explain to the Senate, so that we may understand what we are doing when we adopt this bill.

Mr. WOLCOTT. Mr. President, I am very glad the Senator from Maine has asked the questions which he has. The committee, which reported this bill through me very much hope that this will be the foundation of a creditable, an extensive, and fully equipped public library for the city of Washington. We have no library what ever here. The Librarian of Congress is forbidden by law to issue the books of the Congressional Library except to officers and employees of the Government. The general public in Washington, the departmental clerks, and the citizens of the city have absolutely no access whatever to the public library of Congress, except as they call at the Library to read there the books within this building.

Mr. GRAY. If I may interrupt the Senator by asking a question—Is he not mistaken about that?

Mr. WOLCOTT. I think not.

Mr. GRAY. Is it not a fact that the citizens of Washington have on certain terms the right to procure books from the Library?

Mr. WOLCOTT. They may go into the Library and read the books.

Mr. GRAY. And take books out.

Mr. WOLCOTT. Oh, no. The Librarian is badgered day after day by eternal requests from the public that they may get a book; but he is forbidden by law to let the books go out. We have to call for them; and when we do it we become personally responsible for the books, and we violate the law when we let other persons have those books in this city, which ought to be a center of culture and intelligence; but there is no public library here, and there should be one. I hope this will be the means at a moderate expense or at no expense at all of founding here what will eventually be a creditable library for Washington.

We start upon this basis: Almost every Department has now included within its buildings certain circulating library books, which have been gradually accumulated, not including the public documents to which the Senator from Vermont [Mr. MORRILL] referred, but different books and different periodicals which have been presented to it, and which are forwarded gratuitously and given to that Department. The scope and theory of



both parties must be heard; but here the old fundamental rule of justice is dispensed with by this measure, and we in Congress make the evidence, and there is nothing for the court to do but simply to make a decree five minutes after they take control of the cause.

This bill is simply to prepare the way for an auditor (for it acknowledges the liability of the Government of the United States) to state how many dollars we are to pay to Mr. McGarran for the minerals taken out of this land during the last forty or fifty years.

I am perfectly willing, Mr. President, to send Mr. McGarran into the courts of the United States, where the Government of the United States shall be represented by a district attorney, where the court is empowered to summon witnesses and compel their attendance, where he can be confronted with those who may testify against him, and the Government shall have compulsory process, as he shall have it, to bring all witnesses to give their testimony, where he shall have a jury trial; and then, when the judgment of that court shall be rendered against the Government of the United States, as far as the Government has any liability, I am ready to help to discharge that liability. But I shall not vote for a bill that confesses the Government of the United States is to be held as a warrantor to pay enormous damages, which may have been incurred during more than two generations by the junior occupant of a piece of land.

These, sir, are the reasons which I have thought proper to express to the Senate as my reasons why I can not support this measure.

Mr. TELLER. I suppose the bill will go over without any further action until Monday, and with the same understanding as before.

The PRESIDING OFFICER (Mr. PASCO in the chair). That will be the order in the absence of objection. The Chair hears none.

WILLIAM M. WATSON.

Mr. GORDON. If the matter which has been before the Senate is disposed of, I ask unanimous consent to call up a bill to pension a very old man. It has passed the other House, has been reported by the Senate Committee on Pensions, and I think there will be no objection to it. It is House bill 8038.

The PRESIDING OFFICER. The Calendar under Rule VIII being in order, the Senator from Georgia asks unanimous consent for the present consideration of the bill (H. R. 8038) granting a pension to William M. Watson, of Walker County, Ga. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of William M. Watson, of Walker County, Ga., an invalid soldier of the Mexican war, having been a member of Company E, First Alabama Volunteers, 1846, and in consequence of his disability, arising from a wound received in the service, grants him a pension of \$15 dollars per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES A. LANG.

Mr. SAWYER. I ask unanimous consent to call up the bill (S. 3670) granting an increase of pension to Charles A. Lang.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Charles A. Lang, who was a private in Company G, Second Regiment Dragoons, and served in the Florida war, was captain of Company G, Thirty-fourth Regiment Wisconsin Infantry, and served in the war of the rebellion, and to pay him a pension at the rate of \$20 a month in lieu of the amount he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REMOVAL OF SNOW AND ICE.

Mr. HANSBROUGH. I ask unanimous consent to call up for consideration the bill (S. 2265) for the removal of snow and ice from the sidewalks, crosswalks, and gutters in the cities of Washington and Georgetown, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Dakota?

Mr. COCKRELL. Let the bill be read for information.

The PRESIDING OFFICER. The bill will be read.

Mr. HANSBROUGH. Several provisions have been stricken out by the Committee on the District of Columbia, and I think the Secretary had better read the amended bill.

Mr. COCKRELL. The Secretary has the amended bill before him. He will first read the original bill and then state the amendments of the committee.

Mr. HANSBROUGH. That course appears to me simply a waste of time.

Mr. COCKRELL. After he has read the original he will state the amendments?

The PRESIDING OFFICER. The bill will be read.

The bill was read, and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on the District of Columbia with amendments.

The PRESIDING OFFICER. The amendments will be stated in their order.

Mr. CALL. Mr. President, I submit that the provisions of the bill will prove very harsh to a great many poor people here.

Mr. COCKRELL. I suggest to the Senator from Florida to hear the amendments stated. I see there are a great many amendments reported. Let them be acted upon.

Mr. CALL. Very well.

The first amendment of the Committee on the District of Columbia was, in section 1, line 7, after the word "to insert" of daylight;" in line 9, before the word "sidewalks," to insert "paved;" and in line 11, after two words "tenant," to insert—

And such owners or tenants shall, under a like penalty, within a reasonable time after notice so to do by the Commissioners, clean off and remove all snow and ice, and become it off and removed, all dirt, sand, gravel, or other refuse matter that may fall or be washed upon any paved sidewalk or alley, street, foot path, or ground in Washington and Georgetown.

So as to make the section read:

That the owner or tenant of each house or other building, or lot or lots of ground, in the cities of Washington and Georgetown, and in such other part or parts of the District of Columbia as the Commissioners of said District shall from time to time designate, shall within the first four hours of daylight after every fall of snow cause the same to be removed entirely from off the paved sidewalks opposite such house, building, lot, or land, under the penalty of \$1 for each lot for every such neglect, to be paid by the said owner or tenant, and such owners or tenants shall, under a like penalty, etc.

The amendment was agreed to.

The next amendment was, in section 3, line 5, after the word "ice," to strike out "or both" and insert "or any dirt, sand, or gravel;" and in line 6, after the word "sidewalks," to insert "and alleys;" so as to make the section read:

That in case the owner or tenant of any house, lot, building, or land shall neglect to comply with any of the provisions of the preceding sections of this act, it shall be the duty of the Commissioners of the District of Columbia to cause the removal of snow or ice, or any dirt, sand, or gravel, from all paved sidewalks and alleys in the cities of Washington and Georgetown wherever there has been a failure on the part of the owner or tenant aforesaid to remove the same, and the cost of such removal by order and under the direction of the said Commissioners shall be assessed as a tax against the property to which the sidewalks in question belong, for the purposes of this act, and the said tax so assessed shall be carried to the regular tax roll of the cities aforesaid, and shall be collected in the manner provided for the collection of other taxes.

The amendment was agreed to.

The next amendment was, in section 4, line 3, after the word "snow," to strike out "or rain which shall freeze;" in line 4, after the word "gutters," strike out "at the corners;" in line 5, after the word "crosswalks," to insert "to a width of 10 feet;" and in line 8, after the word "obstructions," to insert "and in case the crosswalks are covered with ice it shall be their duty to cause such crosswalks to be liberally sprinkled with sand or sawdust, or such other material as will insure safety to pedestrians;" so as to make the section read:

That it shall be the duty of the Commissioners of the District of Columbia, immediately after every fall of snow on the crosswalks or in the gutters, forthwith to cause the same to be removed from the said crosswalks to a width of 10 feet and from out of the said gutters to the breadth of 1 foot, in the said cities respectively; and the said crosswalks and gutters shall be kept clean and free from obstructions, and in case the crosswalks are covered with ice it shall be their duty to cause such crosswalks to be liberally sprinkled with sand or sawdust, or such other material as will insure safety to pedestrians.

The amendment was agreed to.

The next amendment was in section 5, line 3, after the word "immediately," to strike out "upon the commencement of a snow or sleet storm or," and insert "after;" in line 6, before the word "and," to strike out "under the circumstances," and insert "when funds are available;" in line 7, after the word "crosswalks," to insert "which may be used as thoroughfares;" in line 10, after the word "sleet," to insert "to a width sufficient to accommodate winter pedestrian travel;" in line 15, after the word "parks," to strike out:

*Provided*, That the compensation allowed in payment of the services of the persons employed by the superintendent of public buildings and grounds, as aforesaid, shall not exceed 50 cents per hour for each person while actually at work; *And provided* further, That one cent for each day public park within the cities of Washington and Georgetown shall be paid by the superintendent of public buildings and grounds in lieu of compensation not to exceed 75 cents per hour for each person actually engaged in cleaning the work.

And in line 31, after the words "provided for," to strike out: And if the work at any of the parks has not been performed in accordance with instructions, payment of the persons so engaged shall be withheld until such time as the work is properly and satisfactorily performed.

So as to make the section read:

That it shall be the duty of the superintendent of public buildings and grounds in the District of Columbia, immediately after every fall of snow or



sleet, or as soon thereafter as practicable, to engage such assistance as he may deem necessary, when funds are available, and proceed to remove from all paved sidewalks or crosswalks which may be used as thoroughfares around, about, or through the public parks within the cities of Washington and Georgetown all accumulations of snow or sleet to a width sufficient to accommodate winter pedestrian travel; or in case the same be so congealed as to make removal by ordinary methods impossible, he shall cause such paved side or crosswalks to be liberally sprinkled with sand or sawdust, or such other material as will insure safety to pedestrians who in the lawful and legitimate pursuit of their respective avocations, and it convenient to pass around, about, or through said public parks; and it shall be the duty of the superintendent of public buildings and grounds, personally, or by deputy or deputies, to visit each public park in the cities of Washington and Georgetown as soon as possible after any snow or sleet storm as aforesaid, and carefully inspect the work as herein provided for.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### DEALING IN "OPTIONS" AND "FUTURES."

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7845) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling certain products to obtain license, and for other purposes.

The PRESIDING OFFICER. The pending question is on the adoption of the amendment offered by the Senator from Louisiana [Mr. WHITE], on which the yeas and nays have been ordered.

Mr. CALL. Let the amendment be read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. At the end of section 2 it is proposed to strike out the following proviso:

*Provided, however,* That such contract or agreement shall not be made, settled for by delivery or settlement of differences, or by another mode of performance or settlement in or upon any board of trade, produce, cotton, hop, merchants, or other exchange, or other commercial association, or in any place or upon any premises where price quotations of said articles are announced, bulletined, or published, nor be subject to the rules or regulations of any such board, exchange, or other commercial association.

The PRESIDING OFFICER. The Secretary will call the roll on agreeing to the amendment.

The Secretary proceeded to call the roll.

Mr. HANSBROUGH (when Mr. CASEY'S name was called). I desire to announce that my colleague [Mr. CASEY] is paired with the Senator from Kentucky [Mr. CARLISLE].

Mr. DIXON (when his name was called). I have a general pair with the Senator from Mississippi [Mr. WALTHALL]. As he is not present, I withhold my vote.

Mr. HANSBROUGH (when his name was called). I announce my pair with the Senator from Montana [Mr. SANDERS]. I will also announce that I transfer that pair to the Senator from Nevada [Mr. JONES], who is absent, and will vote. I vote "nay."

Mr. HISCOCK (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES]; otherwise I should vote "yea."

Mr. SAWYER (when his name was called). I am paired on the bill and all amendments with the Senator from Minnesota [Mr. DAVIS].

Mr. STOCKBRIDGE (when his name was called). I am paired with the Senator from Maryland [Mr. GIBSON].

Mr. WILSON (when his name was called). I am paired generally with the Senator from Georgia [Mr. COLQUITT], but I am informed that if present he would vote "nay" on the pending amendment, and I will therefore vote. I vote "nay."

The roll call was concluded.

Mr. DIXON. As I stated, I have a general pair with the Senator from Mississippi [Mr. WALTHALL], who is absent as a member of the committee appointed by the Senate to escort the remains of the late Senator Kenna to West Virginia. My colleague [Mr. ALDRICH] is absent unpaired. I transfer the pair I have with the Senator from Mississippi to my colleague, and upon this question I vote "yea."

Mr. MORGAN (after having voted in the negative). A pair has been arranged by which I am paired with the Senator from Virginia [Mr. DANIEL], and I withdraw my vote.

Mr. GORDON (after having voted in the negative). I voted inadvertently. I am paired with the Senator from Wyoming [Mr. WARREN].

Mr. COCKRELL. My colleague [Mr. VEST] has been called away for a short time to-day on business, and is paired with the junior Senator from Kansas [Mr. PERKINS]. I do not know how my colleague would vote on this particular amendment.

Mr. PLATT. My colleague [Mr. HAWLEY] is absent. Believing that he would vote "nay" if here, and as I should vote "yea," I announce a pair with him upon this vote.

Mr. GEORGE (after having voted in the negative). Does the Senator from Oregon [Mr. MITCHELL] know how his colleague [Mr. DOLPH] would vote on the pending amendment?

Mr. MITCHELL. He would vote "nay."

Mr. GEORGE. Then I will let my vote stand.

Mr. IRBY (after having voted in the negative). I have just noticed the absence of the Senator from New York [Mr. HILL]. I am paired with him and withdraw my vote.

Mr. MITCHELL (after having voted in the affirmative). I understand the Senator from Mississippi [Mr. GEORGE] has a pair with my colleague [Mr. DOLPH].

Mr. GEORGE. He has; but upon inquiry of the Senator from Oregon [Mr. MITCHELL] I understood his colleague would vote "nay" on the pending question. That is the way I have voted.

Mr. MITCHELL. Then, inasmuch as I vote the other way upon the question, I ask to have my colleague's pair transferred to myself.

Mr. GEORGE. Does the Senator from Oregon withdraw his vote?

Mr. MITCHELL. I will withdraw my vote.

Mr. GEORGE. That suits me very well. I will let my vote stand, and the Senator from Oregon withdraws his vote.

Mr. MITCHELL. I withdraw my vote, and announce my pair with my colleague [Mr. DOLPH].

The result was announced—yeas 19, nays 31, as follows:

YEAS—19.			
Brice, Cameron Dixon,	Gorman, Huntton, Palmer,	Quay, Vilas, White,	Wolcott.
NAYS—31.			
Berry, Butler, Call, Cary, Chandler, Cockrell, Coke, Dawes,	Dubois, Frye, Gallinger, George, Hale, Hansbrough, Harris, Kyle,	McMillan, Morrill, Pasco, Peffer, Pettigrew, Pugh, Ransom, Sherman,	Shoup, Stewart, Teller, Vance, Voorhees, Washburn, Wilson.
NOT VOTING—15.			
Aldrich, Allen, Allison, Bate, Blackburn, Bloodgett, Carlisle, Casey, Colquitt, Cullom, Daniel, Davis,	Dolph, Faulkner, Fulton, Gibson, Gordon, Gray, Hawley, Higgins, Hill, Hiscock, Huntton, Irby,	Jones of Ark., Jones of Nev., McPherson, Manderson, Mills, Mitchell, Morgan, Paddock, Perkins, Platt, Power, Proctor,	Sanders, Sawyer, Squire, Stanford, Stockbridge, Tarpie, Vest, Walthall, Warren.

The PRESIDING OFFICER. No quorum having voted, the roll will be called.

Mr. MITCHELL. How many are now required to make a quorum?

The PRESIDING OFFICER. Forty-four. The roll call will proceed.

The Secretary called the roll, and the following Senators answered to their names:

Berry, Brice, Butler, Call, Cameron, Cary, Chandler, Cockrell, Coke, Dawes, Dixon, Frye,	Gallinger, George, Gorman, Hale, Hansbrough, Harris, Hiscock, Huntton, Irby, Kyle, McMillan,	Mitchell, Palmer, Pasco, Peffer, Pugh, Quay, Ransom, Sawyer, Sherman, Shoup, Stewart,	Stockbridge, Teller, Vance, Vilas, Voorhees, Washburn, White, Wilson, Wolcott.
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The VICE-PRESIDENT. Forty-five Senators having responded to their names, a quorum is present. The roll will be again called on agreeing to the amendment proposed by the Senator from Louisiana [Mr. WHITE].

The Secretary proceeded to call the roll.

Mr. DAWES (when his name was called). I am paired with the senior Senator from Alabama [Mr. MORGAN] whenever he is out of the Chamber.

Mr. DIXON (when his name was called). I transfer my pair with the Senator from Mississippi [Mr. WALTHALL] to my colleague [Mr. ALDRICH] and vote "yea."

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL], but he and I voted the same way on the last roll call. I record my vote "nay," notwithstanding the pair.

Mr. HISCOCK (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES].

Mr. IRBY (when his name was called). I am paired with the Senator from New York [Mr. HILL], but I transfer my pair to the Senator from Wyoming [Mr. WARREN] and vote "nay."

Mr. PLATT (when his name was called). Upon this vote I am

paired with my colleague [Mr. HAWLEY]. I should vote "yea" if he were present.

Mr. QUAY (when his name was called). I have a general pair with the Senator from West Virginia [Mr. FAULKNER], but I understand from the Senator from Minnesota, after conversation with the Senator from West Virginia, that I am free to vote upon the bill and amendments. I am in favor of the bill and will vote "yea" on the amendment of the Senator from Louisiana.

The roll call was concluded.

Mr. DAWES. I understand that the Senator from Alabama [Mr. MORGAN] would vote the same way I would on this question, and therefore I will vote. I vote "nay."

Mr. HUNTON. I wish to announce that my colleague [Mr. DANIEL] is paired on this vote with the Senator from Alabama [Mr. MORGAN]. If they were present my colleague would vote "yea" and the Senator from Alabama would vote "nay."

Mr. GRAY. I have a general pair with the senior Senator from Illinois [Mr. CULLOM]. If he were present I should vote "yea." I do not know how he would vote.

Mr. HIGGINS. I have a general pair with the senior Senator from New Jersey [Mr. McPHERSON]. If he were present he would vote "yea," and I should vote "nay."

Mr. HISCOCK. I understand the Senator from Arkansas [Mr. JONES] would vote "yea" on the pending amendment, and as I would vote that way I will vote. I vote "yea."

The result was announced—yeas 15, nays 32; as follows:

#### YEAS—15.

Brice,	Gibson,	Vilas,
Cameron,	Gorman,	White,
Dixon,	Hiscock,	Wolcott,
Felton,	Hunton,	Quay,

#### NAYS—32.

Allison,	Dawes,	Irby,	Sherman,
Berry,	Embois,	Kyle,	Shoup,
Butler,	Frye,	McMillan,	Stockbridge,
Call,	Gallinger,	Pasco,	Teller,
Carey,	George,	Pfeffer,	Vance,
Chandler,	Hale,	Proctor,	Voorhees,
Cockrell,	Hausbrough,	Pugh,	Washburn,
Coke,	Harris,	Ransom,	Wilson,

#### NOT VOTING—39.

Aldrich,	Davis,	Jones of Nev.	Sanders,
Allen,	Dolph,	McPherson,	Sawyer,
Bate,	Faulkner,	Manderson,	Squire,
Blackburn,	Gordon,	Morgan,	Stewart,
Blodgett,	Gray,	Morrill,	Stewart,
Carlisle,	Hawley,	Paddock,	Turpie,
Casey,	Higgins,	Perkins,	Vest,
Colquhitt,	Hill,	Pettigrew,	Walthall,
Cullom,	Hoar,	Platt,	Warren,
Daniel,	Jones of Ark.	Power,	

So the amendment was rejected.

The VICE-PRESIDENT. The question recurs on agreeing to the amendment proposed by the Senator from Virginia [Mr. DANIEL], to strike out section 10 of the bill.

Mr. WHITE. The Senator from Virginia is absent on official duty, and I ask that the amendment may lie over until his return.

The VICE-PRESIDENT. The amendment will lie over if there be no objection.

Mr. WASHBURN. I will consent to its lying over unless it is to delay action on the bill. Otherwise I shall ask for a vote upon it. It has been laid over once owing to the absence of the Senator from Virginia, and I hardly feel like letting action on the bill be delayed on that account.

Mr. HALE. Let the amendment be read.

The VICE-PRESIDENT. The amendment will be read.

The Chief Clerk read the amendment, which was to strike out section 10 as amended, as follows:

SEC. 10. Whenever any contract or agreement for the sale and future delivery of any of the articles mentioned in section 3 of this act shall be made, and the making thereof shall not be reported by the collector of internal revenue, as required by section 9, and it shall come to the knowledge of such collector, or he shall have reasonable cause to believe that the party by whom such contract or agreement was made as vendor or was not, at the time of the making thereof, the owner of the article or articles which were the subject of embrace in, or covered by such contract or agreement, and had not then acquired, and was not then entitled to the right to the future possession of such article or articles under and by virtue of a contract or agreement for the sale and future delivery thereof previously made by the owner of such article or articles, it shall be the duty of such collector to require the party who shall have made such contract or agreement as vendor to forthwith furnish to such collector proof of such vendor's ownership, or right or title to the future possession of the article or articles so embraced in or covered by such contract or agreement, and said party shall thereupon make, and file with such collector, an affidavit stating by whom the said article or articles were owned at the time said contract or agreement was made, and, if affidavit was not at that time such owner, whether at the time of making such contract or agreement affidavit was entitled to the right to the future possession of said article or articles, and how such right was acquired. Such affidavit shall also state the warehouse, elevator, or other place where said article or articles are stored, or, if the same be then in the possession of a vessel, railroad, or other carrier for transportation, the name of such vessel, railroad, or carrier, and the number and date of each separate bill of lading or receipt issued by such vessel, railroad, or carrier therefor, and the amount or quantity of such article or articles called for by such bill of lading or receipt;

and such affidavit shall further state the amount or quantity of other articles of the kind embraced in and covered by such contract or agreement, which said affidavit is then the owner of, or entitled to the possession of, and any and all contracts or agreements which said party has made, and which are then outstanding and remaining unexecuted for the sale and future delivery of any such article or articles of such kind. And said party is further required if demanded by such collector, to exhibit to the collector the original receipt of the warehouse, elevator, or other place where the article or articles are then stored, or of the bill of lading or receipt of the vessel, railroad, or other carrier having possession of said article or articles for transportation. And in case said party shall fail or refuse to comply and file with the collector the said affidavit when so required, or shall refuse to exhibit the said warehouse or elevator receipt, or bill of lading or receipt, when so demanded, such failure or refusal shall constitute evidence, and shall be held to constitute evidence, that the contract or agreement made by said party was a "futures" contract or agreement, as defined in section 3 of this act, and said party shall thereupon be liable to be required to pay to said collector upon the article or articles which are the subject of embrace in, or covered by such contract or agreement, the amount or amount of special taxes imposed and required by section 10 of this act, or paid for and upon an article or articles of the same kind when such contract or "futures" contract or agreement, and if when such contract was made, the party making the same was not authorized by a certificate issued to him under the provision of section 5 of this act to make "futures" contracts, or agreements, then said party shall also become liable and to require to pay the further sum of \$1,000 per centum by said section 5 of this act as a license fee for conducting the business of dealing in "futures."

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Virginia.

Mr. WHITE. Do I understand the Senator from Minnesota to object to the amendment being carried over?

The VICE-PRESIDENT. That is the understanding of the Chair.

Mr. WASHBURN. I do not feel that the bill should be postponed. It has already been put over once on account of the absence of the Senator from Virginia. If there are any Senators prepared to go on with the discussion, of course I have no objection to the amendment going over further, but I do not feel that the day should be lost by having the amendment go over.

Mr. WHITE. Does the Senator from Minnesota understand that the Senator from Virginia is absent on official duty and the nature of the duty on which he is absent?

Mr. WASHBURN. Certainly, I understand it.

Mr. WHITE. Notwithstanding that, the Senator makes objection. Then I ask—

Mr. WASHBURN. Of course, when it is put on that ground I shall not object to the amendment going over. I recognize the courtesies of the Senate, especially on an occasion like the one on which the Senator from Virginia is engaged. At the same time I hardly think it is a fair way of dealing to have the discussion put over on a pretext of that kind. I shall not object under the circumstances to the amendment going over.

The VICE-PRESIDENT. The objection is withdrawn, and the amendment will lie over.

Mr. WASHBURN. I suppose the reading of the bill can proceed.

The VICE-PRESIDENT. The bill has been read at length. There are no pending amendments. The bill is before the Senate, as in Committee of the Whole, and open to amendment.

Mr. VILAS. I desire to offer an amendment to the bill. I move to amend section 2, after line 15, by inserting the following words:

And does not in good faith intend to purchase and deliver the articles contracted to be sold and delivered according to the terms and requirements of such contract.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Wisconsin [Mr. VILAS].

Mr. VILAS. Mr. President, it will be observed at once that the amendment proposes to distinguish, in accordance with some discussion which passed on the floor a few days since, the so-called "futures" which are undeniably legitimate, supported by the laws of every State and by a universal consensus of judicial opinion from those which are open to criticism and have sometimes been denominated on this floor as gambling contracts.

To state the proposition is to state all that I desire to say in support of it at this time. It will be observed that instead of drawing the line by the words of the amendment rigorously for the class of contracts stigmatized as gambling, I have drawn it most favorably to include them, so that in order that "futures" should be recognized as legitimate under the bill it will be necessary that it should be understood, or shown by facts, that there was an intention in good faith to go into the market and purchase the articles for delivery. I do not see how the amendment can be justly objected to.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Wisconsin [Mr. VILAS].

Mr. WOLCOTT. On that I call for the yeas and nays.

Mr. WASHBURN. I should like to have the amendment printed and go over until to-morrow so that I may consider it a little further. My impression is, from what I understand from the Senator from Wisconsin, that the effect of it would be to absolutely destroy the force and effect of the bill, not to fore-

there is any vote upon it I should like to have time to consider it a little further and give Senators an opportunity to consider it further. I ask that the amendment be printed and go over until to-morrow.

Mr. BLAIR. I suggest to the Senator from Colorado to withdraw his demand for the yeas and nays if the amendment is to go over.

Mr. WOLCOTT. Very well.

The VICE-PRESIDENT. The Senator from Colorado withdraws his demand for the yeas and nays.

Mr. HARRIS. As the two amendments are going over to a future day, I ask the Senator from Minnesota if we may not devote the remainder of the day to the consideration of the Calendar under Rule VIII.

Mr. WASHBURN. I understand there are several Senators who desire to speak on this measure, and I see no reason why they should not go on this afternoon.

Mr. HARRIS. I think there are several Senators who desire to debate the bill, but it seems that no one is now ready to take the floor or propose to do so. That being the case—of course I shall make no motion—I simply ask the Senator from Minnesota if we may not devote the remainder of the day to the Calendar under Rule VIII, in view of the fact that the two pending amendments have gone over.

Mr. WASHBURN. Senators have had about a year's time to prepare themselves on this question, and I hope the debate will be continued this afternoon.

Mr. WOLCOTT. I move that the Senate proceed to the consideration of business on the Calendar under Rule VIII.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Colorado [Mr. WOLCOTT].

Mr. WASHBURN. Upon that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. DIXON (when his name was called). I transfer my pair with the Senator from Mississippi [Mr. WALTHALL] to my colleague [Mr. ALDRICH], and I vote "yea."

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL]. Not knowing how he would vote, I withhold my own vote.

Mr. SAWYER (when his name was called). I am paired on the bill and amendments with the Senator from Minnesota [Mr. DAVIS], but I have the right to vote to make a quorum. I vote "nay."

Mr. STOCKBRIDGE (when his name was called). I am paired with the Senator from Maryland [Mr. GIBSON].

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT], but I am satisfied that if he were present he would vote "nay." I will therefore vote. I vote "nay."

The roll call was concluded.

Mr. GORDON. I am paired with the Senator from Wyoming [Mr. WARREN].

Mr. GRAY (after having voted in the affirmative). When I voted just now I overlooked the fact of my pair with the Senator from Illinois [Mr. CULLUM]. I withdraw my vote.

Mr. PLATT. I am paired with my colleague [Mr. HAWLEY] on the bill, and therefore do not vote on the pending question.

Mr. GORDON. I have just been informed that the Senator from Wyoming [Mr. WARREN] if here would vote "nay." I therefore feel at liberty to record my vote "nay."

The result was announced—yeas 9, nays 36; as follows:

YEAS—9.			
Dixon,	Hoar,	Mills,	Vilas,
Hill,	McMillan,	Polmer,	White,
Hiscock,			
NAYS—36.			
Allison,	Dubois,	Jones of Ark.	Ransom,
Berry,	Frye,	Kyle,	Sawyer,
Butler,	Gallagher,	Mitchell,	Shawman,
Call,	George,	Morgan,	Sharp,
Carey,	Gordon,	Pasco,	Teller,
Chandler,	Hale,	Pettigrew,	Vance,
Cockrell,	Hansbrough,	Proctor,	Voorhees,
Cole,	Huntton,	Pugh,	Washburn,
Dawes,	Irby,	Quay,	Wilson,
NOT VOTING—4.			
Aldrich,	Daniel,	Jones of Nev.	Stanford,
Allen,	Davis,	McPherson,	Stewart,
Bate,	Dolph,	Manderson,	Stockbridge,
Blackburn,	Faulkner,	Morrill,	Turpie,
Blodgett,	Feltton,	Paddock,	Vest,
Brice,	Gibson,	Peffer,	Walshall,
Cameron,	Gorman,	Perkins,	Warren,
Carlisle,	Gray,	Platt,	Wolcott,
Casby,	Harris,	Power,	
Colquitt,	Hawley,	Sanders,	
Cullum,	Higgins,	Squire,	

So the motion was not agreed to.

Mr. WASHBURN. Upon a little further consideration I am

satisfied as to the effect of the amendment proposed by the Senator from Wisconsin [Mr. VILAS], and I withdraw my request to have it go over until to-morrow and be printed. I ask for a vote on the amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Wisconsin [Mr. VILAS].

Mr. MITCHELL. The Senator from Minnesota is not in favor of the amendment?

Mr. WASHBURN. I am not in favor of it because it would absolutely destroy the force of the bill.

Mr. VILAS. I should like to know how the amendment would destroy the force of the bill when it would only provide for contracts that are unquestionably legal and proper.

Mr. WASHBURN. It is a provision that would surely be evaded. Where it comes to the question of delivery it is as certain of evasion as any provision which could be put in the bill. I regard it as absolutely disastrous to the effect of the bill.

The VICE-PRESIDENT. Is the Senate ready for the question on agreeing to the amendment of the Senator from Wisconsin?

Mr. WHITE. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HOAR. Let the amendment be again read.

The VICE-PRESIDENT. The amendment will be read.

The CHIEF CLERK. In section 2, line 15, after the word "thereof," insert "and does not in good faith intend to purchase" and deliver the articles contracted to be sold and delivered according to the terms and requirements of such contract;" so as to read:

"That for the purposes of this act the word 'futures' shall be understood to mean any contract or agreement whereby a party contracts or agrees to sell and deliver to another or others at a future time, or within a designated period, any of the articles mentioned in section 3 of this act, when at the time of making such contract or agreement the party so contracting or agreeing to sell and make such delivery, or the party for whom he acts as agent, broker, or employee in making such contract or agreement, is not the owner of the article or articles so contracted or agreed to be sold and delivered, or has not theretofore acquired by purchase and is not then entitled to the right to the future possession of such article or articles under and by virtue of a contract or agreement for the sale and future delivery thereof previously made by the owner thereof and does not in good faith intend to purchase and deliver the articles contracted to be sold and delivered according to the terms and requirements of such contract."

Mr. WHITE. Mr. President, I do not think the full scope of the amendment is understood. Under all the judicial opinions now, the rulings of all the State courts and of the Supreme Court of the United States, where a contract for the future delivery of property is made that contract is a valid contract unless proof be made that both the parties to the contract did not intend to deliver. In other words, the contract is a valid contract and can be enforced unless the party assailing the contract makes proof not that one or the other but that both of the parties never intended to deliver. That is the present law as adjudicated by all the cases.

The amendment does not go anything like as far as the adjudicated cases. The amendment makes the contract valid provided the seller bona fide and actually intends to deliver; in other words, where it is a future contract, not the intention of both parties is necessary to an invalidity of the contract, but if the seller has not the actual and bona fide intention to buy and deliver then the contract is null. As the section makes future contracts null and makes this an exceptional case, it puts the burden upon the seller to show those facts.

I certainly do not understand that there would be any possibility of evading such a provision. I certainly do not understand that the objection of the Senator from Minnesota has any force as applied to this contract. Under the law as it now stands the burden is on the party attaching the contract, and the burden is on him not only to show it as to one party, but to show it as to both, whilst under the amendment the burden is on the seller of the property for future delivery to show, before the contract can become valid, that he had a bona fide intention to buy and actually deliver the property under the contract. I can not for the life of me see how the statement of the Senator from Minnesota is accurate.

Mr. GEORGE. Mr. President, I suppose I ought to beg the pardon of the Senate for intruding upon it any further observations on the bill, but as the amendment if adopted would utterly destroy the bill, as the measure would be utterly worthless, I feel it incumbent on me to say a word or two in reference to it.

I should like to call the attention of Senators to an established fact in the testimony which has been taken in this case. What is called the future business of this country, so far as cotton is concerned, amounts to about 40,000,000 bales per year, taking the two exchanges of New Orleans and New York together. I have not my memoranda before me, and I speak in general terms. I have the exact amount of deliveries both in New Orleans and New York, but not anticipating a debate this morning, I have not the memoranda before me. I will state, however, that not more

for the said office having, by law, become vested in the President on and after January 1, 1893.

Evan Gibbons, to be postmaster at Dyersville, in the county of Dubuque and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

Henry Kettell, to be postmaster at Grand Junction, in the county of Greene and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

John Knapp, to be postmaster at Parkersburg, in the county of Butler and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

Samuel Mayne, to be postmaster at Bancroft, in the county of Kosuth and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

Leonard Miller, to be postmaster at Hartley, in the county of O'Brien and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

William H. McCune, to be postmaster at Ruthven, in the county of Palo Alto and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

George F. Spence, to be postmaster at Rolfe, in the county of Pocahontas and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

Andrew C. Walker, to be postmaster at Northwood, in the county of Worth and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1892.

John J. McWilliams, to be postmaster at Charter Oak, in the county of Crawford and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

Charles D. Cutting, to be postmaster at Clinton, in the county of Lenawee and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

Miss Faustina M. Towle, to be postmaster at Gaylord, in the county of Otsego and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

William W. Hopkins, to be postmaster at Oakland, in the county of Burt and State of Nebraska, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

Cyrus E. Hunter, to be postmaster at Wakefield, in the county of Dixon and State of Nebraska, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

Walter D. Smith, to be postmaster at Lyons, in the county of Burt and State of Nebraska, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

Chester L. Rix, to be postmaster at West Lebanon, in the county of Grafton and State of New Hampshire, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

Ernest Olday, to be postmaster at Little Valley, in the county of Cattaraugus and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

Charles D. Straight, to be postmaster at Cattaraugus, in the county of Cattaraugus and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

Jesse H. Hunter, to be postmaster at Niles, in the county of Trumbull and State of Ohio, in the place of Tilghman N. Robbins, whose commission expires February 13, 1893.

Johnson D. Neely, to be postmaster at Derry Station, in the county of Westmoreland and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

Mrs. Susan M. McEwen, to be postmaster at Oakdale Station, in the county of Allegheny and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

Joseph E. Mitchell, to be postmaster at State College, in the county of Center and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

James M. Perrin, to be postmaster at Chartiers, in the county

of Allegheny and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

David A. Wellborn, to be postmaster at Pilot Point, in the county of Denon and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

Ferdinand C. Wilburn, to be postmaster at Llano, in the county of Llano and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1893.

Jonathan B. Stova I, jr., to be postmaster at South Boston, in the county of Halifax and State of Virginia, in the place of Edward B. Yancy, whose commission expires February 13, 1893.

#### CONSULS.

Johnson Brigham, of Iowa, to be consul of the United States at Aix la Chapelle, vice Charles Weare, resigned.

John H. Grout, jr., of Massachusetts, to be consul of the United States at Bernada, vice William C. Sullivan, resigned.

Albert S. Twitchell, of Cochran, New Hampshire, to be consul of the United States at Santiago de Cuba, to fill a vacancy.

#### CONFIRMATION.

*Executive nomination confirmed by the Senate, January 13, 1893.*

#### ASSOCIATE JUSTICE OF UTAH TERRITORY.

George W. Barche, of Utah Territory, to be associate justice of the supreme court of the Territory of Utah.

#### HOUSE OF REPRESENTATIVES.

*FRIDAY, January 13, 1893.*

The House met at 12 o'clock noon, and was called to order by the Speaker. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

#### SPECIAL ORDER FOR TUESDAY, JANUARY 17, 1893.

Mr. CULBERSON. Mr. Speaker, I ask unanimous consent that Tuesday next, instead of Saturday, may be set apart for the consideration of bills reported from the Committee on the Judiciary.

Mr. RAYNER. I object to that, because I think it ought to go to the Committee on Rules, and let the Committee on Rules determine it.

Mr. CULBERSON. I will say to the gentleman that I have talked with the Committee on Rules about it this.

Mr. RAYNER. If the Committee on Rules are willing to give Tuesday it is all right.

Mr. CULBERSON. I will say to the gentleman that it will be perfectly satisfactory to the Committee on Rules.

Mr. RAYNER. Then I will withdraw my objection, if the Committee on Rules have agreed to give Tuesday.

Mr. CULBERSON. Mr. Speaker, I understand the gentleman from Maryland withdraws his objection to my request.

The SPEAKER. Is there further objection to the request of the gentleman from Texas [Mr. CULBERSON] that Tuesday, next, instead of Saturday, be set apart for the consideration of bills reported from the Committee on the Judiciary?

Mr. HOLMAN. What is the request?

The SPEAKER. The request of the gentleman from Texas [Mr. CULBERSON] is that instead of to-morrow, which has been assigned to the Judiciary Committee, that that committee be permitted to occupy the floor on Tuesday next. This request, as the Chair understands, arises from the fact that the gentleman from West Virginia [Mr. WILSON] and the gentleman from Virginia [Mr. TUCKER] are absent attending the funeral of the late Senator Kenma, and there is a bill to be called up respecting the direct-tax account of the State of West Virginia, upon which these gentlemen desire to be heard; and therefore the gentleman from Texas [Mr. CULBERSON] desires to suggest Tuesday for Saturday for the Judiciary Committee. Is there objection to the request?

There was no objection.

#### CHANGE OF RE. REFERENCE.

Mr. WISE. Mr. Speaker, I ask that the Committee on Interstate and Foreign Commerce be discharged from further consideration of the bill, H. R. 2527, and that it be referred to the Committee on Ways and Means.

The SPEAKER. The gentleman from Virginia [Mr. WISE] from the Committee on Interstate and Foreign Commerce asks that that committee be discharged from the further consideration

tion of the bill, the title of which the Clerk will report, and that it be referred to the Committee on Ways and Means. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 9828) to encourage the construction of electric railroads, to facilitate the rapid transportation of the mails, to promote the interests of commerce and travel, and to aid in demonstrating the feasibility of the distribution of electrical power for agricultural and other purposes along the line of electric roads, and especially to aid in the construction of a pioneer electric railroad between the cities of Chicago and St. Louis by the Chicago and St. Louis Electric Railroad Company, and to secure to the Government the use of the same for postal, military, and other purposes, at existing rates.

Mr. STOUT. Mr. Speaker—

The SPEAKER. The Chair will clear the table, and will then recognize the gentleman from Michigan.

#### EMOLUMENTS OF OFFICERS OF THE CUSTOMS SERVICE.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting an abstract of the official emoluments of officers of the customs service received by them during the fiscal year ending June 30, 1892; which was ordered to be printed, and referred to the Committee on Expenditures in the Treasury Department.

#### PAYMENT TO INFORMERS, ETC.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting a statement showing all payments made to informers and seizing officers under section 3 of the act of Congress, approved June 22, 1874, during the fiscal year ending June 30, 1892; which was ordered to be printed, and referred to the Committee on Expenditures in the Treasury Department.

PLEASANT OWEN AND C. A. PENGGE, DECEASED, VS. UNITED STATES.

The SPEAKER laid before the House a copy of the findings of the Court of Claims in the cases of the following-named persons against the United States: Pleasant Owen and C. A. Pengge, deceased; which was referred to the Committee on War Claims.

#### ELECTORAL VOTE.

The SPEAKER also laid before the House a certified copy of the ascertainment of electors for President and Vice-President in the State of New York, transmitted by the Secretary of State; which was laid on the table.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SHIVELY, for one week, on account of important business.

To Mr. RAINES, indefinitely, on account of sickness.

#### NAVAJO INDIAN RESERVATION.

Mr. STOUT. Mr. Speaker, I wish to submit a privileged report from the Committee on Public Lands.

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

*Resolved*, That the Secretary of the Interior be directed to inform the House whether an executive order has been issued to restoring to the public domain any portion of the Navajo Indian Reservation, lying in the Territory of Utah; and if so, that he furnish the House with a copy of said order.

The report (by Mr. STOUT) was read, as follows:

The Committee on Public Lands, to whom was referred the accompanying resolution, have had the same under consideration, and report it back with the recommendation that it be adopted with the following amendment: "Add after the word 'order,' in the last line, 'with a report of all proceedings thereunder.'"

Mr. STOUT. I move the previous question on the amendment and the resolution.

The previous question was ordered.

The amendment was agreed to.

The resolution as amended was agreed to.

On motion of Mr. STOUT, a motion to reconsider the last vote was laid on the table.

#### ENROLLED BILL SIGNED.

Mr. SCOTT, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title: when the Speaker signed the same:

A bill (H. R. 9824) to amend "An act to promote the construction of a safe deep-water harbor on the coast of Texas," approved February 9, 1891.

#### MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House by Mr. PARDEN, one of his secretaries, who also announced that the President had approved and signed bills of the following titles:

On January 5, 1892:

An act (H. R. 9417) to incorporate the Protestant Episcopal Cathedral Foundation of the District of Columbia.

On January 7:

An act (H. R. 6644) to amend an act entitled "An act authorizing the sale of title of the United States in lot 3 in square south of square 990," approved March 3, 1891;

On January 9:

An act (H. R. 6737) granting a pension to D-Izell R. Bradford, Twenty-fourth Michigan Volunteers;

An act (H. R. 8907) to increase the pension of John Malloy;

An act (H. R. 9487) to amend an act approved April 22, authorizing the Natchitoches Cane River Bridge Company to construct and maintain a bridge across Cane River in Louisiana; and

An act (H. R. 9188) to amend an act approved March 2, 1891, authorizing the construction of a bridge across the Red River, Louisiana, by the Rapides Bridge Company, Limited.

#### DISEASES OF CATTLE AND CATTLE FEEDING.

Mr. RICHARDSON. Mr. Speaker, I desire to submit a privileged report from the Committee on Printing.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That there be printed and bound of the special report of the Bureau of Animal Industry on diseases of cattle and cattle feeding 60,000 copies, of which 20,000 shall be for the use of the Senate and 40,000 for the use of the House.

The report of the Committee on Printing (by Mr. RICHARDSON) was read, as follows:

The committee have considered the various resolutions which have been referred to them for the printing of the special report of the Bureau of Animal Industry on diseases of cattle and cattle feeding. There are several of these resolutions pending before the committee, and they call for different numbers of this work to be printed. There have been already printed by the Secretary of Agriculture, under the discretion given him, 10,000 copies of the work. The estimated cost of printing and binding this work is about 65 cents per copy. They recommend the passage of the resolution herewith submitted, providing for the printing and binding of 60,000 copies of the work, the estimated cost of which, as shown, will be about \$39,000. They recommend that the other resolutions on the subject herewith returned lie on the table.

Mr. O'NEILL of Pennsylvania. Mr. Speaker—

The SPEAKER. The gentleman from Tennessee has the floor. Does the gentleman yield to the gentleman from Pennsylvania?

Mr. RICHARDSON. I will in a few moments.

Mr. Speaker, this publication is one which has recently been made by the Secretary of Agriculture, and up to this time members of Congress have no copies of this work for distribution. I do not desire to comment improperly upon the action of the Secretary of Agriculture, or of anybody in that Department; but I ask to have read an article which I send to the Clerk's desk, which has been sent broadcast over the country through the United Press. This article must have been inspired at the Department of Agriculture. It is a misstatement of fact. It must have been known by the gentleman who sent it out that it did not convey a proper impression to the country.

The sending of it out has caused persons in all sections of the United States where the United Press dispatches are read, to correspond with members of Congress, in both branches, frequently sending the clipping with their letters calling upon their members for copies of this publication. The gentleman who inspired it, whoever he was, in the Department of Agriculture or elsewhere, must have known and did know that members of Congress have no copies of this work for distribution. The only copies that have been distributed were printed upon the requisition of the Secretary of Agriculture. He had printed 10,000 copies of the work, and distributed them himself through that Department, except that he has sent one copy, I believe, to each member of Congress—

A MEMBER. Five copies.

Mr. RICHARDSON (continuing). With a statement that no more could be furnished.

Now, this morning, through the mails, we get a second letter from the Secretary of Agriculture, saying that four more copies can be furnished. But, Mr. Speaker, I imagine that there is not a gentleman here—perhaps I ought not to say that there is not one—but there are very few members who have not received letters from their constituents asking for this book, based upon this publication in which I have sent to the Clerk's desk, in which it is pretended to give information to the country that members of Congress have these books for distribution.

Mr. COGSWELL. Will the gentleman allow me for a moment?

Mr. RICHARDSON. I will in a moment, when the Clerk shall have read that article.

The Clerk read as follows:

#### REPORT ON SHEEP INDUSTRY.

WASHINGTON, January 2.

One of the most valuable publications ever issued by the Government is a report upon the sheep industry of the United States, prepared under direction of the Secretary of Agriculture. It treats of the history and conditions of the industry from the early settlement of the country down to the present day, and is handsomely illustrated. It bids fair to rival in popularity the work on the diseases of the horse, published by the Department some time since. It is ready for distribution by the Secretary and through members of Congress.



and numerous other citizens of Texas, and a petition of citizens of Bowie, Tex., praying for the passage of legislation opening up the Cherokee Strip for settlement; which were ordered to lie on the table.

Mr. CAMERON presented a petition of the Philadelphia (Pa.) Board of Trade, praying for the establishment of a Federal Bureau to be known as the department of national roads; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Chamber of Commerce of Pittsburgh, Pa., praying for the passage of legislation creating an Ohio River Commission; which was referred to the Committee on Commerce.

He also presented petitions of John E. Brandt and other citizens of Philadelphia, Pa., and of Charles J. Harrison and 30 other citizens of Somerset, Pa., praying for the appointment of a commission to examine into and report upon immigration evils; which were ordered to lie on the table.

He also presented memorials of the United Presbyterian Church of Airville; of A. L. Cressler and other citizens of Wilkesbarre; of the Methodist Episcopal, Congregational, and other churches of Smithfield; of the Methodist Church of Shiremanstown, and of the Baptist ministers of Philadelphia, all in the State of Pennsylvania, remonstrating against any repeal of the law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. HOAR. I present resolutions adopted by the Cold Cut Club of Waltham, Mass., which are in the nature of a petition, and which declare, among other things, that banking corporations give us a volume of money only as their profit allows, and they therefore shamefully reduced the volume of money in this country between 1880 and 1890, which made it necessary for Congress to increase its purchases of silver to supply us with money; and that thereupon the bankers began to increase the volume of bank notes, thereby throwing great discredit upon the wisdom of Congress and its silver law of July 14, 1890. Wherefore they pray that all private corporations be prohibited from issuing money, and that Congress take measures to compel the retirement of bank notes already out.

I commend the resolutions especially to the attention of my honorable friend from Ohio [Mr. SHERMAN]. I think he will derive great pleasure from their perusal. I move that the resolutions be referred to the Committee on Finance.

The motion was agreed to.

Mr. COCKRELL presented a petition of Rose Valley Union, No. 104, of Saline County, Mo., praying for the passage of the Washburn-Hatch anti-option bill; which was ordered to lie on the table.

He also presented a petition of the Commercial Club of Kansas City, Mo., praying for the passage of legislation to ratify and confirm an agreement with the Cherokee Nation of Indians of the Indian Territory, and to make appropriations for carrying out the same; which was ordered to lie on the table.

He also presented the affidavit of Dr. J. W. Snowden, of San Jose, Cal., in support of the petition of Mrs. Gabriella P. Moody, praying to be granted a pension; which was referred to the Committee on Pensions.

Mr. BUTLER presented the memorial of C. E. McDonald, R. N. McMaster, and other members of the Bethel Associate Reformed Presbyterian Church of Winnsboro, S. C., remonstrating against any repeal of the law closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. GEORGE presented memorials of citizens of Columbus, Miss., and of members of the Methodist Episcopal Church (South) of Lauderdale County, Miss., remonstrating against the opening of the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

#### REPORTS OF COMMITTEES.

Mr. VEST. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 10015) to authorize the construction of bridges across the Hiwassee, the Tennessee, and the Clinch Rivers, in the State of Tennessee, to report it without amendment, and I ask that it take the place on the Calendar of Senate bill 3525, which has been heretofore reported favorably from the Committee on Commerce. The bills are identical, and I ask that the House bill be substituted for the Senate bill.

The VICE-PRESIDENT. The bill will be placed on the Calendar, and Order of Business 1173, Senate bill 3525, being a bill of the same title, will be indefinitely postponed.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (H. R. 8162) to pension Mary E. Trimble, widow of Montague N. Trimble, of the Mexican war, submitted an adverse report thereon.

Mr. VEST. Let the bill be placed on the Calendar.

The VICE-PRESIDENT. The bill will be placed on the Calendar with the adverse report of the committee.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed a bill (H. R. 1007) to provide for lowering the height of a bridge proposed to be constructed across the Ohio River between Cincinnati, Ohio, and Covington, Ky., by the Cincinnati and Covington Rapid Transit Bridge Company, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution to print and bind 60,000 copies of the special report of the Bureau of Animal Industry on diseases of cattle in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution to print and bind 60,000 copies of the special report of the sheep industry of the United States; in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and a joint resolution, and they were thereupon signed by the Vice-President:

A bill (H. R. 9821) to amend "An act to promote the construction of a safe deep-water harbor on the coast of Texas," approved February 9, 1891;

A bill (S. 3195) granting to the Yuma Pumping Irrigation Company the right of way for two ditches across that part of the Yuma Indian Reservation lying in Arizona; and

A joint resolution (S. R. 113) providing for the printing of the Agricultural Report for 1892.

#### BILLS INTRODUCED.

Mr. PEPPER introduced a bill (S. 3716) for the relief of James Richardson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3717) for the relief of John Kircher; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BERRY introduced a bill (S. 3718) to authorize the Oklahoma Midland Railroad Company to construct and operate a railway, telegraph, and telephone lines through the Indian and Oklahoma Territories, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. HIGGINS introduced a bill (S. 3719) for the relief of Jasper Hanson; which was read twice by its title, and referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 3720) to set aside the verdict of a court-martial in the case of George J. Barnes, late private in Company F, Second Regiment United States Sharpshooters, and Company H, Fifth New Hampshire Volunteer Infantry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CAMERON introduced a bill (S. 3721) for the relief of George Rushburger; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. VOORHEES introduced a bill (S. 3722) to increase the pension of William G. Smith; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3723) to reimburse the Miami Indians of Indiana for money improperly withheld from them; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. COCKRELL introduced a bill (S. 3724) granting a pension to Henry Hahman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. QUAY introduced a joint resolution (S. R. 114) authorizing the exhibition at the World's Columbian Exposition of the picture entitled "The Record of Columbus," by Annas G. Hutton; which was read twice by its title, and referred to the Committee on the Library.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. PETTIGREW submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. McMILLAN submitted an amendment intended to be proposed by him to the District appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. QUAY submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; the amendment



providing for the purchase of the historical manuscripts lately compiled by Erastus Thatcher, relating to the District of Columbia, the city of Washington, and the towns of Alexandria and Georgetown, etc.; which was referred to the Committee on the Library, and ordered to be printed.

#### MARITIME CANAL OF NICARAGUA.

Mr. WOLCOTT. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

*Resolved*, That the Committee on Foreign Relations be directed to inquire what sums, if any, have been expended by the Maritime Canal Company, the Nicaragua Canal Construction Company, or any company allied to either of said companies, in and about the construction of said canal or otherwise, with the funds of said expenditure, since the accounts of expenditure heretofore rendered to said committee.

Mr. SHERMAN. I can only say that a recent report has been made which probably the Senator has not examined. However, I do not know that that gives the items called for in the resolution.

Mr. WOLCOTT. I think possibly the Senator from Ohio will not object to the resolution after I make a statement.

Some two years ago testimony was taken by the Committee on Foreign Relations showing the expenditures made by the different canal companies up to that date. At that time a bill was pending in the Senate proposing Government aid for the Nicaragua Canal to the extent of the indorsement of \$100,000,000 of bonds with the deposit in the Treasury of 50 per cent of the stock of the Maritime Canal Company as collateral security. Since that time the scheme has been entirely changed. While that bill was pending testimony was taken showing the expenditures made by the Canal Construction Company and the Maritime Canal Association, aggregating some \$3,000,000.

As I said, the whole scheme has been changed, and now the Government of the United States is to indorse \$10,000,000 of bonds; the construction of the canal is to be taken from the construction company, where it was placed some two years ago, and is to be entrusted solely to the Maritime Canal Association; and in consideration of its past expenditures that company is to receive \$6,000,000 of the bonds of the company guaranteed by the Government and \$12,000,000 of its stock. All the other stock except the stock that goes to Costa Rica and Nicaragua is to be vested in the Government of the United States as a gift.

The testimony taken two years ago shows that upwards of \$3,000,000 or about \$3,000,000 was expended, and that was to be paid back to the construction company, which was then to have the profits of construction. Now it is proposed to give them \$6,000,000 of bonds and \$12,000,000 of stock. I do not suppose it is seriously contended that \$9,000,000 have been expended since the last testimony taken two years ago; but before the Senate can act intelligently upon the question as to how much stock shall be donated to this company, the Committee on Foreign Relations should certainly desire that we shall have before us some testimony to show how much has been expended. It was with that purpose in view and with the idea of facilitating the progress of the bill that I offered the resolution.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. SHERMAN. I ought to say a word or two, although I have no objection to the passage of any resolution calling for information in regard to the Nicaragua Canal.

The Senator from Colorado is mistaken in regard to the recent report made by the Committee on Foreign Relations in two very important particulars. The company now building the Nicaragua Canal is called the Maritime Company. It is working through a construction company. They had expended a year or two ago, when the first report was made, about \$3,000,000, according to their own statement. They now claim to have expended considerably more, quite as much as \$6,000,000. The aggregate maximum was inserted. The amount that has actually been paid in money in the construction of the Nicaragua Canal is to be ascertained by the Secretary of the Treasury and the Secretary of State, but the maximum shall not exceed \$6,000,000 when all is paid.

In respect to the \$12,000,000 of stock, under the first bill that was proposed there was \$30,000,000 of stock left in the hands of the two countries through which the canal runs and the Maritime Company, but it was thought better that the Government of the United States should assume a more direct and absolute control and ownership of the canal and that it should be built upon guarantees furnished by the Government. Therefore the bill requires that all stocks, all securities of every kind, all bonds shall be extinguished and liquidated except stock that was issued to the Governments of Costa Rica and Nicaragua and also \$12,000,000 of stock that had been issued in payment of the concessions, etc., which had been granted.

Mr. WOLCOTT. That is \$12,000,000, as I stated.

Mr. SHERMAN. The amount is \$12,000,000. The Senator is

correct about it. But that was simply to cover the concessions. As to the value of that stock it is a matter for anybody to form his own opinion upon. However, all the facts in regard to it and all the information we can gather has been printed with the recent report, as the Senator will see if he will look at it; but if there is anything further in the way of information that may be given we will give it with great pleasure.

Mr. WOLCOTT. I have read the report and I fail to find any statement of the expenditures since the last testimony was taken.

Mr. SHERMAN. The detailed expenditures were not given, and the reason why we did not exact that was because those expenditures were going on day by day, and we were willing to trust to the Secretary of the Treasury and the Secretary of State, whoever they may be in the next Administration, if the bill is passed, to fix and limit and liquidate the amount that has actually been expended.

Mr. HOAR. I simply desire to say in this connection, before the resolution is adopted, that the recent experience of another country and our own experience in relation to the transcontinental railroad from 1862 to 1864 make it very important that Congress, through the Committee on Foreign Relations, should see to it that in the construction of the Nicaragua Canal, if the Government is to have any relation to it whatever, daylight shall constantly be turned in upon every transaction, and that nothing shall happen either of expenditure or receipt of Government aid, or conduct of the officials, or engineers, or the agencies charged with that structure which shall not be instantly made known to all mankind. It is a matter which concerns very much indeed the good name of this country and the pure and upright expenditure of our public moneys.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. MORGAN. I prefer that the resolution shall go over until to-morrow and be printed.

Mr. WOLCOTT. Let it go over until Monday.

Mr. VOORHEES. I ask that the resolution be read again.

The resolution was again read.

The VICE-PRESIDENT. The resolution will lie over until to-morrow and be printed.

#### HOUSE BILL REFERRED.

The bill (H. R. 10007) to provide for lowering the height of a bridge proposed to be constructed across the Ohio River between Cincinnati, Ohio, and Covington, Ky., by the Cincinnati and Covington Rapid Transit Bridge Company, was read twice by its title, and referred to the Committee on Commerce.

#### REPORT ON DISEASES OF CATTLE.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives: which was referred to the Committee on Printing:

*Resolved by the House of Representatives (the Senate concurring)*, That there be printed and bound of the special report of the Bureau of Animal Industry on diseases of cattle and cattle feeding 60,000 copies, of which 20,000 shall be for the use of the Senate and 40,000 for the use of the House.

#### REPORT ON THE SHEEP INDUSTRY.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives: which was referred to the Committee on Printing:

*Resolved by the House of Representatives (the Senate concurring)*, That there be printed and bound of the special report of the sheep industry of the United States 60,000 copies, of which 20,000 copies shall be for the use of the Senate and 40,000 for the use of the House.

#### NICARAGUA CANAL.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The resolution submitted yesterday by Mr. MORGAN was read, as follows:

*Resolved*, That the Committee on Commerce be instructed to inquire and report to the Senate the advantages, if any, that will accrue to the production, industries, coastwise and foreign commerce, immigration, and other interests of the United States, by means of the adoption and facilities of transportation, and the reduction of the cost thereof that would be afforded by the building of a ship canal to connect the waters of the Atlantic and Pacific Oceans through Lake Nicaragua.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

Mr. MORGAN. Mr. President, the resolution of the Senate which was adopted in executive session, under which the Committee on Foreign Relations got jurisdiction of the inquiry in respect of the Nicaragua Canal, was directed more particularly to the political aspects of that question, by which I mean of course the foreign aspects of it, than to the material questions that might affect the people of the United States in their commerce, in their productions, in their enterprises, and in their coastwise and foreign trade. So that committee, taking the instruction of the Senate, went very earnestly to work to ascertain what was the situation of the canal project under the concessions of the Governments of Nicaragua and Costa Rica, and to ascer-

with having inspired us with that progressiveness in invention and in other grand endeavors that have marked the nineteenth century as the grandest in all the list.

The French are a wise, sagacious, thoughtful, earnest, determined people. Even their peasantry are men who study over public and private affairs with great deliberation, and when they have made up their minds they act with firmness. They found that they had intruded, some of them at large sums of money and great powers into the hands of Mr. De Lesseps, and that he had made a magnificent and triumphant success in the building up of the Suez Canal. He therefore had no difficulty in attracting to his scheme large contributions or subscriptions from the French people. They poured their money in a flood into the mine of the Panama Canal, where, according to the premonition of our own delegate sent to the Parisian congress, it was necessarily bound to be lost.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it becomes the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (H. R. 7445) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling certain products to obtain license, and for other purposes.

Mr. MORGAN. Will the Senate indulge me one minute longer?

Mr. PUGH. I ask that the unfinished business may be laid aside temporarily so that my colleague may finish his remarks.

Mr. MORGAN. I have only a few words more.

The PRESIDING OFFICER. The Senator from Alabama asks unanimous consent that the regular order be laid aside informally to allow his colleague to conclude his remarks. Is there objection? The Chair hears none, and the Senator from Alabama will proceed.

Mr. MORGAN. I am very thankful to my colleague and the Senate for this indulgence.

This committee on two occasions have reported bills to aid this canal, and they have, with the utmost caution, in view of all the developments of the Crédit Mobilier and the recent Panama scandal, put into the bill every cautionary provision that we could find for the purpose of guarding against any of the disgraceful results which have characterized some of these great enterprises. It is only in respect to railroads in this country, or to one railroad in this country, I believe, that any corruption has been alleged, although we have six or seven transcontinental roads and four or five of them have been largely subsidized by the Government with grants of land or grants of money.

The people of the United States, when they are themselves looking upon the conduct of their own officials in the management of a great public trust like this, are not afraid that they are going to drop into the slough of putridity and corruption. They are not to be terrified from doing a great public duty by the mere fact that other men, in their attempts to benefit their country or to do something else, have gone into a distressful condition of disgrace. We have nothing to fear about that unless we are afraid of ourselves. If we are afraid of the Congress of the United States and the President of the United States and the confirming power of the Senate of the United States, then of course we ought to be afraid of what shall become of this canal.

Mr. HOAR. Mr. President—

The PRESIDING OFFICER (Mr. HARRIS in the chair). Does the Senator from Alabama yield to the Senator from Massachusetts?

Mr. MORGAN. Certainly.

MR. HOAR. If it be not disagreeable to the honorable Senator from Alabama I should like to ask him a question in regard to this matter which I think it quite appropriate should be answered now. He is probably as familiar with this whole subject as anyone in the Senate or perhaps out of it. What are the securities now existing for absolute publicity in regard to all the transactions of the Nicaragua Canal Company?

The Senator has alluded to the Union Pacific Railroad. The two acts, the act of 1862 and the act of 1864, that act which we had occasion to review so thoroughly in connection with the Credit Mobilier investigation, appointed so-called Government directors as supervisors or watchmen, without any authority of control, if the Senator from Colorado [Mr. Wolcott] is right. I do not remember about that; but at any rate the main purpose was that they were required by the law, if I recollect it right, to be present, and it was provided that a Government director must be a member of every special and standing committee of the board of directors of the Union Pacific Railroad. They were to report annually to Congress, or to the Secretary of the Interior, and through him to Congress, such observations as they made in regard to the conduct of the affairs of the road. But, as everyone knows, the great contracts with the Credit Mobilier and all the proceedings which excited so much popular condemnation

of the Union Pacific Railroad were absolutely secret, in spite of that provision of the law.

[illegible]

The victors, in part instantly re-soundful, sent the New York post office and took steps to re-establish the flow of the post-tollies, and went down into the cities and took the New Yorkers back into the full share of the nation's life. I do not say that they had moved the country at that time, but they put it all back, gave Credit Mobilier back, gave all the rest of the road, and undertook to distribute it among the Representatives from all parts of the country in order to get them interested in it. So the mere existence of the few Government directors, without any voting responsibility, and simply in order to keep a watch, turned out in that case to be almost an perfect and complete protection.

Now, I should like to have the honorable Senator from Alabama, if he will do me that favor, state what are the safeguards and precautions and securities which will enable the people of the United States and mankind to know at once and at the time every transaction in the handling of the capital to which the Government is expected to lend its credit so as to justify the expenditure of every dollar of money, the employment of every agency, and everything else which may possibly, if it be not looked upon, become a means of wrongdoing. As I said earlier in the day, when the resolution was introduced by the Senator from Colorado [Mr. Wolcott], the recent example of France and the not very remote example of this country make it important for our public credit and good faith, and the purity of our Government that this enterprise shall proceed to its termination without the possibility of a retraction.

Mr. MORGAN. Mr. President, the Committee on Foreign Relations have exhausted really their ability. I may better say they have employed all their ability at least in trying to get such provisions into the bill as would give absolute publicity to everything that is done in the construction of the canal, and absolute security that there should be no fraud perpetrated in connection with it by any body. The first and main provision on that subject is in regard to the ten of the fifteen directors who shall be entitled to vote and participate in the actual direction of the company, which was not the case in the United States in regard to the Union and Central Pacific Railroad Company.

Now, I should be willing to take every dollar that will ever be in the Treasury, of the United States for example, and put the hands of a man like the Senator from Massachusetts, whether bonded or without security, just upon his record, his history, and what I know to be the principle, which have constituted his record. Here are ten directors, every one of whom are men of equal rank with the Senator from Massachusetts, to be appointed by the President of the United States, and approved by the Senate, whose duty it is to see that the management of the business with five others, one of them appointed by the President, and by the Senate, and four by the stockholders. The ten directors take it in order in hand, and are to be so placed that it will be possible with them, or at least, five of them, to manage their proceedings regularly and annually, and even monthly, to the Secretary of the Treasury, that any fraud can be followed to permeate the management of this business? It is a matter of almost physical impossibility, if we are to look to the directors alone.

Then it is required that the bond to be issued by the United States shall be printed and signed by the President of the United States, and countersigned by the Secretary of the Treasury, and that the same shall be deposited in the Treasury of the United States only in print, and that no copies of the same shall be made or used except as may be ordered by the President of the United States Government, and of the Secretary of the Treasury, and that the same shall be under the supervision of the Secretary of the Treasury, and that the same shall be subject to the examination of the Secretary of the Treasury, and that the total expenditure shall not exceed \$100,000, and that the pro rata expenditure shall not exceed the proportion of one hundred dollars to the \$100,000,000, considering the cost of the work that is to be done.

Mr. HOAR. Will the Senator state what are the provisions for auditing the accounts?

Mr. MORGAN. They are to be audited by the Secretary of the Treasury.

Mr. HOAR. How often?

Mr. MORGAN. Not less frequently than once in two months they are to be audited by the Secretary of the Treasury.

Mr. HOAR. All the accounts of the company, or merely the expenditure of the bonds?

Mr. MORGAN. All the accounts, the use of every dollar of money that is realized from the sale of the bonds. The bonds are not paid out in advance; they are paid out upon audited bills for work actually done.

Mr. HOAR. That was the case with the Union Pacific.

Mr. MORGAN. The bills must be brought in and audited, and then the bonds are authorized to be issued in payment of that audit.

Mr. VOORHEES. I ask the Senator from Alabama to yield that I may introduce two bills. Morning business has not had much chance this morning.

Mr. MORGAN. Certainly, I will yield, and I apologize for taking so much time. If I were not compelled to be absent from the country I would not take this liberty.

[The bills were introduced, and appear under their appropriate head.]

Mr. VOORHEES. I am very much obliged to the Senator from Alabama. I can only say that no greater question can be discussed than the one he is discussing now, and nobody can discuss it any better than he can discuss it. I am much obliged to him for his courtesy.

Mr. MORGAN. In addition to what the Senator from Massachusetts has referred to as a means of ascertaining what the company is doing, here is a provision in the charter which requires that—

Said company shall make a report on the first Monday of December in each year to the Secretary of the Interior—

That is a different officer—

which shall be duly verified on oath by the president and secretary thereof, giving such detailed statement of its affairs and of its assets and liabilities as may be required by the Secretary of the Interior, and any willfully false statement so made shall be deemed perjury and punishable as such.

That guaranty comes also to our assistance in the prevention of frauds.

I have to say further that if there is any Senator in this body, or any member of the other House, or any other person who can suggest any reasonable cautionary plan or phraseology for making it impossible for fraud to enter into these affairs, the Committee on Foreign Relations will welcome the suggestion and will recommend its adoption at any time that it may be brought forward, for surely nothing can be further from our desire than that the slightest opportunity should be afforded through the means of this bill or in building this canal for the squandering or improper use of public funds. We have seen enough of that, and being cautioned in advance by the experience of other governments, as well as our own, it does stand us in hand to make every reasonable provision of the character suggested by the Senator from Massachusetts [Mr. Hoar].

Mr. President, I have not gotten through with all that I meant to say this morning, but in deference to the business of the Senate, I feel bound to yield the floor. At a future day, not far distant, I hope I may have the opportunity of presenting my views on some other matters included in the bill of the Senator from Ohio [Mr. Sherman], reported back to the Senate from the Committee on Foreign Relations.

#### DEALING IN "OPTIONS" AND "FUTURES."

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7845) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling certain products to obtain license, and for other purposes; the pending question being on the amendment of Mr. VILAS in section 2, line 1, after the word "thereof," to insert, "and does not in good faith intend to purchase and deliver the articles contracted to be sold and delivered according to the terms and requirements of such contract;" so as to read:

That for the purposes of this act the word "futures" shall be understood to mean any contract or agreement whereby a party contracts or agrees to sell and deliver to another or others at a future time, or within a designated period, any of the articles mentioned in section 3 of this act, when at the time of making such contract or agreement the party so contracting or agreeing to sell and deliver the article, or the party for whom he acts as agent, broker, or employer in making such contract or agreement, is not the owner of the article or articles so contracted or agreed to be sold and delivered, or has not theretofore acquired by purchase and is not then entitled to the right to the full possession of such article or articles under and by virtue of a contract or agreement for the sale and future delivery thereof previously made by the owner thereof; and if does not in good faith intend to purchase and deliver the articles contracted to be sold and delivered according to the terms and requirements of such contract.

Mr. WOLCOTT. I move that the Senate proceed to the consideration of the Calendar under Rule VIII.

The VICE PRESIDENT. Does the Senator from Colorado move to proceed to the consideration of the Calendar or to the consideration of the first bill on the Calendar?

Mr. WOLCOTT. I move to proceed to the consideration of the first bill on the Calendar.

The VICE PRESIDENT. The question is on the motion of the Senator from Colorado, that the Senate proceed to the consideration of the first bill on the Calendar.

Mr. WASHBURN. On that I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. HARRIS (when his name was called). Upon all questions I am paired with the Senator from Vermont [Mr. Morrill].

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. Hunter].

Mr. SAWYER (when his name was called). I am paired with the Senator from Minnesota [Mr. Davis] on the anti-option bill and all questions pertaining to it.

Mr. WILSON (when his name was called). I have a general pair with the Senator from Georgia [Mr. Colquhoun]; but I am advised that if he were present he would vote "nay" on this question, and I therefore vote. I vote "nay."

The roll call was concluded.

Mr. BUTLER. May I inquire if the senior Senator from Pennsylvania [Mr. Cameron] has voted?

The VICE PRESIDENT. The senior Senator from Pennsylvania is not recorded.

Mr. BUTLER. Then I will withhold my vote. I am paired with him.

Mr. CALL. My colleague [Mr. Pasco] is absent, and the Senator from Maryland [Mr. Gibson] has agreed to pair with him. If my colleague were here he would vote "nay."

Mr. GIBSON (after having voted in the affirmative). I withdraw my vote, and stand paired with the Senator from Florida [Mr. Pasco]. If he were present, I should vote "yea."

Mr. DIXON. I have a general pair with the Senator from Mississippi [Mr. Walthall], who is absent in the performance of duties imposed by the Senate. My colleague [Mr. Aldrich] is also absent and unpaired. I transfer my pair with the Senator from Mississippi to my colleague, and vote "yea."

Mr. HIGGINS. I am paired with the Senator from New Jersey [Mr. McPherson], and in his absence I withhold my vote. I should vote "nay" if he were here.

Mr. HISCOCK. Has the Senator from Arkansas [Mr. Jones] voted?

The VICE PRESIDENT. He is not recorded.

Mr. HISCOCK. I refrain from voting, being paired with him.

Mr. VEST (after having voted in the affirmative). I have a general pair on the anti-option bill with the Senator from Kansas [Mr. Perkins]. I prefer to withdraw my vote under the circumstances.

Mr. HIGGINS. I suggest to the Senator from Missouri [Mr. Vest], who is paired with the Senator from Kansas [Mr. Perkins], and I being paired with the Senator from New Jersey [Mr. McPherson], that we exchange pairs so that the Senator from Missouri and myself may vote.

Mr. VEST. Very well.

Mr. HIGGINS. I vote "nay."

Mr. VEST. I vote "yea."

Mr. SAWYER. I am paired with the Senator from Minnesota [Mr. Davis], but I see that no quorum has voted, and I have a right to vote under the circumstances. I vote "nay," as the Senator from Minnesota would vote if present.

The result was announced—yeas 9, nays 31; as follows:

YEAS—9.			
Bace,	Palmer,	Vest,	White,
Cady,	Stewart,	Vilas,	Wheeler,
Dixon,			
NAYS—31.			
Allen,	Datols,	Kyle,	Shorman,
Berry,	Pelton,	McMillan,	Shoup,
Call,	Faye,	Morgan,	Stockbridge,
Carey,	Fisher,		Talbot,
Chandler,	Gulinger,	Putnam,	Vance,
Cochran,	George,		Washburn,
Cole,	Hansborough,	Pugh,	Wilson,
Cole,	Higgins,	Gray,	
Pawley,	Irby,	Sawyer,	
NOT VOTING—47.			
Aldrich,	Davis,	Hoar,	Platt,
Allen,	Delph,	Hunter,	Power,
Bate,	Paulkner,	Jones, Ark.,	Proctor,
Blackburn,	Gibson,	Jones, Nev.,	Ransom,
Blodgett,	Gordon,	McPherson,	Sanders,
Butler,	Gorman,	Manderson,	Squire,
Cameron,	Gray,	Mills,	Stanford,
Carr,	Hale,	Mitchell,	Turner,
Cass,	Harris,	Morrill,	Voortrees,
Colquhoun,	Hawley,	Paddock,	Walthall,
Culdon,	Hill,	Pasco,	Warren,
Daniel,	Hiscock,	Perkins,	

The VICE-PRESIDENT. No quorum having voted, the roll will be called.

Mr. WOLCOTT. Pending the call of the roll, I move that the Senate adjourn.

Mr. WASHBURN. On that I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DIXON (when his name was called). I again announce the pair of my colleague [Mr. ALDRICH] with the Senator from Mississippi [Mr. WALTHALL], and I vote "yea."

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON].

The roll call was concluded.

Mr. HISCOCK. Observing that the Senator from Arkansas [Mr. JONES] is present, I vote "yea."

Mr. HANSBROUGH. I again announce my pair with the Senator from Montana [Mr. SANDERS], and also the transfer of that pair to the Senator from Nevada [Mr. JONES]. I vote "nay."

The result was announced—yeas 11, nays 31; as follows:

#### YEAS—11.

Brice,	Hiscock,	Quay,	White,
Caffery,	Hoar,	Vest,	Walcott.
Dixon,	Palmer,	Vilas,	

#### NAYS—31.

Allison,	Frye,	Kyle,	Sherman,
Berry,	Gallinger,	McMillan,	Shoup,
Call,	George,	Morgan,	Stockbridge,
Carey,	Hale,	Puffer,	Teller,
Chandler,	Hansbrough,	Pettigrew,	Vance,
Coke,	Hughins,	Proctor,	Washburn,
Dawes,	Hill,	Pugh,	Wilson.
Dubois,	Irby,	Sawyer,	

#### NOT VOTING—45.

Aldrich,	Daniel,	Jones, Ark.	Ransom,
Allen,	Davis,	Jones, Nev.	Sanders,
Bate,	Dolph,	McPherson,	Squire,
Blackburn,	Faulkner,	Manderson,	Stanford,
Blodgett,	Feltton,	Mills,	Stewart,
Butler,	Gibson,	Mitchell,	Turpie,
Cameron,	Gordon,	Morrill,	Voorhees,
Carlisle,	Gorman,	Paddock,	Walthall,
Cassidy,	Gray,	Pasco,	Warren.
Cockrell,	Harris,	Perkins,	
Colquitt,	Hawley,	Platt,	
Callum,	Hunton,	Power,	

So the Senate refused to adjourn.

The VICE-PRESIDENT. No quorum having voted, the roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Berry,	Gallinger,	Kyle,	Sherman,
Brice,	George,	McMillan,	Shoup,
Butler,	Gibson,	Morgan,	Stockbridge,
Caffery,	Hale,	Palmer,	Teller,
Call,	Hansbrough,	Pasco,	Vance,
Chandler,	Harris,	Puffer,	Vilas,
Cockrell,	Hughins,	Pettigrew,	Washburn,
Coke,	Hill,	Platt,	White,
Dawes,	Hiscock,	Proctor,	Wilson.
Dixon,	Hoar,	Pugh,	
Dubois,	Irby,	Quay,	
Frye,	Jones, Ark.	Sawyer,	

The VICE-PRESIDENT. Forty-six Senators have responded to their names. A quorum is present.

Mr. SHERMAN. It is not usual for us to have a very long session on Saturday. I take the liberty of suggesting whether the Senate would not be willing, by unanimous consent, to agree now that the pending bill shall be disposed of on Wednesday next. On Monday the debate can go on. On Tuesday I understand certain addresses are to be made, and, in deference to the universal custom, we should adjourn when those addresses are concluded. We shall not probably be able to do anything upon the bill on Tuesday. I have not participated in the debate to any extent, but it seems to me that we ought now to agree that on Wednesday the bill shall be disposed of. We can commence immediately after the morning business upon that day, and certainly on Monday and Wednesday any further debate desired can take place. I therefore ask unanimous consent of the Senate that the bill shall be disposed of on Wednesday.

The VICE-PRESIDENT. Is there objection to the request made by the Senator from Ohio?

Mr. WOLCOTT. I object.

Mr. SHERMAN. Then all I can say is that I hope if the Senator having the bill in charge has a majority of the Senate with him he will try and close the matter out on Wednesday, because it is interfering with very important public business in which we are all interested, together with the appropriation bills and the entire Calendar.

Mr. WASHBURN. In view of the objection made by the Senator from Colorado, I give notice that on Wednesday I shall

ask the Senate to remain in session until we reach a vote on the bill and amendments.

Mr. QUAY. I move that the Senate proceed to the consideration of executive business.

Mr. HOAR. Will the Senator withdraw the motion for one moment?

Mr. QUAY. Certainly.

#### FORM OF CREDENTIALS.

Mr. HOAR. I ask the unanimous consent of the Senate to make a statement, which will take but a moment.

I have received from a good many quarters in the State, and from State officials, applications in regard to the proper form of credentials of the members of this body. In the past some of the States have been in the habit of looking down at credentials with a great deal of superstitious detail. They have become more and more compact and brief year by year, but still frequently the best forms contain much that is entirely superfluous. For instance, it is quite the custom of the executive of a State to certify that the person elected is a person 30 years of age, who has been nine years a citizen of the United States, and is an inhabitant of the State from which he is chosen. I conceive that such a certificate is absolutely without effect. The governor is merely to certify to the election of the person, and undoubtedly from the fact of his election the presumption arises, until something else is shown here, that he is eligible, but the governor has no means of knowing whether he is eligible and has nothing to do with the fact.

Then it has been the habit in some States to certify that the election was made by a concurrent vote of the two Houses or that the election was made on joint ballot in convention. If that were necessary, it would be certainly in the latter case, necessary to certify carefully that all the steps or all the failures which were essential conditions of the power of the Legislature to elect in that form had occurred.

I conceive that everything of that kind is accomplished by the term "duly elected," and that a certificate that A B was at a certain time duly elected by the Legislature of the State a Senator for a certain term, certified by the executive and countersigned by the secretary of state, is all that is necessary.

Without any one being responsible for it but myself, I have prepared a form which I desire to have read and go into the Record, so that if the officials of the several States shall see fit they may conform to it.

Mr. PASCO. Before it is read I will ask the Senator from Massachusetts, through the Chair, whether it applies to an appointment made by the governor as well as to an election?

Mr. HOAR. No; it does not undertake to do that.

Mr. PASCO. Does the Senator propose to suggest a form of that kind also?

Mr. HOAR. I had not thought of doing so.

The VICE-PRESIDENT. The paper will be read.

The Chief Clerk read as follows:

#### COMMONWEALTH OF MASSACHUSETTS.

To the President of the Senate of the United States:

This is to certify that on the 17th day of January, in the year of our Lord 1893, ——— was duly elected by the Legislature of said Commonwealth a Senator to represent the Commonwealth of Massachusetts in the Senate of the United States for the term of six years, commencing the 4th day of March, A. D. 1893.

Witness, his excellency, ———, our governor, and our said hereunto affixed at Boston, this ——— day of January, in the year of our Lord 1893, and the year of the Independence of the United States of America the one hundred and seventeenth.

Secretary of the Commonwealth.

ELISHA BROWN.

Mr. SAWYER. I ask the Senator from Pennsylvania to allow me to call up a little bill. It will take no time.

Mr. QUAY. I will yield for that purpose only.

Mr. SAWYER. I ask that the Senate proceed to the consideration of the bill (H. R. 6069) for the relief of Elisha Brown.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Elisha Brown, late a private in Company F, First Regiment United States Infantry, serving from February 19, 1826, to February 18, 1844, and to allow him a pension at the rate of \$15 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### EXECUTIVE SESSION.

Mr. QUAY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to and the Senate proceeded to the consideration of executive business. After an unproductive session in executive session the doors were reopened at 4 o'clock p. m. the Senate adjourned until Monday, January 16, 1893, at 12 o'clock m.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate January 14, 1893.*

## CONSULS.

Albert S. Twitchell, of Gorham, New Hampshire, to be consul of the United States at Santiago de Cuba.

Ferdinand C. Gottschalk, of California, to be consul of the United States at Stuttgart.

John H. Grout, jr., of Massachusetts, to be consul of the United States at Bermuda.

Johnson Brigham, of Iowa, to be consul of the United States at Aix la Chapelle.

## Pay Department.

Lieut. Col. Charles M. Terrell, deputy paymaster-general, to be assistant paymaster-general.

Maj. James P. Canby, paymaster, to be deputy paymaster-general.

## PROMOTIONS IN THE NAVY.

Assistant Engineer Thomas F. Carter, to be a passed assistant engineer.

Assistant Engineer James M. Pickrell, to be a passed assistant engineer.

Assistant Engineer Martin Bevington, to be a passed assistant engineer.

Assistant Engineer Frederick C. Bowers, to be a passed assistant engineer.

Assistant Engineer George R. Salisbury, to be a passed assistant engineer.

Walter M. McFarland, to be a passed assistant engineer.

Benjamin C. Bryan, to be a passed assistant engineer.

Harold P. Norton, to be a passed assistant engineer.

Clarence A. Carr, to be a passed assistant engineer.

Edward H. Scribner, to be a passed assistant engineer.

Andrew M. Hunt, to be a passed assistant engineer.

Frank M. Bennett, to be a passed assistant engineer.

Passed Assistant Engineer Herschel Main, to be a chief engineer.

Passed Assistant Engineer Holland N. Stevenson, to be a chief engineer.

Ensign Walter S. Burke, of the Navy, to be an assistant engineer.

Assistant Engineer Victor Blue, of the Navy, to be an ensign.

Lieut. (junior grade) Valentine S. Nelson to be a lieutenant.

Lieut. (junior grade) Edward E. Wright to be a lieutenant.

Passed Assistant Surgeon Charles T. Hibbert to be a surgeon.

Brownlee Robertson Ward, a resident of Connecticut, to be an assistant surgeon.

Capt. William R. Brown, of the United States Marine Corps, to be a major.

## POSTMASTERS.

Leonard Miller, to be postmaster at Hartley, in the county of O'Brien and State of Iowa.

George F. Spence, to be postmaster at Rolfe, in the county of Pocahontas and State of Iowa.

Andrew C. Walker, to be postmaster at Northwood, in the county of Worth and State of Iowa.

John J. McWilliams, to be postmaster at Charter Oak, in the county of Crawford and State of Iowa.

George J. Clark, to be postmaster at Primghar, in the county of O'Brien and State of Iowa.

Evan Gibbons, to be postmaster at Dyersville, in the county of Dubuque and State of Iowa.

William H. McClune, to be postmaster at Ruthven, in the county of Palo Alto and State of Iowa.

Samuel Mayne, to be postmaster at Baneroff, in the county of Kossuth and State of Iowa.

Henry Fottell, to be postmaster at Grand Junction, in the county of Greene and State of Iowa.

John Knapp, to be postmaster at Parkersburg, in the county of Butler and State of Iowa.

Andrew S. McDowell, to be postmaster at Clayton, in the county of Adams and State of Illinois.

Charles H. Sneed, to be postmaster at Denton, in the county of Franklin and State of Illinois.

Jacob T. Moss, to be postmaster at Rogers Park, in the county of Cook and State of Illinois.

Joseph Baker, to be postmaster at Sheldon, in the county of Iroquois and State of Illinois.

Frank H. Benson, to be postmaster at Chatsworth, in the county of Livingston and State of Illinois.

Caleb Hoopes, to be postmaster at Sumner, in the county of Lawrence and State of Illinois.

Mrs. Susan M. McEwen, to be postmaster at Oakdale Station, in the county of Allegheny and State of Pennsylvania.

Johnson D. Neely, to be postmaster at Derry Station, in the county of Westmoreland and State of Pennsylvania.

James M. Perrin, to be postmaster at Charters, in the county of Allegheny and State of Pennsylvania.

Miss Faustina M. Towle, to be postmaster at Gaylord, in the county of Otsego and State of Michigan.

John L. Merriam, to be postmaster at South Riverside, in the county of San Bernardino and State of California.

Joseph E. Mitchell, to be postmaster at State College, in the county of Center and State of Pennsylvania.

Jesse H. Hunter, to be postmaster at Niles, in the county of Trumbull and State of Ohio.

Frank Simmons, to be postmaster at Evergreen, in the county of Conecuh and State of Alabama.

Charles D. Cutting, to be postmaster at Clinton, in the county of Lenawee and State of Michigan.

Chester L. Rix, to be postmaster at West Lebanon, in the county of Grafton and State of New Hampshire.

Ernest Olday, to be postmaster at Little Valley, in the county of Cattaraugus and State of New York.

Charles D. Straight, to be postmaster at Cattaraugus, in the county of Cattaraugus and State of New York.

Frank J. Loucks, to be postmaster at Dolgeville, in the county of Herkimer and State of New York.

Robert W. Matteson, to be postmaster at Caledonia, in the county of Livingston and State of New York.

Miss Emma F. Stevens, to be postmaster at Blackfoot, in the county of Bingham and State of Idaho.

## HOUSE OF REPRESENTATIVES.

*SATURDAY, January 14, 1893.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

## ANNUAL REPORT FROM THE BUREAU OF AMERICAN REPUBLICS.

The SPEAKER laid before the House the following message from the President: which was read, referred to the Committee on Foreign Affairs, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith for your information a letter from the Secretary of State, inclosing the annual report of the Bureau of American Republics for the year ending June 30, 1892.

BENJ. HARRISON

EXECUTIVE MESSAGES, *January 14, 1893.*

## MILITIA OF THE DISTRICT OF COLUMBIA.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting estimates of deficiencies in appropriations for the militia of the District of Columbia for the fiscal year 1893, and for prior years: which, with accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

## APPROPRIATION FOR FOREIGN MAILS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate of appropriation, submitted by the Postmaster-General, for transportation of foreign mails for the fiscal year ending June 30, 1894; which, with accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

## SUPPORT OF NATIVE INHABITANTS OF ALASKA.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, recommending an appropriation for the support of the native inhabitants of Alaska for the fiscal year ending June 30, 1894; which was referred to the Committee on Appropriations, and ordered to be printed.

## DELAWARE BREAKWATER QUARANTINE STATION.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, with inclosures, relating to the estimate of appropriations for the Delaware Breakwater quarantine station; which, with accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

## EXPENDITURES IN THE NAVY DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of the Navy, transmitting a detailed statement of the expenditures for that Department for the fiscal year ending June 30, 1892; which, with the accompanying papers, was referred to the Committee on Expenditures in the Navy Department, and ordered to be printed.

## JOHN DEATON VS. THE UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting copy of the

and extortionate charges of transportation have operated in fixing the price to the disadvantage of the producer. Still, under our existing system it is an actual and legitimate price unaffected by dealings in fictitious products, unaffected by fictitious transactions which represent only the opinion of one man that a staple will be more valuable at a future time, and on the other side the opinion of another man that it may be less valuable.

If at a great center of exchange, where the value of all staples is fixed by a system of contracts of fictitious sale and delivery in the future an opinion with all producers shall be made that prices will rule lower or in the decreasing scale, then we can see that those who are compelled to sell will take a lower price. The opinion having been created that the staple which they own will decrease in value, those who hold it and are obliged to sell will of necessity take a lower price.

We can also see that the constant tendency, effect, and purpose of a system of large fictitious sales for future fictitious delivery must have a depressing effect on natural prices.

There is a legitimate price for staples, the cost of production with a margin of profit to the producer and the cost of transportation and exchange with a margin of profit to those engaged in it.

This is the necessary margin of profit. Prices can not fall below this without the cessation of permanent production and all above it is the margin of speculative profit by middlemen and has no real or proper relation to reasonable and fair prices.

It is certainly legitimate and perhaps beneficial that this system of fixing prices by natural causes should be supplemented by the competition between buyers for speculative reasons; but unquestionably it ought not to be allowed that they shall be influenced in any way by the fictitious sale and purchase and the fictitious delivery of vast amounts of these staples not in existence, thus giving a power to great centralized organisms to create an opinion unfavorable to the value of these great staples while in the hands of the producer.

We will suppose that some men who speculate or deal in cotton are of the opinion that the supply of cotton will be very short, and the price rule high; other men are of the opinion that it will rule low.

The men who think cotton will rule high will agree to buy on future delivery, and the men who think it will rule low will agree to sell for future delivery, and if the opinions of all these men were fairly collected every day and sent out they would be nearly equal, and the producers in the country having cotton might properly say opinions are even and nothing can be seen from them as to the effect of these opinions on prices to-morrow. But the fact is that these reports of the sales for future delivery made in the great exchanges of the world must have an effect in fixing the price for both present and future actual delivery.

If I want to buy any staple for future use, and I find that the prevailing rate for future pretended delivery is a certain rate, I will not give a larger price than the prevailing rate for future delivery, especially when a powerful corporation guarantees the difference between the exchange price for future deliveries and the contract price, whatever it may be. Is not the contract price in the exchanges of the world for futures entirely within the control of combinations between the great operators on these boards and subject to be fixed by them arbitrarily and in their own interest, and with reference only to getting these staples out of the hands of the producer before the law of supply and demand shall have increased their value to the natural and legitimate price?

This seems to be the necessary, logical, and inevitable conclusion.

If it be true, if it be possible, if it be probable, it requires of intelligent legislation that all the power of intellect and research should be addressed to its prevention, for it means nothing more nor less than that a power to fix the value of each man's labor; and the amount that he shall receive for his compensation and for the support of his family is left to those whose interest it is to impoverish him, leaving him only the bare necessities of life.

If this be true, let us inquire, then, how long can the producers stand a system in which a scant and insufficient share to support life of the proceeds of their own labor is assigned to them by an arbitrary power which appropriates the greater part to their own enormous enrichment?

The answer, Mr. President, is not difficult to find. It will only be until the conviction of the fact becomes general. Then their indignation will know no bounds, and may become dangerous to peace and good order unless wise legislation shall remedy the evil here and now. Under all conditions that have been heretofore devised the producer has been at a great disadvantage in the sale of his productions. The progress of poverty has kept pace with the discovery of labor-saving inventions and with the improvements in transportation and the new methods of sale and distribution.

The increase of corporate property and wealth has kept pace

with the decrease of the individual ownership of land and property by the great body of the people.

Discontent, dissatisfaction, wild schemes of agrarian legislation and of socialistic systems, misleading the people, are the results of this impoverishment, this arbitrary diminution of the value of each man's labor, this taking from him for the enrichment of others under commercial processes and systems a larger share of his labor than is necessary for its just and proper exchange.

Vast burdens of debt have been created on the producers, and their creditors are the men who produce nothing, but handle the results of their labors.

The lives of the great mass of the people grow harder every day. There is something wrong in our industrial economy. The people demand of us that we shall at least endeavor to find and remedy it.

Therefore, Mr. President, this legislation, however imperfect and tentative it may be, is in the line of the demand of the people and of public opinion. They believe, as I think, that it is progress in the industrial economy, in the line of the preservation of private property and of our existing institutions, that corporate power may exist and yet be subject to control and limitation. In my judgment, they are not to be deluded with the idea that the limitations of power in the Federal Constitution prevent the representatives of the States and the people from exercising such power and effecting such legislation as shall be adequate to their protection against any evils which threaten the destruction of the commerce of this country.

I, therefore, Mr. President, am in favor of the principle of the bill, and shall vote first for the amendment of the Senator from Mississippi.

Mr. PLATT. It occurs to me that this matter now under discussion is of sufficient importance so that at least an eighth or a tenth of the Senate should listen to the discussion. I suggest the want of a quorum.

The VICE-PRESIDENT. The roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	George,	Mills,	Squire,
Berry,	Gibson,	Palmer,	Stewart,
Brice,	Gordon,	Peller,	Stockbridge,
Butler,	Hansbrough,	Pettigrew,	Vandoe,
Caffery,	Harris,	Platt,	Voorhees,
Call,	Higgins,	Power,	Ward,
Chandler,	Hill,	Pugh,	Walthall,
Coke,	Hoar,	Quay,	Washburn,
Dixon,	Huntin,	Ransom,	White,
Dolph,	Jones, Ark.	Sawyer,	Wilson,
DuBois,	McMillan,	Sherman,	
Gallinger,	McPherson,	Shoup,	

Mr. TELLER. My colleague [Mr. Wolcott] is detained at home by sickness.

Mr. CHANDLER. I wish to announce that the Senator from Illinois [Mr. Cullom] is detained from the Senate by sickness.

Mr. CALL. I wish to announce that my colleague [Mr. Pasco] is detained from the Senate on business.

The VICE-PRESIDENT. Forty-six Senators have responded to their names. A quorum is present. The question recurs on agreeing to the amendment proposed by the Senator from Wisconsin [Mr. Vilas].

Mr. HOAR. Let it be read.

The VICE-PRESIDENT. The amendment will be read.

The CHIEF CLERK. In section 2, line 15, after the word "thereof," insert:

And does not in good faith intend to purchase and deliver the articles contracted to be sold and delivered according to the terms and requirements of such contract.

So as to read:

That for the purposes of this act the word "futures" shall be understood to mean any contract or agreement whereby a party contracts or agrees to sell and deliver to another or others at a future time, or within a designated period, any of the articles mentioned in section 3 of this act, which contract or agreement shall be made by the party so contracting and agreeing to sell and make such delivery, or the party for whom he acts as agent, broker, or employee in making such contract or agreement, and not the owner of the article or articles so contracted for, agreed to be sold and delivered, nor shall the future possession of such article or articles make it a contract for the sale and delivery thereof and does not in good faith intend to purchase and deliver the articles contracted to be sold and delivered according to the terms and requirements of such contract.

Mr. WHITE. Mr. President, in the course of the remarks of the Senator from Illinois [Mr. Palmer] the other day I submitted a question as to the operation of this bill unless the amendment be adopted. I now desire to restate that question in as few words as I can, in a plain business way, because I believe that the bill without the amendment will be a bill of penalties against cotton farmers in the Southern States. I think I can demonstrate that in a very few words.

The testimony taken before the two committees on the subject of the fact indubitably that much the larger proportion of the crop



in the Southern country is made by advances obtained from factors for that purpose. Formerly the factor who made the advance was generally a factor living in some center of trade. In the operation of the modern system the advance which is made to make the crop, as a usual rule, in consequence of the great subdivision of land, is made by merchants in the interior towns. Their capital not being adequate to make this advance themselves, the usual form of contract which they make is a contract by which the merchant in the interior town agrees to advance a given sum of money to the cotton-raiser, to enable him to make his crop, stipulating that for a given unit of money advanced a given quantity of cotton shall be shipped to the merchant.

The result of the system is that the money with which the crop is made is obtained immediately by the planter from the interior town, but the money which the merchant in the interior town advances is obtained from a money center. In other words, not having the capital himself to carry on the business, he obtains the money from a money center. Now, how does he obtain it? He takes his contracts. He produces those contracts and he says, "Here I have contracts to advance \$30,000, and as an equivalent of that \$30,000 I am to get what? So many bales of cotton. I wish to borrow the money from you to make this advance." That is the usual and customary form in which cotton is raised in the Southern country. I think there is no misapprehension or mistake about that.

Now, how is the money obtained? When the merchant from the interior town comes in with his contract, the statement is made to him, "I will advance you this money, but the only security outside of your credit that I have is the cotton, and the price the cotton is to sell for becomes a question which I must determine before I can make the advance. If you will allow me to determine that question now, and sell for future delivery at a market which is satisfactory to me so as to insure the price I am to get for the cotton, I will make you the advance." There is not a bank in the Southern country to-day that advances money to the larger factors which has not back of the loans these contracts with the price of the property guaranteed by the sale at the time the contracts are made.

Now, what does this bill provide? The bill does not allow the merchant to sell. That is perfectly plain. The merchant will not be able under the bill to do it. But who under the bill will be able to do it? The farmer. Under this bill the farmer can sell his crop growing and in process of being made.

Therefore the inevitable operation of the bill will be that when the farmer presents himself to get the advance the answer will be, "I can advance you the money, but I can not obtain the money. I am placed in a position where I can sell under the future system in order to guarantee a price which warrants me. I will make you the advance provided you transfer to me your right to sell your crop." This bill allows that.

So the inevitable operation of this section of the bill, unless you put this amendment in it, will be to take from every farmer in the Southern country who goes to borrow \$1 to raise a crop the right to sell that crop at the time of the making of the contract. Therefore, this is a bill to force all the farmers of the Southern country, who are not rich but are poor, to sell their crop while the seed is in the ground and before the germination has taken place, and thus to force them against their will to become speculators in the sale of their crop at the very incipency of the season.

I say this is as plain to me as that two and two make four, and if you pass the bill without allowing the person who has the bona fide intention to purchase and deliver, the necessary operation of the bill will be to force every cotton farmer who has not the money to make his own crop to become a speculator in that crop before the crop is out of the ground, and to dispose of his crop as part of the contract to obtain the necessary advance to make it. Such being the inevitable consequence of this bill unless you adopt that amendment, I beg that the amendment be seriously weighed before it shall be voted down.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Wisconsin [Mr. VILAS], on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. HANSBROUGH (when his name was called). I am paired with the Senator from Montana [Mr. SANDERS]. I transfer that pair to the Senator from Nevada [Mr. JONES], and vote "nay."

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. HILL (when his name was called). I am paired with the Senator from South Carolina [Mr. IRBY]. If he were present I should vote "yea."

Mr. DOLPH (when Mr. MITCHELL'S name was called). My colleague [Mr. MITCHELL] is unavoidably detained from the Senate by an affliction in his family. I have been requested to pro-

cure a pair for him, but I have been unable to learn who is ordinarily paired with him and have been unable to do so upon this vote. If any Senator upon the other side of the question will pair with him, I shall be glad to have him do so.

Mr. HOAR (after having voted in the affirmative). I will cheerfully pair with the Senator's colleague.

Mr. DOLPH. My colleague is in favor of the bill.

Mr. HOAR. Yes; and I am opposed to it.

Mr. DOLPH. That will be satisfactory.

Mr. HOAR. I withdraw my vote.

Mr. PLATT (when his name was called). My colleague [Mr. HAWLEY] is absent, and writes me that as the bill has been amended he is in favor of it. He requests me to obtain a pair for him. I have no doubt that he would vote against the pending amendment, and as I should vote for it, I will pair with him.

Mr. SAWYER (when his name was called). I am paired with the Senator from Minnesota [Mr. DAVIS] on the bill and all amendments.

Mr. SQUIRE (when his name was called). I am paired with the Senator from Virginia [Mr. DANIEL] and therefore withhold my vote.

Mr. VEST (when his name was called). I am paired with the Senator from Kansas [Mr. PERKINS]. If he were present I should vote "yea" and he would vote "nay."

Mr. WILSON (when his name was called). Upon this question I am paired with the Senator from Virginia [Mr. DANIEL]. Otherwise I should vote "nay."

The VICE-PRESIDENT. The Senator from Washington [Mr. SQUIRE] has announced a pair with the Senator from Virginia [Mr. DANIEL].

Mr. WILSON. Although I have a general pair with the Senator from Georgia [Mr. COLQUITT], I am advised if he were present he would vote "nay." I will therefore vote. I vote "nay."

Mr. TELLER (when Mr. WOLCOTT'S name was called). My colleague [Mr. WOLCOTT] is detained from the Senate by sickness. I will pair with my colleague. I should vote "nay," and if he were present he would vote "yea."

The roll call was concluded.

Mr. DIXON. My colleague [Mr. ALDRICH] is absent unpaired. I suggest to the Senator from Missouri [Mr. VEST] that he transfer his pair with the Senator from Kansas [Mr. PERKINS] to my colleague.

Mr. VEST. Very well; I vote "yea."

Mr. BUTLER. I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. GORDON. I am paired with the Senator from Wyoming [Mr. WARREN], but I understand that if he were here he would vote "nay," and I will therefore vote. I vote "nay."

Mr. CARLISLE. I am paired on the bill and all amendments with the Senator from North Dakota [Mr. CASEY]. If he were present I should vote "yea."

Mr. SQUIRE. I announced my pair with the Senator from Virginia [Mr. DANIEL], but I understand a different arrangement has been made, and that the Senator from Iowa [Mr. WILSON] is paired with that Senator.

The VICE-PRESIDENT. The Senator from Washington correctly stands paired with the Senator from Virginia [Mr. DANIEL].

Mr. SQUIRE. I should vote "nay" if I were not paired. However, my pair with the Senator from Virginia only applies to the main question.

Mr. JONES of Arkansas (after having voted in the affirmative). I have a general pair with the Senator from New York [Mr. HISCOCK]. I have just voted, and I take the liberty of transferring my pair to the Senator from Florida [Mr. PASCO].

Mr. CALL. I wish to announce that my colleague [Mr. PASCO] is paired on this amendment with the Senator from New York [Mr. HISCOCK]. If my colleague were present he would vote "nay."

Mr. GORMAN (after having voted in the affirmative). I have a general pair with the Senator from Maine [Mr. FRYE]. Notice his name is not recorded, and I withdraw my vote.

The result was announced—yeas 12, nays 33, as follows:

YEAS—12			
Caffery	Jones, Ark.	Palmer	Vest
Dixon	McPherson	Power	Vilas
Gibson	Mills	Stewart	White
NAYS—33			
Allison	Dolph	Kyle	Stockbridge
Berry	Driggs	McMillan	Vane
Blackburn	Gallinger	Manderson	Voorhees
Call	George	Morgan	Walthall
Carey	Gordon	Puffer	Washburn
Chandler	Hale	Pugh	Wilson
Cockrell	Hansbrough	Quay	
Coke	Higgins	Ransom	
Dawes	Hunter	Sherman	

Aldrich,	Daniel,	Hoar,	Sanders,
Allert,	Davis,	Irby,	Sawyer,
Bate,	Faulkner,	Jones, Nev.	Shoup,
Blodgett,	Felton,	Mitchell,	Squire,
Brice,	Frye,	Morrill,	Stanford,
Butler,	Gorman,	Paddock,	Teller,
Cameron,	Gray,	Paseo,	Turpie,
Carl-Je,	Harris,	Perkins,	Warren,
Casey,	Hawley,	Pettigrew,	Wolcott,
Colquhitt,	Hill,	Platt,	
Cullom,	Hiscock,	Proctor,	

the making thereof shall not be reported by the collector of internal revenue as required by section 9, and it shall come to the knowledge of such collector or he shall have reasonable cause to believe that the party by whom such contract or agreement was made as vendor was not, at the time of the making thereof, the owner of the article or articles which were the subject embraced in, or covered by such contract or agreement, and had not then acquired, and was not then entitled to the right to the future possession of such article or articles under and by virtue of a contract or agreement for the sale and future delivery thereof previously made by the owner of such article or articles, it shall be the duty of such collector to require the party who shall have made such contract or agreement as vendor to forthwith furnish to the collector proof of such vendor's ownership, or right to the future possession of the article or articles so embraced in, or covered by such contract or agreement, and said party shall be required to make, and file with such collector, an affidavit, in writing by whom the said article or articles were owned at the time said contract or agreement was made, and, if affidavit was not made by said owner, whether at the time of making such contract or agreement said owner was entitled to the right to the future possession of said article or articles, and how such right was acquired. Such affidavit shall also state the warehouse, elevator, or other place where said article or articles are stored or, if the same be then in the possession of a vessel, railroad, or other carrier for transportation, the name of such vessel, railroad, or carrier, and the number and date of each separate bill of lading or receipt issued by such vessel, railroad, or carrier thereof, and the amount or quantity of such article or articles called for by such bill of lading or receipt.

YEAS 11			
Brice	Hill	Pugh	White
Caffery	James Ark	Sawyer	
Dixon	Mills	Stewart	
Gibson	Palmer	Vest	

NAYS 12			
Allison	Dawes	Hunter	Swain
Berry	Dubois	Ryan	Swain
Backbun	Felton	M. Mason	Trotter
Call	Krye	M. Mason	Ward
Carey	Gallinger	Pope	Ward
Chandler	George	Pope	Ward
Cockrell	Gordon	Quinn	Ward
Coke	Hansbarger	Sullivan	Ward

Aldrich	Common	Deer	Gray
Allen	Caribou	Deer	Horn
Batey	Cass	Deer	Horn
Blodgett	Copied	Deer	Horn
Butler	Cullen	Deer	Horn

Hiscock,	Morgan,	Platt,	Turpie,
Hoar,	Morrill,	Pringle,	Vilas,
Irby,	Padlock,	Ransom,	Warren,
Jones, Nev.	Pasco,	Sanders,	Wheeler,
McPherson,	Perkins,	Shoup,	
Mitchell,	Pettigrew,	Stanford,	

So the amendment was rejected.

Mr. GEORGE. All of the amendments to perfect the bill having been disposed of, I offer an amendment to strike out all after section 3 of the bill, except the last section, which refers to the time when the bill is to go into operation, and insert in lieu of the part proposed to be stricken out that which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to strike out, beginning with section 4 to the close of section 14 of the bill, and insert:

SEC. 4. That "options" and "futures," as hereinbefore defined, are hereby declared to be obstructions to and restraints upon commerce among the States and with foreign nations, and to be illegal and void; and if any person shall be a party either as buyer or seller, to any contract or agreement hereinbefore defined as "options" or "futures," he shall be deemed guilty of a misdemeanor, and on conviction thereof in either the proper district or circuit court of the United States shall be fined for every such offense in a sum not less than the whole sum paid or agreed to be paid or received or agreed to be received on any such contract, if the sum shall amount to as much as \$1,000; but if the said sum shall not amount to \$1,000 then he shall be fined \$1,000 and in addition thereto shall be imprisoned for a period not less than one year nor more than five years; and every distinct contract shall constitute a separate offense of the seller and also of the buyer.

SEC. 5. That any merchant or other exchange, board, or other association in or through which "options" or "futures" or both shall be made, encouraged, settled, regulated, or adjusted are hereby declared to be unlawful combinations to obstruct commerce among the States and with foreign nations. And if it shall appear that any such board, association, or exchange has encouraged, regulated, adjusted, or promoted any such contract or settlement the said board, association, or exchange shall be subject to proceedings to be instituted in the circuit court of the United States by bill in equity, by which such action of such combination or exchange, or by any member thereof, shall be enjoined. Such proceedings shall be commenced by the proper district attorney of the United States or the Attorney-General whenever there shall be reasonable ground to suspect that any such board, association, or exchange has violated this section. Such proceedings may also be instituted and maintained by any private person or persons on leave of the court first had and obtained; and it shall be the duty of the court to grant such leave upon proof made by affidavit that there is reasonable ground to believe that any such board, association, or exchange has violated this section. In cases of such suits by a private party or parties the proceedings shall be in the name of the United States on the relation of such private party or parties. In case such proceedings are successful the court shall adjudge to the relator or relators full costs and also full attorney's fees for prosecuting such suit, together with reasonable compensation for his or their time spent and expenses incurred in and about said suit. But such suit at the relation of a private party shall be subject to the control of the district attorney or Attorney-General.

SEC. 6. That any person who shall, in the United States, by letter or telegram or other communication sent from the United States to any foreign country, or by an agent, resident in a foreign country, enter into any contract hereinbefore described as "options" or "futures," or who shall do any other act tending and encouraging the making of such contract in any foreign country, or shall, in the United States, perform any such contract or pay any damages for non-performance, or do any act in part performance of such contract or in part satisfaction of such damage, shall be deemed guilty of a misdemeanor and be triable and punishable as provided for in section 4 of this act.

SEC. 7. That any contract herein defined as "options" or "futures," when made outside the jurisdiction of the United States, shall be held utterly null and void when attempted to be enforced in any court of the United States.

SEC. 8. That when any money or other valuable thing has been paid or delivered on any contract herein prohibited, or in satisfaction of any damages or any part of the damages claimed from a breach of any such contract, the title to such money or other valuable thing shall be held as not having been passed by such delivery or payment, and the same may be recovered back in the proper district or circuit court of the United States at the suit of the party making such delivery or payment, or by his legal representatives, if he be dead, and shall be subject to his creditors as his other property; and there shall be no defense against any such proceeding by a creditor to subject said money or property to his debt arising out of any transaction between the parties to such payment or delivery, except the actual and bona fide return of the money paid or thing delivered before such proceeding had been commenced.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Mississippi [Mr. GEORGE].

Mr. VEST. Mr. President, at the last session I expressed my opinion in regard to this bill, and directed my remarks principally to the measure as it came from the House of Representatives. I do not understand that there is any difference of opinion between the mover of the pending amendment and myself in regard to the palpable unconstitutionality of the bill as it came from the House of Representatives. It is now sought by the commerce clause of the Constitution, as it is termed, to evade the constitutional argument against the measure as it came from the coordinate branch of Congress, and to invoke the police power under the commerce clause directly to do away with the evil which is denounced.

The Supreme Court in 116 United States Reports, in the *Errol* case, which has been frequently quoted here in debate, defines so clearly and distinctly the meaning of commerce among the States that it is not necessary to do more than refer to that lucid opinion delivered by Mr. Justice Bradley. The highest judicial tribunal in the country then declared—and I take it that no intelligent lawyer will for an instant doubt the correctness of the decision—that commerce among the States began from the time

the goods or the products of a State or Territory were delivered to the agent of transportation to be carried to another State or Territory.

The point decided in that opinion, the leading case upon the question, is that when the goods or products were upon their way from the place of actual production to the depot or the pier or the wharf where the transit commenced they were still within the police power of the State and subject to taxation by the State or Territorial authorities, and that not until those goods or products were actually delivered to the boat or the railroad or other agent of transportation, to be carried outside of that territorial jurisdiction—not till then did the Federal authority commence. The language of the Supreme Court, which I quote exactly, is that until that time these goods or products are exclusively within the jurisdiction of the State.

How is it possible, if this be so, that the power to regulate commerce among the States and with foreign countries can attach to these products within the States? The amendment of the Senator from Mississippi [Mr. GEORGE] affects a transaction in the State of Missouri as to a product of the soil of Missouri, between citizens of Missouri, and without any contemplation by either of the parties that the goods should ever pass out of the territorial limits of the State.

It is said that Congress has the exclusive power to declare what is an obstacle to commerce among the States and with foreign countries and that this power is above and beyond the construction of the Supreme Court of the United States and in itself perfect and absolute. Mr. President, if that be so, absolute power, then, exists in the Congress of the United States to declare, however monstrous and indefensible the proposition may be, that any practice or pursuit in any State of this Union is an obstacle to commerce, and the Supreme Court is inhibited from making inquiry and deciding upon the truth of that fact.

Is it possible that it is seriously contended now in the Senate of the United States that this absolute power upon the part of Congress is vested in this body by the Constitution?

In the case of the *Loan Association vs. Topka*, in 20 Wallace, Mr. Justice Miller declared that nowhere in any Department of the United States Government was there vested unlimited power. This is a Government of limitation; it is a Government entirely antagonistic and antipathetic to absolutism. Our fathers in vain suffered to establish a free Government if now the doctrine is to be asserted successfully, that either in the executive, legislative, or judicial department is there absolute power or discretion without limitation.

If this doctrine now asserted be true, what is the monstrous conclusion? I belong to a party which has always held from the days of the old struggle between John Adams and Thomas Jefferson that this is a Government of limitations; that the powers granted to the States were vested entirely in the States, and those given by the States to the General Government were to be strictly but fairly construed. What is the monstrous conclusion if this new doctrine be correct? Congress may take from the States all the reserved police powers; Congress, if it can adopt this amendment, may declare properly that the retail of alcoholic liquors in any State is an obstacle to commerce; that opium joints constitute an obstacle to commerce; that ordinary gambling, such as faro banks and roulette and other devices, constitute an obstacle to commerce.

Mr. HOAR. And horse races.

Mr. VEST. If this be so, Congress may declare that all these diminish the absolute products of a State or community, and therefore diminish the volume of commerce among the States and with foreign countries. If such a bill, so monstrous and unconstitutional, should be presented to the Supreme Court of the United States, according to the doctrine now advanced that Court would be compelled to say that Congress had passed upon this question, and we can go no further in this inquiry.

Mr. President, it seems to me that the statement of the proposition is an absolute and irresistible refutation of it. The police powers, which every lawyer on both sides of this Chamber knows are reserved to the States, which not a delegate in the Federal Constitutional Convention of 1789 would ever have thought for one minute of giving to the Federal Government, are here, under the guise of protecting commerce among the States and with foreign countries, to be exercised by Congress in the States. If this doctrine be true, there are no rights in any State; Congress is supreme; Congress is absolute in its power. As a matter of course, if any individual or any State or Territory should put an obstacle in the way of commerce among the States, a physical obstacle or an obstacle in the nature of State or Territorial legislation, it would be unconstitutional, because an invasion of the jurisdiction given alone to the Congress of the United States to regulate commerce with foreign countries and among the States.

If an individual or an association of individuals should undertake by force to prevent the agencies of transportation from going

on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. SHERMAN presented petitions of the boards of health of Medina, Oberlin, Montpelier, Pistoria, Bowling Green, Ada, New Concord, Gallipolis, Greenville, Painesville, Amelia, Wadsworth, Ravenna, East Liverpool, and Massillon, all in the State of Ohio, praying for the adoption of a national quarantine and the suspension of immigration until the quarantine defenses of the country shall be placed in a condition to guarantee protection from contagious diseases; which were ordered to lie on the table.

He also presented a petition of Goodwill Council, No. 178, Junior Order United American Mechanics, of Gnadenhuttchen, Ohio, praying for the passage of legislation providing for the further restriction of immigration; which was ordered to lie on the table.

He also presented a petition of the Ohio State Agricultural Convention, praying for the passage of the Washburn-Hatch antioption bill; which was ordered to lie on the table.

He also presented a petition of the Board of Trade of Dayton, Ohio, praying for the repeal of the silver-purchase act of 1890; which was referred to the Committee on Finance.

Mr. McMILLAN presented a petition of 55 citizens of Escambia, Mich., praying for the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. COCKRELL presented a memorial of members of the East Sedalia (Mo.) Baptist Church, and citizens of Sedalia, Mo., remonstrating against the repeal of the present law closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. KYLE presented the petition of J. W. Ryan and other citizens of Sturgis, S. Dak., praying for the repeal of the law closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. PETTIGREW presented memorials of the Methodist Episcopal Church of Mitchell, of the Young Men's Christian Association of Davison County, and of H. J. Johnson and other citizens of Salem, all in the State of South Dakota, remonstrating against the repeal of the law closing the World's Columbian Exposition on Sunday, and praying that the sale of intoxicating liquors be prohibited thereat; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented petitions of Thomas Carr and other citizens of Faulkton, of M. O. Thompson and other citizens of Sioux Falls, and of John R. Weeks and other citizens of Yankton, all in the State of South Dakota, praying for the repeal of the law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. ALDRICH presented a petition numerously signed by bankers and merchants of Providence, R. I., praying that the purchase of silver under the act of July 14, 1890, be discontinued; which was referred to the Committee on Finance.

Mr. SAWYER presented petitions of the Bankers' Association of Superior, Wis., and of the Merchants' Association of Milwaukee, Wis., praying for the repeal of the so-called Sherman silver act; which were referred to the Committee on Finance.

Mr. DOLPH. I present a petition of State and county officers of Oregon, praying for an extension of time for settlers to make proof and payment for forfeited railroad lands, the same subject-matter upon which I presented a memorial of the Legislature of Oregon on yesterday. As I intend this morning to report a bill granting this extension, and hope to secure its immediate consideration, I move that the petition lie on the table.

The motion was agreed to.

Mr. DOLPH presented the petition of J. B. Luse and sundry other citizens of Marshfield, Oregon, praying for the repeal of the law closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. FELTON presented a petition of the Legislature of California, praying for the passage of House bill 9283 creating the California debris commission, and regulating hydraulic mining in that State; which was referred to the Committee on Mines and Mining.

Mr. VEST presented the memorial of P. F. Tomlinson and other citizens of Sedalia, Mo., remonstrating against the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. QUAY presented memorials of the Wylie Memorial Presbyterian Congregation of Philadelphia; of the Ministerial Association of Harrisburg; of the Woman's Christian Temperance Union of Sharon; of the United Presbyterian Church of Claysville; of the Methodist Episcopal Congregation of New Bedford, and of the Chestnut Level Congregation, all in the State of

Pennsylvania, remonstrating against the repeal of the law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Merchant Tailors' Exchange of Beaver Valley, Pa., praying for the passage of House bill 5353 limiting the free entry of wearing apparel of foreign manufacture; which was referred to the Committee on Finance.

Mr. DUBOIS presented a petition of 12 citizens of Silver City, Idaho, praying for the repeal of the law closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HISCOCK presented the petition of Hermann Hesser and other citizens of New York City, praying for the repeal of the law closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. COCKRELL. I present a petition expressing the wish that the World's Fair be opened on Sunday, it being the petition of citizens of the State of Missouri, chiefly residents and citizens of Kansas City, Mo. This is what is upon the back of the petition, and I found it upon my desk. Upon a very casual observation I see that it is signed by citizens of Illinois, Kansas, Louisiana, Indiana, Ohio, Massachusetts, New York, California, Texas, Wisconsin, Michigan, New Mexico Territory, and one citizen of China—a "heavenly Chinese." As I stated, the petition prays for the opening of the World's Columbian Exposition on the Sabbath. I move that it be referred to the Committee on the Quadro-Centennial (Select).

The motion was agreed to.

Mr. VEST presented a petition of citizens of Olivette, Central, and Stratman, all in the State of Missouri, praying for the quiet opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. MITCHELL presented the petition of Thomas J. Cole, pastor of Trinity Church, E. L. Stuart, H. D. Heham, A. Friedberg, and 40 other citizens of Portland, Oregon, praying for the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of W. B. Steele and 90 other citizens of Portland, Oregon, praying for the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. MILLS presented a memorial of 15 citizens of Hallettsville, Tex., praying for a repeal of the law closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of citizens of Fort Worth, Tex., praying for the passage of legislation opening up the Cherokee Strip to settlement; which was ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. KYLE, from the Committee on Education and Labor, to whom was referred the joint resolution S. R. 119 extending the powers of the United States Government Exhibit Board, reported it without amendment.

Mr. PETTIGREW, from the Committee on Indian Affairs, to whom was referred the bill S. 3459 to secure the relinquishment of the Indian title to a portion of the Pyramid Lake Reservation, in Nevada, and to the entire Walker River Reservation in said State, and for other purposes, reported it without amendment.

#### SETTLERS ON FORFEITED RAILROAD LANDS.

Mr. DOLPH. By direction of the Committee on Public Lands, I report back favorably with an amendment the bill S. 3381 to amend an act entitled "An act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads and for other purposes." The bill is endorsed by every member of the committee. It relates to the matter of extending for settlers upon forfeited railroad lands the time in which to make proof for the lands. It will only affect those who by misfortune at the failure of crops have been unable to meet the requirements and pay for their lands by the 1st of February next, and it extends the time until the 1st of January, 1894, when the bill is amended, to give them an opportunity to secure their lands. The bill is unanimously reported and is recommended by the Secretary of the Interior and the Commissioner of the General Land Office in the correspondence which I have attached to my brief report. I ask that the bill be taken up for consideration. I do not think any one will object to it.

Mr. COCKRELL. Let it be read for information.

Mr. HOAR. To what lands does the bill relate?

Mr. DOLPH. The bill relates simply to persons who have purchased lands of the railroad company and have not made proof

owing to the failure of crops some of them were unable to pay for their lands in the time prescribed.

Mr. HOAR. In what State?

Mr. DOLPH. The Senator from Louisiana [Mr. WHITE] intends to offer an amendment confining the bill to the State of Oregon or to the railroad lands from Wallula, Wash., to Portland, Oregon, to which I have no objection; but I do not like to ask for that myself.

Mr. HOAR. Is it proposed to be a general law?

Mr. DOLPH. Let it be read and it will be explained.

Mr. HOAR. Let the bill be read.

Mr. SHERMAN. When does the time expire?

Mr. DOLPH. The time expires the 3d of February. Nobody will object to the bill when it is read. Let it be read.

The bill was read, and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the Committee on Public Lands was in line 9, after the word "section," to strike out the words "at any time within four years from the passage of said act," and insert "to January 1, 1891," so as to make the bill read:

*Be it enacted, etc.*, That section 3 of an act entitled "An act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes," be, and the same is, amended so as to extend the time within which persons entitled to purchase lands forfeited by said act shall be permitted to purchase the same in the quantities and upon the terms provided in said section to January 1, 1891.

Mr. DOLPH. The amendment extends the time for a portion of the settlers on the land from September next until the 1st of January, and for others from either February or March next to the 1st of January in either case a part of the year. As stated in the memorial of the Oregon Legislature there was an entire failure of the crop in that section last year and the people have had to borrow money even to get seed to reseed their land. The object is to give the settlers the advantage of another crop to save their land.

Mr. HALE. Is the bill limited to the State of Oregon?

Mr. DOLPH. The Senator from Louisiana proposes to offer an amendment to limit it.

Mr. WHITE. I have not yet prepared the amendment.

Mr. DOLPH. If it is desired I will state the amendment.

Mr. WHITE. Very well.

The VICE-PRESIDENT. The question is first upon agreeing to the amendment of the committee.

The amendment was agreed to.

Mr. DOLPH. After the word "act" in line 7 I propose to insert:

Upon the line of the Northern Pacific Railroad Company between Wallula, Wash., and Portland, Oregon.

The object is to limit the bill if that is the desire. I did not like to ask for the passage of a special act. If the Senator from Louisiana offers that amendment I will consent to it.

Mr. WHITE. I offer that as an amendment to the bill.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Louisiana.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### COINAGE OF SILVER.

Mr. SHERMAN. I am directed by the Committee on Finance to report back with amendments the bill (S. 3123) for the repeal of certain parts of the act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes, approved July 14, 1890. I ask to have it read.

Mr. HOAR. Let the bill be read in full and the amendments in full.

The VICE-PRESIDENT. The bill will be read if there be no objection.

The Secretary read the bill, as follows:

*Be it enacted, etc.*, That so much of the act entitled "An act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes," approved July 14, 1890, as directed the Secretary of the Treasury to purchase from time to time silver bullion to the aggregate amount of 1,500,000 ounces, or so much thereof as may be offered in each month at the market price thereof, and to issue in payment for such purchases of silver bullion Treasury notes of the United States, is hereby repealed, to take effect on the 1st day of January, 1891: *Provided*, That this act shall not in any way affect or impair or change the legal qualities, redemption, or use of the Treasury notes issued under said act.

Mr. PLATT. What are the amendments?

Mr. SHERMAN. Let the Secretary read the amendments proposed by the committee.

The VICE-PRESIDENT. The amendments of the committee will be stated.

The SECRETARY. In line 13, after the word "ninety," strike out "three" and insert "four;" so as to read:

Is hereby repealed, to take effect on the 1st day of January, 1891

Insert a new section, as follows:

SEC. 2. That upon any deposit already or hereafter made of any United States bonds bearing interest in the manner required by law, any national banking association having made or making the same shall be entitled to receive from the Comptroller of the Currency circulating notes of different denominations, in blank, registered, and countersigned as provided by law, not exceeding in the whole amount the par value of the bonds deposited: *Provided*, That at no time shall the total amount of such notes issued to any such association exceed the amount at such time actually paid in of its capital stock.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

#### AGRICULTURAL COLLEGE LANDS.

Mr. HUNTON. I am directed by the Committee on Education and Labor, to whom was referred the joint resolution (S. R. 121) authorizing payment, under the act of August 30, 1890, to the State of Virginia, upon the assent of the governor, heretofore given, till adjournment of next session of the Legislature thereof, to report it back with a favorable recommendation, and I am further instructed by the committee to ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The preamble recites that the recent Legislature of Virginia, through a misunderstanding with the Department of the Interior, adjourned without giving the assent required by the act of Congress approved August 30, 1890, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges of agriculture and the mechanic arts, established under the provisions of an act of Congress approved July 2, 1862."

The joint resolution provides that payments from the appropriation of the act may continue to be made to the State of Virginia, upon the assent of the governor, heretofore given, till the adjournment of the next regular session of the Legislature of the State.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

#### REMOVAL OF ICE IN POTOMAC RIVER.

Mr. McMILLAN. I am instructed by the Committee on the District of Columbia to report a joint resolution making an appropriation of \$5,000 for the clearing of the Potomac River of ice, and to ask for its immediate consideration.

The joint resolution (S. R. 135) making an appropriation of \$5,000 for clearing the Potomac River of ice was read the first time by its title and the second time at length, as follows:

*Be it enacted by the Senate and House of Representatives, etc.*, That \$5,000, or as much thereof as may be necessary, payable from any money in the Treasury not otherwise appropriated and from the revenues of the District of Columbia in equal parts, to be immediately available, is hereby appropriated, to enable the Commissioners of the District of Columbia to hire boats for the purpose of clearing the Potomac River of ice within the District of Columbia.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### FORT BRIDGER MILITARY RESERVATION.

Mr. CAREY. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 3063) to provide for the disposal of the Fort Bridger abandoned military reservation, in the State of Wyoming, to report it favorably without amendment. I ask for its present consideration of the bill.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to make subject to disposal, under the homestead law only, all public lands now remaining undisposed of within the abandoned military reservation in the State of Wyoming known as the Fort Bridger military reservation. Actual occupants thereon upon the 1st day of July, 1892, shall have the preference right to make one entry, not exceeding one quarter-section, under existing laws, if qualified, which shall include their respective improvements. Any of such lands as are occupied for town-site purposes and any of the lands that may be shown to be valuable for coal or minerals shall be disposed of as now provided for lands subject to entry and sale under the town-site, coal, or mineral-land laws, respectively.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### MAIL BOXES.

Mr. SAWYER. From the Committee on Post-Offices and Post-Roads I report back favorably without amendment the bill

ports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 3359) donating a Napoleon gun to the Society of the Sons of the Revolution of Pennsylvania;

A bill (S. 2767) to deliver to the State of Colorado certain guns; and

A bill (S. 2687) authorizing the Secretary of War to issue to the governor of Colorado four 3-inch Roman guns in exchange for two brass Napoleon guns.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 5049) to remove the charge of desertion against Lucius L. Dyer, reported it with amendments.

Mr. VILAS, from the Committee on Claims, to whom was referred the bill (S. 3181) for the relief of Luster P. Chester and Freeland Chester, and Luster P. Chester and Freeland Chester, executors of Thomas R. Chester, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. DOLPH, from the Committee on Foreign Relations, to whom was referred the bill (S. 3555) for the relief of George W. Jones, reported it with amendments.

Mr. CULLOM, from the Committee on Interstate Commerce, to whom the subject was referred, reported a bill (S. 3724) to amend an act entitled "An act to regulate commerce," approved February 4, 1887; which was read twice by its title.

Mr. CAMERON, from the Committee on Military Affairs, to whom was referred the bill (H. R. 739) for the relief of James A. Finley, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 5649) for the relief of Lieut. F. W. Davis, and granting him an honorable discharge, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 4758) for the relief of Charles E. Houston, reported it with an amendment, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Military Affairs, reported favorably three amendments intended to be proposed to the Army appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

#### BUOYAGE IN LAKE MICHIGAN.

Mr. CULLOM. I report back from the Committee on Commerce favorably, without amendment, the bill (S. 3707) making an appropriation for establishing buoyage on the water front of Chicago, Lake Michigan, Illinois. As it is a very short bill and one about which I think there will be no controversy, I ask that it be now considered.

Mr. SHERMAN. Let it be read for information.

The Chief Clerk read the bill, as follows:

*Be it enacted, etc.,* That the sum of \$24,500 or so much thereof as may be necessary, be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of establishing proper buoyage on the water front of Chicago, Lake Michigan, Illinois.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. CULLOM. I will state that this appropriation is regularly estimated for, and it is a very important one to be made.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 6797) to authorize the construction of a bridge across the Cahawba River, in Bibb County, Ala., by the Montgomery, Tuscaloosa and Memphis Railway;

A bill (H. R. 9053) to punish trespassers on the lands of either of the five civilized tribes;

A bill (H. R. 9069) for the further continuance of the publication of the Supplement to the Revised Statutes of the United States;

A bill (H. R. 9610) to amend section 1014 of the Revised Statutes of the United States, relating to offenses against the United States;

A bill (H. R. 9611) to amend section 847 of the Revised Statutes of the United States, relating to commissioners' fees;

A bill (H. R. 9612) to amend section 833 of the Revised Statutes of the United States, relating to semiannual returns of fees by district attorneys, marshals, and clerks;

A bill (H. R. 9613) to amend section 828 of the Revised Statutes of the United States, relating to clerks' fees;

A bill (H. R. 9979) to regulate the right of appeal in certain cases; and

A bill (H. R. 10062) to authorize the construction of a bridge across the Oage River between the mouths of the Pomme de Terre River and Buffalo Creek, in Benton County, Mo.

The message also announced that the House had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1497) to provide a permanent system of highways in that part of the District of Columbia north of the city, further insisted upon its amendments to the bill, and a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HAZARD, Mr. TOLSON, and Mr. POST managers at the conference on the part of the House.

The message further announced that the House had passed the bill (S. 3581) to amend the proviso to be found in section 501 with the free-delivery service, page 509, twenty-fourth volume, Statutes at Large.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were then signed by the President *pro tempore*:

A bill (H. R. 6969) for the relief of Edisha Brown;

A bill (H. R. 3576) for the relief of R. S. Jenkins, postmaster at Marshall, Tex.;

A bill (H. R. 484) to authorize the Secretary of War to convey to school district number 412, of Kithery, Me., a portion of Fort McClary military reservation, in exchange for other land; and

A bill (S. 1492) to remit the penalties on the light-house steamer Pausy.

#### BILLS INTRODUCED.

Mr. McMILLAN introduced a bill (S. 3735) to amend an act entitled "An act to provide for semiannual statements by foreign corporations doing business in the District of Columbia," approved July 29, 1892; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PETTIGREW introduced a bill (S. 3736) requiring the Secretary of the Treasury to secure a bond from the corporation known as the World's Columbian Exposition before the coins provided for by chapter 381, Statutes of the United States, first session, Fifty-first Congress, are delivered to said corporation; which was read twice by its title, and referred to the Committee on the Quadro-Centennial Select.

Mr. CAMERON introduced a bill (S. 3737) to prevent desertions from the Navy, and for other purposes; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. SAWYER introduced a bill (S. 3738) granting a pension to Fred S. Chamberlain; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 3739) granting a pension to Miss Sara B. Stebbins; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 3740) for the relief of S. J. Black and A. P. Bauman, of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. TELLER introduced a bill (S. 3741) to submit to the Court of Private Land Claims, established by an act of Congress approved March 3, 1891, the title of William McGarrhan to the Rancho Panoche Grande, in the State of California, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. COCKRELL introduced a bill (S. 3742) granting a pension to Evans Ewing; which was read twice by its title, and referred to the Committee on Pensions.

#### SALE OF COLUMBIAN STAMPS.

Mr. WOLCOTT. I desire at this time to introduce a joint resolution, and I ask its immediate consideration, if there is no objection. It is very short.

The joint resolution (S. R. 137) instructing the Postmaster-General to discontinue the sale of so-called Columbian stamps was read the first time by its title, and the second time at length, as follows:

*Resolved, That the Postmaster-General of the United States be instructed to discontinue the sale of the so-called Columbian stamps, except to such persons as may specially call for them, and be instructed to continue to keep on sale the ordinary postage stamps, and to retire the printing of the so-called Columbian stamps.*

The PRESIDING OFFICER. Mr. HAY. I am glad to hear. The Senator from Colorado asks unanimous consent of the Senate for the consideration of the joint resolution at this time.

Mr. WOLCOTT. Mr. President, I apprehend there will be



no objection to the joint resolution. I know of nothing more ridiculous than the great posters which are now being delivered to us as postage stamps, which cover half an envelope, and a few dollars' worth of which would require a dray to carry them from the Senate to one's residence. The old postage stamps were such as met the demand of the public. I apprehend there will be no objection to the joint resolution.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. DOLPH. Let the joint resolution go over. The new postage stamps have been sent to the various postmasters to be sold.

The PRESIDING OFFICER. The joint resolution, being objected to, will go over.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. PETTIGREW submitted an amendment intended to be proposed by him to the sundry civil appropriation bill, the amendment providing that the Secretary of the Treasury shall require bond from the corporation known as the World's Columbian Exposition before the souvenir medals are delivered to it; which was referred to the Committee on the Quadro-Centennial (Select), and ordered to be printed.

Mr. HUNTON submitted an amendment intended to be proposed by him to the District appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. SHERMAN submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PROCTOR submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. TELLER submitted an amendment intended to be proposed by him to the fortification appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. DOLPH. I submit an amendment intended to be proposed to the sundry civil appropriation bill, which I ask to be referred to the Committee on Military Affairs. I call the attention of the Senator from Nevada [Mr. STEWART] to it, and I hope there will be an early report from the committee, so that the amendment may go to the Committee on Appropriations. Let the amendment be read.

The amendment was read, and referred to the Committee on Military Affairs, as follows:

To include the States of California, Oregon, and Nevada for moneys by them expended in the suppression of the rebellion, under the act of Congress approved July 27, 1861, and acts amendatory thereof and supplement thereto, being the sums of money shown by the reports of the Secretary of War to have been paid by said States in the suppression of the rebellion.

To the State of California, the sum of \$2,151,366.56.

To the State of Oregon, the sum of \$224,536.53.

To the State of Nevada, the sum of \$404,049.70.

Mr. DOLPH submitted an amendment intended to be proposed by him to the sundry civil appropriation bill, the amendment proposing to increase the appropriation to carry into effect the Chinese exclusion act; which was referred to the Committee on Foreign Relations and ordered to be printed.

Mr. HAWLEY submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

#### COINAGE OF SILVER.

Mr. WOLCOTT. I submit an amendment intended to be proposed to the bill (S. 3423) for the repeal of certain parts of the act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes, approved July 14, 1890. As the amendment is very brief I ask to have it read.

The amendment was read and ordered to lie on the table and to be printed as follows:

To amend Senate bill 3423, for the repeal of certain parts of the act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes, approved July 14, 1890.

Strike out all after the enacting clause and insert the following:

"That section 3 of the act entitled an 'Act directing the purchase of silver bullion and the issue of Treasury notes thereon, and for other purposes, approved July 14, 1890,' be so amended as to read as follows:

"That the Secretary of the Treasury shall coin the silver bullion purchased under this act as rapidly as possible, after such purchase, into standard dollars, and shall also coin into silver dollars as rapidly as possible all the silver bullion now in the Treasury, purchased under the provisions of said act of July 14, 1890, and any gain or seigniorage arising from such coinage shall be accounted for and paid into the Treasury."

of the Treasury notes thereon, and for other purposes, approved July 14, 1890; which was ordered to lie on the table and be printed.

#### REPORT ON ALASKA SALMON FISHERIES.

Mr. DOLPH submitted the following resolution: which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the Senate a copy of the report of the special agent having in charge the protection of the salmon fisheries of Alaska.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 14th instant approved and signed the following acts:

"An act (S. 3623) to amend the act of March 3, 1873, for the relief of the Columbian University, in the District of Columbia; and

A joint resolution (S. R. 113) providing for the printing of the Agricultural Report for 1892.

#### THE PRESIDENTIAL TERM.

Mr. PEPPER. I gave notice a few days ago that yesterday morning I would ask the consent of the Senate to proceed with my remarks upon Senate joint resolution No. 96, but on account of the adjournment yesterday the opportunity was not afforded me. I beg leave now to renew my request.

The PRESIDING OFFICER (Mr. JONES of Arkansas in the chair). The Senator from Kansas will suspend for a moment. The Chair will ascertain if there is further morning business. Is there further morning business? [A pause.] If not, the Calendar under Rule VIII being in order—

Mr. WASHBURN. I move that the Senate proceed to the consideration of House bill 7845, being the antioption bill.

The PRESIDING OFFICER. The Chair has recognized the Senator from Kansas [Mr. PEPPER], who asks the indulgence of the Senate for the purpose of making some remarks. The title of the joint resolution called up by the Senator from Kansas will be read.

The CHIEF CLERK. A joint resolution (S. R. 96) proposing an amendment to the Constitution of the United States to limit the office of President to one term for each incumbent.

Mr. PEPPER. Mr. President, on the 17th day of July, the subject of the election of the President was again considered, the question being on the proposition that "the national executive" should be "chosen by the National Legislature." The discussion on that day brought out the views of some of the stronger men of the convention, and they are suggestive. I shall very briefly refer to them:

Mr. Gouverneur Morris [of Pennsylvania] was pointedly against his being so chosen. He will be the mere creature of the Legislature, if appointed, and impeachable by that body. He ought to be elected by the people at large—by the freeholders of the country.

Mr. Sherman [of Connecticut] thought that the sense of the nation would be better expressed by the Legislature than by the people at large. The latter will never be sufficiently informed of characters, and, besides, will never give a majority of votes to any one man. They will generally vote for some man in their own State, and the largest State will have the best chance for the appointment.

Mr. Wilson [of Pennsylvania]. \* \* \* It might be answered, that the concurrence of a majority of the people is not a necessary principle of election not required as such in any of the States. But, allowing the objection all its force, it may be obviated by the expedient used in Massachusetts, where the Legislature by a majority of voices decide in case a majority of the people do not concur in favor of one of the candidates.

Mr. Pickens [of South Carolina] did not expect this question would again have been brought forward, an election by the people being held to be the most obvious and striking objection. They will be led by a few active and designing men. The most populous States, by combining in favor of the same individual, will be able to carry their points.

Mr. Williamson [of North Carolina] conceived that there was the same difference between an election in this case by the people and by the Legislature, as between an appointment by lot and by choice. There are at present distinguished characters, who are known perhaps to almost every man. This will not always be the case. The people will be sure to vote for some man in their own State, and the largest State will be sure to succeed.

Mr. L. MARTIN [of North Carolina] moved that the Executive be chosen by electors appointed by the several Legislatures of the individual States.

The motion was lost.

On the question on the words "to be chosen by the National Legislature" it passed unanimously in the affirmative.

The subject was continued on the 19th of the same month, when Messrs. Patterson, Wilson, Madison, and Gerry participated. The debate that day throws more light on the subject, and will be found on page 337 of the book from which I am reading, Elliott's Debates. I will read a portion of the remarks of Mr. Madison as they are given:

Mr. Madison [of Virginia]. If it be a fundamental principle of free government that the legislative, executive, and judiciary powers should be separately exercised, it is equally so that they be independently exercised. There is the same, and perhaps greater, reason why the executive should be independent of the legislature, than why the judiciary should.

Mr. Gerry [of Massachusetts]. If the Executive is to be elected by the legislature, he certainly ought not to be reelectable. This would make him absolutely dependent. He was against a popular election. The people are unenlightened, and would be misled by a few designing men. Heuried the expediency of an appointment of the Executive by electors to be chosen by the State executives."

The Evening Journal of this city has been publishing some fine truths. The franking was, which has been having its share of the what gives them an interest. They want to know the cause of it.

Here are some of the most important:

"The politics of the business district is the politics of the street and what adheres to Wall street is their political action. It was Republican financiers in the city who were the first to see that who felt that to control the domination of the city was to control the

easier than to elect their man at the polls. It is the acme of the science of modern politics.

In view of this remarkable conspiracy to control the nominees of the popular conventions it will be recalled how frequently wealthy but inactive Republicans were heard to remark during the recent campaign that they were glad Cleveland was nominated; that in any event the country was safe, and that they cared little whether Harrison or Cleveland won. This idea found no expression in the public press, but every man knows how deeply rooted it was in the minds of the men whom he met in daily intercourse. Business men said simply: "We are safe with either. This is the cheapest election that we have experienced for twenty-five years. Heads we win, tails you lose." And the poor, deluded Populists of the West fell into the trap and helped to down Harrison.

We shall have parties, Mr. President, as long as we have issues to determine, and that is well. But the general welfare does not require that political organizations should grow gray before they die. Old parties drift away from the toiling masses and drop into dangerous ways. They become arbitrary and oppressive. Their leaders grow rich and powerful or they become subservient to great interests that are able to pay campaign expenses. Parties ought to be always young. Then they are vigorous and responsive, quick to catch the people's voice and prompt to execute their will.

Once give to the people the privilege of casting their votes directly for the chief officer of the Republic, knowing that he is not eligible to a second term, and you bring about a new and better education of voters, who would then divide themselves on present issues; they would rise to a higher plane of political thought; they would organize on principles and not on prejudices, taking care of to-day rather than of yesterday, and they would hold to parties only as long as they were useful in promoting the general welfare.

Great measures of public policy would then be originated by the people themselves, whose representatives in Congress would proceed without party bitterness, engendered in a heated party struggle, to execute the will of the voters. The campaign caravan would be abolished, the noise and the glamour, the pyrotechnics and the gaudy displays of party gatherings would cease to attract and amuse, and the tone of political literature would be in corresponding degree purified and improved. It would permit the birth of new parties without placing weights and manacles on them, for then all will have learned that new parties are needed to handle new issues. Voters would change their party alignment with every change of issue, and when a victory is won it would be a victory of the people.

#### DISTRICT IMPROVEMENTS.

Mr. HARRIS. I ask the Chair to lay before the Senate the message from the House of Representatives in relation to Senate bill 1307.

The PRESIDING OFFICER (Mr. HALE in the chair). The Chair lays before the Senate the action of the House of Representatives upon the bill indicated by the Senator from Tennessee, which will be read.

The Chief Clerk read as follows:

IN THE HOUSE, June 30, 1892.

*Resolved*, That the House of Representatives disagree to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the House to Senate bill 1307, to provide a permanent system of highways in that part of the District of Columbia lying outside of cities.

IN THE HOUSE, January 18, 1893.

*Resolved*, That the House further insist upon its amendments to the bill (S. 1307) to provide a permanent system of highways in that part of the District of Columbia lying outside of cities, and ask a further conference with the Senate on the disagreeing votes of the two Houses thereon.

*Ordered*, That Mr. HEMPHILL, Mr. HEARD, and Mr. POST be the managers on the part of the House.

Mr. HARRIS. I move that the Senate grant the further conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate: and Mr. HARRIS, Mr. McMILLAN, and Mr. PERKINS were appointed.

#### HOUSE BILLS REFERRED.

The following bills, received from the House of Representatives, were severally read twice by their titles, and referred to the Committee on the Judiciary:

A bill (H. R. 9611) to amend section 847 of the Revised Statutes of the United States, relating to commissioners' fees;

A bill (H. R. 9612) to amend section 833 of the Revised Statutes of the United States, relating to semiannual returns of fees by district attorneys, marshals, and clerks;

A bill (H. R. 9613) to amend section 828 of the Revised Statutes of the United States, relating to clerks' fees;

A bill (H. R. 9979) to regulate the right of appeal in certain cases; and

A bill (H. R. 9610) to amend section 1014 of the Revised Statutes of the United States, relating to offenses against the United States.

The following bills were generally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 10062) to authorize the construction of a bridge across the Osage River between the mouths of the Pomme de Terre River and Buffalo Creek, in Benton County, Mo.; and

A bill (H. R. 6797) to authorize the construction of a bridge across the Cahawba River, in Bibb County, Ala., by the Montgomery, Tuscaloosa and Memphis Railway.

The bill (H. R. 9053) to punish trespassers on the lands of either of the five civilized tribes was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 9069) for the further continuance of the publication of the supplement to the Revised Statutes of the United States was read twice by its title, and referred to the Committee on the Revision of the Laws of the United States.

#### CALIFORNIA DÉBRIS COMMISSION.

Mr. STEWART. I ask the Senate to proceed to the consideration of the bill (H. R. 9286) to create the California Débris Commission and regulate hydraulic mining in the State of California. I think it will take but a little time. It is a short bill, and it is quite important that it should be passed.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill which had been reported from the Committee on Mines and Mining with amendments.

The Secretary proceeded to read the bill.

Mr. STEWART. I think it would facilitate the consideration of the bill to have the amendments of the committee considered as they are reached in the reading.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived it is the duty of the Chair to lay before the Senate the unfinished business.

#### DEALING IN OPTIONS AND FUTURES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7845) defining "options" and "futures," imposing special taxes on dealers therein, and requiring such dealers and persons engaged in selling certain products to obtain license, and for other purposes.

The PRESIDING OFFICER. The pending question is on the amendment proposed by the Senator from Mississippi [Mr. GEORGE], on which the Senator from Connecticut [Mr. PLATT] is entitled to the floor.

Mr. PLATT. Mr. President, when at the last meeting of the Senate for business I addressed myself to this question the interruptions, of which I did not and do not complain, led to the extension of my remarks to a length which I had not contemplated when I commenced, and I do not intend to occupy a great amount of time this morning.

On Tuesday I endeavored to show, and I think I did show, that the proposed legislation was in no sense whatever an exercise of the taxing power. Other Senators had said that it was not a legitimate use of the taxing power of the Constitution; that it was an abuse of the taxing power of the Constitution. I maintain that it would be in no sense an exercise of the power to lay and collect taxes which is found in the Constitution of the United States, because the penalties or exactions, whichever they may be called, which the bill imposes upon those who deal in property which they have not in hand at the time they propose to sell it can not be called taxes. They are not intended to raise revenue, and it is a primary and essential purpose of a tax that it shall raise revenue. Whatever else may be intended by the laying of a tax, it must be in addition to the purpose to raise revenue and not disconnected from it.

I will not go over the ground of my argument on a former day, but I want to call attention once more to the danger of the doctrine which is to be proclaimed by the passage of this bill, the doctrine that the power to tax is the power to destroy, and therefore Congress has the right to destroy.

Mr. President, there has been no question of such momentous consequence before Congress since the war of the rebellion. The deliberate announcement that Congress may destroy individual property of any kind in any State and may prohibit individual business of any kind in any State is the most dangerous doctrine ever proclaimed in this Chamber since it was announced that States had a right to secede from the Union and that the Government had no power to coerce them.

I beg Senators who think that in an incautious moment they have in some way become committed to the passage of this bill to stop and consider what they will be committed to if the bill passes. Can a Senator commit himself to the doctrine that Congress may destroy all individual property at will in every State of the Union, may prohibit all individual business at will in every State of the Union? For that is the meat and the essence of this bill.

The bill is defended upon only what has been called an aphor-

**THE SPEAKER.** The bill will be read subject to objection. The bill was read at length.

Mr. TAYLOR of Illinois. Let the report be read subject to objection.

**THE SPEAKER.** Without objection the report will be read. The report was read at length.

Mr. TAYLOR of Illinois. Before consent is given, Mr. Speaker, I should like to have some further explanation of this bill.

Mr. BANKHEAD. Mr. Speaker, as set forth in the report, in 1856 Dr. Read invented a rifle shot or projectile which was extensively used by the United States Government under a contract made with him for that purpose. He had a contract with the Secretary of War to pay him a reasonable royalty on the invention in case of its use by the Government. Under that contract and after this invention had been extensively used, a board of army officers was appointed to ascertain and investigate what a reasonable royalty would be for the use of the projectile. That board of army officers, after a very thorough investigation of the subject, reported that in their opinion \$17,000 was a reasonable and just price to pay for the invention.

This bill has been passed by the House on three separate occasions; it has passed the Senate on two occasions, and passed both the House and Senate on one occasion, but failed to reach the President in time for his signature. I think it is a perfectly just claim.

Dr. Read has been prosecuting this claim for some twenty years past; he has grown old in its prosecution.

It is certainly a just and proper claim; the Government owes the amount of money, and if it intends to pay its just debts to its citizens it seems to me that there can be no reasonable objection interposed to the passage of this bill.

Mr. OATES. If my colleague will allow me, for twenty years or more this claim has been before Congress, and never in a single instance has there been a report adverse to it. The reports have been uniformly in its favor.

**THE SPEAKER.** Is there objection to the present consideration of the bill?

Mr. TAYLOR of Illinois. This is a very old claim, but I am informed that the beneficiary is a deformed little girl, and so I do not object.

Mr. BYNUM. I object.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had disagreed to the amendments of the House to the bill (S. 1307) to provide a permanent system of highways in that part of the District of Columbia lying outside of the city, had agreed to a further conference asked by the House, and had appointed Mr. HARRIS, Mr. McMILLAN, and Mr. PERKINS as the conferees on the part of the Senate.

It also announced that the Senate had passed the bill (S. 3707) making an appropriation for establishing buoyage on the water front of Chicago, Lake Michigan, Illinois; in which the concurrence of the House was requested.

It also announced that the Senate had agreed to the amendments of the House of Representatives to the joint resolution (S. R. 128) to authorize the Secretary of War to grant permits for the use of reservations and public spaces in the city of Washington, and for other purposes.

#### GRUBB & ROBINSON.

Mr. BRODERICK. I ask unanimous consent for the present consideration of the bill (H. R. 9413) to authorize the proper accounting officer of the Treasury Department to examine and audit, according to equity, the claim of Grubb & Robinson, a firm consisting of Alfred B. Grubb and William H. Robinson, and of Alfred B. Grubb, for building material sold and delivered to members of the Prairie band of Pottawatomie Indians in Kansas.

The bill was read at length.

Mr. BRODERICK. I ask to have the following report read.

**THE SPEAKER.** Without objection the report accompanying the bill will be read.

The report was read at length.

**THE SPEAKER.** Is there objection to the present consideration of the bill?

Mr. WATSON. I call for the regular order.

**THE SPEAKER.** The demand for the regular order is equivalent to an objection.

The regular order is the call of the standing and select committees for reports.

#### SALARIES OF THE RAILWAY POSTAL CLERKS.

Mr. HENDERSON of North Carolina, from the Committee on the Post-Office and Post-Roads, reported back the bill (S. 2604) to reclassify and prescribe the salaries of railway and postal

clerks; which was referred to the Committee of the Whole House on the state of the Union.

#### SENECA INDIANS.

Mr. HOOKER of New York, from the Committee on Indian Affairs, reported back the bill (H. R. 19296) to ratify and confirm an agreement made between the Seneca Nation of Indians and William B. Barker; which was referred to the Committee of the Whole House on the state of the Union.

#### NEW YORK INDIANS.

**THE SPEAKER.** The morning hour begins at twenty-four minutes past 12 o'clock.

Mr. PEEL. Mr. Speaker, I ask that the bill go back to the Committee on Indian Affairs, which committee was passed without prejudice. I desire to take up a bill which has already been considered in part, authorizing the New York Indians to bring their claims before the Court of Claims.

**THE SPEAKER.** The Committee on Indian Affairs had reserved to it the right to be called, and the gentleman from Arkansas now exercises that right.

The Clerk will report the title of the bill pending in the morning hour.

The Clerk read as follows:

A bill (H. R. 5679) to provide for a settlement with the Indians who were parties to and beneficiaries under the treaty concluded at Buffalo Creek, in the State of New York, January 15, 1838, for the unexecuted stipulations of that treaty.

**THE SPEAKER.** This bill was being considered in Committee of the Whole.

Mr. PEEL. I move that the House resolve itself in the Committee of the Whole for the further consideration of this bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, for the further consideration of the bill (H. R. 5679) to provide for a settlement with the Indians who were parties to and beneficiaries under the treaty concluded at Buffalo Creek, in the State of New York, January 15, 1838, for the unexecuted stipulations of that treaty, with Mr. TARNSEY in the chair.

Mr. PEEL. Mr. Chairman, if the committee will give me their attention I will say that it will be remembered by those who took notice of the proceedings in this matter, that when the hour expired the other day the committee was dividing.

**THE CHAIRMAN.** The gentleman from Arkansas [Mr. PEEL] and the gentleman from New York [Mr. BENTLEY] were acting as tellers.

Mr. PEEL. If the tellers were to resume their places now, of course the committee would be unable to remember the subject-matter, and I move that the vote by which tellers were ordered may be reconsidered, so that the subject-matter may be explained again to the committee, and so that members may know what they are voting upon.

The motion was agreed to.

Accordingly the vote by which tellers were ordered was reconsidered.

Mr. PEEL. Now, Mr. Chairman, if the committee will give me their attention—and especially if the gentleman from Indiana [Mr. HOLMAN], who objected to this matter before, will give me his attention—I will say that the Committee on Indian Affairs reported a House bill to appropriate nearly two millions of dollars to pay the New York Indians their claim as found by the Court of Claims. The Senate committee reported a bill to refer the matter to the Court of Claims again for the purpose of ascertaining the law in connection with the facts, as well as the facts themselves. When the bill was up before us, we asked to substitute the Senate bill for the House bill. Since that time the Senate have passed their bill referring this matter to the Court of Claims. I have the proceedings as shown by the Record in my hand.

I now move that the engrossed Senate bill, which is the same as the printed Senate bill, be substituted for the House bill. The House bill appropriates the money, while the Senate bill does not, but refers the matter to the Court of Claims to find the amount due, restricting the court from finding any interest so that the first vote should be on the motion to substitute the Senate bill for the House bill. To that I do not think there can be any objection, because the House bill appropriates the money, while the Senate bill refers the matter to the court. I would like to have a vote on that, so that we may get to the substitute, and then the matter will be thoroughly explained to the committee.

**Mr. HOLMAN.** Let the Senate bill be read.

Mr. PEEL. I ask that the engrossed Senate bill be read. It is the bill (S. 3197) to authorize the Court of Claims to hear and determine the claims of certain New York Indians against the United States.

The bill was read, as follows:

*Be it enacted, etc.* That jurisdiction is hereby conferred on the Court of Claims to hear and enter up judgment as if it had original jurisdiction of said case, the claim of the New York Indians, being those Indians who were parties to the treaty of Buffalo Creek, New York, on the 15th of January, 1838, against the United States, growing out of the alleged unexecuted stipulations of said treaty on the part of the United States. In the hearing and adjudication of said case said court may proceed upon the finding of facts already made, upon a reference of said claim to said court, filed on the 11th day of January, 1892, and transmitted to Congress by John Randolph, assistant clerk of said court, on the 16th day of January, 1892. Or said court may, in its opinion justice so requires, take other testimony as to facts. But in any judgment it may render against the United States, in favor of said claimants, interest shall not be allowed. The statute of limitations shall not be pleaded as a bar to recovery in said case. The Attorney-General is hereby directed to appear in behalf of the United States in said case. And from any judgment rendered by the court, either party may appeal to the Supreme Court of the United States. Said cause shall be advanced on the docket and tried without delay in any court which shall be deemed invested with jurisdiction thereof by the provisions of this act.

Mr. PEEL. Now, Mr. Chairman, the question is on adopting the substitute, which refers the matter back to the Court of Claims to determine, instead of voting up on the House bill which appropriates the money.

The CHAIRMAN. The question is on the motion of the gentleman from Arkansas [Mr. PEEL], that the Senate bill now on the Speaker's table, just reported by the Clerk, be recommended to the House as a substitute for the House bill, and that the House bill do lie upon the table.

Mr. HOLMAN. I wish to inquire of my friend from Arkansas [Mr. PEEL] whether this matter has been referred to the Indian Bureau and a report made?

Mr. PEEL. I am not advised; but my colleague [Mr. HOOKER of New York] can probably tell.

Mr. HOOKER of New York. It has been, and the Indian Bureau recommends the passage of the bill.

Mr. HOLMAN. I hope we will have the report from the Indian Bureau read.

Mr. HOOKER of New York. I have not the report here.

Mr. HOLMAN. I think this measure should not pass unless it is recommended by at least the Indian Commissioner, and I think it should also be recommended by the Secretary of the Interior.

Mr. PEEL. I will say to my friend that he certainly can not object to a vote being taken on the question of substituting the Senate bill for the House bill. Then the issue will arise whether the substitute should pass. I would like to have a vote taken on that, and then I will have the statement from the Senate read, which explains the matter very fully. My colleague [Mr. HOOKER of New York] states that the Commissioner has recommended it, and I hope the gentleman will not object.

Mr. HOLMAN. But the letter of the Commissioner ought to be printed in the RECORD.

Mr. PEEL. It may be in the report.

Mr. HOLMAN. My friend will understand fully that it is obvious that this claim will be adjudicated in favor of the Indians by the court, from the finding which they have already made, the subject having already been before them. The only question is whether, in a claim over fifty years of age, the House should apply the principle of the statute of limitations or not. If the matter is referred to the court, of course the court will allow the money. That is very obvious from the facts already stated, and which appears in the report. I do not remember what gentleman interested himself in the subject when it was up before, but a question of this magnitude ought certainly to be fairly considered.

I was in hopes that the Secretary of the Interior, or at least the Commissioner of Indian Affairs, had made a full report upon the claim. This transaction occurred over forty years ago, and it seems to me almost incredible that this should have remained all this time in this way.

Mr. PEEL. Mr. Chairman, it is not strange to a man who had had experience in this House why claims against the United States, by Indians or anybody else, are allowed to grow old. I am not posted why it was in this particular case; but I am never afraid of the courts of my own country adjudicating a claim against the Government for anybody. The motion which I make now is not to pass the bill, but to pass the substitute, a Senate bill, which the Senate has passed (and I have the proceedings of that body in my hand), to refer this claim back to the Court of Claims.

The court once found in favor of these Indians. Instead of going on with the other bill, and appropriating the money, in response to that judgment of the Court of Claims, the Senate thought it safer to send the claim back to the Court of Claims for farther adjudication, with the right of either party to appeal to the Supreme Court of the United States, the Government to be represented by the Attorney-General. Therefore I can not see why any gentleman can object to adopting this substitute, and let each party take its chance in the courts of our own country to see whether the Indians are entitled to the amount.

Mr. HOLMAN. As against anybody else but Indians, the statute of limitations would have operated long ago. I do not pretend to say that the statute of limitations ought to operate against the Indian tribes, because in some sense we are the trustees of those Indians, but certainly my friend will do the committee the justice to have at least the findings of the Court of Claims read, so that we may know what we are doing.

Mr. PEEL. Mr. Chairman, the report made by the Senate committee contains all that; but it will take our entire hour to have it read.

Mr. HOLMAN. Read what the Senate committee did.

Mr. PEEL. The whole report of the Senate committee was read before, at the instance of my friend from Indiana. The committee made the Senate report a part of their report. The findings of the Court of Claims have been read to this House. My friend from Indiana says now he recognizes the fact that the statutes of limitation ought not to be applied against our wards. My friend forgets that before, at his instance, I moved to strike out that portion of the bill providing that the statute of limitation should not run. It was stricken out by this committee on my friend's own motion. Now, he admits that that ought not to be done, and he is fatter now than he was then.

I hope we will have a vote upon the substitute; and then we will discuss further the merits of the substitute.

Mr. HOLMAN. I think the report ought to be read.

Mr. PEEL. It has been read once.

Mr. HOLMAN. I know; but these things pass out of our minds so rapidly.

Mr. RAY. Mr. Chairman, I would like to say to the gentleman from Indiana that this claim has not slept. President Lincoln recognized the justice of the claim in 1864—

The CHAIRMAN. Does the gentleman ask for the reading of the Senate or the House report?

Mr. HOLMAN. I think that the House report ought to be read.

Mr. PEEL. The House report adopts the Senate report, and to have it read now would be equivalent to defeating the whole measure.

Mr. REED. Ask unanimous consent for the continuance of the morning hour.

Mr. PEEL. The report has been read once.

Mr. REED. Perhaps if you were to ask for the continuance of the morning hour until this bill is finished, you might dispose of the measure.

Mr. PEEL. The committee that has the day would object. This day is set apart for the consideration of business of another committee.

Mr. REED. I do not think the gentleman from Indiana means to defeat the bill in that way.

Mr. RAY. Mr. Chairman, I want to say for the information of the gentleman from Indiana [Mr. HOLMAN] that President Lincoln recognized the justice of the claimants in their demand in 1864. It was also recognized again in 1865 by President Johnson, by the appointment of a commissioner to treat for the extinguishment of the Indian title to these lands. But nothing was accomplished then. Since then bills for the purpose of making appropriations to permit the Secretary of the Interior to adjust this claim have been passed on in committee, in the Forty-third Congress, in the Forty-fifth Congress, and in the Forty-eighth Congress, with favorable reports, but the question never has been reached for action.

Mr. HOLMAN. Now, what was the title to be extinguished?

Mr. RAY. The title of these Indians.

Mr. DOLLIVER. Mr. Chairman, we can not hear what the gentlemen say.

The CHAIRMAN. The Chair is unable to hear a word.

Mr. RAY. Mr. Chairman, by the treaty made with these Indians almost the entire State of Kansas was given to these Indian tribes. Afterwards the Government went on and sold these lands at about \$1.43 per acre and covered the money into the Treasury, without making any provision for the protection of the rights of these Indians. Of course the title to that land has passed to the settlers, and it was for the purpose of appropriating money to extinguish the title of the Indians and their claims to this land that this action was taken.

Mr. HOLMAN. Was not that grant made to those Indians on condition of their settlement upon the lands and their abandonment of certain Indian lands in Wisconsin and Michigan?

Mr. RAY. The grant of these lands in Kansas was made by that treaty to those Indians upon condition that they should surrender certain lands in Wisconsin.

Mr. MILLER. Five hundred thousand acres.

Mr. RAY. Yes, 500,000 acres of land in Wisconsin. They did surrender and relinquish to the United States Government their claim to those lands. The United States Government did sell those lands in Wisconsin, did receive the money for them,



## AGRICULTURAL APPROPRIATION BILL.

Mr. HATCH. Mr. Speaker, I ask unanimous consent that the subcommittee of the Committee on Agriculture, having in charge the appropriation bill, be authorized to sit during the sessions of the House until the completion of the bill.

The SPEAKER. In the absence of objection that order will be made.

There was no objection.

## DIGEST, HOUSE OF REPRESENTATIVES.

Mr. RICHARDSON. Mr. Speaker, I submit a privileged report from the Committee on Printing.

The SPEAKER. The report will be read.

The Clerk read as follows:

*Resolved*, That there be printed — copies of the Digest and Manual of the Rules and Practice of the House of Representatives for the second session of the Fifty-second Congress, the same to be bound and distributed under the direction of the Speaker and Clerk of the House: — copies thereof to be bound in paper covers.

The Committee on Printing, to whom was referred the foregoing resolution, report the same back with the recommendation that it do pass with the following amendments: Fill the first blank by inserting "2,500," and the second by inserting "500," so that it will read: "2,500 copies of the Digest and Manual of the Rules and Practice of the House of Representatives for the second session of the Fifty-second Congress," etc., and "500 copies thereof to be bound in paper covers."

The estimated cost of same is \$3,568.

The amendments recommended by the committee were agreed to.

The resolution as amended was agreed to.

On motion of Mr. RICHARDSON, a motion to reconsider the last vote was laid upon the table.

## ORDER OF BUSINESS.

The SPEAKER. The regular order is the call of the standing and select committees for reports.

## SOILED PAPER CURRENCY.

Mr. BACON, from the Committee on Banking and Currency, reported back the bill (H. R. 10012) to provide for the speedy and frequent redemption of United States paper currency and national bank notes which have become soiled, impure, unclean, or otherwise unfit for use; which was referred to the Committee of the Whole House on the state of the Union.

## REPORTS OF NATIONAL BANKING ASSOCIATIONS, ETC.

Mr. BACON also, from the Committee on Banking and Currency, reported back with amendments the bill (H. R. 10118) to amend section 5209 of the Revised Statutes; which was referred to the House Calendar.

## REGULATION OF COMMERCE.

Mr. STORER, from the Committee on Interstate and Foreign Commerce, reported back the bill (H. R. 10222) to amend the act to regulate commerce; which was referred to the House Calendar.

Mr. STORER also, from the Committee on Interstate and Foreign Commerce, reported back the bill (H. R. 10250) to amend an act entitled "An act to regulate commerce;" which was referred to the House Calendar.

## BUOYAGE WATER LINE, CHICAGO, ILL.

Mr. BRICKNER, from the Committee on Interstate and Foreign Commerce, reported back the bill (S. 3707) to make an appropriation for the establishment of buoyage on the water front of Chicago, Lake Michigan, Ill.; which was referred to the House Calendar.

## ROCKPORT AND HARBOR ISLAND SUBURBAN RAILROAD.

Mr. CRAIN, from the Committee on Interstate and Foreign Commerce, reported back the bill (H. R. 9174) authorizing the Rockport and Harbor Island Suburban Railroad to construct a bridge across the Corpus Christi channel, known as the Morris and Cummings Ship Channel, near its entrance into Aransas Bay, in Aransas County, Tex.; which was referred to the House Calendar.

## MILLE LAC INDIAN RESERVATION IN MINNESOTA.

By Mr. AMERMAN, from the Committee on the Public Lands: Joint resolution (S. R. 89) for the protection of those parties who have heretofore been allowed to make entries of lands within the former Mille Lac Indian Reservation in Minnesota—to the House Calendar.

## TRUST, LOAN, AND OTHER CORPORATIONS, DISTRICT OF COLUMBIA.

By Mr. RICHARDSON, from the Committee on the District of Columbia: A bill (H. R. 10248) to amend an act to provide for the incorporation of trust, loan, mortgage, and certain other incorporations within the District of Columbia—to the House Calendar.

## SALE OF LIQUORS, DISTRICT OF COLUMBIA.

By Mr. HEMPHILL, from the Committee on the District of Columbia: A bill (H. R. 7207) to regulate the sale of distilled and

fermented liquors in the District of Columbia—to the House Calendar.

## SATURDAY HALF-HOLIDAY, DISTRICT OF COLUMBIA.

By Mr. HEMPHILL, from the Committee on the District of Columbia: Joint resolution (S. R. 130) to amend an act entitled "An act making Saturday a half-holiday for banking and trust companies in the District of Columbia," approved December 22, 1892—to the House Calendar.

## ECLECTIC MEDICAL SOCIETY, DISTRICT OF COLUMBIA.

By Mr. HEMPHILL, from the Committee on the District of Columbia: A bill (S. 741) to incorporate the Eclectic Medical Society of the District of Columbia—to the House Calendar.

## EAST WASHINGTON CROSS-TOWN RAILWAY COMPANY.

By Mr. HEARD, from the Committee on the District of Columbia: A bill (H. R. 5353) to incorporate the East Washington Crosstown Railway Company of the District of Columbia—to the House Calendar.

## WASHINGTON, BURNT MILLS AND SANDY SPRING RAILWAY COMPANY.

By Mr. RICHARDSON, from the Committee on the District of Columbia: A bill (H. R. 9056) to incorporate the Washington, Burnt Mills and Sandy Spring Railway Company—to the House Calendar.

## ORDER OF BUSINESS.

The SPEAKER. This completes the call of the standing and select committees for reports. The morning hour begins at five minutes to 1. The call rests with the Committee on the Library, which committee had a bill pending yesterday.

Mr. CUMMINGS. Mr. Speaker, I withdraw that bill.

The SPEAKER. This is the second call for the purpose of permitting committees to bring up measures for consideration. The Committee on Rivers and Harbors was called.

Mr. BLANCHARD. I ask unanimous consent to pass the Committee on Rivers and Harbors, with the right to be taken up later without prejudice.

Mr. BACON. I object.

The Committee on Military Affairs was called.

## HOSPITAL CORPS, UNITED STATES ARMY.

Mr. OUTHWAITE. Mr. Speaker, I call up the bill (H. R. 9925) to establish companies of the Hospital Corps, United States Army, and for other purposes.

The bill was read, as follows:

*Be it enacted, etc.*, That the companies of the Hospital Corps, organized by the Secretary of War in the Medical Department of the Army, are hereby established upon the same military status as companies of infantry, and shall hereafter be known as companies of the Hospital Corps.

Sec. 2. That each company shall consist of eight hospital sergeants, one of whom shall be selected as first sergeant, and one as quartermaster sergeant; six hospital corporals, two musicians, one drummer, and as many privates, not exceeding one hundred, as the President may direct.

Sec. 3. That the hospital sergeant shall be detailed as such from the hospital stewards, the hospital corporals from the acting hospital stewards, and the remaining members of the companies from the privates of the Hospital Corps, United States Army, and each shall receive the pay of his grade in the Hospital Corps.

Sec. 4. That the necessary officers to command the companies of the Hospital Corps shall be detailed from the Medical Department, United States Army.

Sec. 5. That the President is authorized to organize for bearer, ambulance, field, hospital, and other like service, such companies of the Hospital Corps as he may deem necessary.

Sec. 6. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

The SPEAKER. This bill is on the Union Calendar.

Mr. OUTHWAITE. The bill does not provide for any a appropriation or require any expenditure of money whatever. It should be on the House Calendar. If it is on the Union Calendar it is there by mistake.

The SPEAKER. That being true, the Committee of the Whole will be discharged from the further consideration of it, and it will be considered in the House.

There was no objection.

The SPEAKER. The Clerk will report the amendment proposed by the committee.

The Clerk read as follows:

Amend line 3, in section 1, by adding the words "and such privates as are in the Hospital Corps," and striking out all of section 2.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. OUTHWAITE, a motion to reconsider the last vote was laid on the table.

## POST TRADERSHIPS.

Mr. OUTHWAITE. Mr. Speaker, I call up the bill (S. 3117) relating to post traderships.



The bill was read, as follows:

*Be it enacted, etc.* That where a vacancy now exists or hereafter occurs in the position of post trader at any military post it shall not be filled, and the authority to make such appointment is hereby terminated: *Provided*, That in the event of the death of a post trader his personal representative shall be allowed by the Secretary of War a reasonable time in which to close the business.

Mr. HEARD. I would like to ask the gentleman in charge of the bill to make a brief explanation. I do not know of any good reason why the bill should not pass, but I should like the gentleman to state briefly the reason why he thinks it should pass.

Mr. OUTHWAITE. Mr. Speaker, I will ask for the reading of the report.

The report (by Mr. OUTHWAITE) was read, as follows:

The Committee on Military Affairs, having had under consideration the bill (S. 3117) to abolish post traderships, are of the opinion that this measure should become a law, and therefore recommend that the bill do pass.

The Senate report, a copy of which is herewith attached, is adopted by the House committee.

[Senate Report No. 713, Fifty-second Congress, first session.]

The Committee on Military Affairs, to whom was referred the bill (S. 3117) relating to post traderships, have had the same under consideration and submit the following report:

The purpose of this bill is to abolish post traderships. It will not produce a radical change, and the present system will continue until those persons who are now post traders shall either die or retire, but when vacancies occur from either of those causes, then the post tradership shall be abolished. The bill has received the approval of the War Department and the Major-General Commanding the Army, whose report is herewith appended. An extract from the last report of the Secretary of War upon this subject is also annexed.

Your committee has amended the bill and in its amended form recommends that it pass.

#### HEADQUARTERS OF THE ARMY, Washington, D. C., May 14, 1892.

SIR: Referring to Senate bill 3117, entitled "A bill relating to post traderships," I have the honor to report as follows:

The position of post trader was originally established in part, perhaps, as a substitute for the old sutlership which had been abolished, but mainly as a means of supplying necessities to emigrants and travelers passing or visiting military posts on the frontier at a period of time when the Army and roving Indians were almost the sole inhabitants of a vast region of country. Around all those, then new, frontier posts have grown up thriving towns where traders of all kinds are able to supply the necessities above referred to, by means of which the post trader became only a privileged rival of citizens engaged in legitimate business in the near vicinity.

These trade stores were also found to be a demoralizing element in nearly every garrison, being places of dissipation for both officers and enlisted men. Under the wiser social custom gradually developed in the Army, both officers and enlisted men have generally been provided with far better means for social entertainment and recreation, the officers having their post messes or clubs, and the soldiers the institution now called "exchange," both of which are in the main cooperative stores in their character, and as such supply to the officers and their families and to the enlisted men of every garrison all those comforts and luxuries which are deemed essential in modern society.

The post trader is no longer necessary, and in nearly all cases, if continued at all, would be only a source of detriment to the best interests of the Army. In some cases the policy of the War Department to do away with all post traders has been delayed through a just and generous regard for vested interests of the present incumbents, and such have been permitted to continue their business until they could close out without material loss, and their buildings have been or are to be purchased at a fair price whenever that may be done to the advantage of the Government. So rapidly as this can be accomplished the system of post traders should be eliminated entirely, and I therefore fully concur in the wisdom of the proposed law repealing the authority to appoint post traders in the Army. This necessity can never hereafter again arise so long as the territory of the United States remains with its present boundaries.

Very respectfully,

J. M. SCHOFIELD,  
Major-General Commanding.

The SECRETARY OF WAR.

[Extract from the last report of the Secretary of War.]

At the beginning of this administration there were licensed post traders at most army posts. They were a privileged class, exempt from taxation, because located on Government reservations, and had practically a monopoly of the trade in such articles as were not furnished or sold by the quartermaster or commissary. Wherever cities and villages have grown up near the formerly remote Western posts, and the post trader has thus ceased to be a necessity, it has been my purpose to discontinue the system as rapidly as possible and permit the trade of military posts, outside of the ordinary governmental supplies, to take its regular channels.

On the 4th of March, 1889, there were eighty-five of these traders. There are now but twenty-two, and seven of these have been notified that their licenses will be revoked within a short time, at a date so fixed as to give them an opportunity to sell or reduce their stocks. Four of the remaining fifteen are at posts whose abandonment has been ordered, or soon will be, so that at the end of the fiscal year there will be only eleven remaining.

The parties who held these privileges had large personal and political influence, and it has not been an easy or pleasant task to make this change. Many of them also had invested considerable capital in these enterprises, and were, therefore, entitled to consideration and a reasonable time to close their business. But their profits had been large, and I believe that no injustice has been done them. It was a pernicious system and necessity was the only excuse for its existence at any time. It has outlived whatever usefulness it may have had, and its longer continuance is not for the interest of the service or for the public good.

Mr. OUTHWAITE (during the reading of the report). I ask that the further reading of the report be dispensed with.

Mr. HEARD. I am content with the report as far as read.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

#### LINE OF BATTLE OF THE ARMY OF NORTHERN VIRGINIA AT GETTYSBURG.

Mr. OUTHWAITE. Mr. Speaker, I now call up the bill (S. 2914) for marking the lines of battle and positions of troops of the Army of Northern Virginia at Gettysburg, Pa., and for other purposes.

The SPEAKER. The Clerk will report the title of the bill.

The title of the bill was reported.

Mr. OUTHWAITE. I move that the House resolve itself into Committee of the Whole for the purpose of considering the Senate bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. BYNUM in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the purpose of considering the bill which the Clerk will report.

The Clerk proceeded to read the bill.

Mr. OUTHWAITE (during the reading of the bill). Mr. Chairman, so far as the bill has been read it places before the committee fully and clearly the purposes of the bill. I therefore ask unanimous consent that the further first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to dispense with the further first reading of the bill. Is there objection? [After a pause.] The Chair hears none.

Mr. OUTHWAITE. I ask that the Clerk now commence with the reading of the bill by sections.

The Clerk read as follows:

*Be it enacted, etc.* That for the purpose of preserving the lines of battle at Gettysburg, Pa., and for properly marking with tablets the positions occupied by the various commands of the armies of the Potomac and of Northern Virginia on that field, and for the purchase or condemnation of land of historical importance, and for opening and improving avenues along the positions occupied by troops upon those lines, and for fencing the same, and for determining the leading tactical positions of batteries, regiments, brigades, divisions, corps, and other organizations with reference to the study and correct understanding of the battle, and to mark the same with suitable tablets, each bearing a brief historical legend, compiled without praise and without censure, and to be prepared by said commission and approved by the Secretary of War, the said Secretary is hereby authorized and directed to appoint three commissioners, two of whom shall have been participants in the battle of Gettysburg, and one of whom shall have been an officer of the Army of Northern Virginia; and the said commissioners shall have the general charge of the work aforesaid, and shall recommend the purchase of such land as they deem it necessary for the United States to acquire for the purposes aforesaid, and they shall, under the directions and instructions of the Secretary of War, execute the provisions of this act. The said commissioners shall be paid such compensation, out of the appropriation provided in this act, as the Secretary of War shall deem reasonable and just, not exceeding \$10 each per day of actual service, and they may employ such surveying parties and clerical assistance as may be necessary, and secure such historical information as they may need, at compensations for these several services to be fixed by the commission, subject to the approval of the Secretary of War, and to be paid out of the appropriation provided in this act.

Mr. OUTHWAITE. Mr. Chairman, I ask that the amendments to this section be voted on in gross, unless a separate vote be demanded.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the committee amendments be voted on in gross. Is there objection? [After a pause.] The Chair hears none.

Mr. BURROWS. What are the amendments?

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

In line 4, section 1, after the word "field," insert "and the securing and compiling of additional historical data now available beyond that now in possession of the Government."

In line 8, section 1, strike out the words "the leading" and insert in place thereof the words "delineating the most important." At the end of same line add the words "and evolutions."

Section 2. Strike out all after the word "censure," in line 13, to and including the word "and," in line 21, and insert in place thereof the following:

"A commission is hereby created and established, under the name of 'The Gettysburg Battlefield Commission,' to consist of three members, who shall be appointed by the Secretary of War, one of whom shall be a civilian who is recognized as the person best informed in the history of the battle, and who shall be chairman of the commission and its historian; one an officer of the Army of the Potomac who participated in the battle, and one an officer of the Army of Northern Virginia who participated in the battle. Said commission shall have a principal office in connection with the War Department in the city of Washington.

"The said chairman shall, as soon as possible after his appointment, compile historical maps showing not only the general lines of battle of the two armies, but approximately the successive tactical and strategic positions and evolutions of all bodies of troops taking part in said engagement, to the end that all the principal operations of batteries, regiments, brigades, divisions, and corps, and other organizations, when acting as such respectively, may be represented upon said maps, and by means of which the said several positions and evolutions of said organizations may be marked upon the field, and for said special services in the preparation of said maps said historian shall be paid a reasonable compensation, not exceeding the sum of \$5,000, to be fixed by the Secretary of War: the same to be paid in such installments, according to the progress of the work, as may be determined upon between said historian and the Secretary of War."

Line 20, section 1, strike out the word "aforesaid" and insert in lieu thereof the words "upon the field."

Line 21, section 1, after the word "purchase," insert "or condemnation."

construction of a public building at Baker City, Oregon, reported it with an amendment.

He also, from the same committee, reported four amendments intended to be proposed to the sundry-civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. HARRIS. The Committee on the District of Columbia, to whom was referred the bill (S. 3521) to amend the charter of the Eckington and Soldiers' Home Railway Company, of the District of Columbia, have directed me to report the same adversely and to ask that the bill be indefinitely postponed for the reason that the committee have already reported favorably a House bill substantially the same as the bill now reported adversely.

The report was agreed to.

Mr. PEPPER, from the Committee on Claims, to whom was referred the bill (S. 988) for the relief of Mrs. Emilie M. Perriere, widow and representative of Louis L. Perriere, deceased, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. McHILLAN, from the Committee on the District of Columbia, to whom was referred an amendment intended to be proposed to the District appropriation bill, the amendment making an appropriation for the purpose of condemning or purchasing the ground needed to extend and open Thirty-seventh street, between Back street and Tenuallytown road, at or near Schneider lane, reported it favorably, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

Mr. VEST, from the Select Committee on the Transportation and Sale of Meat Products, to whom was referred the bill (S. 3522) to create a bureau in the Department of Agriculture for the giving public information of the production and shipping of live stock, reported it without amendment.

He also, from the Committee on Commerce, to whom was referred the bill (H. R. 6797) to authorize the construction of a bridge across the Cahaba River, in Bibb County, Ala., by the Montgomery, Tuscaloosa and Memphis Railway, reported it without amendment.

Mr. MITCHELL. I am directed by the Committee on Claims, to whom was referred the bill (S. 1954) for the relief of Lewis D. Allen, to report it adversely. I call the attention of the Senator from Missouri [Mr. COCKRELL] to the report.

Mr. COCKRELL. I think the Senator from Oregon has done exactly right. I am very glad to know he has reported the bill adversely.

Mr. MITCHELL. I move that the bill be indefinitely postponed, and ask that the report be printed.

The PRESIDENT *pro tempore*. Under the rules of the Senate the report will be printed, notwithstanding it is adverse. The bill will be indefinitely postponed, if there be no objection.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 3520) for the relief of Jason Wheeler, late United States Indian agent at Warm Springs Agency, Oregon, reported it without amendment and submitted a report thereon.

#### MISSOURI RIVER BRIDGE AT OMAHA.

Mr. FRYE. From the Committee on Commerce I report back favorably, with an amendment, the bill (S. 3727) to amend "An act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River, near Council Bluffs, Iowa, and Omaha, Nebr., and to extend the time for the completion of the bridge therein provided for." As it is important that the bill shall become a law at this session of Congress, I ask that it may receive present consideration. There will be no objection to it.

Mr. COCKRELL. Let it be read for information.

Mr. HARRIS. Subject to objection.

The bill was read; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the Committee on Commerce was to add to the bill the following proviso:

*Provided*, That the navigation of the Missouri River shall not be obstructed by false works during the construction of the bridge.

So as to make the bill read:

*Be it enacted, etc.*, That section 8 of the act entitled "An act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River, near Council Bluffs, Iowa, and Omaha, Nebr.," be amended to read as follows:

"SEC. 8. That this act shall be null and void if construction of said bridge shall not be commenced on or before the 1st day of January, 1892, and be completed on or before the 1st day of July, 1893; *Provided*, That the navigation of the Missouri River shall not be obstructed by false works during the construction of the bridge."

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### ARREARAGES OF DISTRICT TAXES.

Mr. HUNTON. I am directed by the Committee on the District of Columbia, to whom was referred the bill (S. 3385) to amend the act of May 6, 1890, fixing the rate of interest to be charged on arrearages of general and special taxes now due the District of Columbia, to report it with a favorable recommendation, and I am further instructed unanimously by the committee to ask the consent of the Senate to put the bill upon its passage. It is an important matter which has been indorsed by the District Commissioners and the bill is unanimously reported by the District Committee.

Mr. COCKRELL and Mr. SHERMAN. Let the bill be read for information.

The bill was read, as follows:

*Be it enacted, etc.*, That all persons whose property was involved in suits of law, or where minors were owners, at the time the arrearages of taxes were received at 6 per cent and penalties on, may, within six months from the date of passage of this bill, have the privilege of paying said arrearages of taxes up to July 1, 1892, with remission of penalties, and interest to be computed at the rate of 6 per cent per annum.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### TABERNACLE SOCIETY OF THE DISTRICT OF COLUMBIA.

Mr. VANCE. I am instructed by the Committee on the District of Columbia, to whom was referred the bill (S. 3690) to incorporate the Tabernacle Society of the District of Columbia, to report it favorably, with an amendment, and I ask that it be now considered.

Mr. COCKRELL. Let the bill be read for information.

The PRESIDENT *pro tempore*. The bill will be read at length for the information of the Senate.

The Secretary read the bill, as follows:

*Be it enacted, etc.*, That Thomas J. Kervock, Mrs. C. H. L. Cones, Mrs. Florence S. Vance, Mrs. Kate R. Mann, Miss Faunle Whelan, and Miss Rafael Acosta, and their associates and successors, are hereby constituted a body politic and corporate by the name of the Tabernacle Society of the District of Columbia, with power to sue and be sued, plead and be impleaded, and have perpetual succession; to acquire, take by devise, bequest, or otherwise, hold, purchase, encumber, and convey such real and personal estates as shall be required for the purpose of its incorporation; to make and use a common seal, and the same to alter at pleasure; to choose a board of trustees, consisting of not more than fifteen, of whom five shall constitute a quorum to do business, and which board shall be authorized to fill any vacancies in their number; to appoint such officers and agents as the business of the corporation shall require, and to make by laws for the accomplishment of its purposes, for the management of its property, and for the regulation of its affairs.

SEC. 2. That this act may be amended or repealed at any time by the Congress in its pleasure.

Mr. COCKRELL. I should like to ask the Senator from North Carolina what is the object of the bill? The bill gives unlimited power to this corporation to hold and acquire real and personal estate; there is no limit to the amount; and there is no object specified in the bill for which the association is organized.

Mr. VANCE. I will state that the object is specified; but not in the bill as it was read by the Secretary. The object is to furnish vestments and sacred vessels to poor churches.

Mr. COCKRELL. That object is not specified in the bill as printed. My attention was directed to the bill, and I had a copy of it on my desk and made a memorandum upon it.

Mr. VANCE. The bill was amended by the committee.

The PRESIDENT *pro tempore*. The Chair calls attention to the fact that the bill is reported with an amendment. It was read as introduced; but there is an amendment reported by the committee.

Mr. VEST. Let the amendment be read.

Mr. COCKRELL. Let us hear the amendment, then.

Mr. SHERMAN. I think the bill had better be placed on the Calendar.

Mr. VANCE. I will take this opportunity to state that the bill was changed by the printer. The object of the association was expressly stipulated and set forth in the original bill, and the printer, by what authority I do not know, drew his pen through it, which forced us again to amend the bill in the committee.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The PRESIDENT *pro tempore*. The amendments of the committee will be stated.

The SECRETARY. In line 7, after the word "Columbia," insert:

An association to provide vestments and sacred vessels to poor churches.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### KILLING OF FRANK RILEY.

Mr. SHERMAN. I am directed by the Committee on Foreign Relations to report back favorably a resolution submitted by the Senator from Oregon [Mr. MITCHELL] calling for information from the State Department, and to recommend its passage.

The PRESIDENT *pro tempore*. The resolution will be read.

The resolution submitted by Mr. MITCHELL December 6, 1892, was read, as follows:

*Resolved*, That the President be, and he hereby is requested, if not incompatible with the public interests, to transmit to the Senate, at his earliest convenience, copies of all correspondence on file in the Department of State, if any, relating to the alleged killing of Frank Riley, an American sailor of the United States steamer Newark, in Genoa, Italy, in August or September last.

Mr. MITCHELL. I suggest that the resolution be put on its passage, if the Senator from Ohio has no objection.

Mr. SHERMAN. I have no objection.

Mr. MITCHELL. I ask for the immediate consideration of the resolution, by consent of the chairman of the committee.

The resolution was considered by unanimous consent, and agreed to.

#### HEATON'S "RECALL OF COLUMBUS."

Mr. QUAY. I am instructed by the Committee on the Library, to whom was referred the joint resolution (S. R. 134) authorizing the exhibition, at the World's Columbian Exposition, of the picture entitled "The Recall of Columbus," by Augustus G. Heaton, to report it with an amendment in the nature of a substitute, and I ask the unanimous consent of the Senate that it be immediately placed on its passage.

By unanimous consent, the Senate, as in the Committee of the Whole, proceeded to consider the joint resolution.

The amendment of the Committee on the Library was to strike out all after the resolving clause and insert:

That the Architect of the Capitol be, and he hereby is, authorized to loan to the Department of State the picture in the Capitol entitled "The Recall of Columbus," by Augustus G. Heaton, for exhibition at the World's Columbian Exposition.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A joint resolution authorizing the loan, for exhibition at the World's Columbian Exposition, of the picture entitled 'The Recall of Columbus,' by Augustus G. Heaton."

#### POTOMAC AQUEDUCT BRIDGE.

Mr. GALLINGER. I am instructed by the Committee on the District of Columbia, to whom was referred the joint resolution (S. R. 133) instructing the Secretary of War to cause an examination to be made of the piers of the Aqueduct bridge, and the District Commissioners to furnish a statement of expenditures on account of said bridge since it became the joint property of the United States and the District of Columbia, to report a Senate resolution as a substitute for the joint resolution, and I am likewise instructed by the committee to ask for its immediate consideration.

The PRESIDENT *pro tempore*. The joint resolution, in the absence of objection, will be indefinitely postponed. The Senator from New Hampshire asks unanimous consent for the present consideration of the Senate resolution which is reported as a substitute.

The Senate, by unanimous consent, proceeded to consider the resolution: which was read, as follows:

A resolution instructing the Secretary of War to cause an examination to be made of the piers of the Aqueduct bridge, and the District Commissioners to furnish a statement of expenditures on account of said bridge since it became the joint property of the United States and the District of Columbia.

Whereas by the annual report of the Commissioners of the District of Columbia for the year ending June 30, 1889, it is made to appear that the masonry composing the piers of the Aqueduct bridge was largely in need of repair and at least one of the piers thereof had settled 4 inches to the north, and large cavities caused by erosion existed in more than one of said piers, and that a large sum of money was expended in the repair of the same; Therefore,

*Resolved*, That the Secretary of War is hereby authorized and directed to cause to be made a thorough examination of the piers of said bridge by some competent officer of the Engineer Corps of the United States Army, and report to Congress at an early day—

First, If any one of said piers of said bridge has so settled as to be out of plumb; and, if so, which way it leans.

Second, What cavities, if any, exist in any of the piers of said bridge requiring repairs or in any way impairing the supporting capacity of said piers, or either of them, making specific report of defects, if any, in each pier.

Third, That he transmit a copy of the report of the officer of the Engineer Corps charged with the duty of constructing the piers of the said bridge,

showing as minutely as may be the plans and processes used in the construction thereof.

*And be it further resolved*, That the Commissioners of the District of Columbia be required to transmit to Congress a detailed report of any and all expenses incurred in the repair of the piers of said bridge since the same became the joint property of the United States and the District of Columbia, and by whom said repairs, if any, were made, and under whose direction or supervision the same were made, and, as fully as may be practicable, a detailed account of the work of making the same, and a copy of the report of any officer of the District or employed thereof, engaged in the said work, or upon any part thereof, including a statement as to whether the said Commissioners have ever caused either or all of the piers of said bridge to be tested with plumb and level, or any other suitable instrument, to see if either or all of them are out of plumb, and, if so, the result of such examination.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

The resolution was agreed to.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 20th instant, approved and signed the following acts:

An act (S. 118) for the relief of the estate of Isaac W. Talking-ton, deceased; and

An act (S. 3195) granting to the Yuma Pumping Irrigation Company the right of way for two ditches across that part of the Yuma Indian Reservation lying in Arizona.

#### BILLS INTRODUCED.

Mr. TELLER introduced a bill (S. 3743) granting a pension to Julia E. Lock, formerly widow of the late Gen. Daniel McCook; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CHANDLER introduced a bill (S. 3744) granting a pension to Alice K. Potter, widow of Gen. Joseph H. Potter, deceased; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BRICE introduced a bill (S. 3745) to amend the military record of Thomas M. Elliott; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. WOLCOTT introduced a bill (S. 3746) granting a pension to William J. Eaton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PEPPER introduced a bill (S. 3747) for the relief of William K. Copeland; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STOCKBRIDGE introduced a bill (S. 3748) granting a pension to B. C. Goddard; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 3749) to place William H. Baillache on the retired list of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CALL introduced a bill (S. 3750) granting an increase of pension to Benjamin F. Perry; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3751) granting a pension to John Hatcher; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WHITE introduced a bill (S. 3752) for the relief of Mrs. Mattie S. Holland; which was read twice by its title, and referred to the Committee on Claims.

Mr. WILSON (by request) introduced a joint resolution (S. R. 138) to recover the value of the Columbian souvenir coins in certain contingencies; which was read twice by its title, and referred to the Committee on the Quadro-Centennial (Select).

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. CAREY submitted an amendment intended to be proposed by him to the legislative appropriation bill; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

Mr. CHANDLER submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the fortification appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PROCTOR submitted an amendment intended to be proposed by him to the Army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

## PRESIDENTIAL ELECTORS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of State, transmitting, in pursuance of the provisions of the act of Congress approved February 3, 1887, a certified copy of the final ascertainment of the electors for President and Vice-President appointed in the State of Michigan, at the election held therein on the 8th day of November, 1892, as certified to him by the governor of that State; which was ordered to lie on the table.

## SALMON FISHERIES OF ALASKA.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 19th instant, the report of Special Agent Max Pracht, having in charge the protection of the salmon fisheries of Alaska; which was read.

Mr. PLATT. I think the communication should be referred to the Committee on Appropriations. It relates, to be sure, to the salmon fishing industry in Alaska, and I might perhaps go to the Committee on Fisheries; but an appropriation will be asked for the continuance of the supervision of those fisheries. That matter is now before the Committee on Territories, and the committee will, I think, report in favor of an amendment to the sundry civil or some other appropriation bill for that purpose. I think, therefore, that the communication and accompanying papers had better go to the Committee on Appropriations, unless it is desired to refer them to the Committee on Fisheries.

Mr. DOLPH. The papers will be printed, I suppose.

Mr. PLATT. Yes.

Mr. DOLPH. I think the reference suggested a proper one.

Mr. PLATT. Unless a claim is made by the Committee on Fisheries, I move that the communication, with the accompanying papers, be referred to the Committee on Appropriations and printed.

The motion was agreed to.

## INDIAN DEPREDAATION CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the Attorney-General in response to a resolution of the 21st instant relative to specified classes of Indian depredation claims entitled to priority of consideration under section 4 of the act of March 3, 1891, transmitting the decisions of the Court of Claims in the cases of John T. Mitchell, administrator, etc., vs. The United States and Sioux Nation of Indians, and of James S. Valk, executor, etc., vs. The United States and Rogue River Tribe of Indians; which, on motion of Mr. CHANDLER, was, with the accompanying papers, referred to the Select Committee on Indian Depredations, and ordered to be printed.

## BRIGHTWOOD RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate a communication from the president of the Brightwood Railway Company of the District of Columbia, transmitting the names of stockholders of that company, etc.; which was referred to the Committee on the District of Columbia, and ordered to be printed.

## PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented memorials of the Third Presbyterian Church of Camden, and of the Presbyterian Church of New Providence, in the State of New Jersey, remonstrating against the repeal of the law closing the World's Columbian Exposition; which were referred to the Committee on the Quadricentennial (Select).

Mr. SHERMAN presented a petition of the North Star Grange, No. 671, Patrons of Husbandry, of Geneva, Ohio, praying for the passage of the Washburn-Hatch anti-option bill; which was ordered to lie on the table.

He also presented a memorial of the congregation of the First Presbyterian Church of Canton, Ohio, remonstrating against the repeal of the law closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadricentennial (Select).

He also presented petitions of the Boards of Trade of West Alexandria, Youngstown, Findlay, Canton, and Cuyahoga Falls, all in the State of Ohio, praying for the establishment of a national quarantine, and the suspension of immigration until the quarantine defense of the country shall be placed in a condition to guarantee protection from contagious diseases; which were ordered to lie on the table.

Mr. SAWYER presented a petition of sundry bankers and business men of Fox Lake, Wis., praying for the repeal of the so-called Sherman silver law; which was ordered to lie on the table.

Mr. VILAS presented a petition of the Manufacturers and Job-

bers' Union of La Crosse, Wis., praying for the repeal of the so-called Sherman silver law, and remonstrating against the further purchase of silver by the Secretary of the Treasury; which was ordered to lie on the table.

Mr. WILSON presented petitions of the Tailors' Local Union No. 207, of Burlington, Iowa, and of Union No. 700, United Brotherhood of Carpenters and Joiners of America, of Keokuk, Iowa, praying for the opening of the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadricentennial (Select).

He also presented a petition of the Board of Trustees of Howard County, Iowa, praying for the repeal of the so-called Sherman silver law; which was ordered to lie on the table.

Mr. QUAY presented petitions of the Paint and Decorative Artists' Union and the Tailors' Local Union of Philadelphia, and of the Pennsylvania State Prison, praying for the passage of the Tariff-repeal bill; which were referred to the Committee on the Quadricentennial (Select).

He also presented a petition of the Philadelphia Patrons of Trade, praying for the repeal of the so-called Sherman silver law; which was ordered to lie on the table.

He also presented a petition of Captain Henry T. Platt, of Garrison No. 8, Regular Army and Navy Union, of Philadelphia, praying Congress to further extend the law retiring call to service of the Army and Marine Corps of the United States after thirty years' honorable service; which was referred to the Committee on Military Affairs.

Mr. CULLOM presented petitions of Clear-Makers' Union No. 38, of Springfield, Ill., and of Local Union No. 188, of Illinois, United Brotherhood of Carpenters and Joiners of America, praying for the opening of the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadricentennial (Select).

He also presented a petition of South Flat Grange, No. 1641, Patrons of Husbandry, of Illinois, praying for the passage of the anti-option bill; which was ordered to lie on the table.

He also presented a petition of business and rural citizens of Mendota, Ill., praying that the purchase of silver under the so-called Sherman act be immediately discontinued; which was ordered to lie on the table.

He also presented petitions of citizens of Jasper, Wayne, Hamilton, Monroe, Jefferson, and Madison Counties, all in the State of Illinois, praying for the appointment of a Senate committee to investigate the combine formed to depreciate the price of grain now existing between the millers, rail roads, elevators, and; which were referred to the Committee on Agriculture and Forestry.

Mr. DANIEL presented a petition of business men of Norfolk, Va., praying for the repeal of the so-called Sherman silver law; which was ordered to lie on the table.

## REPORTS OF COMMITTEES.

Mr. MORRILL. I am instructed by the Committee on Finance, to whom was referred the bill (S. 3500) to amend an act entitled "An act to credit and pay to the several States and Territories and District of Columbia all moneys collected under the direct tax levied by the act of Congress, approved August 5, 1861," approved March 2, 1891, to report adversely thereon. I ask, however, that the bill be placed on the Calendar.

The VICE-PRESIDENT. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. MORRILL, from the Committee on Finance, to whom was referred the bill (H. R. 5591) to permit the withdrawal of certain papers and the signing of certain receipts by John Finley, his attorney, asked to be discharged from its further consideration, and that it be referred to the Committee on Claims; which was agreed to.

Mr. McMILLAN. I am directed by the Committee on the District of Columbia, to whom the subject was referred, to submit a report accompanied by a bill to authorize reassessments for local improvements in the District of Columbia, and for other purposes. I ask that the bill be read twice, and referred to the Committee on Appropriations.

The bill (S. 3761) to authorize reassessments for local improvements in the District of Columbia, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (H. R. 1275) granting a pension to Abraham B. Simmons, of Capt. Thomas T. Ipp's company, in Col. Briggs' regiment, South Carolina Volunteers, in the Florida Indian war, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 6508) granting a pension to Joseph Fort, reported it without amendment, and submitted a report thereon.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (H. R. 929) granting a pension to Mrs. Mary E. Donaldson, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7036) granting a pension to Lillie Ries, late a nurse at Jefferson Barracks;

A bill (H. R. 3417) granting a pension to Ellen Hewett;

A bill (H. R. 2497) granting a pension to Samuel Luttrell; and

A bill (H. R. 2400) granting a pension to Willis Luttrell.

#### PROOF IN PENSION CASES.

Mr. SAWYER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 10189) relating to proof of citizenship of applicants for Indian war pensions under the act of Congress, approved July 27, 1892, to report it with an amendment. This is a short bill, and I ask unanimous consent for its immediate consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Commissioner of Pensions to accept as sufficient proof of the citizenship of an applicant for pension under the act of July 27, 1892, the fact that such applicant at the date of the application was an actual and bona fide resident of the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### DEATH OF MR. JUSTICE LAMAR.

The VICE-PRESIDENT. The Chair has received a communication from the Chief Justice of the Supreme Court of the United States, which will be read.

The Chief Clerk read as follows:

SUPREME COURT OF THE UNITED STATES,  
Washington, January 24, 1893.

The VICE-PRESIDENT:

It becomes my painful duty to inform the Vice-President and the Senate of the death of Mr. Justice Lamar, which occurred at 8.59 o'clock last night at Mason, Ga.

I have the honor to be, your obedient servant,

MELVILLE W. FULLER,  
Chief Justice of the United States.

Mr. WALTHALL. Mr. President, that the death of the great man just announced—great, sir, in every sense—is a public calamity, will be agreed by men of all shades of opinion throughout the country which he served so well. But it is in Mississippi that this affliction will be most keenly and severely felt. Sir, he was the pride of that State, to whose name he brought so much of credit during his long career of usefulness and honor in public positions of the highest responsibility and trust. He was the idol of the people of his State. They admired him for his rare gifts and his uncommon powers; they were grateful to him for services which they believe and I believe no other man could have rendered them as he did and when he did; and they loved him and trusted him for the sublime courage, the fidelity, generosity, and honor which signalized as well his private as his public life.

Mr. President, on this occasion I may not speak at large of his private life or of his public service, but I may be permitted on behalf of Mississippi and of all her people to thank the Senate in advance for the action which I know will soon be taken in adjourning as a mark of respect to his memory.

Mr. GORDON. Mr. President, this is not the occasion for any extended remarks in reference to the distinguished dead, but I do feel impelled to say that Georgia especially sympathizes with her sister State, Mississippi, in the deep sense of the loss we have sustained.

Judge Lamar's life began in Georgia. His distinguished ancestry make a part of her history. Around his name in early manhood were clustered the hopes of our people. They have naturally followed his career with the deep interest that would attach to a career so illustrious, so brilliant, so exceptionally beneficial to his country. As a mother weeps, so Georgia weeps at the death of this great man.

Sir, it was my fortune to know him and love him. It is the fortune of Georgia to have given to this Union the man who has just passed away with an immortal glory around his name and with the blessings of his entire countrymen of every section forever to follow him.

Mr. WILSON. Mr. President, in view of the sad announcement which has been made to the Senate and as a proper mark of respect to the memory of the deceased justice, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 12 o'clock and 28 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 25, 1893, at 12 o'clock m.

## HOUSE OF REPRESENTATIVES.

TUESDAY, January 24, 1893.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

#### REFUND OF CUSTOMS DUTIES.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting a detailed statement of the refund of customs duties, etc., for the fiscal year ending June 30, 1892; which was referred to the Committee on Ways and Means.

#### POST-OFFICE BUILDING, HOULTON, ME.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting a statement as to the United States custom-house and post-office building at Houlton, Me.; which was referred to the Committee on Appropriations.

#### THOMAS READY.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting copy of a bill for the relief of Thomas Ready, and recommending its approval; which was referred to the Committee on Claims.

#### PURCHASE OF INDIAN SUPPLIES, ETC.

The SPEAKER also laid before the House a letter from the Acting Secretary of War, transmitting statement prepared by the Commissioner of Indian Affairs, showing open market purchases of goods and supplies for the Indian service during the fiscal year 1892; which was referred to the Committee on Indian Affairs.

#### WASHINGTON AND GEORGETOWN RAILROAD COMPANY.

The SPEAKER also laid before the House a communication from the president of the Washington and Georgetown Railroad Company, showing the receipts, etc., of said road for the year ending December 31, 1892; which was referred to the Committee on the District of Columbia.

#### BRIGHTWOOD RAILROAD COMPANY.

The SPEAKER also laid before the House a communication from the president of the Brightwood Railroad Company, showing the operations of said road for the year ending December 31, 1892; which was referred to the Committee on the District of Columbia.

#### PRESIDENTIAL ELECTORS.

The SPEAKER also laid before the House certified copies of the ascertainment of electors in the States of Michigan and Louisiana, transmitted by the Secretary of State; which were severally ordered to lie upon the table.

#### BRIDGE ACROSS THE MISSOURI RIVER.

The SPEAKER also laid before the House the bill (S. 3727) to amend an act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River, near Council Bluffs, Iowa, and Omaha, Nebr.

Mr. BRYAN. Mr. Speaker, I ask unanimous consent for the present consideration of that bill.

The SPEAKER. The bill will be read subject to objection.

The bill was read, as follows:

*Be it enacted, etc.*, That section 8 of the act entitled "An act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River, near Council Bluffs, Iowa, and Omaha, Nebr.," be amended to read as follows:

"SEC. 8. That this act shall be null and void if construction of said bridge shall not be commenced on or before the 1st day of January, 1892, and be completed on or before the 1st day of July, 1893: *Provided*, That the navigation of the Missouri River shall not be obstructed by false works during the construction of the bridge."

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, and being read the third time, was passed. On motion of Mr. BRYAN, a motion to reconsider the last vote was laid on the table.

The SPEAKER. In the absence of objection the corresponding House bill (H. R. 19117) will be laid on the table.

#### SENATE BILLS REFERRED.

The SPEAKER laid before the House Senate bills and a joint resolution of the following titles: which were severally read a first and second time, ordered to be printed, and referred to the committees named below:

Joint resolution (S. R. 134) authorizing the loan, for exhibition at the World's Columbian Exposition, of the picture entitled "The Recall of Columbus," by Augustus G. Heaton—to the Committee on the World's Columbian Exposition.



A bill (S. 1948) authorizing the Southern Kansas Railway Company to construct and maintain a pipe line from the North Fork of the Canadian River, Indian Territory, to said railway—to the Committee on Indian Affairs.

A bill (S. 3690) to incorporate the Tabernacle Society of the District of Columbia—to the Committee on the District of Columbia.

A bill (S. 3353) to amend the act of May 6, 1890, fixing the rate of interest to be charged on arrearages of general and special taxes now due the District of Columbia—to the Committee on the District of Columbia.

#### TESTIMONY IN INTERSTATE-COMMERCE CASES, ETC.

The SPEAKER laid before the House the bill (S. 1933) concerning testimony in criminal cases or proceedings based upon or growing out of alleged violations of an act entitled "An act to regulate commerce," approved February 4, 1887, as amended March 2, 1889, and February 10, 1891, the Senate having disagreed to the House amendments, and asked for a conference on the disagreeing votes of the two Houses.

Mr. PATTERSON of Tennessee. I move that the House insist on its amendments and agree to the conference asked for.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. WISE, Mr. PATTERSON of Tennessee, and Mr. STORER.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BROWN of Maryland, indefinitely, on account of sickness.

#### ORDER OF BUSINESS.

Mr. HOLMAN. I ask unanimous consent that the call of committees for reports be dispensed with this morning, and that gentlemen desiring to submit reports be permitted to file them with the Clerk.

There was no objection, and it was so ordered.

Mr. HOLMAN. I move that the House resolve itself into the Committee of the Whole for the further consideration of general appropriation bills.

Mr. OATES. Mr. Speaker, pending that motion I desire to make a proposition relating to the business of the House. It is well known that to-day and to-morrow were, by a previous order of the House, set apart for the consideration of the bankruptcy bill. Exception was made in favor of general appropriation bills. Now, I do not care to raise the question of consideration, provided we can reach an agreement which will facilitate business. I ask unanimous consent, therefore, that Thursday be substituted for to-day, so that Wednesday and Thursday may be given to the consideration of the bankruptcy bill, and let the gentleman from Indiana [Mr. HOLMAN] go on with his appropriation bill to-day, if that be agreed to.

Mr. HOLMAN. I think that is a very proper proposition, inasmuch as to-day ought to be devoted to the consideration of the sundry civil bill, so that it may be laid before the Senate at the earliest possible moment.

Mr. BURROWS. There ought to be no objection to that.

The SPEAKER. The Chair will submit the request of the gentleman from Alabama [Mr. OATES], which is that the order heretofore made assigning to-day for the consideration of the bankruptcy bill be vacated, and that Thursday be substituted for to-day, so that Wednesday and Thursday, subject to the same limitation as in the original order, may be given to the consideration of the bankruptcy bill.

Mr. CRAIN. I object.

Mr. HEMPHILL. I wish to submit a request for unanimous consent. As the House well knows, the Committee on the District of Columbia was cut out of its day yesterday. Next Monday happens to be the fifth Monday of the month, and there is no appointment, under the rules, for any particular business on that day. The Committee on the District of Columbia have some measures of consequence to be considered, one of which will probably increase the revenues of the District about \$200,000 this year if we can get the bill through, and I ask unanimous consent that next Monday be devoted to business reported from the Committee on the District of Columbia the same as if it were the fourth Monday in the month.

Mr. BLOUNT. I hope the gentleman will add to that the provision that it shall not interfere with the appropriation bills.

Mr. HEMPHILL. That is not the rule of the House with reference to District day.

Mr. BLOUNT. We are not talking about the rules of the House. The gentleman from South Carolina is requesting unanimous consent now.

The SPEAKER. The Chair will submit the request.

Mr. BLOUNT. I shall object unless that modification is made.

Mr. HEMPHILL. Then I will have to make that modification.

The SPEAKER. The Chair will submit the request as modified. The gentleman from South Carolina [Mr. HEMPHILL] asks unanimous consent that Monday next, being the fifth Monday in the month, be assigned to the consideration of such business as may be reported from the Committee on the District of Columbia, subject to the right to consider general appropriation bills. Is there objection?

Mr. CRAIN. Is not that suspension day?

The SPEAKER. No; it is the fifth Monday in the month. Is there objection to the request?

Mr. BELTZHOVER. I object.

#### REPORTS OF COMMITTEES.

The following reports of committees were handed in at the Clerk's desk, referred to their appropriate Calendars, and otherwise disposed of, as indicated below:

#### TRESTLE ACROSS THE SHOAL WATER BETWEEN CEDAR POINT AND DAUPHIN ISLAND.

Mr. CRAIN, from the Committee on Interstate and Foreign Commerce, reported favorably the bill (H. R. 10289) to amend an act entitled "An act to grant to the Mobile and Dauphin Island Railroad and Harbor Company the right to trestle across the shoal water between Cedar Point and Dauphin Island," approved September 26, 1890; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### PUBLIC WORKS ON RIVERS AND HARBORS.

Mr. WILLIAM A. STONE, from the Committee on Rivers and Harbors, reported back with amendments the bill (H. R. 10241) to amend "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 13, 1892; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### CARACAS AWARDS.

Mr. CHIPMAN, from the Committee on Foreign Affairs, reported back favorably the bill (S. 2451) for the application of the accretions of the Caracas rewards of 1838 to the new awards made in 1889 and 1890; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### PUBLIC BUILDING, SAVANNAH, GA.

\* Mr. BANKHEAD, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 9756) to provide for the amendment of act of Congress approved January 21, 1891, in regard to the sale of the old site of the public building at Savannah, Ga.; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### ADMISSION OF UTAH AS A STATE.

Mr. MANSUR, from the Committee on the Territories, reported back favorably the bill (H. R. 10190) to enable the people of Utah to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying reports, ordered to be printed.

#### INVESTIGATION OF CERTAIN BANKS.

Mr. BACON submitted a report from the Committee on Banking and Currency under a resolution directing the investigation of certain banks; which was laid on the table, and the accompanying report ordered to be printed.

#### POSTAL MONEY-ORDER SYSTEM.

Mr. HENDERSON of North Carolina, from the Committee on the Post-Office and Post-Roads, reported back favorably a bill (H. R. 10245) to modify the postal money-order system; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### PROTECTION OF PERSONS FURNISHING MATERIALS AND LABOR FOR THE CONSTRUCTION OF PUBLIC WORKS.

Mr. LAYTON, from the Committee on the Judiciary, reported back favorably the bill (H. R. 9491) for the protection of persons furnishing materials and labor for the construction of public works; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### REPRINT OF A BILL.

Mr. CON of Tennessee. Mr. Speaker, I wish to ask that there be a reprint of the bill (H. R. 10143) and the reports upon it. The copies in the document room having been exhausted. I have that 500 copies of the bill and report be printed.



The SPEAKER. The Clerk will report the title of the bill concerning which the request is made.

The Clerk read as follows:

A bill (H. R. 10113) to increase the circulation of national banks, and for other purposes.

The SPEAKER. The gentleman asks for a reprint of this bill and the report accompanying it, containing the views of the majority and minority. Is there objection?

Mr. SIMPSON. I object.

Mr. OATES. Mr. Speaker, a few moments ago I asked unanimous consent that Thursday be substituted for to-day for the consideration of the bankruptcy bill, and objection was made. I desire to know if I can not now submit a motion to that effect, to be voted on by the House?

The SPEAKER. It is not in order.

Mr. OATES. Well, then, Mr. Speaker, it is perfectly apparent that if the time which has been set apart for the consideration of the bankruptcy bill be not allowed, there is very little chance of bankruptcy legislation at this session of Congress, and I raise the question of consideration.

Mr. HOLMAN. Will the gentleman allow me a word?

The SPEAKER. The Chair will state to the gentleman from Alabama [Mr. OATES] that the motion of the gentleman from Indiana [Mr. HOLMAN] is to go into Committee of the Whole for the consideration of an appropriation bill, and the question of consideration can not be raised on that motion.

Mr. HOPKINS of Illinois. But it can be voted down.

The SPEAKER. It is with the House.

Mr. OATES. If the motion should not be agreed to, then it will be in order to proceed to the consideration of the bankruptcy bill?

The SPEAKER. Unless some other appropriation bill antagonizes it.

Mr. HOLMAN. Mr. Speaker, I wish to make a suggestion to the gentleman from Alabama, and it is this: That if to-morrow the measure of the gentleman shall develop sufficient strength to go through the House he can get a recess until the next day. It is of the highest importance that this appropriation bill should be passed at the earliest moment.

Mr. REED. Why have you not had it in before, then?

The SPEAKER. The gentleman from Indiana moves that the House resolve itself into Committee of the Whole for the consideration of general appropriation bills.

The question was taken.

The SPEAKER. The Chair is in doubt.

The House divided; and there were—yeas 92, noes 82.

Mr. LODGE. The yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 107, nays 128, not voting 94; as follows:

## YEAS—107

Abbott,	Dickerson,	Lane,	Pierce,
Alderson,	Dockery,	Lanham,	Quackenbush,
Alexander,	Dolliver,	Lawson, Va.	Reilly,
Allen,	Donovan,	Lester, Va.	Richardson,
Bacon,	Edmunds,	Livingston, La.	Robertson, La.
Bankhead,	Ellis,	Long,	Rockwell,
Barwig,	Everett,	Lynch,	Sayers,
Belcher,	Fithian,	Martin,	Scott,
Bentley,	Forman,	McClellan,	Shively,
Blackford,	Gantz,	McGinn,	Smith,
Blair,	Geary,	McKaig,	Snow,
Blount,	Groat,	Meredith,	Springer,
Branch,	Hallvorson,	Miller,	Steward, Ill.
Brett,	Hamilton,	Montgomery,	Stewart, Tex.
Brock-hire,	Hatch,	Moses,	Taylor, Tenn.
Brunner,	Hemphill,	Mitchler,	Terry,
Dryden,	Henderson, N. C.	Outlaw,	Tillman,
Buchanan, Va.	Hermann,	Outhwaite,	Turner,
Bullock,	Holman,	Owens,	Turnip,
Bunn,	Hooker, Miss.	Patterson, Tenn.	Van Horn,
Burke,	Hook, Ohio,	Patt.,	White,
Cahoon,	Hull,	Paynter,	Wilcox,
Campbell,	Jolley,	Pearson,	Williams, Ill.
Campbell,	Jones,	Peel,	Wilson, Mo.
Carrington,	Kilgore,	Pendleton,	Wise,
Cox, Tenn.	Kribbs,	Perkins,	Wolverton,
Crawford,	Kyle,	Pickler,	
DeArmond,			

## NAYS—128

Amesman,	Busey,	Crosby,	Greenleaf,
Amory,	Bushnell,	Cummings,	Griswold,
Arnold,	Cadmus,	Curtis,	Hall,
Atkinson,	Caminetti,	Cutting,	Hallowell,
Babbitt,	Catchings,	Dalzell,	Hare,
Baily,	Causey,	Daniell,	Harner,
Baker,	Chipman,	Davis,	Harries,
Barine,	Clarke, Ala.	De Forest,	Hangen,
Bellknap,	Clover,	Dingley,	Herbert,
Belknap,	Cobb, Ala.	Doan,	Hilborn,
Bennet,	Cobb, Mo.	Dungan,	Hitt,
Bonville,	Coburn,	Elliot,	Hooker, N. Y.
Bowman,	Cogswell,	English,	Hopkins, Pa.
Brawley,	Coolidge,	Enloe,	Hopkins, Ill.
Bridger,	Coombs,	Flek,	Hook, Tenn.
Broderick,	Covert,	Gillespie,	Huff,
Burrows,	Cox, N. Y.	Gorman,	Johnson, Ind.

Rem.	Meyer,	Reed,	Taylor, J. D.
Lagan,	Moore,	Reynolds,	Townsend,
La Ham,	Newberry,	Robinson, Pa.	Tracey,
Layton,	Oates,	Russell,	Wadsworth,
Lewis,	O'Donnell,	Scull,	Walker,
Lind,	O'Neill, Mass.	Seerley,	Warner,
Lockwood,	O'Neill, Pa.	Shell,	Watson,
Lodge,	Oris,	Shonk,	Weadock,
Loud,	Page,	Simpson,	Wheeler, Ala.
Mallory,	Payne,	Stahnecker,	Wheeler, Mich.
Mansur,	Powers,	Stevens,	Williams, Mass.
McAleer,	Price,	Stone, W. A.	Wilson, Wash.
McKinney,	Randall,	Store,	Wilson, W. Va.
McMillin,	Ray,	Tarsney,	Winn,
	Rayner,	Taylor, Ill.	Youmans.

## NOT VOTING—91

Andrew,	Cooper,	Johnson, N. Dak.	Sanford,
Beaman,	Cowles,	Johnson, Ohio	Sipe,
Belden,	Cullerson,	Johnstone, S. C.	Snodgrass,
Bergen,	Dixon,	Kendall,	Sperry,
Brockbridge, Ark.	Dunphy,	Ketcham,	Stephenson,
Brockbridge, Ky.	Dunbar,	Lawson, Ga.	Stockdale,
Brosius,	Enochs,	Lester, Ga.	Stone, C. W.
Brown, Ind.	Epes,	Little,	Stone, Ky.
Brown, Ill.	Fellows,	Magner,	Stout,
Buchanan, N. J.	Fitch,	McCreary,	Stump,
Bunting,	Forney,	McKeighan,	Sweet,
Bynum,	Flower,	McKus,	Taylor, E. B.
Byrns,	Furston,	Milliken,	Taylor, V. A.
Cable,	Gyan,	Mitchell,	Thacker,
Caldwell,	Geissenhainer,	Morse,	Washington,
Campbell,	Goodnight,	Norton,	Waugh,
Caruth,	Grady,	O'Ferrall,	Weyer,
Castro,	Harter,	O'Neil, Mo.	Whiting,
Cave,	Hayes, Iowa	Parrett,	Wike,
Chatham,	Hayes, Ohio	Pattison, Ohio	Williams, N. C.
Chancy,	Heard,	Post,	Wilson, Ky.
Clark, Wyo.	Henderson, Iowa	Raines,	Wright,
Cochran,	Henderson, Ill.	Rife,	
	Hear,	Rusk,	

So the motion was not agreed to.

The following pairs were announced:

Until further notice:

Mr. GEISSENHAINER with Mr. BERGEN.

Mr. MITCHELL with Mr. MORSE.

Mr. McCREARY with Mr. WILSON of Kentucky.

Mr. GOODNIGHT with Mr. KETCHAM.

Mr. CARUTH with Mr. VINCENT A. TAYLOR.

Mr. WASHINGTON with Mr. SANFORD.

Mr. FORNEY with Mr. RAINES.

Mr. CULBERSON with Mr. STEPHENSON.

Mr. STONE of Kentucky with Mr. POST.

For this day:

Mr. NORTON with Mr. RIFE.

Mr. KENDALL with Mr. TOWNSEND.

Mr. HAYNES with Mr. HENDERSON of Iowa.

Mr. DIXON with Mr. BELDEN.

Mr. WHITING with Mr. BUCHANAN of New Jersey.

Mr. BYNUM with Mr. CALDWELL.

Mr. CAMPBELL with Mr. WEVER.

Mr. O'FERRALL with Mr. ENOCHS until Thursday, January 25, 1893.

The result of the vote was then announced as above recorded.

Mr. DICKERSON. Mr. Speaker, I ask for a recapitulation of the vote.

The SPEAKER. After the announcement, the Chair thinks it would not be in order unless the gentleman states that he was rising for that purpose.

Mr. DICKERSON. I was attempting to do so as quick as I could, but I shall not insist.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 10189) relating to proof of citizenship of applicants for Indian war pensions under the act of Congress, approved July 27, 1892.

## ENROLLED BILLS SIGNED.

Mr. SCOTT, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles: when the Speaker signed the same:

A bill (S. 1631) to establish a life-saving station at Gay Head, on the coast of Massachusetts;

A bill (S. 317) relating to post traderships;

A bill (S. 3581) to amend an act entitled "An act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes;" and

Joint resolution (S. R. 137) making an appropriation of \$5,000 for clearing the Potomac River of ice.

## DEATH OF MR. JUSTICE LAMAR.

The SPEAKER. The Chair will lay before the House a communication from the Chief Justice of the Supreme Court of the United States.

sion act, reported it favorably, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 3531) to amend the charter of the Brightwood Railway Company, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom the subject was referred, reported a bill (S. 3765) to provide for annual reports by certain corporations in the District of Columbia: which was read twice by its title.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (H. R. 6649) to extend the provisions of an act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Indian Affairs, to whom was referred the bill (S. 3506) for the relief of John Palmier, Pine Ridge, Shannon County, S. Dak., reported it without amendment, and submitted a report thereon.

Mr. BUTLER, from the Committee on Naval Affairs, to whom was referred the bill (S. 66) for the relief of Commodore Oscar C. Badger, reported it without amendment, and submitted a report thereon.

Mr. BLACKBURN. I desire to state that this is not a unanimous report from the Committee on Naval Affairs; and I shall be obliged to the Senator making the report if he will advise me before he calls up the bill for action by the Senate.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. HARRIS. The Committee on the District of Columbia directed the Senator from Virginia [Mr. HUNTON], who is now necessarily absent from the Chamber, to report an amendment making an appropriation for the collection and removal of garbage and dead animals, to be proposed to the appropriation bill providing for the expenses of the government of the District of Columbia. The Senator from Virginia requested me for him and in his name to report the amendment, which I do. I move that the amendment be printed, and that it, with the accompanying papers, be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. HALE, from the Committee on Naval Affairs, to whom was referred an amendment providing for a further increase of the naval establishment of the United States to be proposed to the naval appropriation bill, reported it with amendments and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7234) granting a pension to Mary Millard;

A bill (H. R. 9220) granting a pension to Mrs. Caroline Hardee Dyall, widow of James R. Dyall, veteran of the Florida war, 1836;

A bill (H. R. 1318) granting a pension to Martha A. Harris; and

A bill (H. R. 7257) granting a pension to Alonzo D. Barber.

Mr. WALTHALL, from the Committee on Public Lands, to whom was referred the bill (H. R. 7625) for relief of certain settlers on public lands in the Tucson land district in Arizona, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 8268) to amend chapter 559, page 1095, volume 26, United States Statutes at Large, reported it with amendments, and submitted a report thereon.

Mr. TURPINE, from the Committee on Pensions, to whom was referred the bill (H. R. 6272) to pension Susan S. Murphy, reported it without amendment, and submitted a report thereon.

Mr. PLATT, from the Committee on Territories, to whom was referred an amendment submitted by Mr. DOLPH on the 21st instant, providing for an appropriation of \$5,000 for the protection of the salmon fisheries of Alaska under the direction of the Secretary of the Treasury, intended to be proposed to the sundry civil appropriation bill, reported it favorably and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

#### ELECTRIC RAILROADS.

Mr. MORRILL. I am directed by the Committee on Finance to ask to have referred to that committee the bill (S. 3561) to encourage the construction of electric railroads, to facilitate the rapid transportation of the mails, to promote the interests of commerce and travel, and to aid in demonstrating the feasibility of the distribution of electrical power for agricultural and other purposes along the line of electric roads, and especially to aid in the construction of a pioneer electric railroad between the cities

of Chicago and St. Louis, by the Chicago and St. Louis Electric Railroad Company, and to secure to the Government the use of the same for postal, military, and other purposes at the existing rates.

Mr. FRYE. I call the attention of the Senator from Missouri [Mr. VEST] to the request which has just been made by the Senator from Vermont.

Mr. MORRILL. I have already called the attention of the Senator from Missouri to it.

Mr. VEST. Let the bill go to the Committee on Finance.

The VICE-PRESIDENT. The bill will go to the Committee on Finance, in the absence of objection.

#### DISTRICT OF COLUMBIA COURT OF APPEALS.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 10010) to establish a court of appeals for the District of Columbia, and for other purposes, to report it favorably with an amendment. I desire to ask unanimous consent that the amendment may be adopted in order that a conference may be had.

I will explain the matter, if the Senate will permit me. The other House, by an inadvertence, the chairman of the House Judiciary Committee having been kept away by illness of his family, instead of passing the Senate bill with two or three amendments, passed a new bill, which is substantially the Senate bill.

There are two or three differences. One of them is the provision in regard to the power of the court of appeals over injunctions. We provided that the court of appeals might revise the action of a single judge in granting or dissolving injunctions. The House expression is "in granting injunctions and the like," which is very vague, like the old term "and so forth," which sometimes used to creep into legislation.

Then the other House used a very inexact expression in regard to the granting of appeals in interference cases. I think all the members of the Senate committee agree that in such cases where there is a judgment in regard to an interference, there ought to be an appeal to the higher court.

The third difference, which is a trifling one, is that the House bill has made no distinction between the salary of the chief justice and the associate justices. The chief justice has some special duties, and in the bill as it passed the Senate there was an addition of \$500 to his salary.

So, in substance, I make the ordinary request, which is always granted by the Senate, that the Senate reconsider its bill, a conference with the other House. I suggest that the House bill be passed with the Senate amendment as a substitute, and that a conference be had.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10010) to establish a court of appeals for the District of Columbia, and for other purposes.

The VICE-PRESIDENT. The amendment of the committee will be read.

The CHIEF-CLERK. The committee report to strike out all after the enacting clause of the House bill and insert a substitute, the substitute being Senate bill 1187.

Mr. HOAR. If any Senator thinks the substitute should be read, that course had better be taken.

Mr. COCKRELL. It is not very long.

Mr. HOAR. It is not very long. The bill has already passed the Senate without any substantial dissent. If Senators desire to have it read again it can be read.

The amendment was read, it being to strike out all after the enacting clause and insert:

That there shall be, and there is hereby established, in the District of Columbia a court, to be known as the court of appeals of the District of Columbia, which shall consist of one chief justice and two associate justices, who shall be appointed by the President, by and with the consent and advice of the Senate, and shall hold office during good behavior.

SEC. 2. That the said justices shall each receive an annual salary of \$26,000 payable quarterly at the Treasury of the United States, except the chief justice, who shall receive \$67,500.

SEC. 3. That each of said justices before he enters upon the duties of his office, shall take the oath prescribed by law to be taken by the judges of the courts of the United States.

SEC. 4. That there shall be a clerk of said court of appeals, to be appointed by the court, who shall receive as compensation for his services, the compensation of the court, an annual salary not to exceed \$10,000, payable quarterly at the Treasury of the United States, and such other allowances as the court may determine to be necessary for the proper performance of his duties; and his duties shall be such as the court may prescribe. The court shall regulate the time and manner of the holding of its sessions, which shall be held on the first day of January, and shall be paid into the Treasury of the United States. The court shall receive such allowance for clerical assistance, for the purchase of books, for the conduct of his office as the court may determine, not to exceed \$10,000 per annum, but not to exceed the sum of \$500 per annum for the purchase of books, at the Treasury of the United States.

SEC. 5. That said court of appeals shall have jurisdiction of appeals from the decisions of the district courts of the District of Columbia, and shall perform such duties as may be assigned them by the President.

SEC. 6. That the said court of appeals shall establish such terms of the court, not less than three in each year, as to it may seem proper and expedient; and it shall make such rules and regulations as may be necessary and proper for the transaction of the business to be brought before it, and for the time and method of the entry of appeals and for giving notice of appeals therefrom to the supreme court of the District of Columbia, and such other rules and regulations as may be necessary and proper in the premises.

If any member of the court shall be absent on account of illness or other cause during the session thereof, or shall be disqualified from hearing and determining any particular case by having been of counsel therein, or by having been a justice of the supreme court of the District of Columbia previously tried up on the merits thereof, or for any other reason whatever, or if for any reason whatever it shall be impracticable to obtain a full court of three judges, the member or members of the court who shall be present shall designate a justice or justices of the supreme court of the District of Columbia to temporarily fill the vacancy or vacancies so created, and the justice or justices so designated shall sit in said court of appeals and perform the duties of a member thereof while such vacancy or vacancies shall exist. *Provided*, That no justice of the supreme court of the District of Columbia shall, while on the bench of said court of appeals, sit in review of any judgment, decree, or order which he shall have himself entered or made.

SEC. 7. That any party aggrieved by any final order, judgment, or decree of the supreme court of the District of Columbia, or of any justice thereof, may appeal therefrom to the court of appeals hereby created; and upon such appeal the court of appeals shall review such order, judgment, or decree, and affirm, reverse, or modify the same as shall be just: *Provided, however*, That all cases now pending before the said supreme court in general term shall, by appropriate orders duly entered of record be transferred and delivered to the court of appeals hereby created, which said court of appeals is hereby vested with authority and jurisdiction to hear and determine the cases so transferred. The appellate power and jurisdiction of said general term is hereby abrogated and abolished and no cases shall hereafter be heard in the said general term. Appeals shall also be allowed to said court of appeals from all interlocutory orders of the supreme court of the District of Columbia, or by any justice thereof, whereby the possession of property is changed or affected, such as orders for the appointment of receivers, granting or dissolving injunctions, dissolving writs of attachment, and also from any other interlocutory order, in the discretion of said court of appeals, whenever it is made to appear to said court upon petition that it will be in the interest of justice to allow such appeal. In all cases of appeal to the court of appeals and in the causes transferred to the court of appeals under this section the original papers and duly certified copies of the necessary record entries shall be transferred and delivered to the court of appeals under such regulations as the court of appeals shall from time to time prescribe.

SEC. 8. That any final judgment or decree of the said court of appeals may be reexamined and affirmed, reversed, or modified by the Supreme Court of the United States, upon writ of error or appeal, in all cases in which the matter in dispute, exclusive of costs, shall exceed the sum of \$5,000, in the same manner and under the same regulations as heretofore provided for in cases of writs of error on judgment or appeals from decrees rendered in the supreme court of the District of Columbia; and also in all cases, without regard to the sum or value of the matter in dispute, wherein is involved the validity of any patent or copyright, or in which is drawn in question the validity of a treaty or statute of or an authority exercised under the United States.

SEC. 9. That the determination of appeals from the decision of the Commissioner of Patents, now vested in the aforesaid general term of the supreme court of the District of Columbia, in pursuance of the provisions of section 780 of the Revised Statutes of the United States relating to said District, shall hereafter be, and the same is hereby, vested in the court of appeals hereby created.

SEC. 10. That the opinion of the said court of appeals in every case shall be reduced in writing, duly authenticated, and filed with the clerk of said court before any judgment, decree, or order shall be entered in pursuance thereof.

SEC. 11. That the said court of appeals shall have power to issue all necessary and proper remedial and prerogative writs in aid of its appellate jurisdiction.

SEC. 12. That the Attorney-General is hereby empowered and directed to provide suitable rooms and accommodations in the city of Washington for the court of appeals hereby created, and for the transaction of its business.

SEC. 13. That the marshal of the United States for the District of Columbia shall execute the orders and processes of the court of appeals hereby created in the same manner as he now executes those of the supreme court of the District of Columbia.

SEC. 14. That the justices of the supreme court of the District of Columbia shall hereafter receive an annual salary of \$5,000 each, payable quarterly at the Treasury of the United States, except the chief justice, who shall receive \$5,500.

SEC. 15. That whenever the number of the justices of the supreme court of the District of Columbia is, by death, resignation, retirement, or otherwise, reduced to five, the said supreme court of the District of Columbia shall thereafter consist of one chief justice and four associate justices, who shall be assigned by the said court annually, or as often as may be deemed expedient, to the several special terms thereof.

SEC. 16. That the justices of the court of appeals hereby created and of the supreme court of the District of Columbia shall be deemed to be justices of the courts of the United States within the meaning of the law providing for the retirement of such justices upon their attaining the age of 70 years and having been in commission ten years or upward. And when any justice of the supreme court of the District of Columbia shall be appointed a justice of the court of appeals hereby created the terms of service of such justice in both courts shall be deemed continuous and as under one commission for the purposes of said law.

SEC. 17. That all acts and parts of acts inconsistent herewith are hereby repealed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MR. HOAR. I move that the Senate request a conference with the House of Representatives on the bill and amendment.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. HOAR, Mr. WILSON, and Mr. FUGH were appointed.

#### PARIS EXPOSITION REPORTS.

MR. MANDERSON. I am directed by the Committee on Printing, to whom was referred a concurrent resolution for

printing extra copies of the reports of the commissioners of the United States to the Paris Exposition of 1889, to report it with amendments, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution, submitted by Mr. MANDERSON on the 16th instant, which was read, as follows:

*Resolved by the Senate (the House of Representatives concurring).* That in addition to the usual number there shall be printed 5,000 extra copies of the reports of the commissioners of the United States to the Paris Exposition of 1889, 1,000 copies for the use of the Senate, 3,000 copies for the use of the House, and 2,000 copies for the use of the Department of State.

The VICE-PRESIDENT. The amendments will be stated.

The CHIEF CLERK. In line 3, strike out "5,000" and insert "5,500;" in line 6, strike out "1,000" and insert "1,500;" in line 6, strike out "2,000" and insert "3,000;" and in line 7, strike out "2,000" and insert "1,000;" so as to make the resolution read:

That in addition to the usual number there shall be printed 5,500 extra copies of the reports of the commissioners of the United States to the Paris Exposition of 1889, 1,500 copies for the use of the Senate, 3,000 copies for the use of the House, and 1,000 copies for the use of the Department of State.

The amendments were agreed to.

The concurrent resolution as amended was agreed to.

#### DISTRICT BOARD OF CHARITIES.

MR. GALLINGER. I am instructed by the Committee on the District of Columbia, to whom was referred the bill (S. 3539) to create a board of charities for the District of Columbia, to report it favorably without amendment, and submit a report thereon. As it is important that speedy action should be taken on this measure, which is recommended by the District Commissioners and the commissioner of charities, I ask that it be immediately considered. I think there will be no objection to it.

The VICE-PRESIDENT. The bill will be read for information.

MR. MITCHELL. I shall reserve the right to object if it leads to any debate.

MR. GALLINGER. I think the bill will not be objected to when it is read.

MR. COCKRELL. Let the bill be read for information.

The Secretary proceeded to read the bill.

MR. MITCHELL. I am quite sure the bill will lead to debate. I ask the Senator from New Hampshire to let it go over until to-morrow.

MR. GALLINGER. I will withdraw the report, by unanimous consent.

MR. COCKRELL. This is an important bill. I hope the Senator will have the report printed and that we may see the bill just as it is proposed to be passed. Otherwise it may be delayed another morning, for I shall certainly want to see the report before I agree to the passage of the bill.

MR. GALLINGER. Then let the report be printed and the bill be placed on the Calendar.

MR. COCKRELL. Let the bill lie on the table, subject to be called up, and not be placed on the calendar.

MR. GALLINGER. Very well.

MR. VEST. I desire to make a single remark before the bill goes over. I wish to call the attention of the Senate, or a majority of it, to the fact that during the closing hours of the last session of Congress a bill was passed through the Senate, the contents of which I undertake to say not ten Senators knew, establishing a board of charities in the District of Columbia with most extraordinary powers, giving them authority which I am satisfied a majority of the Senate would never have committed to them. Therefore it becomes a matter of the greatest importance that the contents of this bill, which I do not know, should be well known to the Senate before any additional action is taken.

MR. GALLINGER. The committee of which I am a member are very desirous that the Senate shall understand everything they report. I am quite willing the report shall be printed and examined before the bill is considered.

The VICE-PRESIDENT. The bill will lie on the table.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLER, its Chief Clerk, announced that the House had passed the bill (S. 3727) to amend an act entitled "An act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River, near Council Bluffs, Iowa, and Omaha, Neb., and to extend the time for the completion of the bridge therein provided for."

The message also announced that the House insisted upon its amendments to the bill (S. 1933) concerning testimony in criminal cases or proceedings based upon or growing out of alleged violations of an act entitled "An act to regulate commerce," approved February 4, 1887, as amended March 2, 1889, and February 10, 1891, disagreed to by the Senate, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WISE, Mr. PATTERSON

## NAYS—3.

Crawford, Kilgore, Pierce.

## NOT VOTING—111

Alderson,	Dickerson,	Johnstone, S. C.	Robinson, Pa.
Alexander,	Dixon,	Jones,	Russell,
Allen,	Donovan,	Kendall,	Sanford,
Antony,	Dungan,	Ketcham,	Shonk,
Bacon,	Ellis,	Lane,	Sipe,
Beaman,	English,	Lawson, Va.	Snodgrass,
Belden,	Enochs,	Little,	Stephenson,
Branch,	Fellows,	McCreary,	Stewart, Tex.
Breckinridge, Ky.	Fitch,	McKeehan,	Stockdale,
Brown, Ind.	Fithian,	Meredith,	Stone, Ky.
Brown, Md.	Forney,	Mitchell,	Stump,
Buchanan, N. J.	Fowler,	Norton,	Sweet,
Bunn,	Funston,	O'Ferrall,	Taylor, J. D.
Bunting,	Fyan,	O'Neill, Mo.	Taylor, V. A.
Bynum,	Geissenhainer,	Owens,	Townsend,
Byrus,	Gillespie,	Parrett,	Turpin,
Campbell,	Goodnight,	Pattison, Ohio	Wadsworth,
Castle,	Grady,	Patton,	Washington,
Cansey,	Hall,	Pearson,	Wang,
Cheatham,	Hamilton,	Pendleton,	Whiting,
Clancy,	Harter,	Pickler,	Williams, N. C.
Clarke, Ala.	Haynes, Ohio	Post,	Williams, Ill.
Clark, Wyo.	Henderson, Iowa	Price,	Wilson, Ky.
Cookran,	Henderson, N. C.	Raines,	Wilson, W. Va.
Cooper,	Henderson, Ill.	Ray,	Wise,
Cowles,	Hermann,	Rayner,	Wolverton,
Crain,	Huff,	Richardson,	Wright
Culbertson,	Johnson, Ohio	Rife,	

The following-named members were announced as paired:  
Until further notice:

Mr. GOODNIGHT with Mr. KETCHAM.  
Mr. CULBERSON with Mr. STEPHENSON.  
Mr. McCREARY with Mr. WILSON of Kentucky.  
Mr. WASHINGTON with Mr. SANFORD.  
Mr. STONE of Kentucky with Mr. RIFE.

The following for this day:

Mr. DICKSON with Mr. BELDEN.  
Mr. BYNUM with Mr. BUCHANAN of New Jersey.  
Mr. WHITING with Mr. RAINES.

The following on the bankruptcy bill:

Mr. GEISSENHAINER with Mr. SNODGRASS.  
Mr. HEMPHILL with Mr. BOWERS.  
Mr. CRAIN with Mr. VINCENT A. TAYLOR.  
Mr. ALLEN with Mr. WILSON of West Virginia.  
Mr. LAWSON of Virginia with Mr. MITCHELL.  
Mr. JONES with Mr. TOWNSEND.

Mr. MUTCHLER with Mr. HENDERSON of Iowa; Mr. MUTCHLER against the bill and Mr. HENDERSON for it.

Mr. O'FERRALL with Mr. ENOCHS, until Thursday, January 26.

The result of the vote was then announced as above recorded.

The question was taken on the approval of the Journal: and the Speaker declared that the ayes seemed to prevail.

Mr. KILGORE. I ask for a division.

The House divided: and there were—ayes 168, noes none; so the Journal as read was approved.

## PAYMENT OF NOTARIAL FEES.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting a communication from the Commissioner of Customs in relation to the estimate for payment of notarial fees: which was referred to the Committee on Appropriations, and ordered to be printed.

## CATALOGUE OF LIBRARY, SURGEON-GENERAL'S OFFICE.

The SPEAKER also laid before the House a letter from the Acting Secretary of War, calling attention to the omission in the sundry civil appropriation bill of the usual appropriation bill for printing the next volume of the index catalogue of the library of the Surgeon-General's Office: which was referred to the Committee on Appropriations, and ordered to be printed.

## POTOHUNK RIVER, NORTH CAROLINA.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a letter of the Chief of Engineers with accompanying report of preliminary examination of Potohunk River, North Carolina: which was referred to the Committee on River and Harbors, and ordered to be printed.

## NAVAJO INDIAN RESERVATION.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting, pursuant to House resolution, information relative to the opening of the Navajo Indian Reservation: which was referred to the Committee on Public Lands, and ordered to be printed.

## ADJUDICATED LAND ENTRIES.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting a list of public entries adjudicated by the Commissioner of the Land Office and confirmed by the Board of Equitable Adjudication during the fiscal year 1892: which was referred to the Committee on Public Lands, and ordered to be printed.

## AMENDMENT TO INDIAN APPROPRIATION BILL.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting an amendment to the Indian appropriation bill for the fiscal year 1894, submitted by the Commissioner of Indian Affairs: which was referred to the Committee on Indian Affairs, and ordered to be printed.

## PUBLIC PROPERTY ON INDIAN RESERVATIONS.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting a statement prepared by the Commissioner of Indian Affairs, showing property transmitted from one reservation to another also property sold at the various Indian agencies and schools during the fiscal year ending June 30, 1892: which was referred to the Committee on Indian Affairs, and ordered to be printed.

## ENROLLED BILLS SIGNED.

Mr. SCOTT, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (H. R. 19189) relating to proof of citizenship of applicants for Indian war pensions under the act of Congress, approved July 27, 1892: when the Speaker signed the same.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed with an amendment the bill (H. R. 10010) to establish a court of appeals for the District of Columbia, and for other purposes, asked a conference with the House on the bill and amendment, and had appointed Mr. HOAR, Mr. WILSON, and Mr. PUGH as the conferees on the part of the Senate.

It also announced that the Senate had passed the following resolution: in which the concurrence of the House was requested:

*Resolved by the Senate (the House of Representatives concurring). That in addition to the usual number there shall be printed 5,500 copies of the reports of the commissioners of the United States to the Paris Exposition of 1889, 1,500 copies for use of the Senate, 3,000 copies for use of the House, and 1,000 copies for use of the Department of State.*

## BIG HORN AND SOUTHERN RAILROAD.

Mr. PEEL. I ask unanimous consent that the bill (S. 3317) extending the time for the construction of the Big Horn and Southern Railroad through the Crow Indian Reservation be recommended to the Committee on Indian Affairs.

There being no objection, it was so ordered.

## RAFT-TOWING ON THE GREAT LAKES.

Mr. LOCKWOOD. By request of the gentleman from Virginia [Mr. WISE], chairman of the Committee on Interstate and Foreign Commerce, I ask unanimous consent for the immediate consideration of the joint resolution (S. R. 124) directing the Secretary of War to investigate the subject of raft-towing on the Great Lakes and their connecting waters. This resolution carries no appropriation whatever, but simply proposes that an inquiry may be made under the direction of the Secretary of War, with a view to the adoption of regulations for the towing of rafts on the Great Lakes.

The joint resolution was read, as follows:

*Resolved by the Senate and House of Representatives (concurring). That the Secretary of War be, and he is hereby, directed to appoint a board, to consist of three officers of the Engineer Corps of the Army, to investigate the subject of raft-towing on the Great Lakes and their connecting waters, and to report to Congress as to what restrictions, if any, should be placed upon the size and manner of constructing and towing rafts upon said Great Lakes and their connecting waters.*

There being no objection, the House proceeded to the consideration of the joint resolution.

The question being taken on ordering the joint resolution to a third reading, there were on a division: called for by Mr. KILGORE—ayes 130, noes none.

Mr. KILGORE. No quorum.

Tellers were ordered: and Mr. LOCKWOOD and Mr. KILGORE were appointed.

The House again divided: and the tellers reported—ayes 167, noes 1.

So the joint resolution was ordered to a third reading: and it was accordingly read the third time.

The question being taken on the passage of the joint resolution, there were on a division: called for by Mr. KILGORE—ayes 119, noes 1.

Mr. KILGORE. No quorum.

Tellers were ordered: and Mr. LOCKWOOD and Mr. KILGORE were appointed.

The House again divided: and the tellers reported—ayes 165, noes 2.

So the joint resolution was passed.

## ENROLLED BILLS SIGNED.

Mr. SCOTT, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the bill (S. 3727) to amend "An act authorizing the construction of a rail-

way, street railway, motor, wagon, and pedestrian bridge over the Missouri River near Council Bluffs, Iowa, and Omaha, Neb., and to extend the time for the completion of the bridge therein provided for:" when the Speaker signed the same.

#### ORDER OF BUSINESS.

Mr. OATES. I demand the regular order.

The SPEAKER. The regular order is the call of standing and select committees for reports.

Mr. HOLMAN. I ask unanimous consent that the regular call of committees be dispensed with, and that gentlemen be permitted to file their reports with the Clerk.

Mr. KILGORE. I object.

The SPEAKER. Objection being made, the Clerk will call the standing and select committees for the presentation of reports.

#### REBUILDING OF LOCK NO. 2, GREEN RIVER.

Mr. BLANCHARD, from the Committee on Rivers and Harbors, reported back as a substitute for House bill 10173, a bill (H. R. 10318) providing for rebuilding Lock No. 2, Green River, at Ramsey, Ky.; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

By unanimous consent, House bill 10173 was laid on the table.

#### REORGANIZATION OF ARTILLERY AND INFANTRY.

Mr. OUTHWAITE, from the Committee on Military Affairs, reported back, with an amendment in the form of a substitute, the bill (S. 2170) to reorganize the artillery and infantry of the Army and to increase its efficiency; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

#### PROTECTION OF FUR SEALS, ETC.

Mr. BLOUNT, from the Committee on Foreign Affairs, reported back the bill (S. 3629) to extend to the North Pacific Ocean the provisions of the statutes for the protection of fur seals and other fur-bearing animals; which was referred to the House Calendar.

#### ERIE, PA., WATERWORKS.

Mr. AMERMAN, from the Committee on the Public Lands, reported back the bill (H. R. 9826) granting certain rights and privileges to the commissioners of waterworks in the city of Erie, Pa.; which was referred to the Committee of the Whole House on the state of the Union.

#### ORDER OF BUSINESS.

The SPEAKER. This completes the call of the standing and select committees.

Mr. HOLMAN. I believe it is in order now to move that the House resolve itself into Committee of the Whole to consider general appropriation bills?

The SPEAKER. The Chair will state that the House has adopted a resolution under which yesterday and to-day were assigned to the Committee on the Judiciary for the consideration of the bankruptcy bill, subject to the right of the House to take up and consider general appropriation bills.

Mr. HOLMAN. I wish to move that the House resolve itself into Committee of the Whole to further consider general appropriation bills, if now in order.

The SPEAKER. The gentleman has the right to make the motion.

Mr. HOLMAN. I make that motion.

Mr. OATES. Pending that I desire to ask of the House, in view of the fact that yesterday was disposed of—

Mr. KILGORE. Debate is not in order.

Mr. OATES (continuing). One of the days set apart for the consideration of this special order—

The SPEAKER. The gentleman from Texas, as the Chair understands, makes the point of order that debate is not in order.

Mr. OATES. The gentleman from Texas, Mr. Speaker, is a little previous. I am not debating this question. If he will wait until my request is submitted then it will be time to object.

Mr. KILGORE. But the debate is not in order on a motion to go into Committee of the Whole.

Mr. OATES. The Chair will decide that question and not the gentleman from Texas. I am stating my request, but have not yet been permitted to do so by the gentleman from Texas.

The SPEAKER. The motion is not debatable, and if the gentleman from Texas makes the point of order the Chair must take notice of it.

Mr. OATES. I am not indulging in debate and do not propose to, but simply rise to submit a request.

I ask unanimous consent, in order that the appropriation bill may go on and be completed, that to-morrow and the next day

be substituted for the two days which, by the order of the House, were given to the Judiciary Committee for the consideration of the bankruptcy bill.

The SPEAKER. The Chair will submit the request of the gentleman from Alabama.

Mr. HOLMAN. I hope that will be agreed to, as it is eminently fair.

The SPEAKER. The gentleman from Alabama asks unanimous consent that to-morrow and the next day be set apart for the consideration of the bankruptcy bill, in place of the two days heretofore given for that purpose. Is there objection?

Mr. KILGORE. I object.

Mr. OATES. Then I hope the motion of the gentleman from Indiana will be voted down.

The SPEAKER. The question is on the motion of the gentleman from Indiana, that the House resolve itself into Committee of the Whole House on the state of the Union to further consider appropriation bills.

The question was taken; and on a division there were—ayes 54, noes 102.

Mr. KILGORE. No quorum has voted.

Mr. OATES. I ask for the yeas and nays.

Mr. BURROWS. We can save time by having tellers.

Mr. OATES. Very well; I will withdraw the demand for the yeas and nays.

The SPEAKER. The point of no quorum being made, the Chair will appoint tellers.

Mr. HOLMAN and Mr. KILGORE were appointed tellers.

Mr. KILGORE. I demand the yeas and nays.

The yeas and nays were not ordered, there being 27 rising in favor thereof and 124 against; the affirmative vote not being one-fifth of the whole.

Mr. KILGORE. The point of no quorum has not been withdrawn, Mr. Speaker.

The SPEAKER. The Chair thinks that point is waived, however, by the gentleman when he demands the yeas and nays. [Laughter and applause.] Such has been the practice of the House.

Mr. KILGORE. I am not aware of any such practice.

The SPEAKER. The Clerk will invite the attention of the gentleman from Texas and the House to an authority which the Clerk will read from the Digest.

The Clerk read as follows:

When a rising vote is taken, and the Chair announces the result, it is in order for any member, if no quorum has voted, to make the point, and it then becomes the duty of the Chair (under Rule I, clause 5) to appoint tellers. But if tellers are demanded and refused by the House (or committee) it is then too late, under the practice, to make the point of no quorum.

Mr. KILGORE. I move that the House take a recess until 11 o'clock to-morrow.

The SPEAKER. The Chair will recognize the gentleman in one moment, as soon as he declares the result of the vote that is pending. On the motion of the gentleman from Indiana [Mr. HOLMAN] the vote was 56 in the affirmative and 102 in the negative. Therefore the House refuses to go into Committee of the Whole on general appropriation bills.

Mr. KILGORE. And now the Speaker rules, does he, that it is too late for me to make the point of no quorum?

The SPEAKER. The Chair holds that, under the practice of the House, it is too late.

Mr. KILGORE. This is the first time the result has been announced on that vote.

The SPEAKER. Oh, no, the Chair begs the gentleman's pardon. The Chair announced the result. The gentleman made the point of no quorum, and then, as the Chair understood, demanded the yeas and nays.

Mr. KILGORE. The gentleman from Alabama [Mr. OATES] demanded the yeas and nays, and then withdrew the demand.

The SPEAKER. Under the practice, it is the right of any member to make the point of no quorum; but as the Chair understands it, when a member does not choose to do that, and demands the yeas and nays or demands tellers, the practice is that it is then too late to go back and make the point of no quorum.

Mr. KILGORE. Why should the Speaker announce the result twice if it was announced before the demand for the yeas and nays?

The SPEAKER. The Chair announced it twice because, when the Chair first announced it, the gentleman demanded the yeas and nays. The yeas and nays are now refused. The Chair had to determine what had become of the motion of the gentleman from Indiana [Mr. HOLMAN].

Mr. KILGORE. I modify my motion to take a recess until to-morrow at 11 o'clock, and move that the House take a recess until 4 o'clock this afternoon.

The SPEAKER. The yeas have it. The motion of the gentleman from Indiana [Mr. HOLMAN] is not agreed to. The gen-

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 746) to settle and adjust the claims of any State for expenses incurred by it in defense of the United States, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred an amendment submitted by Mr. TURPIE, January 25, intended to be proposed to the deficiency appropriation bill, reported it without amendment, and moved that, with the accompanying report, it be referred to the Committee on Appropriations and be printed; which was agreed to.

Mr. McMILLAN, from the Committee on Agriculture and Forestry, to whom were referred two amendments submitted by Mr. CAREY on the 21st instant, one intended to be proposed to the legislative, executive, and judicial appropriation bill, and the other to the sundry civil appropriation bill, reported them favorably, and moved that they be referred to the Committee on Appropriations and be printed; which was agreed to.

Mr. CULLOM, from the Committee on Interstate Commerce, to whom was referred the bill (H. R. 10163) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, reported it with amendments.

#### WILLIAM SMITH AND OTHERS.

Mr. DAVIS. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 5597) for the relief of William Smith and others, to report it favorably, without amendment. I ask unanimous consent that the bill be now considered.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the proper accounting officers of the Treasury to credit Lieut. Col. William Smith, deputy paymaster-general, United States Army, in the settlement of his public accounts, with \$3,015.15; to credit Maj. William F. Tucker, paymaster, United States Army, with \$5,461.61; to credit Assistant Surgeon John O. Skinner, United States Army, with \$199.14; to remove the charge of \$2,185.92 standing against Maj. John S. Billings, surgeon, United States Army; and remove the charge of \$1,029.60 standing against George M. Wheeler, captain on the retired list of the Army; and to remove the charge of \$634.42 standing against Lieut. P. Henry Ray, Eighth Regiment of Infantry, United States Army; these amounts having been paid out and received in accordance with the orders of the Secretary of War or the provisions of the regulations for the government of the Army of the United States prescribed by the President.

Mr. CULLOM. There seem to be a good many items proposed to be discharged by the bill. I do not know anything about the bill, but I should like to have it explained before we pass it.

Mr. DAVIS. The items were paid out by these various paymasters under the explicit orders of the Secretary of War. These amounts were stopped against them by the accounting officers of the Treasury. The bill is based upon the recommendations of the War Department after a careful examination by the Committee on Military Affairs. A counterpart of this bill passed the Senate a few days ago, but the other House instead of passing the Senate bill passed one of its own, which is the bill now under consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. DAVIS. I move that the House of Representatives be requested to return to the Senate the counterpart of the bill just passed, being the bill (S. 1678) for the relief of William Smith and others.

The motion was agreed to.

#### COUNT OF ELECTORAL VOTES.

Mr. TELLER, from the Committee on Privileges and Elections, to whom was referred the following concurrent resolution of the House of Representatives, reported it without amendment, and it was considered by unanimous consent, and agreed to:

*Resolved by the House of Representatives (the Senate concurring):* That the two Houses of Congress shall assemble in the Hall of the House of Representatives on Wednesday, the 8th day of February, 1893, at 1 o'clock in the afternoon, pursuant to the requirement of the Constitution and laws relating to the election of President and Vice-President of the United States, and the President of the Senate shall be the presiding officer; that two persons be appointed tellers on the part of the Senate and two on the part of the House of Representatives, to make a list of the votes as they shall be declared; that the result shall be delivered to the President of the Senate, who shall announce the state of the vote and the persons elected to the two Houses assembled as aforesaid, which shall be deemed a declaration of the persons elected President and Vice-President of the United States, and, together with a list of the votes, be entered on the journals of the two Houses.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 25th instant approved and signed the joint resolution

(S. R. 135) making an appropriation of \$5,000 for clearing the Potomac River of ice.

The message also announced that the President of the United States had on the 26th instant approved and signed the following acts:

An act (S. 2345) to authorize the construction of a bridge across the Mississippi River above New Orleans; and

A joint resolution (S. R. 128) to authorize the Secretary of War to grant permits for the use of reservations and public spaces in the city of Washington for other purposes.

#### BILLS INTRODUCED.

Mr. CALL introduced a bill (S. 377) for the construction of works to render the Bight of Chameval, in the State of Florida, available for the use of the Navy, which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

Mr. CULLOM introduced a bill (S. 3778) granting a pension to Mrs. Elisha Kent Kane, widow of Dr. Elisha Kent Kane, the Arctic explorer; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SHERMAN introduced a bill (S. 3779) authorizing the purchase of oil paintings for the Executive Mansion, which was read twice by its title, and, with the accompanying paper, referred to the Committee on the Library.

Mr. JONES of Arkansas introduced a bill (S. 3780) to authorize the loyal Creek Indians, Indian Territory, to bring suit in the Court of Claims for damages committed upon the property; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PETTIGREW introduced a bill (S. 3781) to establish a military post at or near the city of Pierre, Hughes County, in the State of South Dakota; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3782) to authorize the construction of a bridge across the St. Louis River between the States of Minnesota and Wisconsin, near the village of West Duluth; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HISCOCK introduced a bill (S. 3783) to amend the several acts of Congress relating to the acquisition of property for a site and for the construction of a building for the custom-house in the city of New York; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. WASHBURN, by request, introduced a bill (S. 3784) to authorize the construction of a bridge across the St. Louis River, between the States of Minnesota and Wisconsin, near the village of West Duluth; which was read twice by its title, and referred to the Committee on Commerce.

Mr. JONES of Arkansas introduced a bill (S. 3785) to provide for the condemnation of land for a military post near the city of Little Rock, Ark.; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. HISCOCK introduced a joint resolution (S. R. 142) authorizing the control of matters pertaining to the assignment, occupation, etc., of rooms occupied by officers and employees of the Government to be vested in the Secretary of the Treasury; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

#### LOAN OF THE LIBERTY BELL.

Mr. CULLOM introduced a joint resolution (S. R. 141) requesting the municipal authorities of Philadelphia to loan to the United States Government the Liberty Bell for exhibition as the reinstated; which was read the first time by its title.

Mr. CULLOM. I ask that the joint resolution be considered at this time.

The joint resolution was read the second time at length, as follows:

Whereas it is desirable that the Liberty Bell be placed on exhibition at the forthcoming World's Columbian Exposition to give it an opportunity to see this historic medium through which liberty was proclaimed to the American people; and

Whereas this bill is under the charge and in the care of the municipal authorities of Philadelphia. Therefore,

*Resolved by the Senate (the House of Representatives concurring):* That the municipal authorities of Philadelphia be, and they are hereby, requested to permit the Liberty Bell to be moved by a representative of the Board of Commissioners of the Government of the United States to be on exhibition at the World's Columbian Exposition on such conditions as the said municipal authorities of Philadelphia and the Board of Management may deem proper.

THE VICE-PRESIDENT. Is there objection to the report and consideration of the joint resolution?

Mr. CULLOM. I hope there will be no objection to it. It is simply a request to the authorities of the city of Philadelphia, which they can comply with if they desire. I wish to state that the proposition is to allow the managers of the Government ex-



hibit to take charge of the bell, and that there is a place provided in the Government building at the World's Columbian Exposition where the bell can be hung, so that all the people attending that great Exposition in this country may have an opportunity to see it. I do not see that there ought to be any objection to it by the Government, and I anticipate that there will not be by the city of Philadelphia, from what I have heard, although I do not know certainly as to that.

Mr. HOAR. The joint resolution certainly puts the Congress of the United States in a very remarkable position, that of a petitioner to a municipal body in one of the States. I do not think that Congress ever took that position before. If we set such a precedent, I do not see why we may not be asked to petition municipal bodies, or a State Legislature, or county commissioners, or the selectmen of a town, or constables in particular States, or individuals.

Mr. SHERMAN. Let the joint resolution be referred.

Mr. HOAR. I think the joint resolution had better be referred to a committee. I presume the United States can undertake the custody of this bell if it is desired; but I shall very strongly resist this particular mode of accomplishing the result. I move that the joint resolution be referred to the Select Committee on the Quadro-Centennial.

Mr. CULLOM. Or the Committee on the Library.

Mr. QUAY. It is a matter of no consequence to me to which committee the joint resolution is referred. I was merely about to say that I have no objection to the joint resolution, and if it shall be referred to the Library Committee, as the chairman of that committee I shall be disposed to make a favorable report upon it.

Mr. CULLOM. I hope the joint resolution will be referred to the Committee on the Library.

Mr. QUAY. I think the Government will have no difficulty in procuring the bell from the municipal authorities of Philadelphia.

The VICE-PRESIDENT. The joint resolution will be referred to the Committee on the Library, if there be no objection.

Mr. CULLOM. One word further before the joint resolution is referred. While it is true that it is a request by the Government, yet I do not see myself how we can procure the bell unless the authorities of Philadelphia see proper to send it to Chicago without any request. It occurred to me that in relation to such a matter it is not out of place for the Congress of the United States to make a request of the city of Philadelphia, which great city has had charge of the bell since the announcement by it that the Declaration of Independence had been adopted; therefore the joint resolution was put in this form. I hope, however, if it goes to a committee that it will not be delayed long, to whatever committee it may be referred, and I am not particular as to the reference.

Mr. QUAY. I repeat that I have no doubt, unless the Senator from Illinois is acquainted with something to the contrary, that upon application by the directory of the Exposition the bell will be furnished by the municipal authorities of Philadelphia for exhibition at Chicago without any difficulty.

Mr. CULLOM. Without any action by Congress?

Mr. QUAY. I should think so, unless the Senator from Illinois knows something to the contrary.

Mr. CULLOM. I do not know anything to the contrary. A gentleman who is somewhat connected with the Exposition brought me this joint resolution, and it occurred to me that it is a proper thing to do, and I took pleasure in introducing it. The only purpose is to secure the presence of the bell at the great Exposition, and however it may be gotten there is a matter of indifference to me, if it is agreeable to the city of Philadelphia.

Mr. HAWLEY. I wish to say just one word about this matter. I concur with the Senator from Massachusetts in rather criticising the joint resolution. There will be no practical difficulty, it seems to me. I know the bell went to New Orleans. I think a simple communication from the Columbian Commission will obtain the bell, under proper safeguards. The city of Philadelphia takes good care of it, and will take it there and bring it back.

The VICE-PRESIDENT. The joint resolution will be referred to the Committee on the Library, if there be no objection. It is so referred.

#### LOAN OF FLAGS, ETC., FOR INAUGURATION PURPOSES.

Mr. GORMAN. I introduce a joint resolution and ask unanimous consent for its present consideration.

The joint resolution (S. R. 140) authorizing the Secretaries of War and of the Navy to loan to the committee on inaugural ceremonies, flags, and so forth, was read the first time by its title, and the second time at length, as follows:

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War and the Secre-*

*tary of the Navy be, and they are hereby, authorized to loan to the committee on inaugural ceremonies such ensigns, flags, and so forth (except battle flags), that are not now in use, and may be suitable and proper for decoration, and may be spared without detriment to the public service; such flags to be used by said committee under such regulations and restrictions as may be prescribed by the said Secretaries, or either of them, in decorating the fronts of public buildings and other places on the line of march between the Capitol and the Executive Mansion, and the interior of the reception hall: Provided, That the said committee shall indemnify the said Department, or either of them, for any loss or damage to such flags not necessarily incident to such use.*

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. SHERMAN. I will ask the Senator from Maryland if the joint resolution is in the usual form when this courtesy is extended in cases of the inauguration of a President?

Mr. GORMAN. It is substantially in the usual form. I will state to the Senator from Ohio that the resolutions heretofore passed at the time of the inauguration of Presidents have specified that the Secretaries of War and the Navy shall loan the flags from practically all the navy-yards, naming the yards in the District of Columbia, at Norfolk, League Island, Portsmouth, &c. This has been changed so as to permit the Secretaries to loan such flags where it is convenient to do so. It is framed after the resolution which was passed in the matter of the Encampment of the Grand Army of the Republic held in this city. It was objected at that time that the navy-yards ought not to be specified. Otherwise, it is exactly the usual measure.

Mr. SHERMAN. All right.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. GALLINGER submitted an amendment intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PLATT (by request) submitted an amendment intended to be proposed to the fortification appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. VOORHEES submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the Library, and ordered to be printed.

Mr. HOAR submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the Judiciary, and ordered to be printed.

#### WITHDRAWAL OF PAPERS.

On motion of Mr. SHERMAN, it was

*Ordered*, That Aden Benedict be permitted to withdraw his papers from the files of the Senate.

#### INAUGURATION ARRANGEMENTS.

Mr. GORMAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That a committee of three Senators be appointed by the Vice-President to make the necessary arrangements for the inauguration of the President-elect of the United States on the 4th day of March next.

#### LIQUOR TRUST.

Mr. CHANDLER submitted the following resolution; which was referred to the Committee on Finance:

*Resolved*, That the Committee on Finance is hereby directed to make inquiry whether or not a trust exists to control and monopolize the business of producing and selling high wines and alcohol or other distilled liquors, and to restrain the freedom of trade and commerce therein, which trust is maintained in violation of the laws of the United States; whether the purpose of said trust is accomplished in whole or in part by giving rebate certificates for the payment of 5 cents per gallon on all such liquors sold by the persons or company maintaining the trust, payable only on condition that the purchasers and their successors and assigns, shall make all their future purchases solely from said persons or company, and if so, what amount of rebate certificates have been issued from time to time and how many are now outstanding unpaid;

Whether any portion of such liquors produced or handled by said trust has been at any time adulterated with any poisonous or deleterious drugs or other additions and thereafter sold or used as a beverage;

What portion of such liquors produced or handled by said trust is used as a beverage and what portion in the arts or for medicinal purposes;

Whether such adulteration is practiced under licenses issued to rectifiers under the internal-revenue laws or under the protection of special taxes imposed by said laws; and

Whether any legal proceedings have been commenced against the persons or company maintaining said trust, and to investigate any and all other facts connected with said trust which the committee may deem material, said committee to have power to send for persons and papers and examine witnesses, and to act as a full committee or by a subcommittee or subcommittees during the present session of Congress and after its expiration, and until the next regular meeting of Congress on the first Monday in December next, the expenses of making said inquiry to be paid from the appropriation for the contingent expenses of the Senate.

## ATTORNEYS' FEES IN INDIAN CLAIMS.

Mr. DAWES submitted the following resolution; which was referred to the Committee on Printing:

*Resolved*, That the copies of contracts made with Indian tribes or Indians since January 1, 1889, by which compensation was agreed to be paid to attorneys, agents, or other persons for obtaining the recognition, allowance, or payment of claims in favor of such tribes or Indians against the United States, and other papers furnished to the Senate by the Secretary of the Interior, January 5, 1893, in response to the Senate Resolution of June 1, 1892, be printed.

## MARITIME OFFENSES.

Mr. HOAR submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

*Resolved by the Senate (the House of Representatives concurring)*, That the President be requested to return to the Senate the bill (S. 2625) to provide for the punishment of offenses on the high seas.

## WORLD'S COLUMBIAN COMMISSION REPORT.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, referred to the Committee on the Quadro-Centennial (Select), and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith, for the information of Congress, the third regular report of the World's Columbian Commission, and the report of the president of the Board of Lady Managers, with the accompanying papers.

BENJ. HARRISON

EXECUTIVE MANSION, January 26, 1893.

*NOTE*.—The documents referred to accompanying the message have been sent to the House of Representatives.

## MILITARY POST AT FORT WAYNE, MICH.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 985) to provide for the enlargement of the military post at Fort Wayne, Mich., which was to add to section 2 the following proviso:

*Provided*, That said land shall be acquired without cost to the United States.

Mr. HAWLEY. There is no objection on this side to that amendment. I move that it be concurred in, and that passes the bill.

The motion was agreed to.

## SUPERVISORS OF ELECTIONS AND SPECIAL DEPUTIES.

Mr. BATE. I move that the bill (S. 3504) to repeal all statutes relating to supervisors of elections and special deputies be taken from the table and referred to the Committee on the Judiciary.

The motion was agreed to.

## UNITED STATES CANALS, ETC.

Mr. DOLPH. I ask leave to call up the bill (S. 3568) providing for the establishment and enforcement of rules and regulations for the use and navigation of United States canals and similar works of navigation, and for other purposes. The bill was prepared by the Chief of Engineers and relates to an important and urgent matter.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

The first amendment of the Committee on Commerce was, in section 2, line 3, after the word "misdemeanor," to strike out "for which the owner or owners, agent or agents, master or pilot of the vessel offending shall be separately and collectively responsible;" and in line 8, after the word "committed," to insert "the person or persons so offending;" so as to make the section read:

SEC. 2. That any willful violation of any rule or regulation made by the Secretary of War in pursuance of this act shall be deemed a misdemeanor, and on conviction thereof, in any district court in the United States within whose territorial jurisdiction such offense may have been committed, the person or persons so offending shall be liable to punishment by a fine not exceeding \$500 or by imprisonment not exceeding six months, at the discretion of the court, for each offense.

The amendment was agreed to.

The next amendment was, in section 3, line 1, after the word "that," to strike out "it shall be the duty of all persons using or navigating such canals or similar works, their channels and approaches, or using any of the piers, breakwaters, docks, wharves, or other improvements belonging to the United States, to observe the regulations prescribed by the Secretary of War as aforesaid;" in line 9, after the word "failure," to strike out "or neglect;" in line 18, after the words "regulations, shall," to strike out "be liable" and insert "in addition;" in line 19, after the word "act," to strike out "and shall, in addition thereto," and insert "in cases of willful violations of such rules and regulations;" and after the word "thereby," at the end of line 23, to strike out "or by any unlawful acts, to said United States or such aggrieved person;" so as to make the section read:

SEC. 3. That any person who shall willfully or negligently strand or sink any steam vessel, boat, or craft in such canals or similar works, or in the

channels or approaches, or who shall willfully or negligently, or by failure to observe the regulations prescribed by the Secretary of War for the use thereof, obstruct or impair such canals or similar works, or cause any impediment, injury, hindrance, or shedding thereon, or in the approaches thereto, tending to obstruct or impair their navigation, or who shall willfully damage or injure the piers, breakwaters, wharves, docks, or other improvements of such canals or similar works belonging to the United States, or who shall fail to obey or observe any of the regulations shall, in addition to the penalty provided by section 2 of this act, be liable to willful violations of such rules and regulations, or to the United States or to any person aggrieved by such violation, of injury, or of unlawful acts or omissions, in addition to the penalty provided by section 2 of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## OSAGE RIVER BRIDGE, IN BENTON COUNTY, MO.

Mr. VEST. I ask the Senate to take up and pass a bill for which there is immediate necessity. It has been reported by the Committee on Commerce and is upon the Calendar, being House bill 10062. It is an ordinary bridge bill, but the work has been stopped until this legislation can be had.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10062) to authorize the construction of a bridge across the Osage River, between the mouths of Pomme de Terre River and Bulla's Creek, in Benton County, Mo.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LUCIUS L. DYER.

Mr. PLATT. I ask unanimous consent of the Senate for the present consideration of House bill 5049, to remove a charge of desertion.

Mr. MITCHELL. I shall make no objection to the taking up of the bill referred to by the Senator from Connecticut, but after it has been considered I shall object to taking up any other bill until we proceed with the Calendar.

Mr. PLATT. There is a special reason for the passage of this bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5049) to remove the charge of desertion against Lucius L. Dyer.

The bill was reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause and insert:

That the Secretary of War be, and hereby is, authorized to revoke and set aside special Orders Numbered 67, dated February 10, 1864, War Department, dismissing Lucius L. Dyer, late second lieutenant of company C, 1st South Regiment of Connecticut Volunteers, to date January 11, 1864, and restore his military record accordingly, and to issue to him a certificate of discharge as of date January 11, 1864. *Proviso*. That no pay, bounty, or emoluments of any kind shall be due or payable by reason of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill to amend the military record of Lucius L. Dyer."

MRS. S. A. FARQUHARSON.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 137) to increase the pension of Mrs. S. A. Farquharson, which was on page 1, line 4, before the word "dollars," to strike out "twenty-five" and insert "fifteen."

Mr. TURPLE. I move that the Senate concur in the amendment of the House of Representatives, and ask for a committee of conference.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. DAVIS, Mr. TURPLE, and Mr. PALMER were appointed.

MRS. MARY P. C. HOOPER.

Mr. KYLE. I wish to call up at this time the bill (S. 219) for the relief of Mrs. Mary P. C. Hooper.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill named by the Senator from South Dakota?

Mr. MITCHELL. I have given notice that I should ask for the regular order. What does the Senator wish to do?

Mr. KYLE. I wish to secure the consideration and passage of a short bill, to which I think there will be no objection.

Mr. MITCHELL. I gave notice at a moment ago that I should insist on the Calendar after the passage of the bill then proposed to be considered.

Mr. HISCOCK. After the passage of two or three other bills, I hope the Senator will say.

Mr. MITCHELL. It seems to me that we ought to take up the Calendar. We have not been on the Calendar now for about two weeks, I think. Such action will give everyone a chance and be fair to all. Let us go to the Calendar for awhile, and perhaps later on we can take up bills on the application of individual Senators.

The VICE-PRESIDENT. Objection is made to the consideration of the bill named by the Senator from South Dakota.

Mr. HALE. I hope the Senator from Oregon will not insist upon his objection.

Mr. MITCHELL. Why not?

Mr. HALE. Most of the bills on the Calendar have nothing but the public interest behind them, while there are a good many Senators who personally desire to have bills passed.

Mr. MITCHELL. There are some bills at the head of the Calendar which I personally desire to have passed which have been laid over.

Mr. HALE. I have not any that I myself desire to have passed, but I see that several other Senators have. I hope the Senator from Oregon will give way to Senators who desire to have their bills passed.

Mr. MITCHELL. The Senator is disposed to be a little iconical, I am afraid.

Mr. HALE. Never.

Mr. MITCHELL. I insist on the Calendar.

The VICE-PRESIDENT. Objection is made to the request of the Senator from South Dakota, and the first bill on the Calendar will be stated.

#### HIRAM SOMERVILLE.

The bill (S. 88) for the relief of Hiram Somerville was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Claims with an amendment, in line 1, after the words "sum of," to strike out "six hundred and fifty-five" and insert "two hundred and fifty;" so as to make the bill read:

*Be it enacted, etc.,* That the sum of \$250 be, and the same is hereby, appropriated to Hiram Somerville, of Marion County, Ill., for supplies furnished by him to the United States.

The amendment was agreed to.

Mr. COCKRELL. Let the report be read in that case.

The VICE-PRESIDENT. The report will be read.

The Secretary read the following report submitted by Mr. SANDERS May 27, 1892:

The Committee on Claims, to whom was referred the bill (S. 88) for the relief of Hiram Somerville, for certain property of his to the value of \$655, taken for the use of the army of Gen. Hunter, in Jackson County, W. Va., has had the same under consideration and report:

Five hundred and five dollars' worth of this property seems to have been taken by irresponsible persons and without furnishing the possessor or claimant or owner any voucher therefor, and although the owner at the time was an enlisted man in the United States Army, and a prisoner in Libby Prison, so much of his claim must be attributed to depredations of an army in the field, and upon well-defined principles of public policy and law placed beyond the demand for remuneration.

Two hundred and fifty dollars' worth of this property consisted of one horse and five horses, and was taken and von her or memorandum receipt given for the same with the intent that it should be paid out of the Treasury. Paid voucher was given to the wife of the claimant, and by her to Col. Frost, of the Eleventh West Virginia Regiment, with a view to his forwarding it to the proper authority and obtaining thereon money therefor for the claimant. Shortly thereafter Col. Frost was killed at Snicker's Gap and the voucher lost.

Your committee are of the opinion that that debt should be paid, and they recommend where the words "six hundred and fifty-five dollars" occur they shall be struck out and that "two hundred and fifty dollars" be inserted in lieu thereof, and that as so amended the bill pass.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### THOMAS ANTISELL.

The bill (S. 1790) for the relief of Thomas Antisell was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in line 3, after the words "sum of," to strike out "ten thousand" and insert "two thousand five hundred;" so as to make the bill read:

*Be it enacted, etc.,* That the sum of \$2,500 be, and is hereby, appropriated, to be paid out of any moneys in the Treasury not otherwise appropriated, to Dr. Thomas Antisell, late surgeon and brevet lieutenant-colonel of volunteers, in compensation for the use and occupation of his land near Port Albany, Va., by the troops of the United States during the war of the rebellion, and for property taken by said troops, used and destroyed by reason of said occupation.

The amendment was agreed to.

Mr. COCKRELL. Let the report be read in that case.

The VICE-PRESIDENT. The report will be read.

The Secretary read the following report, submitted by Mr. SANDERS May 27, 1892:

The Committee on Claims, to which was referred the bill (S. 1790) for the relief of Thomas Antisell, have had the same under consideration, and beg leave respectfully to report as follows:

The bill proposes an appropriation of \$10,000 to Dr. Thomas Antisell for injury to his real property, situated at the west end of Long bridge near the bank of the Potomac River in Virginia, where at the breaking out of the war Dr. Antisell resided. Of his loyalty to the Government of the United States in those troublous times there can be no doubt. He was in the service of the Government and he remained a loyal, intelligent, and efficient officer, and in every action acquitted himself in a manner wholly creditable to himself and to the great advantage of his country. At the breaking out of the war troops occupied his place, a fort was built upon it, his home was broken up, and he was compelled to remove to the District of Columbia, where he has ever since resided. The orchard and forest and fencing was taken by the troops and used for firewood, or in the construction of a fort thereon, or for other military uses.

Your committee have repeatedly held that damage in the form of depredation or injury, to real property within the limits of the States in rebellion or where war was flagrant are not such damages as the Government is called upon under any circumstances to pay. The Government is in such places engaged in such work upon its own lawful business, and can not be required to compensate for injuries resulting therefrom, unavoidably or otherwise, on any principle of law or equity.

Nor does your committee recognize that always quartermaster and commissary stores used by the Army in time of war call for compensation, but instances have occurred where it has seemed not inappropriate to pay for timber used in the construction of forts or for firewood, or for other military uses, where there are circumstances indicating that it was the purpose of the officers of the Government so to pay for the same.

Many cases justify such a payment, it seems to your committee the case at bar is one. The place occupied was in sight of the Capitol, the officers of the Government seem to have entered upon a consideration and negotiation as to the value of the property taken by them, but in the excitement and mutations of the time did not give to Dr. Antisell the proper vouchers whereby he could be paid for the same, but your committee do not believe that the value of the orchard, the forest trees, and the fencing used for military purposes by the Army exceeds in value the sum of \$2,500, and believing that that sum, upon the principle heretofore stated, is due Dr. Antisell, your committee recommend that the words "ten thousand dollars" where they occur in the bill be stricken out, and that the words "two thousand five hundred dollars" be inserted in lieu thereof, and as so amended your committee recommend that the bill do pass.

Mr. MITCHELL. I move to amend the bill by inserting the word "and" before the word "used," in the last line, and also by striking out all after the word "used" and inserting "by them."

Mr. COCKRELL. I ask the Senator to accept an amendment to his amendment by adding to the words he proposes to insert the words "for military purposes."

Mr. MITCHELL. I accept the amendment.

The VICE-PRESIDENT. The amendment of the Senator from Oregon [Mr. MITCHELL] as modified by the Senator from Missouri [Mr. COCKRELL] will be stated.

The SECRETARY. In line 10, after the word "troops," it is proposed to insert the word "and;" and in the same line, after the word "used," to strike out "and destroyed by reason of said occupation," and insert "by them for military purposes;" so as to make the bill read:

*Be it enacted, etc.,* That the sum of \$2,500 be, and is hereby, appropriated, to be paid out of any moneys in the Treasury not otherwise appropriated, to Dr. Thomas Antisell, late surgeon and brevet lieutenant-colonel of volunteers, in compensation for the use and occupation of his land near Port Albany, Va., by the troops of the United States during the war of the rebellion, and for property taken by said troops and used by them for military purposes.

Mr. MITCHELL. The object of the amendment is to get rid of the word "destroyed," which has crept into the bill evidently through mistake, as it is not the habit of the Committee on Claims to report in favor of paying for property destroyed, but only for its use and occupation.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on the amendment of the Senator from Oregon as modified.

The amendment was agreed to.

Mr. PLATT. I do not quite understand the bill and I should like some further explanation of it than has yet been given or than is given in the report of the committee before I give it my support.

Mr. MITCHELL. As this bill was reported from the Committee on Claims by a Senator who is now absent from the city, I ask that it may go over until he returns, without losing its place on the Calendar.

Mr. PLATT. Let me simply state what the line is on which I should like an explanation.

When the war broke out nearly all the land in Virginia near the Potomac River and extending several miles inward from the river was occupied by the troops. Dr. Antisell, it appears, was a loyal citizen who lived on the other side of the Long bridge near to the river; the military authorities occupied his land and undoubtedly did him damage, but are we to stop with Dr. Antisell? There undoubtedly were many loyal citizens all through eastern Virginia whose land was occupied and whose property was destroyed; and I do not see how the case of Dr. Antisell is to be made an exception. It does not appear from the report that any receipt was given him by the quartermaster or any other officer

which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HIGGINS presented memorials of the Gilbert Presbyterian Church, of Wilmington; of the Covenant Reform Episcopal Church, of Wilmington; of Grace Methodist Episcopal Church, of Wilmington, and of the Methodist Episcopal Church, of Bridgeville, all in the State of Delaware, remonstrating against the repeal of the law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. STOCKBRIDGE presented petitions of citizens of Adrian, Mich.; of the Journeymen Tailors' Union, No. 88, of Saginaw, Mich.; of Union No. 170, International American Machinists of Michigan; and of Westside Union, No. 793, United Brotherhood of Carpenters and Joiners of Grand Rapids, Mich., praying for the repeal of the law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Crosby Street Christian Reformed Church, of Grand Rapids, Mich., praying for the closing of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented the petition of John H. McEvoy and other citizens of Sault Ste. Marie, Mich., praying for the passage of legislation retiring enlisted men of the United States Army and Navy after twenty-five years' service; which was referred to the Committee on Military Affairs.

Mr. VOORHEES presented a petition of the Board of Managers of the Home for Incurables of the District of Columbia, praying for the opening in connection therewith of California avenue in the city of Washington, D. C.; which was referred to the Committee on the District of Columbia.

He also presented a joint resolution, adopted by the General Assembly of Indiana, instructing the Senators from that State to vote in favor of opening the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. VEST presented a petition of the Kansas City (Mo.) Live Stock Exchange, praying for the passage of legislation opening the Cherokee Strip to settlement; which was ordered to lie on the table.

He also presented petitions of Cigar-Makers' Union, No. 95, of St. Joseph; Iron Molders' Union, No. 142, of Hannibal; of Success Lodge, No. 33, Brotherhood of Locomotive Firemen, of Trenton; of Journeymen Tailors' Union, No. 76, of Springfield, and of the Order of Railroad Telegraphers, Division 221, of Sedalia, all in the State of Missouri, praying for the repeal of the law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. COCKRELL presented a petition of the Commercial Exchange of Kansas City, Mo., and a petition of the Live Stock Exchange of Kansas City, Mo., praying for the passage of legislation opening the Cherokee strip to settlement; which were ordered to lie on the table.

He also presented a memorial of the Commercial Club of Kansas City, Mo., remonstrating against the passage of the Washburn-Hatch antiopium bill; which was ordered to lie on the table.

Mr. COCKRELL. I present three of the peculiar stereotyped petitions which come to us praying for the opening of the World's Fair on Sunday, originally addressed with pen and ink to Hon. JOHN C. TARSNEY, of the Fifth Congressional district of Missouri. His name has been stricken out and mine inserted in pencil. I move that the petitions be referred to the Select Committee on the Quadro-Centennial.

The petitions were referred to the Committee on the Quadro-Centennial (Select), as follows:

Petition of Cigar-Makers' Union, No. 102, of Kansas City, Mo.; Petition of Local Union, No. 17, Machine Woodworkers' International Union, of Kansas City, Mo.; and

Petition of Local Union, No. 2, Tin, Sheet Iron, and Cornice Workers' International Association, of Kansas City, Mo.

Mr. IRBY presented a memorial of citizens of Clinton, S. C., remonstrating against the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

#### REPORTS OF COMMITTEES.

Mr. FAULKNER, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 6922) to amend section 452 of the Revised Statutes relating to the District of Columbia, concerning conveyance of real estate, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 3080) supplementary to an act entitled "An act to provide a government for the District of Columbia," approved February

21, 1871, and also to an act entitled "An act for the government of the District of Columbia, and for other purposes," approved June 20, 1874, reported it with amendments.

Mr. STEWART, from the Committee on Appropriations, to whom was referred the bill (H. R. 9825) making appropriations for the support of the Army for the fiscal year ending June 30, 1894, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 2782) to restore Fort Wells to the Army, reported it without amendment and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3696) for the relief of Brig. Gen. John R. Brooke, United States Army, reported it with amendments and submitted a report thereon.

Mr. CHANDLER, from the Committee on Immigration, reported back the bill (S. 3963) establishing additional regulations concerning immigration to the United States, with a substitute. I ask that the substitute be printed and not the original bill, and also that a thousand extra copies of the substitute be printed for the use of the Senate.

The bill (S. 3786) establishing additional regulations concerning immigration to the United States, was read twice by its title.

The VICE-PRESIDENT. The bills will be placed on the Calendar, and 1,000 extra copies of the substitute will be ordered printed, in the absence of objection.

Mr. DOLPH. By direction of the Committee on Public Lands I report favorably an amendment intended to be proposed to the bill (H. R. 10331) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes. The amendment proposes to increase the amount of the appropriations for clerk hire in the office of the surveyor-general of Oregon. I move that the amendment be printed, and that, with the accompanying letter of the surveyor-general of Oregon, it be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (H. R. 9176) relating to contracts of common carriers and to certain obligations, duties, and rights in connection with the carriage of property, reported it with amendments.

Mr. DAWES. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 9923) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, to report it with amendments, and to submit a written report thereon. I give notice that I shall call the bill up at an early day.

I am further instructed by the committee to report that two amendments intended to be proposed to the bill, one submitted by the Senator from Colorado [Mr. TELLER] providing for the construction of a disappearing gun carriage after the pattern of Mr. A. H. Emery, and the other submitted by the Senator from Virginia [Mr. HUNTON], providing for the making of 10-inch and 12-inch guns after the pattern of R. J. Gatling, have been under consideration by the committee, but they have not been able, for want of time to come to any conclusion upon the same. They hope to be able to make a report upon them in the form of amendments to the bill before its consideration, which they will present if they are able to come to any conclusion upon the amendments.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. COKE, from the Committee on Commerce, reported an amendment intended to be proposed to the bill (H. R. 9955) providing for sundry light-houses and other aids to navigation; which was ordered to lie on the table.

He also, from the same committee, to whom was referred the bill (S. 3660) for the establishment of a light-house, fog signal, and line lights at or near the mouth of the Brazos River, Texas, reported it without amendment.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (H. R. 2592) for the relief of Andrew B. Knapp, reported it with amendments, and submitted a report thereon.

#### HARBOR OF CHICAGO.

Mr. CULLOM. I am directed by the Committee on Commerce, to whom was referred the bill (S. 3753) relating to the anchorage and movement of vessels in the port of Chicago, to report it favorably, with amendments, and I ask that it be now considered.

By unanimous consent, the Senate, as in Council, the whole, proceeded to consider the bill.

The first amendment of the Committee on Commerce was, in section 1, line 3, after the word "Treasury," to strike out "is" and insert "be;" in line 4, after the word "anchorage," to strike out "ground in Lake Michigan" and insert "grounds;" in line 5, after the word "the," to strike out "harbor" and insert "harbors;" and in the same line, after the word "Chicago," to insert "and waters of Lake Michigan adjacent thereto;" in line 6, after the word "relation," to strike out "thereto" and insert "to the same;" and in line 8, after the word "inshore," to strike out "channel ways" and insert "channels;" so as to make the section read:

That the Secretary of the Treasury be authorized and directed to define and establish anchorage grounds for vessels in the harbors of Chicago and waters of Lake Michigan adjacent thereto, to adopt suitable rules and regulations in relation to the same, and also to adopt suitable rules and regulations governing the use of marked inshore channels in Lake Michigan in front of the city of Chicago, and to take all necessary measures for the proper enforcement of such rules and regulations.

The amendment was agreed to.

The next amendment was, to strike out the last section of the bill, in the following words:

Sec. 3. That this act shall take effect immediately.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the concurrent resolution of the Senate requesting the President of the United States to return to the Senate the enrolled bill (S. 2625) to provide for the punishment of offenses on the high seas.

The message also returned to the Senate, in compliance with its request, the bill (S. 1678) for the relief of William Smith and others.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 5049) to remove the charge of desertion against Lucius L. Dyer.

The message also announced that the House had passed the bill (S. 3115) for relief of Clement Reeves.

The message further announced that the House had passed the bill (S. 509) granting an increase of pension to Thomas J. Matlock, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. 2850) for the relief of E. Y. Ramsey, the heir at law and distributee of Joseph Ramsey; and

A bill (H. R. 10146) to authorize the Oklahoma Midland Railway Company to construct and operate a railway, telegraph, and telephone lines through the Indian and Oklahoma Territories, and for other purposes.

#### ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 5567) for the relief of William Smith and others; and it was thereupon signed by the Vice-President.

#### BILLS INTRODUCED.

Mr. PASCO introduced a bill (S. 3787) to authorize the construction of a bridge across the St. Marys River, between the States of Florida and Georgia; which was read twice by its title, and referred to the Committee on Commerce.

Mr. TELLER introduced a bill (S. 3788) granting right of way to the Colorado River Irrigation Company through the Yuma Indian Reservation in California; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. HARRIS introduced a bill (S. 3789) to authorize the investigation by the Attorney-General of certain claims alleged to be due the late proprietors of the Knoxville Whig for advertising, and authorizing the payment therefor by the Secretary of the Treasury of any amounts found by the Attorney-General to be legally or equitably due; which was read twice by its title, and referred to the Committee on Claims.

Mr. CHANDLER introduced a bill (S. 3790) for the relief of William Dillon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3791) to define and to provide for the execution of the provisions of sections 1390, 1476, and 1480, of the Revised Statutes of the United States relative to the commissions of naval officers; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. PROCTOR introduced a bill (S. 3792) to incorporate the American University; which was read twice by its title.

I ask that the bill be referred to the Committee on the District of Columbia.

Mr. DOLPH. I should like to ask the Senator from Vermont if the bill should not go to the Select Committee to establish the University of the United States, of which the Senator is chairman?

Mr. PROCTOR. This is not a bill concerning the National University, but the American University, an institution under the auspices of the Methodist Church. It is a mere act of incorporation.

The VICE-PRESIDENT. The bill will be referred to the Committee on the District of Columbia.

Mr. DIXON (by request) introduced a joint resolution (S. R. 143) for the more effectual carrying out of a provision of the act approved March 3, 1891, entitled "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1891, and for prior years, and for other purposes;" which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

#### AMENDMENTS TO BILLS.

Mr. HIGGINS submitted sundry amendments intended to be proposed by him to the bill (S. 2870) to ratify and confirm an agreement with the Cherokee Nation of Indians, of the Indian Territory, to make appropriation for carrying out the same, and for other purposes; which were ordered to lie on the table, and be printed.

Mr. PETTIGREW submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Lands, and ordered to be printed.

Mr. TELLER submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CULLOM submitted an amendment intended to be proposed by him to the bill (H. R. 10258) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1893, and for prior years, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HOAR submitted an amendment intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the Judiciary, and ordered to be printed.

Mr. CAREY submitted two amendments intended to be proposed by him to the bill (H. R. 7135) to enable the people of New Mexico to form a constitution and State government and to be admitted into the Union on an equal footing with the original States; which were referred to the Committee on Territories, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the bill (H. R. 7024) to protect settlement rights where two or more persons settle upon the same subdivision of agricultural public lands before survey thereof; which was referred to the Committee on Public Lands, and ordered to be printed.

#### MEMORIAL OF C. C. MERRICK.

On motion of Mr. CULLOM, it was

*Ordered*, That the Committee on the Judiciary be discharged from the further consideration of the memorial of C. C. Merrick, to inquire into the legality of the disposition of the 2 per cent fund by the Legislature of the State of Maryland, and that he have leave to withdraw the same from the files of the Senate.

#### PREVENTION OF CONTAGIOUS OR INFECTIOUS DISEASES.

Mr. CHANDLER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Treasury be directed to inform the Senate what rules and regulations, if any, are now in existence and in force at the port of New York for the prevention of the introduction into this country of contagious or infectious diseases; and to specifically state what precautions against such diseases are prescribed to be observed at the ports of departure, upon the vessels on their voyages and in the harbor of arrival; and also to inform the Senate by what authority of law such rules and regulations have been established.

#### INVESTIGATION BY COMMITTEE ON COMMERCE.

Mr. DOLPH submitted the following resolution; which was referred to the Committee on Commerce, and ordered to be printed:

*Resolved*, That the Committee on Commerce be, and they are hereby, authorized to sit, by subcommittee or otherwise, during the recess of Congress, at such places in the United States as they may deem proper; and that they be, and they are hereby, authorized to inquire into the laws and regulations



Mr. FELTON presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the repeal of the so-called Sherman silver law: which was ordered to lie on the table.

Mr. SAWYER presented a resolution, Wis., praying for the peace of the world.



free entry of wearing apparel of foreign manufacture; which was referred to the Committee on Finance.

He also presented a petition of South Greenville Grange, No. 225, Patrons of Husbandry, of Wisconsin, praying for the passage of the Washburn-Hatch antioption bill; which was ordered to lie on the table.

Mr. HARRIS presented a petition of citizen of Davidson County, Tenn., praying for the passage of House bill 3698, for the classification of post-office clerks and fixing the salaries of the same; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. HARRIS. I present a memorial of sundry quarrymen of Tennessee, remonstrating against the importation of building material for the Library of Congress or other public buildings in the country. I am not sure to what committee this memorial should go, but I presume the Committee on Public Buildings and Grounds.

The PRESIDENT *pro tempore*. The memorial will be referred to the Committee on Public Buildings and Grounds, unless there be a request for other reference.

Mr. VEST. Does the memorial refer to the Library building? The PRESIDENT *pro tempore*. And other public buildings.

Mr. VEST. Does it apply to all public buildings?

Mr. HARRIS. It applies especially to the Library building.

Mr. VEST. Our Committee on Public Buildings and Grounds never has had anything to do with the Library building. By the action of the Senate that building was put under the Select Committee on Additional Accommodations for the Library of Congress. If the memorial applies to all public buildings of course it ought to go to the Committee on Public Buildings and Grounds, but if it applies to the Library building it ought to go to the select committee.

Mr. HARRIS. Then let it go to the select committee, if the Senator from Missouri thinks that a better reference. It applies especially to that building, although it refers to other public buildings as well.

The PRESIDENT *pro tempore*. The memorial will be referred to the Select Committee on Additional Accommodations for the Library of Congress.

Mr. BUTLER presented a memorial of citizens of York County, S. C., remonstrating against the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. COCKRELL presented a petition of the Commercial Club of Kansas City, Mo., praying for the establishment of a road bureau in the Department of Agriculture; which was referred to the Committee on Agriculture and Forestry.

Mr. HAWLEY presented a petition of the Connecticut State Grange, Patrons of Husbandry, praying for the passage of the Washburn-Hatch antioption bill; which was ordered to lie on the table.

He also presented a petition of the State Board of Trade of Connecticut, praying for the immediate and unconditional repeal of every act authorizing purchases of silver by the Government; which was ordered to lie on the table.

He also presented a petition of the State Board of Trade of Connecticut, praying for the repeal of the so-called Geary Chinese-exclusion act; which was referred to the Committee on Foreign Relations.

#### REPORTS OF COMMITTEES.

Mr. VEST, from the Committee on the Judiciary, reported an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. KYLE, from the Select Committee on Indian Depredations, to whom was referred the bill (S. 3582) for the relief of Robert McGee, reported it with amendments, and submitted a report thereon, and asked that the bill lie on the table; which was agreed to.

Mr. MORRILL, from the Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 9592) authorizing the Secretary of the Treasury to obtain plans and specifications for public buildings to be erected under the supervision of the Treasury Department, and providing for local supervision of the construction of the same, reported it with amendments.

Mr. ALLISON. From the Committee on Appropriations I report back, with sundry amendments, the bill (H. R. 10038) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1894, and for other purposes, accompanied by a brief report.

I desire to give notice at this time that immediately after the conclusion of the consideration of the fortification appropriation bill and the Army appropriation bill I shall ask that this bill may be considered by the Senate.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. ALLISON. I will also state, if the Chair will allow me, that as soon as the pending order is disposed of, being the antioption bill, the Committee on Appropriations will ask the Senate to consider all three bills in the order I have named.

#### PRESERVATION OF ORDER AT THE INAUGURATION.

Mr. McMILLAN. I am instructed by the Committee on the District of Columbia to report a joint resolution to provide for the maintenance of order during the inaugural ceremonies in March, 1893. It is a short matter and I ask for its immediate consideration.

The joint resolution (S. R. 141) to provide for maintenance of order during inaugural ceremonies in March, 1893, was read the first time by its title, and the second time at length, as follows:

*Resolved, etc.*, That \$8,200, or as much thereof as may be necessary, payable from any money in the Treasury not otherwise appropriated, and from the revenues of the District of Columbia, in equal parts, is hereby appropriated to enable the Commissioners of the District of Columbia to maintain public order and protect life and property in said District from the 25th of February to the 9th of March, 1893, both inclusive. Said Commissioners are hereby authorized and directed to make all reasonable regulations necessary to secure such preservation of public order and protection of life and property, and fixing fares by public conveyances during said period. Any person violating any such regulations shall be liable for each such offense to a fine not to exceed \$100 in the police court of said District, and in default of payment thereof to imprisonment in the workhouse of said District for not longer than sixty days.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the joint resolution?

By unanimous consent, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. WASHBURN introduced a bill (S. 3793) to authorize the construction of a bridge over the St. Louis River between the States of Wisconsin and Minnesota; which was read twice by its title, and referred to the Committee on Commerce.

Mr. WILSON introduced a bill (S. 3794) for the relief of Enoch Davis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. HUNTON introduced a bill (S. 3795) to authorize the Washington, Alexandria and Mount Vernon Electric Railway Company to construct a bridge across the Potomac River, and to construct a railroad over the same and through certain streets and reservations of Washington; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FAULKNER introduced a bill (S. 3796) to amend "An act to prevent the manufacture and sale of adulterated food or drugs in the District of Columbia," and transfer the execution thereof to the Department of Agriculture; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. SAWYER introduced a bill (S. 3797) establishing a fog signal at Kewaunee, Wis.; which was read twice by its title, and referred to the Committee on Commerce.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. PLATT submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. CAMERON submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Building and Grounds, and ordered to be printed.

Mr. DAVIS submitted two amendments intended to be proposed by him to the Indian appropriation bill; which were referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. KYLE submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Education and Labor, and ordered to be printed.

#### MATERIAL IN LIBRARY BUILDING.

Mr. HARRIS. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

*Resolved*, That the Chief of Engineers of the Army be, and he is hereby, directed to inform the Senate whether or not he has used or is using, has contracted for or is contracting or is proposing to contract for any building material from foreign countries to be used in the construction of the Library building now in course of construction, and if such material is being used or intended to be used, he will inform the Senate the character, quantity, and actual or probable cost of such imported material, and the reasons for such importation.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. PETTIGREW. To whom is the resolution addressed?

Mr. HOAR. To what officer is the direction given?

Later, Mr. President, this doctrine was invoked in order to destroy the principle of protection by Mr. Calhoun. Later, again,

Mr. PALMER, who his name was called, answered that he

the Senator from Washington [Mr. ALLEN]. I understand that if he were present he would vote "nay" on the amendment to the amendment. I should vote "yea" if I were not paired.

Mr. CAMERON (when Mr. QUAY's name was called). My colleague [Mr. QUAY] is ill and not able to be present to-day. He is paired with the Senator from West Virginia [Mr. FAULKNER].

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT].

The roll call was concluded.

Mr. GORDON. May I inquire whether the pair of my colleague [Mr. COLQUITT] was announced?

The VICE-PRESIDENT. His pair was announced with the Senator from Iowa [Mr. WILSON].

Mr. WILSON. I understand that the Senator from Georgia [Mr. COLQUITT] has been paired with the Senator from Ohio [Mr. BRICE]. If that be the case, I shall vote. I vote "nay."

The result was announced—yeas 21, nays 50; as follows:

## YEAS—21

Blackett,	Gorman,	McPherson,
Caffery,	Gray,	Mills,
Cameron,	Hill,	Platt,
Daniel,	Hiscock,	Sawyer,
Dixon,	Hoar,	Stewart,
Gibson,	Jones, Ark.	Vest,

## NAYS—50

Allen,	Dubois,	Kyle,	Sherman,
Bate,	Felton,	McMillan,	Shoup,
Berry,	Frye,	Manderson,	Squire,
Butler,	Gallinger,	Mitchell,	Stockbridge,
Cad,	George,	Moreau,	Teller,
Cady,	Gordon,	Morrill,	Turpie,
Chandler,	Hale,	Pasco,	Vance,
Cockrell,	Hansbrough,	Pfeffer,	Voorhees,
Coke,	Harris,	Perkins,	Walthall,
Cullom,	Hayley,	Power,	Washburn,
Davis,	Higgins,	Proctor,	Wilson,
Dawes,	Huntton,	Pugh,	
Dolph,	Ivey,	Ransom,	

## NOT VOTING—17

Aldrich,	Carlisle,	Paddock,	Stanford
Allen,	Casey,	Palmer,	Warren
Blairburn,	Colquitt,	Pettigrew,	
Brice,	Faulkner,	Quay,	
Camden,	Jones, Nev.	Sanders,	

So the amendment to the amendment was rejected.

The VICE-PRESIDENT. The question recurs on the amendment proposed by the Senator from Mississippi [Mr. GEORGE].

Mr. GEORGE. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BATE (when his name was called). I have a general pair with the Senator from Washington [Mr. ALLEN], who is not here. I do not know how he would vote on this question if he were present, and therefore I withhold my vote. If I were not paired I should vote for the substitute.

Mr. CARLISLE (when his name was called). On this bill I am paired with the Senator from Nebraska [Mr. PADDOCK], but on this amendment I am advised that, if present, he would vote the same as I do. I therefore vote "nay."

Mr. CHANDLER (when his name was called). On this amendment I am paired with the Senator from Rhode Island [Mr. ALDRICH]. If he were present I should vote "yea."

Mr. FAULKNER (when Mr. COLQUITT's name was called). I desire to say in reference to the vote upon this bill and its amendments that the Senator from Georgia [Mr. COLQUITT] is paired with the Senator from Ohio [Mr. BRICE].

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. I do not know how he would vote on this amendment if present, and therefore I withhold my vote.

The roll call was concluded.

Mr. DIXON. My colleague [Mr. ALDRICH] is necessarily absent. He is paired upon the pending amendment with the Senator from New Hampshire [Mr. CHANDLER]. If my colleague were present he would vote "nay."

Mr. PETTIGREW (after having voted in the negative). I am paired on this question with the Senator from West Virginia [Mr. CAMDEN], and therefore I withdraw my vote.

The result was announced—yeas 19, nays 51; as follows:

## YEAS—19

Berry,	Dolph,	Jones of Ark.	Pugh
Blackburn,	George,	Morgan,	Ransom,
Butler,	Gorman,	Morrill,	Vance,
Cad,	Harris,	Pasco,	Walthall,
Coke,	Huntton,	Pfeffer,	

## NAYS—51

Allen,	Carey,	Daniel,	Dubois,
Blackett,	Carlisle,	Davis,	Felton,
Caffery,	Cochell,	Dawes,	Gallinger,
Cameron,	Cullom,	Dixon,	Gibson,

Gray,	Kyle,	Power,	Turpie,
Hale,	McMillan,	Proctor,	Vest,
Hansbrough,	McPherson,	Sawyer,	Vilas,
Hawley,	Manderson,	Sherman,	Voorhees,
Higgins,	Mills,	Shoup,	Washburn,
Hill,	Mitchell,	Squire,	White,
Hiscock,	Palmer,	Stewart,	Wilson,
Hoar,	Perkins,	Stockbridge,	Wolcott
Ivey,	Platt,	Teller,	

## NOT VOTING—18

Aldrich,	Casey,	Gordon,	Sanders,
Allen,	Chandler,	Jones of Nev.	Stanford,
Bate,	Colquitt,	Paddock,	Warren
Brice,	Faulkner,	Pettigrew,	
Camden,	Frye,	Quay,	

So the amendment was rejected.

Mr. HARRIS. Mr. President, I do not propose to debate this bill further than to put on record some of the reasons which will control my vote.

The bill upon its face is a tax bill, but every Senator knows that not one cent of revenue will ever be raised under its provisions.

It is frankly admitted by its chief advocates and supporters that no revenue is expected or desired from it; and with equal frankness they admit that the taxing power is resorted to for no other purpose than that of taking legislative jurisdiction of a subject over which the Constitution has granted to Congress no power whatever.

The bill proposes to suppress, by Congressional enactment, a character of business carried on by the people of the several States with each other, and generally between citizens of the same State—a business which is lawful under the laws of the several States where it is carried on.

The excuse offered for this prostitution of the taxing power is, that gambling or betting, in the form of a contract for the sale of certain articles at a named price, to be delivered on a named future day, where the seller does not intend to deliver, and the buyer does not intend to receive and pay for the articles, but where the parties intend to settle on the day named for delivery, at the difference between the market price of that day and the price named in the contract.

Such contracts are denounced as injurious to the producer of the article which is the subject of the contract, and immoral because it is a system of gambling.

Mr. President, I am by no means certain that this form of dealing depresses prices or injures the producer of the article. For there are in these transactions as many buyers as sellers, as many bulls as bears, and, if the influence of the bull and the bear are equal, the market price is not affected.

But I admit that such contracts constitute a system of gambling, and as immoral and vicious as any other form of gambling, and for that reason, and the additional reason that I should be glad to gratify the wishes of the producers of the country at all times and in every way consistent with my official duties, I would cheerfully aid, to the extent of my constitutional power, in suppressing these mere betting contracts, while I would protect the right of every actual producer or dealer to sell for future delivery.

Mr. President, these are transactions within the several States, between the people of the several States, and generally between the people of the same State. They are, under the Constitution, exclusively within the reserved powers of the States.

Each State has the absolute and exclusive power to prohibit this character of dealing if it chooses to do so. But if Congress can, by a palpable and admitted fraud upon the Constitution, by prostituting the taxing power to this wholly illegitimate purpose, take legislative jurisdiction of this matter, there is not a single reserved right of the States that Congress may not invade and usurp in the same manner.

There is not a business in the States lawful under State laws, not a crime or misdemeanor punished by State laws, that Congress may not take jurisdiction of and control according to its own sweet will.

Mr. President, establish the principle upon which this bill rests and home rule, local self-government, and the last vestige of the reserved rights of the States are gone. Congress has but to resort to the taxing power to take jurisdiction of any or all legislative subjects, local and domestic, as well as national.

Our Revolutionary fathers who framed the Constitution, recognizing the fact that we were thirteen independent States or nationalities, independent of each other, as of all the balance of the world, and recognizing that we had many interests in common, and were sufficiently homogeneous to make common cause against all other nationalities, undertook to create a Federal agency, called the Government of the United States, and to delegate to it certain specific and limited powers, and charge it with the performance of certain specific duties, purely national and inter-

The power of Congress over internal affairs is unlimited and unrestricted in measure. It is the duty of Congress in the wise discretion of Congress to provide the best remedy for such objects and purposes as Congress shall deem expedient and most appropriate to promote the good of the whole people. The amendment or substitution of a bill introduced from Mississippi [Mr. GORDON, who introduced the bill] is proper and for which I voted, in my opinion, for the best and most effectual remedy for this evil, reported to the committee.

public outcry, and in a constitutional manner declares "options" and "futures" to be "obstructions to and restraints upon commerce among the States."

Congress is fully empowered to make that "regulation," and in the exercise of its power over commerce Congress is authorized to declare such deals to be "null and void," and to punish parties convicted of dealings therein. I can not discover either the wisdom or the morality of licensing this evil and throwing around such gambling transactions the panoply and protection of law, provided the taxes are paid. The Treasury of the United States does not need taxes raised by "options" and "futures," if those dealings are destructive of the agricultural interest, and if those taxes when paid are not to raise revenue, then they are in violation of the revenue power of the Constitution.

For that I can not vote, but I favor the amendment or substitute of the Senator from Mississippi [Mr. GEORGE], because it brings the restraining provisions of law within the power of Congress to regulate commerce, and legislates upon a great evil in a constitutional and orderly manner—and in my opinion, in the most effective way—for it substitutes punishment for the unconstitutional tax resorted to in the Hatch bill, merely to give jurisdiction to Congress over the subject-matter.

Mr. VANCE. Mr. President, inasmuch as I voted for the substitute proposed by the Senator from Mississippi [Mr. GEORGE] and shall vote against the bill, I ask the indulgence of the Senate for a few minutes to explain briefly my reasons for so doing.

There is a public sentiment in my State, which is chiefly an agricultural State, that the dealings in futures and options, as they are called, constitute an evil, a restraint upon and an injury to commerce between the States.

Whether that be true or not, I shall not of course at this late hour undertake to say; but in deference to that sentiment, I determined that I should vote for any bill which would restrain or correct this evil which I thought to be in conformity with the Constitution of my country. I believe that the substitute of the Senator from Mississippi was such a measure, though I confess I was not free from doubt even about that.

There can be no doubt, however, Mr. President, it seems to me, that the perversion of the taxing power of the Government to any purpose except that of raising revenue to support the Government is a violation of the Constitution, palpable and unmistakable, and it is all the worse and all the meaner in this case, because this bill is so framed as to prevent the decision of the Supreme Court in regard to it being based upon the taxing power, whereas the substitute of the Senator from Mississippi was based fairly and squarely upon the commerce clause of the Constitution, and was in the exercise of the right of Congress to regulate commerce between the States.

Therefore it could have been speedily and easily determined, if necessary, by the Supreme Court of the United States, whether or not the power existed in Congress under the Constitution to pass this legislation; but this attempt to suppress an evil by the use of the taxing power is cowardly, mean, false, fraudulent, and felonious, and I shall not vote for it. It constitutes a greater crime against the Constitution of our country than do all the dealings of all the boards of all the cotton and wheat exchanges in America constitute an offense against the commerce of the country. I shall not assist in the perpetration of a crime in order to redress an evil in commerce, even if that evil were well established.

For those reasons I voted for the substitute of the Senator from Mississippi and shall vote against what is called the Hatch bill. Although I have no doubt it will pass this body, no gaunt specter of the future can shake its gory locks at me and say, "Thou didst it." [Laughter.]

Mr. CALL. Mr. President, I will ask the indulgence of the Senate for just five minutes.

I propose to vote for this bill. I do it not because I prefer it, not because I should not prefer a different bill, but because the taxing power has been used to the extent of confiscation from the very first year of this Government until to-day. Congress has discriminated in the exercise of the taxing power in this country for objects other than that of raising revenue; and to-day the revenue laws of this country, even within the limits of a revenue tariff, have been imposed for other objects than the simple one of obtaining revenue.

It is known to every one that there is a penalty attached in the exercise of the taxing power to every tax law, and that the penalty is a part of the taxing power, and as much a part of it as the tax actually levied, and that the taxing power therefore, in the imposition of every penalty, is exercised to the point of destroying property and for objects other than the simple one of raising revenue.

There is no difference in the powers of the Constitution considered as powers: there is no argument which can be made of that kind. A power to do one thing and a power to do another,

a power to perform one function and a power to perform another, as a power is precisely the same and must be governed by the same law.

If, under the exertion of the power to regulate commerce, you can destroy an obstruction to commerce for the purpose of regulating commerce, then, under the taxing power, you can exercise that power for some other object than the direct object of raising taxes. All powers have an incidental effect, but to say that you can not discriminate in the exercise of them is to affirm an untenable proposition.

It is certainly true that to-day the taxing power is exercised in matters of revenue to the point of destroying property as a penalty for the enforcement of the law, and in my own State, when I was there recently at the port of Tampa, there was a large quantity of goods taken under the taxing power, the revenue power, being destroyed under the law, and it is a constant feature of the exercise of the taxing power.

Therefore, while as a matter of policy it might be preferred that this bill should be in some other shape, as a matter of argument there is in my judgment no ground for the assertion that it has not been the constant practice of the Government, and is to-day the practice, to exercise the taxing power to the extent of the destruction of property, and for objects other than that of raising revenue. The oleomargarine law and the interstate-commerce law are both instances of this kind, and so are all the revenue laws.

Mr. BULLER. Mr. President, I am very sorry that I shall not be able to join my friend from Florida [Mr. CALL] in the view which he takes of the constitutional power of Congress in regard to taxation, and if what he says is correct I think we have about reached that period of the history of this country when it should be checked and a halt called in the exercise of the powers to which he referred.

I, however, do not agree with the Senator in the version which he gives of the exercise of the taxing power to which he has just referred. Be that as it may, I can not consent, with my view of the constitutional power of Congress, to vote for a bill which in my judgment is a clear, open, and undisguised abuse of that power.

I voted for the amendment of the Senator from Mississippi [Mr. GEORGE] because I felt profoundly anxious, as no doubt has every Senator upon this floor, to find some remedy within the power of Congress to correct abuses which unquestionably exist. I voted for that amendment, however, with some misgivings as to the power of Congress to confer jurisdiction upon the Federal courts under it.

I yielded my doubts, however, in deference to the opinion of the Senator from Mississippi [Mr. GEORGE], the Senator from Texas [Mr. COKE], and the Senator from Alabama [Mr. PRATT], members of the Judiciary Committee, having great confidence in their judgment and in their professional skill, ability, and experience. But, sir, when I voted for that amendment I went to the full extent of providing remedial measures for the evils of which complaint is justly made. I can not, however, with my views of the Constitution, vote for a measure which uses the taxing power to destroy a business within the limits of the States.

I do not hold that Congress may do whatever it pleases; I do not hold that Congress may do what a very large number of the people of the United States wish shall be done. This is not a body of unlimited power. It must legislate, if it legislate honestly, in accordance with the limitations imposed upon its powers by a written constitution.

Entertaining these views, I say with regret, Mr. President, that I shall be compelled to vote against the bill now that the amendment of the Senator from Mississippi, for which I voted, has been defeated.

Mr. VEST. Mr. President, I have no arguments to make against this bill in addition to those I have already presented to the Senate; but on the 24th of this month the house of representatives of the General Assembly of Missouri instructed the Senators from that State, by a vote of 116 to 13, to support this bill. I have the greatest respect for that feature of our Government which makes the public servant a representative of the intelligent opinion of his constituents; but there is a limit to the right of instruction, and no Legislature can make me violate the Constitution of my country which I have sworn to support. No General Assembly has the right to make me commit perjury and trample upon my own judgment and conscience.

It may be that this expression of opinion by the house of representatives of the General Assembly of Missouri is the deliberate and fixed sentiment of an immense majority of my constituents. If so, I shall bow to the inevitable result and accept their arbitrament and action with pleasure. Much as I appreciate the honor they have done me, much as I am attached to the personal associations which so long have surrounded me here, there is,

Mr. President, sunshine in other places besides Washington City, and the air of the prairies is purer than that in this Chamber. I prefer my own self-respect to personal or political applause, and I shall, therefore, with the greatest pleasure imaginable, vote against this bill. [Laughter.]

The VICE-PRESIDENT. The hour of 4 o'clock having arrived—

Mr. PEPPER. I am in receipt of a concurrent resolution passed by the Legislature of the State of Kansas—

Mr. HOAR. Is debate in order, Mr. President?

The VICE-PRESIDENT. Debate is not in order. The hour of 4 o'clock has arrived, and it is the duty of the Chair to remind the Senator that the time agreed upon for the expiration of debate and taking the vote is at hand.

Mr. PEPPER. Mr. President, I only desire to make a very brief statement.

Mr. HOAR. I do not object.

Mr. PEPPER. I wish to state that I am in receipt of a copy of a concurrent resolution passed unanimously by the Legislature of Kansas in support of the pending bill.

The VICE-PRESIDENT. The Senator can only proceed by unanimous consent.

Mr. PEPPER. That is all I desire to say.

The VICE-PRESIDENT. The question is on the bill.

Mr. MILLS. I rise to a parliamentary inquiry. I wish to know if it is now in order to offer amendments?

The VICE-PRESIDENT. The bill is before the Senate as in Committee of the Whole, and is open to amendment.

Mr. MILLS. Then I offer an amendment, to add as an additional section, what I send to the desk. It is to be inserted before the section prescribing when the bill shall take effect.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed to insert, after section 11, the following as a new section:

Sec. —. That all railroad corporations, associations, or companies engaged in interstate commerce shall, within six months after the passage of this act, provide at all stations established or that may be established on their roads, side-track facilities for all persons or parties to erect and maintain private elevators or warehouses, of a capacity of not less than 5,000 bushels each, for the storage of grain while waiting shipment on such lines of railroad, and to permit such elevators and warehouses to be erected, maintained, controlled, and operated by any person or corporation desiring to erect, maintain, control, and operate the same for said persons. And it is hereby made the duty of said railroad companies to receive and carry over their lines all grain offered for shipment to and from such private elevators and warehouses, and they shall receive in their cars and carry over their lines of railroad all grain offered in car-load lots at such stations without previous storage, and shall transport the same at the same rates charged for transporting grain for elevator and miller companies. And every railroad company that shall fail or refuse to comply with the provisions of this section shall be guilty of a misdemeanor, and on conviction shall be fined the sum of \$10,000 for each offense.

Mr. BERRY. I wish to make a parliamentary inquiry. The original agreement was to take the vote on the amendment of the Senator from Mississippi [Mr. GEORGE] at 1 o'clock, and on the bill and other amendments at 2 o'clock. By unanimous consent the time was extended until 3 and 4 o'clock instead of 1 and 2 o'clock. Thereafter, while the Senator from Delaware [Mr. HIGGINS] was speaking, I understood the Senator from Ohio [Mr. SHERMAN] to ask that the time be extended fifteen minutes further. I think under that arrangement the Senator from Kansas [Mr. PEPPER] ought to have an opportunity to make his remarks any time before fifteen minutes to 4 o'clock.

Mr. HOAR. I understood the Senator from Kansas to have said all he desired to say. I waived my objection.

Mr. BERRY. I understood that the Senator from Kansas had been cut off in the remarks he desired to submit.

Mr. HOAR. Oh, no; I waived my objection to the Senator from Kansas speaking.

Mr. PEPPER. I only asked permission to state the fact, which I did state, that I was in possession of a concurrent resolution of the Legislature of Kansas asking for the passage of this bill. I did not intend to say anything further.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Texas [Mr. MILLS], which has just been read. [Putting the question.] The yeas seem to prevail.

Mr. MILLS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BATE (when his name was called). I am paired with the Senator from Washington [Mr. ALLEN]. If he were present I should vote for the amendment. I do not know how he would vote.

Mr. CARLISLE (when his name was called). I am paired with the Senator from Nebraska [Mr. PADDOK].

Mr. GORDON (when Mr. COLQUITT'S name was called). My colleague [Mr. COLQUITT] is paired with the Senator from Ohio [Mr. BRICE].

Mr. FAULKNER (when his name was called). I am generally paired with the Senator from Pennsylvania [Mr. QUAY]. I

do not know how he would vote on this amendment, and therefore withhold my vote.

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DUNN].

Mr. GORDON (when his name was called). I am paired with the Senator from Wyoming [Mr. WATKINS]. I do not know how he would vote on this bill, and I therefore withhold my vote.

Mr. HANSHROUGH (when his name was called). I am paired with the Senator from Montana [Mr. SWEENEY]. I do not know how he would vote on this question. We will suppose that I should vote "yea."

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASSIDY]. I believe we are all in favor of "yea."

Mr. PETTIGREW (when his name was called). I am paired with the Senator from West Virginia [Mr. CAMERON]. I wish to transfer my pair to the Senator from California [Mr. SHERMAN]. If the Senator from California were here he would vote for this amendment. I vote "yea."

The roll call was concluded.

Mr. GORDON. I understand that the pair I had with the Senator from Wyoming [Mr. WATKINS] is relieved by his being paired with another Senator. I vote "yea."

Mr. HOAR. I desire to say that I have not voted upon this amendment, because in the last it was offered and read before the Senate I was unable to understand it.

Mr. VANCE (after having voted in the affirmative). I voted under a misapprehension. I am paired with the Senator from Wyoming [Mr. WATKINS] and I withdraw my vote.

The result was announced—yeas 21, nays 46; as follows:

YEAS—21			
Berry,	Gordon,	McPherson,	Vilas,
Butler,	Gray,	Mills,	Wadsworth,
Call,	Harris,	Power,	White,
Cole,	Hunt,	Rush,	
Daniel,	Jones,	Shannon,	
Gibson,	Kyle,	Vest,	
NAYS—46			
Allison,	Dobois,	Manly,	Shoup,
Blackburn,	Edison,	Mitchell,	Squire,
Blodgett,	Frye,	Morgan,	Stewart,
Caffery,	Gallinger,	Morrill,	Stewart,
Cameron,	Gorman,	Palmer,	Teller,
Carey,	Hale,	Peffer,	Turpin,
Chandler,	Hawley,	Perkins,	Wadsworth,
Cockrell,	Higgins,	Pettigrew,	Watkins,
Cullom,	Hill,	Platt,	Wilson,
Davis,	Hiscock,	Proctor,	Wheeler,
Dawes,	Irby,	Sawyer,	
Dixon,	McMillan,	Sherman,	
NOT VOTING—21			
Aldrich,	Cassidy,	Hoar,	Stanford,
Allen,	Colquitt,	Jones—Nev.	Vance,
Bate,	Dolph,	Palmer,	Warren,
Brice,	Faulkner,	Pasco,	
Camden,	George,	Quay,	
Carlisle,	Hansbrough,	Stickers,	

So the amendment was rejected.

Mr. POWER. I offer an amendment, which I send to the desk. The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed to add to section 5 the following:

And all silver bullion purchased by or for the United States shall be delivered and payment made therefor on the day of its purchase or on the next day thereafter.

The VICE-PRESIDENT. The question is on the amendment. The amendment was rejected.

Mr. MILLS. I offer another amendment, which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed, after section 11, to insert a new section, as follows:

Sec. 15. Any person, corporation, or company who shall enter into any combination or agreement to fix the price at which grain shall be bought or sold in any market in the United States, or to prevent competition in the sale and purchase of grain or cotton, or other agricultural product in any market in the United States, shall be guilty of a misdemeanor, and on conviction shall be fined the sum of \$10,000 for each offense so committed.

Mr. BUTLER. I move to insert after the word "grain" where it appears in the amendment, the words "or cotton."

Mr. MILLS. I accept that amendment.

Mr. HARRIS. I move to add after the word "cotton" the words "or other agricultural product."

Mr. MILLS. I accept that also, Mr. President.

The VICE-PRESIDENT. The amendment as proposed to be amended by the Senator from Tennessee is now stated.

The Chief Clerk read as follows:

Any person, corporation, or company who shall enter into any combination or agreement to fix the price at which grain or cotton or other agricultural product shall be bought in any market in the United States, or to prevent competition in the sale and purchase of grain or cotton or other agricultural product in any market in the United States, shall be guilty of a misdemeanor, and on conviction shall be fined the sum of \$10,000 for each offense so committed.



The VICE-PRESIDENT. The question is on the amendment as modified.

Mr. BUTLER. I call for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. WASHBURN (when the name of Mr. ALDRICH was called). I desire to announce the pair of the Senator from Rhode Island [Mr. ALDRICH] with the Senator from Pennsylvania [Mr. QUAY].

Mr. DIXON. When my colleague [Mr. ALDRICH] left the Chamber he informed me that he was paired with the Senator from Vermont [Mr. PROCTOR].

Mr. WASHBURN. I understood from the Senator from Rhode Island that that pair had been transferred.

Mr. DIXON. I did not have any such understanding.

Mr. BATE (when his name was called). I am paired with the Senator from Washington [Mr. ALLEN]. If he were present I should vote "yea." I do not know how he would vote.

Mr. CARLISLE (when his name was called). I am paired with the Senator from Nebraska [Mr. Paddock].

Mr. CLERGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. HANSBROUGH (when his name was called). I am paired with the Senator from Montana [Mr. SANDERS]. I do not know how he would vote on this amendment. Were he present I should vote "yea."

Mr. PASCO (when his name was called). I again announce my pair with the Senator from North Dakota [Mr. CASEY].

Mr. VANCE (when his name was called). I reannounce my pair with the Senator from Wyoming [Mr. WARREN]. If he were present I should vote "yea."

The roll call was concluded.

Mr. PROCTOR. The pair I had with the Senator from Rhode Island [Mr. ALDRICH] I understand has been transferred to the Senator from Pennsylvania [Mr. QUAY]. I therefore vote "nay."

Mr. DIXON. When my colleague [Mr. ALDRICH] left he informed me that he was paired against this bill with the Senator from Vermont [Mr. PROCTOR]. When the announcement was made by the Senator from Minnesota [Mr. WASHBURN] that my colleague was paired with the Senator from Pennsylvania [Mr. QUAY] I had no information of such a pair, and have had no information now of such a pair. The announcement made by the Senator from Minnesota I understand to apply to this particular vote.

The result was announced—yeas 26, nays 40; as follows:

## YEAS—26

Berry.	Cullom.	Hiscock.	Ransom.
Blackburn.	Daniel.	Huntton.	Vest.
Butler.	Frye.	Jones of Ark.	Vilas.
Cannery.	Gallinger.	Kyle.	Walthall.
Call.	Gibson.	Mills.	White.
Carey.	Gorman.	Pugh.	Wolcott.
Cole.	Harritt.		

## NAYS—40

Allison.	Gray.	Morgan.	Sherman.
Blodgett.	Hale.	Morrill.	Shoup.
Cameron.	Hawley.	Palmer.	Squire.
Chandler.	Milburn.	Penr.	Stewart.
Davis.	Hill.	Perkins.	Stockbridge.
Dixon.	Irby.	Pettigrew.	Teller.
Dubois.	McMillan.	Platt.	Turpie.
Faulkner.	McPherson.	Power.	Voorhees.
Felton.	Manderson.	Proctor.	Washburn.
Gordon.	Mitchell.	Sawyer.	Wilson.

## NOT VOTING—22

Aldrich.	Casey.	Hansbrough.	Quay.
Allen.	Cockrell.	Hear.	Sanders.
Bate.	Colquitt.	Jones of Nev.	Stanford.
Bragg.	Dawes.	Paddock.	Vance.
Candeen.	Dolph.	Pasco.	Warren.
Carlisle.	George.		

So the amendment was rejected.

Mr. POWER. I wish to move an amendment. In section 3, line 4, after the word "bacon," I move to insert the words "and silver bullion;" so as to make the section read:

That the articles to which the foregoing sections relate are raw or unmanufactured cotton, hops, wheat, corn, flour, oats, rye, barley, pork lard, and bacon, and silver bullion.

The VICE-PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Montana [Mr. POWER].

Mr. POWER. On that I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BATE (when his name was called). On this question I am paired with the Senator from Washington [Mr. ALLEN]. I do not know how he would vote. I should vote "yea" if he were here.

Mr. FAULKNER (when his name was called). I desire to understand whether there has been any transfer of the pair of the

Senator from Pennsylvania [Mr. QUAY], who has been heretofore paired with myself. If not, I will observe my pair.

The VICE-PRESIDENT. The Senator from Rhode Island [Mr. DIXON] can answer the question of the Senator from West Virginia.

Mr. DIXON. I did not hear the question of the Senator from West Virginia.

Mr. FAULKNER. I ask the Senator from Rhode Island whether there has been any transfer of the pair which has existed heretofore between the Senator from Pennsylvania [Mr. QUAY] and myself. If not, of course I will observe the pair. If there has been a transfer I will vote.

Mr. DIXON. I do not know of any transfer. All the information I have is that received this morning from my colleague [Mr. ALDRICH], requesting me to announce the pair existing between him and the Senator from Vermont [Mr. PROCTOR].

Mr. PROCTOR. When the pair was made with the Senator from Rhode Island [Mr. ALDRICH] the matter of transfer was mentioned, and in accordance with what I understood, I transferred the pair to the Senator from Pennsylvania [Mr. QUAY].

Mr. SHERMAN. Then the Senator from West Virginia has a right to vote.

Mr. FAULKNER. I should like to know whether that is satisfactory to the colleague of the Senator from Rhode Island. If so, I shall vote.

Mr. DIXON. I understood that the arrangement between my colleague and the Senator from Vermont [Mr. PROCTOR] was simply on the passage of the bill. We have not reached that point yet.

Mr. FAULKNER. Then on this question, as there seems to be some doubt, I will withhold my vote.

Mr. PASCO (when his name was called). I again announce my pair with the Senator from North Dakota [Mr. CASEY]. If he were present I should vote "nay."

Mr. VANCE (when his name was called). I announce my pair with the Senator from Wyoming [Mr. WARREN]. If he were present I should vote "yea."

The roll call having been concluded, the result was announced—yeas 21, nays 44; as follows:

## YEAS—21

Carey.	Hansbrough.	Power.	Washburn.
Chandler.	Jones of Ark.	Sawyer.	White.
Daniel.	Mills.	Shoup.	Wolcott.
Dawes.	Mitchell.	Squire.	
Dolph.	Palmer.	Stewart.	
Dubois.	Pettigrew.	Teller.	

## NAYS—44

Allison.	Dixon.	Hill.	Proctor.
Berry.	Felton.	Irby.	Pugh.
Blackburn.	Frye.	Kyle.	Ransom.
Blodgett.	Gallinger.	McMillan.	Sherman.
Bulger.	Gordon.	McPherson.	Stockbridge.
Caffery.	Gorman.	Manderson.	Turpie.
Cole.	Gray.	Morgan.	Vest.
Cameron.	Hale.	Morrill.	Vilas.
Cockrell.	Harritt.	Peffer.	Voorhees.
Cullom.	Hawley.	Perkins.	Walthall.
Davis.	Higgins.	Platt.	Wilson.

## NOT VOTING—23

Aldrich.	Casey.	Hiscock.	Quay.
Allen.	Coke.	Hear.	Sanders.
Bate.	Colquitt.	Huntton.	Stanford.
Brice.	Faulkner.	Jones of Nev.	Vance.
Candeen.	George.	Paddock.	Warren.
Carlisle.	Gibson.	Pasco.	

So the amendment was rejected.

Mr. WOLCOTT. I move to add at the end of section 3:

And, in addition to the products of petroleum, or certificates representing the same, and dealt in on the exchanges of the United States, also high wines, spirits, and whiskies.

The VICE-PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Colorado [Mr. WOLCOTT].

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The VICE-PRESIDENT. The question is, Shall the bill pass?

Mr. WHITE. On that I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DIXON (when Mr. ALDRICH'S name was called). Upon this question my colleague [Mr. ALDRICH] is paired with the Senator from Vermont [Mr. PROCTOR]. If my colleague were present, he would vote "nay."

Mr. BATE (when his name was called). I am paired with the Senator from Washington [Mr. ALLEN]. I do not know how he

would vote, but I understand he would vote for the bill. If he were here, I should vote "nay."

Mr. BLANKBURN when Mr. CARLISLE'S name was called. My colleague [Mr. CARLISLE] is paired with the junior Senator from Nebraska [Mr. PADDOCK]. I do not know how the Senator from Nebraska would vote, if present. If my colleague were present, he would vote "nay."

Mr. GORDON when Mr. CALVERT'S name was called. My colleague [Mr. CALVERT] is paired with the Senator from Ohio [Mr. BRICE]. Were my colleague present and relieved of the pair he would vote "yea."

Mr. FAULKNER when his name was called. I desire to know whether there has been any transfer of the pair between the Senator from Pennsylvania [Mr. QUAY] and myself.

The VICE-PRESIDENT. The Chair will state that the junior Senator from Rhode Island [Mr. DIXON] has announced that his colleague [Mr. ALBION] is paired with the Senator from Vermont [Mr. PROCTOR].

Mr. PROCTOR. I wish to state that pair has been transferred to the Senator from Pennsylvania [Mr. QUAY].

Mr. FAULKNER. I recognize the right where two Senators are paired and both would vote the same way to have a transfer made on the floor of the Senate under the rules and regulations which govern the question of pairs. Under the circumstances I vote "yea."

Mr. GEORGE when his name was called. I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. HANSBROUGH when his name was called. I again announce my pair with the Senator from Montana [Mr. SANDERS]. I transfer my pair to the Senator from Nevada [Mr. JONES], and vote "yea."

Mr. PASCO when his name was called. I again announce my pair with the Senator from North Dakota [Mr. CASEY]. If he were present I should vote "nay."

Mr. CAMERON when Mr. QUAY'S name was called. If my colleague [Mr. QUAY] were present he would vote "yea."

Mr. VANCE when his name was called. I announce my pair with the Senator from Wyoming [Mr. WARREN]. If he were present he would vote "yea." I am informed, and I should vote "nay."

The roll call was concluded.

Mr. MANDERSON. My colleague [Mr. PADDOCK] is paired with the Senator from Kentucky [Mr. CARLISLE]. The pair has been announced, but I desire to state that my colleague, if present, would vote "yea."

The result was announced—yeas 49, nays 29, as follows:

YEAS—49			
Allison.	Felton.	Kyle.	Sherman.
Blackburn.	Frye.	McMillan.	Sheep.
Call.	Gallinger.	McPherson.	Squire.
Carey.	Gordon.	Michell.	Stockbridge.
Chandler.	Hale.	Morgan.	Teller.
Cockrell.	Hansbrough.	Morrill.	Turner.
Cullom.	Hawley.	Peffer.	Voorhees.
Davis.	Higgins.	Perkins.	Walthall.
Dubois.	Huntton.	Peterson.	Washburn.
Faulkner.	Irby.	Proctor.	Wilson.
NAYS—29			
Berry.	Dixon.	Jones of Ark.	Stewart.
Blodgett.	Gibson.	McPherson.	Vest.
Butler.	Gorman.	Mills.	Vilas.
Caffery.	Gray.	Palmer.	White.
Camron.	Harris.	Platt.	Wolcott.
Coke.	Hill.	Pugh.	
Daniel.	Hiscock.	Ransom.	
Dawes.	Hoar.	Sawyer.	
NOT VOTING—19			
Aldrich.	Carlisle.	Jones of Nev.	Sanders.
Allen.	Casey.	Padlock.	Stanford.
Bate.	Calvert.	Packer.	Vance.
Brice.	Dolph.	Powers.	Warren.
Camden.	George.	Quay.	

So the bill was passed.

Mr. WASHBURN. I move that the Senate request a conference with the House of Representatives on the bill and amendment.

Mr. HOAR. Is that motion in order?

The VICE-PRESIDENT. The Senator from Minnesota moves—

Mr. HOAR. Let that motion go over.

Mr. WASHBURN. Why should it go over?

ORDER OF BUSINESS.

Mr. DAWES and Mr. SHERMAN addressed the Chair.

The VICE-PRESIDENT. The Chair is informed that the Committee on Appropriations has the right of way.

Mr. SHERMAN. I hope the Senator from Massachusetts will give way to me.

The VICE-PRESIDENT. The Chair recognizes the Senator from Massachusetts.

Mr. DAWES. I move that the Senate suspend the consideration of the bill H. R. 22,000, so that the Committee on Appropriations, and other committees, may have the right of way for the purpose of reporting bills and amendments to the Senate, and for the purpose of conducting the business of the Senate.

The motion was agreed to.

Mr. SHERMAN. I move that the Senate suspend the consideration of the bill H. R. 22,000, so that the Committee on Appropriations, and other committees, may have the right of way for the purpose of reporting bills and amendments to the Senate, and for the purpose of conducting the business of the Senate.

Mr. VEST. I move that the Senate suspend the consideration of the bill H. R. 22,000, so that the Committee on Appropriations, and other committees, may have the right of way for the purpose of reporting bills and amendments to the Senate, and for the purpose of conducting the business of the Senate.

Mr. SHERMAN. I move that the Senate suspend the consideration of the bill H. R. 22,000, so that the Committee on Appropriations, and other committees, may have the right of way for the purpose of reporting bills and amendments to the Senate, and for the purpose of conducting the business of the Senate.

Mr. CULLOM. I move that the Senate suspend the consideration of the bill H. R. 22,000, so that the Committee on Appropriations, and other committees, may have the right of way for the purpose of reporting bills and amendments to the Senate, and for the purpose of conducting the business of the Senate.

Mr. SHERMAN. I move that the Senate suspend the consideration of the bill H. R. 22,000, so that the Committee on Appropriations, and other committees, may have the right of way for the purpose of reporting bills and amendments to the Senate, and for the purpose of conducting the business of the Senate.

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bill being made the unfinished business, if there can be an understanding that when taken up it is to be laid aside to allow the measure to be completed the consideration of which has been already commenced.

Mr. HARRIS. If the Senator from Connecticut has rights of way he shall hold them, because it is not probable that he could get unanimous consent of the kind he suggests.

Mr. SHERMAN. The Senator from Connecticut can call up his bill in the morning hour, I have no doubt, by common consent. I have made this motion not in my own interest, but in the interests of others.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Ohio.

Mr. WOLCOTT. I desire to make an inquiry. The first motion made by the Senator from Ohio was a request that the Nicaragua bill be the unfinished business to follow immediately upon the appropriation bill which is brought forward by the Senator from Massachusetts. Then upon the Senator from Illinois said he would not object provided it would take only two days, and the Senator from Missouri said if it meant only that there should be two speeches, one by the Senator from Alabama and the other by the Senator from Maine, he would agree to it.

I understand that if the Nicaragua bill comes up it comes up for serious consideration until it is finished and completed, whether it be one day or ten days, that it may be followed by such business as the Senate shall see fit to follow it with; and that during the time it is before the Senate it is up for general discussion. If I am misinformed I should be glad if the Chair would inform me correctly.

Mr. SHERMAN. I have already stated that I desire to have the bill made the unfinished business, according to the rule of the Senate, that whenever it is desired to call up an appropriation bill it shall give way, as it ought to give way to it; and that every effort will be made to assist the Senator from Connecticut, who has charge of another bill, which is of public interest. I have no doubt we can get along harmoniously, but I desire to have the Nicaragua bill made the unfinished business, so that Senators who desire to speak upon it may do so; and I hope in a very brief period, as soon as possible, to get a vote on the passage of the bill one way or the other.

The VICE-PRESIDENT. The question is on the motion of the Senator from Ohio. The debate proceeds by unanimous consent.

Mr. VEST. I have not the slightest disposition to be guilty of an act of discourtesy towards any Senator who desires to discuss the measure; I utterly disclaim that; but this is an extraordinary motion.

Mr. SHERMAN. It is the usual motion.

Mr. VEST. Of course it is permissible by the rules; but the Senator from Ohio, with his long experience, knows that at this late day in the session he should not seek to bring that bill forward when another bill, which is of very great importance to a large portion of the people of this country, has been partially considered and is now pending—must be thrust aside in order to take up the measure, and when every intelligent man knows that there can be no finality in the action of Congress upon it during the present session. I do not say that the other measure has the right of way, but it has been partially considered, and the understanding was that we were to take it up and finish it as soon as the appropriation bill was disposed of.

Mr. SHERMAN. What bill does the Senator refer to?

Mr. VEST. The bill in regard to the Cherokee Strip.

Mr. SHERMAN. I have already stated that I have no objection to having that bill disposed of, and the Senator from Connecticut says he hopes to dispose of it in the morning hour tomorrow.

Mr. VEST. The Senator from Ohio stated that that bill might be considered in the morning hour.

Mr. SHERMAN. I hope so.

Mr. VEST. It can not be finished in the morning hour. The result will be that at the conclusion of the morning hour that bill, if unfinished, will go over and the Nicaragua bill will then come up as the unfinished business after the appropriation bill is out of the way.

Mr. SHERMAN. If the Nicaragua bill is taken up I do not think Senators will have any difficulty in arranging in regard to the Cherokee Strip bill. I have no desire to impede that measure. That is a bill of public importance; and as to the appropriation bills, the rules give them priority.

Mr. VEST. Mr. President, we might as well be entirely frank about the matter. Every hour and every minute remaining of this session should be devoted to measures that we believe can be perfected into law by the present Congress. I assert what all of us know, I think, that this Nicaragua bill can not become a law during this Congress. If the Senate were to pass it, it would

not become a law. That is an open secret. But there are bills here which some of us consider of equal or more importance, that are pressing upon the attention of Congress, and why should we not take them up and dispose of them? The result of the action of the Senator from Ohio will be simply to delay other measures and cause the Nicaragua bill to be no nearer becoming a portion of the statutes of the country. I hope that the motion will not prevail.

Mr. PEPPER. Mr. President—

Mr. FRYE. I rise to a point of order.

The VICE-PRESIDENT. The Senator from Maine will state his point of order.

Mr. FRYE. Is there not a rule of the Senate which provides that a motion to proceed to the consideration of any bill on the Calendar is not debatable?

The VICE-PRESIDENT. Certainly there is. The debate has proceeded by unanimous consent.

Mr. FRYE. The rule was made in order to prevent what has been going on here for the last half hour.

The VICE-PRESIDENT. The Chair has several times attempted to put the motion of the Senator from Ohio and will put it again. The question is on agreeing to the motion of the Senator from Ohio to proceed to the consideration of Senate bill 1218.

The motion was not agreed to.

Mr. HARRIS. Now, if the Senator from Ohio will ask unanimous consent that the Senators he has named may have the privilege of calling up the Nicaragua Canal bill and addressing the Senate on to-morrow or any other day, I shall be very glad to see that consent given.

Mr. BUTLER. I submit to the Senator from Tennessee that that is not at all necessary.

Mr. COCKRILL. Not at all.

Mr. BUTLER. Any Senator has a right to take the floor and address the Senate on that or any other bill.

Mr. HARRIS. The Senator from South Carolina is quite right about that.

Mr. BUTLER. I do not see that any unanimous consent is necessary.

Mr. MORGAN. If I can have unanimous consent I should like to say a word about this matter. I have not asked that the Senate should grant me any indulgence in the discussion of the Nicaragua Canal bill. If the bill comes up for consideration I desire to make some observations upon it, but not extended at all. I am very much more interested in hearing what other Senators have to say than in anything that I have to say about it, and I do not care to have the bill brought up just as a courtesy to me that I may make a speech upon it.

If the Nicaragua Canal bill does not recommend itself to the Senate of the United States upon its merits in such a way as to gain the support of this body, I do not want to have it considered for my part. I think it is a great measure, in which the country is immensely interested, and just at this moment of time a vote upon the bill in the Senate of the United States, which I think would be in favor of its passage, would perhaps be of greater significance and more important than any vote the Senate of the United States will cast during this session.

The Senator from Missouri says it is an open secret that the bill can not be passed. I do not know where the Senator gets his open secret from. I am quite of a different opinion from the Senator from Missouri. If the Senate of the United States, after a very brief discussion, say of a day or two days, should pass the bill, my opinion is that it would pass the House of Representatives. My opinion is that the country has brought such a pressure to bear upon the bill from all quarters and from all circles of business men and persons interested in the welfare and prosperity of the country that the House of Representatives would find itself unable to resist. That is my judgment about it. So if a movement is made here for the passage of the Nicaragua Canal bill, it will be in perfect good faith and with the expectation of passing it through the House of Representatives. I am not asking any courtesy from the Senate.

Mr. HALE. I call for the regular order, Mr. President.

The VICE-PRESIDENT. The regular order is the fertilization appropriation bill.

Mr. DAWES. Let the bill be read, and I ask that the amendments of the Committee on Appropriations be acted upon as they are reached in the reading of the bill.

Mr. DOLPH. I ask the Senator from Massachusetts to allow me to conclude my remarks commenced this morning, that they may appear in to-morrow's Record.

Mr. HALE. I call for the regular order.

The VICE-PRESIDENT. The regular order is called for.

Mr. DAWES. I would be very glad to yield to the Senator from Oregon, but we must go on with the appropriation bill.

Mr. DOLPH. I do not intend any discourtesy to the Senator

The next amendment was under the head of "For the fire department," page 31, after line 14, to insert:

For new engine and house, lot and furniture for same, \$29,500.

The amendment was agreed to.

The next amendment was, on page 31, line 21, to increase the total appropriations for "the fire department" from \$32,300 to \$61,800.

The amendment was agreed to.

The next amendment was under the head of "Telegraph and telephone service," page 32, line 13, to increase the appropriation "for general supplies, repairs, etc.," from \$8,000 to \$10,000.

The amendment was agreed to.

The next amendment was, on page 32, after line 13, to insert:

To make present lines secure, \$5,000.

The amendment was agreed to.

The next amendment was, under the head of "Health department," page 32, line 16, before the word "sanitary," to strike out "eight" and insert "ten;" in line 17, before the word "food," to strike out "and;" and in the same line, after the word "food," to insert "and garbage;" so as to read:

Ten sanitary, food, and garbage inspectors, etc.

The amendment was agreed to.

The next amendment was, under the head of "Health department," on page 33, line 2, after the word "messenger," to insert "and janitor;" so as to read:

One messenger and janitor, \$510.

The amendment was agreed to.

The next amendment was, on page 33, line 6, to increase the total appropriations for the health department from \$25,710 to \$28,140.

The amendment was agreed to.

The next amendment was, on page 33, line 10, before the word "and" where it occurs the second time, to strike out "garbage" and insert "garbage."

The amendment was agreed to.

The next amendment was, on page 33, after line 11, to insert the following proviso:

*Provided*, That the Commissioners of the District of Columbia may, in their discretion, allow an additional sum, not exceeding 50 cents per ton, for the removal of said garbage in steel tanks or carts, and its immediate destruction within the limits of the District, and the sum of \$10,000, or so much thereof as may be necessary, is hereby appropriated for such purposes, and the appropriation for the current fiscal year of \$2,500, or so much thereof as may be necessary, may be expended in the same way for the same purposes.

Mr. McMILLAN. I offer an amendment to the amendment of the committee. I move to add the following additional proviso:

*Provided further*, That said Commissioners may in their discretion, in case the safety and health of the District in their judgment requires it, allow for the daily collection of garbage during the months of May, June, July, August, and September of the year 1893 an additional sum not exceeding \$10.00 per month during the time when such daily collection is made to the satisfaction of the Commissioners, and the sum of \$5,000, or so much thereof as may be necessary, is hereby appropriated for such purpose.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Michigan to the amendment of the committee.

Mr. COCKRELL. I should like to have some explanation of the amendment to the amendment.

Mr. McMILLAN. The people of the District of Columbia are complaining very much in regard to the collection of garbage. As now arranged, during the very hot months the garbage will be collected about two or three times a week, and it is not collected as often as that in some cases.

A great many of the houses in the District have very little back premises, and in case we should have an extremely warm season, as we are likely to have, the people here are afraid of the consequences, especially if we should be visited by cholera. They have asked for this additional service with practical unanimity. They ask that the Commissioners shall have power given them to have a daily service in removing garbage if they find it is necessary, and the work is put in their charge. If the weather is extremely hot and we have a great deal of sickness here, the Commissioners will have the power under my amendment to have the garbage removed daily. That is all there is of it.

Mr. SHERMAN. How much is proposed to be appropriated?

Mr. McMILLAN. Five thousand dollars or \$1,000 a month.

Mr. HARRIS. It is to be wholly discretionary with the Commissioners. If absolutely necessary they may exercise the power, and if it is not necessary they will not do it.

Mr. COCKRELL. Will it give anything for garbage inspectors?

Mr. McMILLAN. It will give nothing at all for garbage inspectors. It is simply to remove the garbage, which ought to be removed every day in hot weather.

Mr. COCKRELL. I think some appropriation ought to be

made for this purpose, but the garbage collections ought to be reduced to a system and a method. The sanitary and food and garbage inspectors ought to go around with their eyes open so as to see anything deleterious to health or to food, or any garbage. The sanitary or food inspectors should not pass along and see garbage collected and say nothing about it. They ought to perform all such duties.

When this city shall have been divided into districts properly into garbage districts, the police, in the discharge of their official duties as conservators of the peace, should make the most efficient garbage inspectors that can be found, they can perform this duty while they are performing their other duties. They can go through the alleys and they can report the collection of garbage. They ought to be a force constant to correspond with the districts of the police and upon their beats, and the policemen ought to be required to make a report whenever the garbage is not collected.

If they are made to do what they can do without any great increase of their labors, the present system of collection three times a week will preserve this city and save it a cent. If the policeman do not do it, if there is not a division of the District into garbage districts to correspond with the others and these officers are not put over them, the chances are that even if we make this appropriation the garbage will not be collected as efficiently as it ought to be.

I hope, however, the system which has been adopted will secure the collection of garbage. We have reversed the policy heretofore prevailing in this city, where it was to the interest of the contractor to collect no garbage, and the less garbage he collected the less he expended, the greater was his profit. We are now trying to reverse that so as to make it to the interest of the parties to collect every bit they can, because they are to get paid for it by the ton.

The VICE-PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "courts," page 33, line 7, after the word "dollars," to strike out "one deputy clerk, \$1,000" and insert "two deputy clerks, at \$1,000 each;" in line 13, before the word "dollars," to strike out "heaterman, four hundred and twenty" and insert "engineer, nine hundred;" and in line 14, before the word "dollars," to strike out "sixteen thousand seven hundred and sixteen" and insert "eighteen thousand one hundred and sixty-six;" so as to make the clause read:

For the police court. For two judges, at \$3,000 each, compensation of two justices of the peace acting as judges of the police court during the absence of said judges, not exceeding \$200 a month each, \$2,000; one deputy clerk, \$1,500; two deputy clerks, at \$1,000 each, three hundred and sixty-six; \$2,516; one deputy marshal, at \$4 per day, \$30; one messenger, \$200; one doorkeeper, \$40; one engineer, \$900; and \$18,166.

The amendment was agreed to.

The next amendment was, on page 35, after line 22, to insert:

MUNICIPAL BUILDING.

The Commissioners of the District of Columbia are authorized and directed to obtain by a formal contract, detailed plans and specifications for a fire-proof municipal building, to be erected on the site to be located on the reservation north of the Washington Monument, between Seventh and Ninth streets NW, in the City of Washington.

The Commissioners shall select from the plans submitted, the one best received, one for which \$20,000 is hereby appropriated. To be paid out of said sum to the successful competitor, in the form of a cash award, or pension whatever.

Mr. GORMAN. This amendment provides practically for the construction of a building for the District of Columbia to accommodate all the offices, the police court and everything connected with the District, the building to be erected on the Government reservation upon Pennsylvania avenue, between Seventh and Ninth streets, immediately in front of the present market house. I know that it comes with the recommendation of the majority of the Committee on Appropriations. Personally, I think it would be very unfortunate to have the building erected on that square, particularly for such a purpose.

It is a central point in the matter of the location of the building there, with the police court and all the offices, where the people who gather daily immediately in front of the building, as soon as the city goes to market, all the huts, shops, and all the things. I think would be most unfortunate, outside of the fact that it would be the destruction of the market. I would want to register my protest against it here. I think the Senate will have to vote me that while this building is being put on, it is to be placed at that point.

The VICE-PRESIDENT. The question is on agreeing to the amendment to the committee.

Mr. HOAR. Let the amendment go over until the next bill is reached.

Mr. CALL. I wish to indorse the observations of the Senator from Maryland. I think it would be very unfortunate to destroy the beauty of the city, and its healthfulness by filling up the parks with edifices of any kind. I hope the amendment will not become a law.

Mr. ALLISON. As suggested by the Senator from Massachusetts, I hope the amendment will be passed over without a vote upon it at this time. The Senate is not very full at present, and I do not expect to get a final vote upon the bill to-day. I think it due to Senators who are absent that they should have some opportunity to vote on amendments to-morrow.

I will say to the Senator from Maryland and other Senators, that this space has been set apart for a good many years in the minds of the people of the District of Columbia as the proper place for the erection of such a public building. If it is not erected there it must be erected on ground to be purchased by the Commissioners of the District of Columbia.

Mr. HARRIS. Does the space referred to begin on Seventh street, running west and north of Pennsylvania avenue?

Mr. GORMAN. South of the avenue.

Mr. ALLISON. South of Pennsylvania avenue.

Mr. RANSOM. Between Pennsylvania avenue and the Washington Market building.

Mr. ALLISON. I will state that this space was originally leased to the market company a number of years ago for a term of ninety-nine years. The term of the lease was changed and the rent reduced, with a view to the erection of a public building at this spot.

I have no wish about the matter myself. Of course, we can not provide for plans and specifications for a public building without knowing where the building is to be erected and the character of the ground upon which it is to be placed.

Mr. GORMAN. I should like to ask the chairman of the committee if the amendment would not absolutely fix the building at that point by the provision as to plans and specifications?

Mr. ALLISON. If we are to have plans and specifications for a municipal or District building it is necessary that we shall know where it is to be erected. As I said, I have no wish about the matter; I am entirely willing, so far as I am concerned, that the whole provision shall be stricken out and that the question shall be postponed until another time. Certainly I do not wish to press it against the opinion of many Senators. I ask that the amendment may be passed over for the time being.

Mr. HOAR. If the Senator consents to have it stricken out I shall not ask that it be passed over.

Mr. ALLISON. I do not want to have it stricken out at this moment. Let it be passed over.

The VICE-PRESIDENT. The amendment will be passed over, and the reading of the bill will be proceeded with.

Mr. PASCO. Before we pass from the subject I should like to ask the Senator from Maryland, through the Chair, whether he has any other location to suggest in place of this in case the objection should seem good?

Mr. GORMAN. No, I have no other location in the city in mind. I have not myself been charged with the duty of looking up one. But I protest against the use of this particular lot for such a purpose. I should be very loath indeed to use one of the public squares on the avenue for a building for any purpose whatever; but the point I make is that we should not locate the municipal building immediately on Pennsylvania avenue at the most public place on the avenue between here and the President's house, in front of the main market of the town, where all the ladies go, for it is the custom of the ladies of this city, the wives of members of Congress and Senators and all the residents, to go to market.

I say to add to the straggling crowd that already collects around the market all the criminals of this city, and bring them there and have them on exhibition, and have our wives and daughters pass by them and see them as they are manacled and brought in and out, would be a great outrage. I am opposed to it, and I trust the Senate will never permit such a structure and such a nuisance to be erected at that place.

Mr. PASCO. This matter has been discussed occasionally before our Committee on Public Buildings and Grounds, and this seemed to be a suitable location. I admit that the arguments advanced by the Senator from Maryland are good, but I wish he had carried his investigation further so as to suggest a more suitable site where the objections he has mentioned would not exist. There is certainly great force in what he says.

The VICE-PRESIDENT. The amendment will be passed over informally and the reading of the bill will proceed.

The reading of the bill was resumed.

The next amendment was, on page 36, after line 10, to insert:

ROCK CREEK PARK.

For care of and preparing plans for the improvement of Rock Creek Park, \$10,000.

The amendment was agreed to.

The next amendment was, on page 37, line 21, after the word "almshouse," to insert "and repairs;" so as to read:

For renewal of plumbing in the almshouse and repairs, \$3,000.

The amendment was agreed to.

The next amendment was, in the appropriations "for Reform School," page 39, line 1, after the word "apparatus," to strike out "and so forth;" so as to read:

For one additional brick family building, including heating apparatus, \$29,000.

The amendment was agreed to.

The next amendment was, on page 40, after line 16, to insert: For the Industrial Home School: For reconstructing the garret of the old central building so as to make it into a story of the regular height, \$1,000.

The amendment was agreed to.

The next amendment was, on page 41, line 11, after the word "for," to strike out "and management of;" so as to read:

And hereafter the expenditures for the Freedmen's Hospital and Asylum shall be under the supervision and control of the Commissioners of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 42, after line 3, to insert:

For the Church Orphanage Association of St. John's Parish, maintenance, \$1,400.

The amendment was agreed to.

The next amendment was, on page 42, after line 5, to insert:

For the German Orphan Asylum, maintenance, \$1,400.

The amendment was agreed to.

The next amendment was, on page 42, after line 7, to insert:

For the National Association for the Relief of Destitute Colored Women and Children, maintenance, including its care of colored foundlings, \$9,100.

The amendment was agreed to.

The next amendment was, on page 42, after line 10, to insert:

For St. Ann's Infant Asylum, maintenance, \$1,550.

The amendment was agreed to.

The next amendment was, on page 42, after line 12, to insert:

For St. Joseph's Asylum, maintenance, \$1,000.

The amendment was agreed to.

The next amendment was, on page 42, after line 14, to insert:

For the Woman's Union Christian Association, maintenance, \$175.

The amendment was agreed to.

The next amendment was, on page 42, after line 16, to insert:

For the Association for Works of Mercy, maintenance, \$1,400.

The amendment was agreed to.

The next amendment was, on page 42, after line 18, to insert:

For House of the Good Shepherd, maintenance, \$2,100.

The amendment was agreed to.

The next amendment was, on page 42, after line 20, to insert:

For the Industrial Home School, maintenance, \$9,000.

The amendment was agreed to.

The next amendment was, on page 42, after line 22, to insert:

For St. Rose's Industrial School, maintenance, \$3,500.

The amendment was agreed to.

The next amendment was, on page 43, line 4, before the word "thousand," to strike out "six" and insert "five;" in line 9, before the word "dollars," to strike out "forty-seven thousand" and insert "nineteen thousand eight hundred and seventy-five;" and in line 11, before the word "dollars," to strike out "fifty-three thousand" and insert "twenty-four thousand eight hundred and seventy-five;" so as to read:

For the Board of Children's Guardians, created under the act approved July 26, 1892, namely: For administrative expenses, including salaries of agents, expenses in placing and visiting children, and all office and sundry expenses, \$5,000, to be immediately available; for care of feeble-minded children, for the care of children under three years of age, white and colored, for the board and care of all children over three years of age, and for the temporary care of children pending investigation or while being transferred from place to place, \$16,875; in all, \$21,875: *Provided*, That the authority for placing feeble-minded children of the District of Columbia, heretofore given to the Secretary of the Interior, is hereby transferred to the Board of Children's Guardians.

The amendment was agreed to.

The next amendment was, on page 43, line 16, after the words "that the," to strike out "institution" and insert "institutions."

The amendment was agreed to.

The next amendment was, on page 44, line 1, after the word "appropriation," to insert "and the inmates of each of such institutions, on the 30th day of June, 1893."

Mr. ALLISON. That amendment should be disallowed to.

The amendment was rejected.

The next amendment was, on page 44, line 3, after the word "remitted," to insert "except as herein specifically appropriated for;" so as to make the additional proviso read:

*As provided further*, That the institution for children, including industrial and reformatory, namely, the Church Orphanage of St. John's Parish, the German Orphan Asylum, the National Association for the Relief of Des-

without pre-arranging the terms of the sale. The court said that to pay money out of the fund for the sale of the property in the matter will have to take its course.



Court of Claims or else go to the Committee on Indian Affairs. It seems to me. At least I want to look into it.

Mr. KYLE. I sincerely hope there will be no objection to the bill which has been brought up at the request of the Senator from Missouri. It had a very thorough discussion before the Select Committee on Indian Depredations, to which it was referred, and an amendment has been placed on the bill to the effect, I believe, that the Secretary of the Interior shall first consult with the leaders of the Sioux Nation and after having consulted with them and given them a hearing, if in his judgment this amount should be paid from the interest due them then it shall be done, but not until then.

Mr. PETTIGREW. I shall insist on my objection. The bill can go over without prejudice. I wish to have an opportunity to look into it. After I have had an opportunity to look at it I may withdraw my objection.

The VICE-PRESIDENT. Objection being made, the bill goes over.

#### CONSIDERATION OF HOUSE BILLS.

Mr. COCKRELL. I suggest, if the Senator from Connecticut does not wish to proceed with the Cherokee Outlet bill, that we devote ten or fifteen minutes to the consideration of unobjected House bills on the Calendar.

Mr. PLATT. I have no objection to that course. I simply desire to keep the Cherokee Outlet bill before the Senate as the unfinished business.

Mr. COCKRELL. I ask that the Senate proceed to the consideration of unobjected House bills upon the Calendar reported favorably.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Missouri? The Chair hears none, and the first House bill on the Calendar favorably reported will be announced.

#### ARKANSAS RIVER BRIDGE AT LITTLE ROCK, ARK.

Mr. ALLISON. Before we proceed with the order just made I ask unanimous consent for the consideration of a bridge bill. I objected this morning on account of some misunderstanding to a bill of local importance to Arkansas. I did not know that unanimous consent had been given for the consideration of the bill. I think it will take but a moment to put the bill on its passage. The Senator from Missouri [Mr. VEST] is entirely familiar with it.

Mr. VEST. It is a bill simply extending the limitation as to the construction of a railroad bridge at Little Rock.

Mr. COCKRELL. What is the order of business?

Mr. VEST. The bill was reported this morning, and is not on the Calendar.

The VICE-PRESIDENT. The bill was reported to-day from the Committee on Commerce. Is there objection to its present consideration?

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3798) to authorize the building of a railroad bridge at Little Rock, Ark., which had been reported from the Committee on Commerce with an amendment, to strike out all after the enacting clause and insert:

"That section 7 of an act entitled 'An act to authorize the building of a railroad bridge at Little Rock, Ark.,' approved March 2, 1891, be amended so as to read as follows:

"This act shall be null and void, if construction on said bridge shall not be commenced on or before January 1, 1894, and completed on or before January 1, 1896; and all the benefits of this act shall inure and belong to the Little Rock Bridge and Terminal Railway Company, a corporation existing under the laws of Arkansas, its successors or assigns, provided, the navigation of the Arkansas River shall not be obstructed by false work during the construction of said bridge.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend an act entitled 'An act to authorize the building of a railroad bridge at Little Rock, Ark.'"

#### SETTLEMENT RIGHTS ON PUBLIC LANDS.

The VICE-PRESIDENT. The first House bill on the Calendar will be stated.

The bill (H. R. 7028) to protect settlement rights where two or more persons settle upon the same subdivision of agricultural public lands before survey thereof, was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. PETTIGREW. I am instructed by the Committee on Public Lands to offer as an amendment, to be added as additional sections to the pending bill, Senate bill 3393, entitled "A bill to amend an act approved March 3, 1891, entitled 'An act to repeal timber-culture laws, and for other purposes.'"

The VICE-PRESIDENT. The amendment will be read.

The CHIEF CLERK proceeded to read the amendment, but before concluding was interrupted by—

Mr. PASCO. Before the reading proceeds further, I desire to say that if the amendment is to be pressed I hope the subject will go over until to-morrow without prejudice. I do not recollect that the Committee on Public Lands consented to the amendment proposed by the Senator from South Dakota [Mr. PETTIGREW] at any committee meeting. It is certainly not so reported by the Senator who reported the bill.

Mr. PETTIGREW. I will say that the committee did unanimously agree to this amendment and authorized me to offer it as an amendment to the pending bill.

Mr. PASCO. My recollection is that there was objection made by some Senators whom I do not now see in the Senate.

Mr. PETTIGREW. There were no objections.

Mr. PASCO. It will not prejudice the matter to call it up under the same understanding upon which we have acted for several days.

The VICE-PRESIDENT. The bill will go over without objection, as the Chair understands.

Mr. PETTIGREW. I should like to have the amendment read through and printed.

Mr. PASCO. I shall not object to that.

Mr. COCKRELL. Let the amendment be printed. I do not see why we should consume time by reading it through now.

Mr. PETTIGREW. Very well, let the amendment be printed.

The VICE-PRESIDENT. The amendment proposed by the Senator from South Dakota will be printed.

Mr. CAREY. I have an amendment which I desire to offer to the bill, to be printed together with that of the Senator from South Dakota.

The VICE-PRESIDENT. That order will be made in the absence of objection.

#### ADMISSION OF NEW MEXICO.

The bill (H. R. 7136) to enable the people of New Mexico to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States, was announced as next in order on the Calendar.

Mr. COCKRELL. Let that be passed over.

The VICE-PRESIDENT. The bill will be passed over.

#### PROTECTION OF RAILROAD EMPLOYEES, ETC.

The bill (H. R. 9350) to promote the safety of employes and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes, was announced as next in order on the Calendar.

Mr. COCKRELL. Let that bill be passed over without prejudice, retaining its place on the Calendar.

The VICE-PRESIDENT. It will be so ordered.

#### UTAH COLUMBIAN EXPOSITION EXHIBIT.

The bill (H. R. 7827) to enable the people of the Territory of Utah to provide for the collection, arrangement, and display of the products of said Territory at the World's Columbian Exposition of 1893 was announced as next in order on the Calendar.

Mr. COCKRELL. Let that bill go over. I did not hear the title fully. Does it provide for the admission of a Territory into the Union as a State?

Mr. PLATT. No, it does not. The bill is simply to enable the people of the Territory of Utah to provide for a display at the World's Columbian Exposition.

Mr. COCKRELL. I had not observed that.

Mr. PLATT. I do not think it is necessary, however, to consider the bill now. I understand a sufficient amount has been subscribed from private sources in the Territory to enable the exhibition to be made.

The VICE-PRESIDENT. The bill will be passed over.

#### STOCKBRIDGE AND MUNSEE INDIANS.

The bill (H. R. 3594) for the relief of the Stockbridge and Munsee tribe of Indians, in the State of Wisconsin, was announced as next in order on the Calendar.

Mr. SAWYER. Let that bill go over.

The VICE-PRESIDENT. The bill will be passed over.

#### DAVID RYAN.

The bill (H. R. 3894) to confer jurisdiction upon the Court of Claims to hear and determine the claim of David Ryan against the United States was announced as next in order on the Calendar.

Mr. FRYE. That is objected to.

The VICE-PRESIDENT. The bill will be passed over.

#### FOG SIGNAL AT TIBBETS POINT, LAKE ONTARIO, NEW YORK.

The bill (H. R. 8956) establishing a fog signal at Tibbets Point, Lake Ontario, New York, was considered as in Committee of the Whole. It proposes to establish a fog signal at Tibbets Point

tee on Public Lands is disposed to do any injury to any persons who have obtained title from the United States, or to do any injustice to persons who have instituted proceedings for the obtaining of titles under the public land laws.

If the report is to be printed for the information of the Senate I have nothing further to say about it. If it is insisted that it shall go to a committee, I insist that it shall go to the committee which has always had jurisdiction and which is entitled to jurisdiction of the subject-matter.

Mr. FELTON. In order that the report may not "sleep the sleep that knows no waking," I suggest to my colleague upon the committee whether it would not be better to have it referred to some committee which may take such action as it may see fit or such action as we have reported, so that something may come out of it.

There is no doubt but that there are two sides to this question, nor is there any doubt but that there is a difference of opinion between the settlers who have suffered upon that coast and the Interior Department. I apprehend it will be found that the report of the special committee will not be in accordance with the opinion of the Interior Department, but we would like to have it considered, and we would like to have the sense of the Senate as to whether the views of the Interior Department or the views of the special committee shall prevail, whether justice shall be refused or be done; and it will require some action by a regular committee to bring that about in the next Congress, as there will hardly be time in which to consider it at the present session.

Mr. DOLPH. Why does not the special committee report with their evidence a bill which can go on the Calendar? If that were done, I would not insist that the matter shall go before the Committee on Public Lands, but if it is proposed to refer it now to a standing committee I must insist on the jurisdiction of that committee.

Mr. FELTON. The committee did not report a bill for the reason that it thought nothing possibly could be accomplished in this Congress, and a portion of the membership of the committee will not be in the next. The committee earnestly desire that the matter shall have as early consideration as is possible, so that the wrong may be righted.

Mr. SHERMAN. Let the report be printed and lie on the table.

Mr. PASCO. As there seems to be great difference of opinion as to what course this matter should take, I suggest that for the present the report be allowed to lie on the table and be printed. It can then be inspected by different Senators and at some proper occasion action can be agreed upon without consuming so much time in considering it at present. Then the matter would come before Senators at length and some proper action could be based upon the report. A motion to refer would then be in order. I suggest that for the present, without any prejudice to the matter, the report be allowed to lie on the table and be printed.

Mr. KYLE. It seems to me that is the correct course to take in regard to this matter.

The VICE-PRESIDENT. That course will be adopted, if there be no objection. The Chair hears none.

#### OBSERVATIONS OF NAVAL OBSERVATORY.

Mr. MANDERSON, from the Committee on Printing, to whom was referred the concurrent resolution submitted by him January 9, 1893, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate of the United States (the House of Representatives concurring). That the annual volumes of the observations of the Naval Observatory, commonly known as the Washington Observations, for the years 1889, 1890, 1891, and 1892, be printed, and that 1,000 additional copies of each volume be printed, of which 300 shall be for the use of the Senate, 500 for the use of the House, and 800 for the use of the Naval Observatory; and, furthermore, that 1,200 separate copies of each of the astronomical appendices, and 1,000 separate copies of the meteorological and magnetic observations, extracted from each of the above volumes, be printed for the use of the Naval Observatory.*

#### BILLS INTRODUCED.

Mr. DAWES introduced a bill (S. 3812) to ratify and confirm an agreement with the Apsa and other bands of Indians located upon the Siletz Reservation in the State of Oregon, and to make appropriation for carrying the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. SHERMAN introduced a bill (S. 3813) granting an honorable discharge to John Russell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. DUBOIS introduced a bill (S. 3814) to establish a port of delivery at Bonners Ferry, Idaho; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PEPPER introduced a bill (S. 3815) to readjust the salary and allowances of the postmasters at Guthrie, Oklahoma City,

and Kingfisher, in Territory of Oklahoma; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. McPHERSON introduced a bill (S. 3816) granting a pension to Ella Hatfield, invalid daughter of Maj. David Hatfield, First Regiment New Jersey Infantry Volunteer; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

#### AMENDMENT TO APPROPRIATION BILL.

Mr. BUTLER submitted an amendment introduced to be proposed by him to the naval appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### COUNT OF ELECTORAL VOTES.

Mr. TELLER. Some time since a concurrent resolution was passed by both Houses for the counting of the electoral votes on the 8th day of the present month. In that resolution there is a provision that tellers shall be appointed on the part of the two Houses. The other House has appointed tellers. I suggest that tellers be now appointed on the part of the Senate. The resolution does not specify how they shall be appointed, and I suggest that the appointment be made by the Vice-President.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Colorado. The Chair hears none. The Chair appoints as tellers on the part of the Senate the Senator from Maine [Mr. HALLE] and the Senator from Kentucky [Mr. BLACKBURN].

#### ANNEXATION OF HAWAIIAN ISLANDS.

Mr. CHANDLER. I ask that the resolutions submitted by me in reference to the Hawaiian Islands be referred to the Committee on Foreign Relations.

The VICE-PRESIDENT. The resolution will be stated.

The CHIEF CLERK. A concurrent resolution by Mr. CHANDLER, requesting the President to enter into negotiations with the present provisional government of Hawaii for the admission of the islands as a Territory of the United States.

The VICE-PRESIDENT. The resolution will be referred to the Committee on Foreign Relations.

#### AIDS TO NAVIGATION.

Mr. DOLPH. If there is no further pending business.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed, and the Calendar under Rule VIII is in order.

Mr. DOLPH. I move that the Senate proceed to the consideration of the bill (H. R. 9955) providing for sundry light-houses and other aids to navigation. The bill was under consideration by the Senate several days ago, and I think it will not take long to dispose of it.

The VICE-PRESIDENT. The Senator from Oregon moves that the Senate proceed to the consideration of the bill introduced by him.

Mr. DOLPH. I do not wish to discuss the motion to take up the bill or the bill itself. I simply want to get up the bill and let the reading proceed, and if the Senator from Missouri [Mr. COCKRELL] wishes to discuss it, he will have an opportunity to do so.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Oregon.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce, with amendments.

Mr. DOLPH. I ask that the amendments of the committee be acted upon as they are reached in the reading of the bill.

The VICE-PRESIDENT. Such will be the order, in the absence of objection. The bill will be read.

Mr. DOLPH. Let the reading proceed from the point reached when the bill was under consideration several days ago.

The VICE-PRESIDENT. That course will be pursued.

The Secretary resumed the reading of the bill.

Mr. COCKRELL. What bill is now being read? Let me understand what is up for consideration. Did I correctly understand the Senator from Oregon to move a substitute for the bill?

Mr. DOLPH. No; I moved that the bill be taken up for present consideration, and the motion was carried.

Mr. COCKRELL. Did not the Senator then move to substitute the Senate bill?

Mr. DOLPH. I simply asked that the reading of the bill might proceed from the point reached when it was under consideration before.

Mr. COCKRELL. I thought the Senator asked that a substitute bill be substituted.

Mr. DOLPH. No; I do not wish to substitute the bill. This is substantially the Senate bill; but the other House introduced its own bill instead of the Senate bill and sent it here.

Mr. BUTLER. My understanding has been that the bill for the ratification of the agreement with the Cherokee Indians would come up this morning.

Mr. PLATT. That is the unfinished business and will come up at 2 o'clock, unless there is an appropriation bill in the way.

Mr. BUTLER. I was going to suggest that we had better take that bill up in the morning hour. Why should we be going along in a haphazard way with the Calendar?

Mr. DOLPH. This bill will only take the time to read it. The Senator from Missouri wishes to make a speech, but that will not take five minutes.

Mr. BUTLER. That is the case with a good many bills, and I do not know that one of them is entitled to preference over a good many others.

Mr. DOLPH. The Senate has agreed to take this bill up.

Mr. BUTLER. The Cherokee Outlet bill has been partially considered by the Senate, and I am extremely anxious to have it disposed of, if possible.

Mr. PLATT. I should be very glad to take that bill up at the present time if it were not that I understand the Senator from Iowa, the chairman of the Committee on Appropriations, proposes to go on with the District of Columbia appropriation bill at 2 o'clock, which would almost undoubtedly break into the consideration of the bill relating to the Cherokee Outlet. As the Cherokee Outlet bill is the unfinished business and has the right of way, I thought it better to wait until we could consider it without interruption and dispose of it.

Mr. BUTLER. I have no doubt we should be able to finish the bill by 2 o'clock.

Mr. DOLPH. I call for the regular order. I ask that the reading of the bill before the Senate be proceeded with.

The VICE-PRESIDENT. The reading of the bill will proceed.

The Secretary resumed the reading of the bill and read to line 78, on page 4.

The first amendment of the Committee on Commerce was on page 4, line 75, after the word "on," strike out "north end;" and in the same line, after the word "island," to insert "at a point to be determined by the Light-House Board;" so as to make the clause read:

"On North Manitou Island, at a point to be determined by the Light-House Board, a light and fog signal, at a cost not exceeding \$20,000."

The amendment was agreed to.

The next amendment was, on page 6, beginning in line 114, to insert:

"On or near Butler Flats, entrance to the lower harbor of New Bedford, Mass., a light and fog signal station, at a cost not to exceed \$10,000."

Mr. DOLPH. The House of Representatives has passed a bill for this light, which the Senate committee has reported favorably. The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Commerce was, on page 6, after line 126, to insert:

"At Tibbets Point light, foot of Lake Ontario, New York, a fog signal at a cost not exceeding \$4,000."

Mr. DOLPH. The Senate last evening passed a House bill which covers this item, and therefore this amendment may be disagreed to.

The amendment was rejected.

The reading of the bill was resumed and continued to the end of line 136, on page 6.

Mr. COKE. I am directed by the Committee on Commerce to propose at this point an amendment, which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After line 136, on page 6, it is proposed to insert:

"At near the mouth of Brazos River, Texas, at such a point as the Light-House Board may determine, a light-house fog signal and line light at a cost not to exceed \$10,000."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 7, line 146, after the word "point," to insert "which amount may be used for said light-house and fog signal;" so as to make the clause read:

"Eighty-seven, At Grays Harbor, Washington, a first order light-house and fog signal, at a cost not to exceed \$60,000 in addition to the appropriation of \$20,000 made in the act approved July 7, 1881, for a harbor light at this point, which amount may be used for said light-house and fog signal."

The amendment was agreed to.

The reading of the bill was resumed and concluded.

The VICE-PRESIDENT. The bill is still before the Senate as in Committee of the Whole, and open to amendment.

Mr. SAWYER. I have an amendment which I desire to offer, to come in after line 102, on page 5.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After line 103, on page 5, it is proposed to insert:

"That there shall be a fog signal at Kewaunee, Wis., at a cost not exceeding \$5,000."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. DOLPH. The Senator from Maryland [Mr. GORMAN] has an amendment which he has been authorized by the Committee on Commerce to offer to the pending bill. When I called the bill up heretofore the Senator was here, and I thought he was present to-day, but I observe that he is not, and I ask that the further consideration of the bill be postponed until he is present, so as to leave it open to him to offer his amendment, after which the bill can be put on its passage without delay. I will call it up for that purpose as soon as the Senator from Maryland is here.

Mr. FRYE. Is the bill now in the Senate?

Mr. DOLPH. The bill is now in the Senate. It has gone as far as we can go with it without cutting off amendments. I ask now to have its further consideration postponed.

The VICE-PRESIDENT. The bill will be passed over at the request of the Senator from Oregon.

#### EXECUTIVE SESSION.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 3 hours and 59 minutes spent in executive session, the doors were reopened.

#### DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. ALLISON. I move that the Senate proceed to the consideration of the District of Columbia appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10038) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1894, and for other purposes.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The reading of the bill has been completed.

Mr. ALLISON. The bill was read through yesterday. I desire now to turn to page 17, line 1. An amendment was agreed to yesterday relating to the limitation of cost of the laboratories in connection with the gas works. That amendment should be inserted in line 5 after the word "Commissioners." I ask unanimous consent that it may be transposed to that point and inserted there, with the word "total" inserted before the word "cost;" so that it will read "at a total cost not to exceed \$1,000 each."

Mr. HUNTON. Is that a committee amendment?

Mr. ALLISON. It is.

The PRESIDING OFFICER. The amendment proposed by the Senator from Iowa will be stated.

The SECRETARY. In line 1, on page 17, after the word "laboratories," it is proposed to strike out "at a cost not to exceed \$1,000 each;" and in line 5, after the word "Commissioners," to insert "at a total cost not to exceed \$1,000 each;" so as to read:

"That for securing a better fulfillment of the intent of an act entitled 'An act to improve gas works,' approved June 23, 1874, two additional laboratories shall be provided and fitted up by the Washington Gaslight Company, subject to the approval of the Commissioners of the District of Columbia, and shall be furnished with suitable apparatus, to the satisfaction of the said Commissioners, at a total cost not to exceed \$1,000, for inspecting and testing the illuminating gas manufactured and distributed by the said Washington Gaslight Company and the gas meters used for measuring the gas supplied to consumers by the said Washington Gaslight Company."

The amendment was agreed to.

Mr. ALLISON. The same words, which were inserted in line 15, on page 17, after the word "laboratory," should be transposed to line 20, and the word "total" also inserted.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 17, line 15, after the word "laboratory," it is proposed to strike out "at a cost not to exceed \$1,000," and in line 20, after the word "Commissioners," to insert "at a total cost not to exceed \$1,000;" so as to read:

"And for securing a better fulfillment of the intent of the said act, a laboratory shall be provided and fitted up by the Georgetown Gaslight Company, subject to the approval of the Commissioners of the District of Columbia, and shall be furnished with suitable apparatus, to the satisfaction of the said Commissioners, at a total cost not to exceed \$1,000, for inspecting and testing the illuminating gas manufactured and distributed by the said Georgetown Gaslight Company and the gas meters used for measuring the gas supplied to consumers by the said Georgetown Gaslight Company."

The amendment was agreed to.

Mr. ALLISON. On page 18, line 22, after the word "necessary," I move to insert "additional."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 18, line 22, after the word "necessary," it is proposed to insert "additional;" so as to read:

"A sum sufficient to pay the salary of an inspector of gas-fitting, to be appointed by the Commissioners of the District of Columbia, at \$1,000 per annum, and also the necessary official expenses of maintaining the service of inspecting and testing illuminating gas and gas meters, etc."

The amendment was agreed to.

Mr. ALLISON. In line 23, after the word "meters," I move to insert "herein provided for."



ture use of the City Hall building for court purposes. It was provided in that act that the \$75,000 should be devoted to securing ground for the erection of a municipal building between Seventh and Ninth streets on Pennsylvania avenue, and that the government of the District of Columbia should negotiate with what is known as the Washington Market Company, which has a lease of the large space below for ninety-nine years, for the space described in the amendment, which had already been leased for ninety-nine years to the Market Company.

The Market Company, I understand, released this space of ground to the District of Columbia. Of course there was no mention of the purposes for which it might be used. In consideration of that lease there was a large rebate made in the annual rental.

We find the situation as we have found it for a good many years; and when we are seeking to make an appropriation for a municipal building we always find an objection here and there to the location. The District of Columbia as has been truly said by the chairman of the committee, has been for some ten or twelve years without a municipal building. I know if this beginning is not made and if this space is not used for such a purpose, whilst it may be in the dreams of Senators a wise thing to acquire a lot upon Pennsylvania avenue for this purpose, that dream will not be realized in the near future, in my belief.

Under the guidance of the distinguished Senator from Missouri [Mr. VEST] we did procure a square for the purpose of a post-office building in this District and for the General Government. We condemned ground for a site for that building at a cost, I believe, of \$1,201,000, or at least \$1,200,000, between Eleventh and Twelfth streets. It is true that when that was adopted in the Senate it was stated that a portion of the ground could be used for governmental purposes for the District, but afterwards when the plan came to be made for a city post-office it was decided that the whole ground space would be required for the city post-office.

Thereupon the two Houses in their wisdom, if it was wisdom, provided for the erection of an eight story building there, to be paid for out of the funds of the United States Government, and for the erection of a building which is to cost \$2,200,000 when completed; and every portion of that space will be used by the Government of the United States, because it is hardly possible that we shall agree to allow the District of Columbia to enter a building belonging exclusively to the United States when the United States itself is paying \$130,000 or \$140,000 per annum for rented buildings in this city.

Now, the Committee on Appropriations have no pride about this matter. In fact, I may say in the confidence of the Chamber, if I can do so in the presence of our reporters, there was a division in the committee as respects the policy of providing for this plan of a building. I leave the whole matter, so far as I am concerned, to the Senate, and if Senators believe that this is an unwise thing to do, I am perfectly willing that it shall vote the amendment down.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Committee on Appropriations.

The amendment was rejected.

Mr. STEWART. I desire to call the attention of the Senator from Iowa to a provision on page 15 concerning the contagious diseases hospital. Several gentlemen have spoken to me since that provision was inserted in the bill by the committee, and have suggested that it is placed in the discretion of the Commissioners to locate the hospital wherever they may find a place which they deem suitable; that this is a very wide discretion; and that they fear it might be located where it would be injurious to the people of the District.

It is always very desirable that the location for a hospital of such a character shall be where it will not affect the health of the inhabitants. These gentlemen suggested that if it were located anywhere to the north or northwest in any such direction, the prevailing winds are from that quarter, and it would be dangerous to the health of the city. They appeared to be very much concerned about the location of the hospital. I should like to have the chairman make some statement as to the understanding, if there is any understanding, where the hospital will be located if the provision is adopted.

The PRESIDING OFFICER. The Chair will state to the Senator from Nevada that the amendment having been already agreed to as in Committee of the Whole, the Senate had better take action as in Committee of the Whole on the bill, and when it comes into the Senate the amendment can be reserved, and any modification will then be in order.

Mr. STEWART. I merely want an explanation from the chairman of the committee at present.

Mr. ALLISON. If the Senate will indulge me for a moment, I hope the Senator from Nevada will see that there need be no

reservation of this amendment. When the amendment was first prepared it was stated to us by the Commissioners of the District of Columbia that they believed there was a site available belonging to the District, but we asked the Commissioners to make a careful examination of that site. They did make such an examination and reported to the committee that the site they had in view, property belonging to the District, was not an available site, first, because there were no roads leading to it, and secondly, because it was, I think, 6 miles at least from Pennsylvania avenue, on the very edge of the District. It would of course, be impossible to transport sick persons that distance over roads not very good in some places.

But there is property belonging to the United States connected with the Insane Asylum, 350 acres, a portion of it in quite a remote locality, distant from the asylum, in the direction of the Potomac, which the Commissioners believe may possibly be used. However, we had not time to make the examination to see if it is available, and the provision was inserted in the bill leaving to the Commissioners the discretion as to the selection of a site.

I can not believe that the Commissioners would under any circumstances locate a hospital of this character in a place dangerous to the health of the people of the District. I think this discretion is safely lodged in them. We therefore added a provision authorizing them to purchase a site, which they believe they can purchase at a reasonable rate within the District for the \$12,000 appropriated.

This hospital is so necessary to the health of the city that I trust no one will interfere with the appropriation here made, because I think it is a wise one, and I think it will be wisely administered by the Commissioners of the District of Columbia.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. McMILLAN. I offer an amendment, to come in after the last line on page 50, at the end of the bill.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. At the end of the bill insert:

That from and after the passage of this act it shall not be lawful for any person or persons in the District of Columbia to engage in the trades, business, and professions specified in the act of the late legislative assembly of the District of Columbia entitled "An act imposing a license on trades, business, and professions practiced or carried on in the District of Columbia," approved August 23, 1871, and the amendment thereto approved June 20, 1872, except such parts thereof as have been repealed, without first having obtained a license therefor in accordance with the provisions of said act of assembly and said amendment; and any person engaging in any of said trades or in the business and professions specified in said act and the said amendment thereto within the District of Columbia, without first having obtained a license therefor in accordance with the provisions of said act and the said amendment thereto, or who shall engage in any business in any part of the said District where by existing law a license is prohibited, shall, on conviction thereof in the police court of the District of Columbia, be fined not less than \$10 nor more than \$100, or a like fine or penalty for each subsequent offense, and in default of payment of such fine he or she shall be imprisoned in the common jail of said District not to exceed twelve months: *Provided*, That whenever the approval of the Commissioners is required to any application for a license under existing law or under regulation adopted by said Commissioners according to law, no person shall be deemed to have such license until he or she shall have obtained such approval.

The PRESIDING OFFICER. The question is on agreeing to the amendment submitted by the Senator from Michigan [Mr. McMILLAN].

Mr. ALLISON. I think the amendment is in the nature of legislation and that there should be some explanation to go upon the record respecting it. I have been appealed to by the Committee on the District of Columbia to allow the amendment to go on the bill, because of its pressing necessity. I hope some member of the District will state the purport of the proposed amendment.

Mr. McMILLAN. I ask the Senator from Virginia [Mr. HUNTON], who had charge of the bill in the Senate, which is now offered as an amendment, to make an explanation. The bill was passed by the Senate. The Senator from Virginia is thoroughly familiar with the law of this District.

Mr. HUNTON. According to the law as it now stands all licenses upon trades, professions, and business in the District of Columbia depend upon the validity of the act of the legislative assembly approved August 23, 1871, and the amendment thereto, approved June 20, 1872. The licenses which have been issued in the District of Columbia since August 23, 1871, have been regulated by the provisions of that act of the legislative assembly. The act has recently been before the supreme court of the District of Columbia in the case of *The United States vs. Noah*, and the supreme court of the District decided in that case that the act of the legislative assembly regulating licenses in the District of Columbia was a revenue act and that the penalties denounced in the act were against the failure to pay the revenue. Consequently the court decided that where a party applying for a license paid the money necessary to obtain such license, whether the Commissioners approved or disapproved of the place or anything of that kind, the party had a right to go on

recommendation be referred to the Committee on Appropriations with a view that the amounts reported be inserted by that committee in the deficiency appropriation bill if, in the judgment of the committee, that course should be taken. I accompany the bill with a report.

I will say one word, with the consent of the Senate, with reference to the report. The amount of claims included in the bill is precisely the same that was incorporated by the Senate at the last session in the deficiency appropriation bill—the same claims, the same amounts, and nothing else.

The VICE-PRESIDENT. The bill will be referred as an amendment to the Committee on Appropriations and will be printed.

Mr. MORRILL, from the Committee on Public Buildings and Grounds, reported an amendment intended to be proposed to the sundry civil appropriation bill, the amendment providing for an appropriation for post-office building at San Francisco, Cal., and moved that it be referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, reported an amendment intended to be proposed to the sundry civil appropriation bill, the amendment providing for an appropriation of \$800,000 for a custom-house building in New York City, N. Y.; which was referred to the Committee on Appropriations, and ordered to be printed.

He also, from the same committee, to whom was referred the bill (S. 3783) to amend the several acts of Congress relating to the acquisition of property for a site and for the construction of a building for the custom-house in the city of New York, reported it with amendments.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the bill (S. 3812) to ratify and confirm an agreement with the Alsea and other bands of Indians located on the Siletz Reservation, in the State of Oregon, and to make appropriation for carrying the same into effect, reported it with an amendment.

Mr. FRYE, from the Committee on Commerce, reported an amendment intended to be proposed by him to the sundry civil appropriation bill; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

#### BILLS INTRODUCED.

Mr. VANCE introduced a bill (S. 3817) for the relief of W. W. Rollins, collector of internal revenue for the fifth collection district of North Carolina; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Finance.

Mr. HARRIS introduced a bill (S. 3818) for the relief of the trustees of the Presbyterian Church of Bethel Springs, Tenn.; which was read twice by its title, and, with the accompanying House report, referred to the Committee on Claims.

Mr. BLODGETT introduced a bill (S. 3819) granting a pension to Mary Doubleday, widow of Bvt. Maj. Gen. Abner Doubleday; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PETTIGREW introduced a bill (S. 3820) authorizing the purchase of certain of the school lands in the Territory of Oklahoma for cemetery purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. SHERMAN (by request) introduced a bill (S. 3821) to authorize the construction of bridges across the Mississippi and Ohio Rivers, their navigable tributaries, and other navigable rivers in the United States; which was read twice by its title, and referred to the Committee on Commerce.

Mr. JONES of Arkansas introduced a bill (S. 3822) to extend the lease to the big iron bath house at Hot Springs, Ark.; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. MITCHELL introduced a joint resolution (S. R. 145) authorizing the issue of duplicate medals where the originals have been lost or destroyed; which was read twice by its title, and referred to the Committee on the Library.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. PEPPER submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Education and Labor, and ordered to be printed.

Mr. CALL submitted an amendment intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### WITHDRAWAL OF PAPERS.

Mr. CULLOM. I submit an order and ask unanimous consent for its adoption.

The order was read, as follows:

*Ordered*, That the rules be suspended, and that the Secretary of the Senate be directed to withdraw from the files of the Senate for exhibition in the World's Columbian Exposition, at the request of the Department of State, a memorial of Maria Hooper Anderson Vestal praying a pension of \$100, and that she be admitted to the rank of widow.

The VICE-PRESIDENT. The question is on agreeing to the order.

Mr. COCKRELL. Let it go over.

Mr. CULLOM. It is simply an order for the withdrawal of a paper that is on file here, and has been read several times. The purpose is to exhibit it at the World's Fair, and to give control of the State Department. That is all there is of it.

Mr. HARRIS. Still, under the rules, we cannot suspend the rules without giving one day's notice, except by unanimous consent.

Mr. CULLOM. I agree to that, and therefore I have asked unanimous consent.

The VICE-PRESIDENT. Is there objection to the order?

Mr. COCKRELL. I should like to see it in print, and I should like to know why this person wants to get a little notoriety.

Mr. CULLOM. Let it go over.

The VICE-PRESIDENT. The Senator from Missouri objects, and the order will go over.

#### CHARTERS AND STATE CONSTITUTIONS.

Mr. QUAY submitted the following resolution, which was considered by unanimous consent, and agreed to:

*Resolved*, That the Committee on the Library be, and it is hereby, authorized and instructed to print, and report to the Senate the accuracy of preparing a new compilation of the various colonial charters and State Constitutions of each State of the United States, together with amendments thereto at any time in force.

#### TESTIMONY ON FAILED NATIONAL BANKS.

Mr. CHANDLER submitted the following concurrent resolution; which was referred to the Committee on Printing:

*Resolved by the Senate (the House of Representatives concurring),* That the Public Printer be, and he is hereby, directed to print and bind in cloth 7,000 copies of the testimony taken by the Senate Select Committee on Failed National Banks, together with the report of the committee of 4,000 copies shall be for the use of the House, 1,000 copies for the use of the Senate, and 1,000 copies to be distributed by the Comptroller of the Currency.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the amendment of the Senate to the bill (H. R. 10910) to establish a court of appeals for the District of Columbia, and for other purposes.

The message also announced that the House had agreed to the concurrent resolution of the Senate to print extra copies of Part I of the report of the Superintendent of the United States Coast and Geodetic Survey for the fiscal year ending June 30, 1892.

The message further announced that the House had passed a bill (H. R. 10238) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1891, and for other purposes; in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution providing for the printing of 4,500 copies of Report No. 2278, relating to combinations between the Philadelphia and Reading Railroad Company and other railroads; in which it requested the concurrence of the Senate.

The message further announced that the Speaker of the House had appointed Mr. CHIPMAN and Mr. LOVELL, clerks on the part of the House to count the electoral vote at the joint session of the two Houses, February 8, 1893.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 10038) making appropriations for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1891, and for other purposes, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DO KERY, Mr. CAMPBELL, and Mr. HENDERSON of Iowa managers at the conference on the part of the House.

#### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

A bill (S. 509) granting an increase of pension to Thomas J. Matlock.

A bill (S. 3311) to refer claim of Jesse A. Carter for Private and certain lands, and the improvements thereon, in San Francisco, Cal., to the Court of Claims.

A bill (S. 3753) relating to the archery and medals in the Games of the Olympiad.

A bill (H. R. 5012) to increase the pension of Thomas J. Matlock.

A bill (H. R. 3752) to amend the act approved July 1, 1888,



entitled "An act to authorize the construction of a bridge across the Arkansas River."

A bill (H. R. 8092) to authorize the construction of a bridge across the Mobile River by the Chicago, Mobile and Gulf Ports Railroad Company.

A bill (H. R. 8554) establishing a fog signal at Tibbets Point, Long Island Sound, New York.

A bill (H. R. 9423) granting a pension to Mrs. Ann Mercer Searles and

A bill (H. R. 10063) to amend "An act authorizing the construction of a high wagon bridge across the Missouri River at or near Sioux City, Iowa," etc.

#### KICKAPOO INDIAN LANDS.

THE VICE-PRESIDENT. If there be no further morning business that order is closed and the Calendar under Rule VIII is in order.

Mr. TELLER obtained the floor.

Mr. DAWES. The Senator from Colorado has kindly yielded to me to ask the consideration by the Senate of a bill before he proceeds with his remarks. There is a bill upon the Calendar similar to one passed a day or two ago in my absence, which is in a peculiar situation. It will not cause any debate. The Senate has passed one bill and the other House has passed another. The Senate Committee on Indian Affairs have reported back the House bill with the substance of the Senate bill put in place of the House bill. I understand that the bill is satisfactory to everybody and I want to get it into conference. It relates to the Kickapoo agreement. I hope the Senate will indulge me long enough to get this bill passed through its different stages. If it causes any debate I will withdraw it.

Mr. TELLER. I yield for that purpose.

Mr. DAWES. I ask the Senate to proceed to the consideration of the bill (H. R. 7023) to ratify and confirm an agreement with the Kickapoo Indians in Oklahoma Territory, and to make appropriations for carrying the same into effect. If it causes any expenditure of time beyond the reading I will not ask the indulgence of the Senate at this time.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs, with an amendment to strike out all after the enacting clause and insert:

"That said agreement be, and the same hereby is, accepted, ratified and confirmed, except as to article 3, which is modified and changed on the part of the United States so as to read as follows:

"In addition to the allotments above provided for, and the other allotments to be received under the preceding articles, and as to the other consideration, to be paid for the cession and relinquishment of title above referred to the United States agree to set apart and deposit in the Treasury of the United States the sum of \$1,570, for the use of said Kickapoo Indians, which shall bear interest while so deposited at the rate of 5 per cent per annum. *Provided*, That the number of allotments of land provided for shall not exceed three hundred; but if the number of allotments shall exceed three hundred, then there shall be deducted from the said sum of \$1,570 the sum of \$30 for each allotment in excess of the three hundred, and one-third of the principal thereof shall be distributed by the Secretary of the Interior pro rata among the Indian allottees under said agreement, over and above the sum of the same to be paid to John T. Hill for services rendered said Indians by him in such sum and exceeding \$5,474, as shall alter the principal of this act, be determined upon by said Indians in an agreement entered into for that purpose. The balance of the said sum shall be expended by the Secretary of the Interior, from time to time, and as he may deem proper, as he shall deem best, in the construction of roads and bridges, the building of school houses, the maintaining of schools, and in such other expenditures as he shall deem to be deemed necessary for the promotion of civilization and self-support among such of said Kickapoo as he may deem fit to tax, and in aid in carrying out said agreement under the laws of the United States."

And as so modified said agreement is accepted, confirmed and ratified. *Provided*, That this act shall take effect only upon the acceptance and consent to the modification and changes made by the United States to said agreement by the said Indians, in manner and form as said agreement was agreed to, to which acceptance and consent shall be made in writing by proclamation of the President of the United States, and in conformity with the said agreement and plan as set forth hereinafter in such manner and form as may be necessary.

"Section 2. That for the purpose of carrying into effect the provisions of the foregoing article, the Secretary of the Interior shall set out of any moneys in the Treasury of the United States appropriated the sum of \$1,570, to be used by him in aid of said Indians, as herein provided in article 5 of said agreement, as amended. *Provided*, That any portion of said sum which may be deposited in the Treasury of the United States shall bear not more than the rate of 5 per cent per annum, said interest to be expended annually for the benefit of said Indians in such manner as herein before provided.

"Section 3. That for the purpose of making the allotments and payments provided for in said agreement, including the preparation of a complete roll of said Indians, the pay and expenses of a special agent, and the necessary expenses necessary to appoint one for the purpose, and the necessary surveys or resurveys, there be, and hereby is appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$5,000, or so much thereof as may be necessary.

"Section 4. That whenever any of the lands acquired by this agreement shall, by operation of law or proclamation of the President of the United States, be set apart for settlement or entry, they shall be disposed of except sections to be set apart for homestead or town-site laws except section 2301 of the Revised Statutes of the United States, which shall not apply. *Provided, however*, That each settler on said lands shall, before making a final proof and receiving a certificate of entry, pay to the United States for the land so taken by him, in addition to the fees provided by law, and within five years from the date of the first original entry, the sum of \$1.50 an acre, one-half of which shall be paid within two years; but the rights of honorably discharged Union

soldiers and sailors, as defined and described in sections 2301 and 2305 of the Revised Statutes of the United States, shall not be abridged, except as to the sum to be paid as aforesaid. Until said lands are open to settlement by proclamation of the President of the United States, no person shall be permitted to enter upon or occupy any of said lands; and any person violating this provision shall never be permitted to make entry of any of said lands or acquire any title thereon. *Provided*, That any person having attempted to but for any cause failed to acquire a title in fee under existing law, or who made entry under what is known as the commuted provision of the homestead law, shall be permitted to make homestead entry upon said lands.

Mr. DAWES. I desire to offer an amendment to the amendment of the committee. At the end of section 2, line 11, on the twenty-first page, I move to add the following additional proviso:

*Provided further*, That none of the money or interest thereon which is by the terms of said agreement to be paid to said Indians shall be applied to the payment of any judgment that has been or may hereafter be rendered under the provision of the act of Congress approved March 3, 1891, entitled "An act to provide for the allocation and payment of claims arising from Indian depredations."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The preamble was agreed to.

Mr. DAWES. I move that the Senate request a conference with the House of Representatives on the bill and amendment.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. DAWES, Mr. PLATT, and Mr. JONES of Arkansas were appointed.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the following act and joint resolution:

An act (S. 3115) for the relief of Clement Reeves; and

A joint resolution (S. R. 124) directing the Secretary of War to investigate the subject of raft-towing on the Great Lakes and their connecting waters.

#### SETTLEMENT RIGHTS ON PUBLIC LANDS.

Mr. PETTIGREW. I ask unanimous consent at the present time to call up the bill (H. R. 7028) to protect settlement rights where two or more persons settle upon the same subdivision of agricultural public lands before survey thereof.

Mr. TELLER. If it will not take any time I will yield for that purpose. However, I wish to submit a few remarks to the Senate.

Mr. PETTIGREW. The bill has been read through, and it will take no time, I think, to dispose of it.

Mr. COCKRELL. I wish to say to the Senator from Connecticut [Mr. PLATT] and also to the Senator from Colorado [Mr. TELLER], that three or four very important amendments have already been offered to this bill. Two additional amendments are to be proposed, I understand. I am certain the bill will lead to discussion and will consume all the morning hour.

Mr. BERRY. I will state that I do not think it will require any discussion, with due respect to the Senator from Missouri. The Committee on Public Lands have agreed on the amendments.

Mr. COCKRELL. Have the committee agreed upon the amendment?

Mr. BERRY. The committee have agreed on the amendment reported by the Senator from South Dakota [Mr. PETTIGREW]. There may be additional amendments; I do not know about that. They have not agreed on the additional amendments, but the amendment proposed by the Senator from South Dakota, the principal amendment, was agreed on. I do not know whether there are other amendments or not.

Mr. COCKRELL. I think the bill ought to be passed, but I ought to be considered. Let us go on with it. I interpose no objection.

By unanimous consent, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 7028) to protect settlement rights where two or more persons settle upon the same subdivision of agricultural public lands before survey thereof, the pending question being on the amendment of Mr. PETTIGREW.

Mr. PASTOR. I wish to say that I objected to the consideration of this amendment the other day because some action had been taken in the committee during my absence, but I am informed by other members of the committee that it meets their views substantially. I therefore make no objection now to the consideration of the amendment.

THE VICE-PRESIDENT. The question is on the amendment of the Senator from South Dakota [Mr. PETTIGREW].

of the Senator from Missouri [Mr. COCKRELL]. I concurred in the unanimous consent given a day or two ago that this hour should be devoted to unobjected House bills, but I wish to say that I think the practice which is growing up in the Senate of making such orders towards the close of a session is being carried too far, and I do not propose to give my consent hereafter to such arrangements being made as extensively as heretofore.

Such an arrangement gives to the other House a great advantage in legislation over the Senate, because it enables the House of Representatives during the last month or two of a Congress to send up and demand our attention to their bills (which are not passed under their rules with anything like the care bills are passed here, because they have the previous question), and to prevent the Senate from sending to the other House and getting like consideration for matters which it has carefully investigated.

I know of several bills which are ready to be reported to this body by committees of the Senate, bills clearly desirable for the public interest, which I think will not have a single dissent when they are brought to the attention of the Senate, and which ought to be taken up and passed here and go down to the other House and be passed there; but if we give all our time to unobjected House bills that can not be accomplished.

I propose hereafter in making these arrangements to see, if I can, that some proper time is reserved also for business originating in the Senate, which is now mature and ready for our consideration and which ought to go down to the other House and be passed there. But I make no objection to the pending order.

Mr. FRYE. Let us have the regular order.

Mr. COCKRELL. I think the Senator from Massachusetts is eminently right; but some of these House bills were reported from our committees at the last session, and if we now simply dispose of the cases which have been waiting we can make the others take a back seat.

Mr. CULLOM. Let the bill now reached on the Calendar be proceeded with.

#### SAFETY OF LIFE ON RAILROADS.

The VICE-PRESIDENT. The bill (H. R. 9350) to promote the safety of employes and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving wheel brakes, and for other purposes, is before the Senate as in Committee of the Whole; and the amendment reported by the Committee on Interstate Commerce as a substitute will be read.

Mr. HARRIS. I beg to make a suggestion to the Senator from Illinois, the chairman of the Committee on Interstate Commerce. He will remember, as I do, that this was a pretty seriously controverted point in committee, and the Senator from Maryland [Mr. GORMAN], the Senator from Ohio [Mr. BRICE], and the Senators from New York, all of whom took more or less interest in the matter, are absent now. I ask him to let the bill go over. I do not want to object to it, but let it go over for the present until at least some of those Senators may be present.

Mr. CULLOM. I was not aware, until the Senator from Tennessee called my attention to the fact, that these members of the committee are not present. I think, however, that I shall not object to the suggestion of the Senator from Tennessee in view of the actual absence of those members of the committee; but I think there became very little opposition to the bill as the Senate committee finally agreed upon it. So I anticipate that when those Senators are present they will not oppose it. But still, without knowing definitely about that, if the Senator from Tennessee thinks the bill ought to go over, I have no objection to its going over.

Mr. HARRIS. I do not want to make the objection, but I will remind the Senator of the fact that I was a member of the committee who voted against reporting the bill, not because I thought the provisions of it unwise, but I must confess to the Senate that I was controlled largely, if not absolutely, by the fact that the passage of the bill at this time would put into the hands of a receiver a great majority of the Southern railroads.

Mr. CULLOM. In answer I will say that the Senator and I are so nearly always together on these questions that I had actually forgotten he took the other side. But so far as this bill is concerned there was very little objection made to it, because of the extension of time the committee sought to give to enable the railroad companies to comply with the proposed act. There is some objection on the part of some gentlemen representing Southern roads especially, and possibly some others, but generally my recollection is that the common carriers of the country thought it a reasonable bill, and that if anything at all is to be passed there could not be a much more liberal measure than the one proposed by the committee.

While I am upon the floor and will allow the bill to go over, I

desire to say that the committee has had such a bill before it for three or four years, and in the meantime there have been constant appeals to us to legislate on the question, the appeals coming from the people, from the President of the United States, from the railway commissions of States, &c. I am very anxious that the Senate shall take up the bill very early and dispose of it.

Mr. COCKRELL. The order of the day is on the Calendar of House bills was "On Calendars of H. R. 9350, the House bill 5795, and of just received bills from the other House."

Mr. FRYE. I hope we shall not be so long in disposing of this as has been a waste of fifteen minutes ago.

Mr. HUNTON. I desire to say to our Senators that the bill of the bill that has just been called out has been passed by the House.

Mr. CULLOM. I understand objection has been made, but I have no discretion about it, under the rules. I must let the bill keep its place on the Calendar, however long it may take.

The VICE-PRESIDENT. The order of the day is on the Calendar.

#### ORDER OF BUSINESS.

A messenger from the President of the United States, Mr. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the bill for the purpose of the engagement of the military road at Fort Wadsworth.

#### ORDER OF BUSINESS.

The VICE-PRESIDENT. The Chair is now in session, and whether it is the desire of the Senate to entertain a resolution of the House bills on the Calendar at this time, or to proceed with the first House bill favorably reported, as we have seen.

Mr. PLATT. When we were before the Senate, the first House bills on Wednesday, I want to know the time when we were far as page 15.

Mr. COCKRELL. We got to Order of Business, H. R. 9350, page 16. That is exactly where we stopped.

Mr. PLATT. I believe that was the place where we should start now.

Mr. COCKRELL. I insist on that course.

Mr. FRYE. Why not go ahead and make a motion in this manner?

Mr. PLATT. We want to know where we are now.

Mr. FRYE. Fifteen minutes have been consumed in this.

Mr. FELTON. I understand the agreement to go back to the Calendar and go through the bills.

Mr. COCKRELL. Very well, let us go back to the Calendar where anyone wants to begin. We shall go ahead, beginning hereafter.

The VICE-PRESIDENT. The call of House bills is on the Calendar, according to the order of the day.

#### BILLS PASSED OVER.

The bill (H. R. 7827) to enable the people of the Territory of Utah to provide for the collection, arrangement, and disposal of the products of said Territory at the World's Columbian Exposition of 1893 was announced as next in order.

Mr. COCKRELL. I object to the consideration of that bill.

The VICE-PRESIDENT. Objection is made, and the bill is passed over.

The bill (H. R. 3394) for the relief of the Stock of the Mescalero tribe of Indians in the State of Wisconsin was announced as next in order.

Mr. SAWYER. I object to the consideration of that bill.

The VICE-PRESIDENT. Objection is made, and the bill is passed over.

The bill (H. R. 9256) to create the California hydraulic mining commission and regulate hydraulic mining in the State of California was announced as next in order.

Mr. COCKRELL. Let that be passed over.

The VICE-PRESIDENT. Objection is made, and the bill is passed over.

The bill (H. R. 1036) for the relief of the citizens of the counties of Sumner and Davidson Counties, Tennessee, was announced as next in order.

The VICE-PRESIDENT. The call of House bills is on the Calendar, according to the order of the day.

Mr. PLATT. It was passed over, and the bill is passed over.

Mr. COCKRELL. I object to the consideration of that bill.

The VICE-PRESIDENT. Objection is made, and the bill is passed over.

Mr. CHANDLER. House bills are now on the Calendar.

Mr. COCKRELL. I wish to say to our Senators that the bill of the committee is ready to be taken up.

Mr. COCKRELL. It has been objected to.

Mr. CHANDLER. And I withdraw the objection.

Mr. COCKRELL. It is objected to now.

The VICE-PRESIDENT. Objection is made, and the bill will go over.

Mr. CHANDLER. I do not understand that it is objected to. The remark was made by the Senator that it was objected to the other day. I withdraw that objection.

Mr. HARRIS. The Senator from Missouri asked that it be passed over within the last half minute and upon his request it goes over.

Mr. CHANDLER. I did not understand that.

The VICE-PRESIDENT. That was the understanding of the Chair.

Mr. COCKRELL. Nobody knew how much was involved or anything about the amount. If the Senator from Oregon can make an explanation let us take it up.

Mr. CHANDLER. He can. That is the reason why I asked to have it taken up.

Mr. MITCHELL. I think during the day I can explain the amount. I ask that the bill may go over for the present and retain its place.

Mr. COCKRELL. That is right. Let it retain its place in order that the chairman of the committee may get some information.

The VICE-PRESIDENT. The bill will go over informally.

#### AMELIA GRAHAM.

The bill (H. R. 5705) to increase the pension of Amelia Graham was considered as in Committee of the Whole. It proposes to place the name of Amelia Graham, widow of Francis Graham, late a private in Capt. J. Morris's Company, Pennsylvania Militia, in the war with Great Britain, upon the pension roll at \$25 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### HARVEY LYON.

The bill (H. R. 8925) to increase the pension of Harvey Lyon was considered as in Committee of the Whole. It proposes to increase the pension of Harvey Lyon, a veteran of the Mexican war, wounded in the storming of Chapultepec, and who served as captain of Company B, Tenth Michigan Infantry, in the civil war, from \$8 to \$15 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### SAMUEL S. ANDERSON.

The bill (H. R. 7099) granting an increase of pension to Samuel S. Anderson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-five" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.* That the Secretary of the Interior be, and he hereby is authorized and directed to place on the pension roll, subject to the limitations and restrictions of the pension law, the name of Samuel S. Anderson, of Louisville, Ky., a soldier in the war with Mexico, and pay him at the rate of \$20 a month, in lieu of the amount he is now receiving.

The amendment was agreed to.

Mr. PLATT. Let the report be read.

The VICE-PRESIDENT. The report will be read.

The Secretary read the following report, submitted by Mr. SAWYER January 13, 1893:

The Committee on Pensions, to whom was referred the bill (H. R. 7099) granting a pension to Samuel S. Anderson, have examined the same, and report:

Your committee hereby adopt the report of the House of Representatives with an amendment. It is hereby amended by striking out the word "five" at the end of line seven so as to read "twenty;" and that the bill do pass as amended.

#### HOUSE REPORT.

The Committee on Pensions, to whom was referred the bill (H. R. 7099) granting an increase of pension to Samuel S. Anderson, have considered the same, and report:

The claimant was a first lieutenant in Capt. Luther's company of the Second United States Artillery in the war with Mexico. He was a graduate from the United States Military Academy and appointed brevet second lieutenant Second Artillery July 1, 1841; promoted second lieutenant January 4, 1842; first lieutenant March 3, 1847; and captain March 8, 1855. He resigned, to take effect April 27, 1861. The records further show that he served in Mexico during the entire war with that country, and he is now in receipt of the pension of \$8 per month provided by law for such service.

In his petition for an increase of his pension the claimant states that he was brevetted captain and major, respectively, for gallant and meritorious conduct in the battles of Molino del Rey and Chapultepec, and that while so serving he contracted hernia, from which he has suffered ever since. He further states he is now 73 years old, penniless, and dependent upon charity for support.

Hons. Walter Evans, S. B. Bachner, J. Proctor Knott, and several other distinguished citizens of Kentucky join the claimant in petitioning Congress to grant an increase of the pension. The gentlemen signing the petition state that they know the claimant well, and sincerely hope his prayer will be granted.

Dr. D. W. Yandell, of Louisville, Ky., certifies to the long-continued suffering of the claimant from an incurable rupture, and also to his penniless and helpless condition.

Mr. PLATT. When does the report state this officer resigned from the United States Army?

The VICE-PRESIDENT. April 27, 1861.

Mr. PLATT. That is about the date when Fort Sumter was fired upon. The probability is that he resigned to go into the Confederate army. I do not exactly see why we should increase the pension of a soldier of the Mexican war who was a captain in the United States Army and undoubtedly resigned to go into the Confederate army, who has been pensioned under the law which pensions soldiers of the Mexican war generally at \$8 a month and who can not get an increase of pension upon the ground of wounds or disease contracted in the service of the Mexican war. I think I will object to this case.

The VICE-PRESIDENT. Objection is made and the bill will go over.

Mr. PLATT. If there is no objection to it, I will move that the bill be recommitted to the Committee on Pensions for further examination. I do not wish to do anybody an injustice.

The VICE-PRESIDENT. The question is on the motion of the Senator from Connecticut to recommit the bill to the Committee on Pensions.

Mr. VEST. I should like to ask the Senator from Connecticut what evidence he has that the officer went into the Confederate army.

Mr. PLATT. I have none. There is nothing said about it in the report except the day on which he resigned, which was the 27th day of April, Fort Sumter having been fired upon, I believe, on the 19th.

Mr. VEST. I know some officers of the United States Army who resigned and did not go into the Confederate army.

Mr. PLATT. Let the bill go back to the committee. I think we ought to have a fuller report upon the subject. I do not wish to do any one an injustice.

Mr. BERRY. When this bill has been regularly reported from the Committee on Pensions I can not see why it should be recommitted unless there is some kind of testimony showing that it is not a just claim. As is well known, I have not been much of an advocate of pensions in this Chamber, but I think the distinction the Senator from Connecticut attempts to draw at this late day and time is hardly just or hardly fair.

I do not know that the man is any worse—he is certainly not in my estimation—for having resigned on the 27th of April or any other time. I think that unless something can be produced to show that it is an unjust claim there is no reason for recommending the bill to the committee.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Connecticut to recommit the bill.

Mr. SHERMAN. If an objection is made, the bill goes over.

Mr. FELTON. I think we would proceed with business faster and in better order if we would take the Calendar as it stands. It is assumed that many of the bills, being pension bills, may be disposed of rapidly. I have in charge one or two local measures which are of vital importance to the people whom I represent, and I apprehend if we do not reach them to-day we shall not reach them at this session. Therefore I am constrained to insist as far as the rules will permit that we shall keep to the Calendar and let each bill take its chance as we reach it. I thought that was the understanding when the order was made.

The VICE-PRESIDENT. The question is on the motion of the Senator from Connecticut that the bill be recommitted to the Committee on Pensions.

Mr. HARRIS. The bill had gone over under the objection of the Senator from Connecticut. The Senator from Connecticut asks unanimous consent, I understand, that the bill be recommitted.

The VICE-PRESIDENT. The Chair understood the Senator from Connecticut to make a motion.

Mr. PLATT. I will enter an objection to the consideration of the bill.

Mr. HARRIS. Very well; and the objection carries it over.

Mr. COCKRELL. That ends it.

Mr. HARRIS. Is it to hold its place on the Calendar or go over under Rule IX?

Mr. PLATT. Let it retain its place on the Calendar?

The VICE-PRESIDENT. The bill will go over without prejudice.

Mr. MITCHELL. I ask leave to submit an amendment intended to be proposed to the Indian appropriation bill.

Mr. HARRIS. I shall object to any routine morning business until after the morning hour has expired. Then routine business can come in.

The VICE-PRESIDENT. Objection is made to the reception of any routine morning business at this time.



fender of the flag that floated over his people, and which was sent forth to battle. I respect him for it. He entered the naval service just before the close of the civil war with the enthusiasm of the ingenious youth who throughout this land heard the drum beat and instinctively sought the ranks.

As he laid aside the sword and the echoes of strife died away, he took up the general tasks, the love, the hope of peace, and its constructive duties. A clerk, a druggist, stenographer, a lawyer, an author, a politician, a State legislator, twice a member of Congress, the choice of his party for United States Senator and receiving its support—these successive rounds of the ladder he mounted—and while his face full of hope still looked upward, and his strong hand was stretched upward, lo, death touched him and he fell. Warm affections and great interests and high hopes concentrated their dreams around him, which now alas! can only pour their sorrows upon his all too early tomb.

I can not speak of Mr. Ford from the standpoint of intimate association with him. To recite his private virtues is the pleasing part of those who knew him better than myself and it has been well performed. But this I observe in his career that discloses his character on his marked and stronger features. Success had rewarded his efforts—he had been a member of the State Legislature, and then of the House of Representatives in the Fiftieth Congress. In that Congress he took decided positions upon public issues.

Some of his views were unpopular. He was defeated and relegated to private life. The spell of his successive victories was broken. But, nothing daunted, he reentered the political field in 1890. He firmly and boldly advocated the doctrines which commanded his loyal convictions. The people discovered in him the staunch, true leader; and now triumphing upon the field that he had lost, he was reelected a member of the Fifty-second Congress of the United States. Well, might we apply to him the warrior's boast:

Call me not shamed who am but overthrown.  
Thrown have I been, not once but many a time.  
Victor from vanquished issues at the last,  
And overthrower from being overthrown.

Before that Congress assembled the victor was dead upon his shield. This I observed in Mr. Ford while he was in the public service here.

He was full of push and energy, and grasped his duties with a comprehending mind and a firm industrious hand.

He seemed tireless in his efforts to press to success the measures confided to his care. I saw him on his appearance before committees and in his tasks upon the floor of the House. I realized that there was a man in earnest, no trifter with things he had to deal with, a spirit resolute and restless, determined to do or die.

I shall not prolong this poor and imperfect tribute save to add this thought: Mr. Ford belonged to that class of thoughtful, courageous, industrious men—well informed, justly ambitious, with high ideals, and patriotic purposes, who correctly interpret the genius of this day and generation, and who are destined to lead and mold it.

The freshness of youth was in his mind and heart. He bore upon his soul no burdens from the past which so lacerated it as to impair its generous impulses; and he entertained no prejudices which belittled his stature, clouded his reason, or impeded his pathway.

Had he lived his career would have shed larger honor upon the State which gave him to the service of the nation, and grown into greater brightness around his name.

Cut off even as he ripened for the great tasks that kindled his genius and his ambition, we can but bow to the wisdom and power of our Maker who has so decreed and say "Thy will be done." Yet we take to heart the lesson that is left to enrich our annals in the life of this noble young American statesman, who followed his faith with fidelity, who did his deed with courage, and who now released from labor, sleeps well.

MR. McMILLAN. Mr. President, at the capital of the nation and in the halls of Congress more than anywhere else the fact of man's mortality is impressed upon the mind. Seemingly few and brief are the intervals when from all the public buildings and from the doors of both the House and the Senate the black badge of mourning is absent. To-day the Senate has been called to pay its tribute of respect to the memory of a young man, a man who was apparently just entering on a career of large usefulness to his State and nation. Trained at the Naval Academy for service in the great struggle, the war was ended before he could see active duty.

The return of peace led Mr. Ford to seek success in civil life. His brightness and industry were sufficiently indicated when it is said that he attained a high reputation in the difficult and la-

borious profession of stenography. His popularity led to his election as a member of the Michigan State Legislature, and his service there was of so satisfactory a character as to lead the people of the Fifth district, which includes the great manufacturing and commercial city of Grand Rapids, to send him to the House of Representatives.

During his first term in that body he attracted the attention of the country to his work in investigating the subject of immigration. Defeated for reelection after an interval of two years he was again elected to Congress, but died before he could take his seat. The esteem in which he was held by his own party throughout the State was shown by the fact that four years ago he was the caucus nominee of the Democratic members of the Legislature for the office of United States Senator.

Such in brief is the record of a man who had crowded into the forty-two years of his life experiences remarkably varied. The death of such a man is a loss to his State, and in Michigan the mourning for him was widespread. In the beautiful city of Grand Rapids, where Mr. Ford made his home, the grief was deep and sincere.

It is fitting, therefore, that the Senate put on record its appreciation of Mr. Ford's services in behalf of his State and his country; and although my own personal acquaintance with him was slight, I appreciate the opportunity to pay this tribute to the worth of one whose reputation is a source of pride to every citizen of Michigan.

MR. President. I move the adoption of the resolutions.  
The resolutions were unanimously agreed to.

#### MEMORIAL ADDRESSES ON REPRESENTATIVE STACKHOUSE.

MR. BUTLER. I ask the Senate to proceed to the consideration of the resolutions of the House of Representatives announcing the death of Hon. Eli T. Stackhouse, of South Carolina.

THE PRESIDING OFFICER. The Chair lays before the Senate the resolutions of the House of Representatives, which will be read.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES,  
January 28, 1893.

*Resolved*, That the business of the House be now suspended that opportunity may be given for tributes to the memory of the Hon. Eli T. Stackhouse, late a Representative from the State of South Carolina.

*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased.

MR. BUTLER. I submit the resolutions which I send to the desk.

THE PRESIDING OFFICER. The resolutions will be read.

The Secretary read the resolutions, as follows:

*Resolved*, That the Senate has received with deep regret the announcement of the death of the Hon. Eli T. Stackhouse, late a Representative from the State of South Carolina, and tenders to the family of the deceased the assurance of its sympathy in their bereavement.

*Resolved*, That the Secretary be directed to transmit to the family of Mr. Stackhouse a copy of the foregoing resolution.

MR. BUTLER. Mr. President, the Hon. Eli T. Stackhouse, late a member of Congress from the Sixth Congressional district of South Carolina, was born on the 27th day of March, 1821, in the district of Marion, in that State. He died on the 11th of June, 1892, in this city, and was buried near the place of his birth and home, at Little Rock.

Except when absent in the military service of his State during the civil war, Col. Stackhouse spent his entire life where he was born and buried. The high estimate of his neighbors, the many manifestations of their esteem and confidence in his integrity and ability, furnish the best tribute to his sterling qualities.

He was reared on his father's farm without the advantages which wealth and opportunity afford, but he had that which was better, an honest heart, a clear head, and great tenacity of purpose. During the period of his youth his environments did not furnish many facilities for liberal education. This, however, did not deter him from individual exertions in the acquirement of knowledge, and at 19 years of age he devoted himself to teaching for the four following years, meanwhile studying hard for his own advancement.

He returned then to the farm and for the remainder of his life confined himself to the pursuits of agriculture. Residing in a section peculiarly favored with a most salubrious and healthful climate, and a soil well adapted to the highest state of cultivation, he improved these natural advantages, and by the application of enlightened methods and advanced ideas achieved a success rarely reached in the business of farming. In fact he may

ter, I trust we shall have unanimous consent not to take a test vote this morning, but let us agree that on Thursday, or any other day—I do not care when it is—the matter shall come up and be discussed.

Mr. SHERMAN. If the Senator will allow me, the whole matter turns upon the question whether the Senator from New York moved to proceed to the consideration of the bill referred to. If he did, he can, as a matter of course, withdraw that motion; but if he made the motion, it is the duty of the Chair, without debate, to put the question.

Mr. GORMAN. It is true that the Senator from New York made a motion to make the bill a special order for Thursday next, in deference to gentlemen wishing to discuss the question.

Mr. SHERMAN. Not at all.

Mr. DAWES. The only possible motion the Senator from New York can make is one to take up the bill, and every Senator knows that the Senator from New York can not make a motion to make the bill a special order before it is taken up. The only motion the Senator can make is one to take up the bill, and after it is taken up we can dispose of it as a majority shall determine.

Mr. MITCHELL. The Senator from New York made that motion a few moments ago.

Mr. DAWES. If the Senator from New York does not desire to make that motion, then we are perfectly willing to go on now with the unfinished business.

Mr. GORMAN. If that be the case, there is only one way in which the general understanding can be carried out—and such an understanding has never been violated in this body—that the motion to take up the bill will not be considered a test vote, but it is done with the distinct understanding that a motion will follow to postpone the consideration of the bill until Thursday next. Therefore there can be no test vote on the question of taking the bill up.

Mr. CULLOM. Let us settle it now by a vote.

Mr. MORGAN. I wish to set myself right about this matter. I understood when the Senator from New York [Mr. HILL] took the floor that it was by the consent of the Senate that he might violate the uniform usage in this body in speaking on a motion to take up a bill, and that he would not press that motion to-day, but at some future time. I have no right to get up here and speak against his motion to take up the bill, and yet the Senator was heard here for nearly two hours in support of his motion.

I desire, Mr. President—

The VICE-PRESIDENT. The Chair would remind the Senator from Alabama that the Senator from New York addressed his remarks upon the reference of a petition which he had presented, as the Chair understood.

Mr. MORGAN. Very good. Then, having the floor upon that petition, he changed his tactics, I suppose, and converted his motion from the consideration of that petition into one to take up the bill, and everybody else was choked down; he had the opportunity to speak.

Mr. PLATT. I should like to inquire what has become of the petition?

Mr. MORGAN. Yes; what has become of the petition?

The VICE-PRESIDENT. The petition was laid on the table.

Mr. HILL. Mr. President—

Mr. HOAR and others. Regular order!

The VICE-PRESIDENT. The Chair will hear the Senator from New York [Mr. HILL].

Mr. HILL. Mr. President, there was no misunderstanding on my part in regard to this measure. I distinctly made the motion to proceed to the present consideration of the silver bill. However, I yielded to suggestions from the other side and all around the Senate, as it was said Senators desired to debate the bill, and only for that reason did I suggest a special order; but under the circumstances I pressed the original motion of which I gave notice last Friday to have the bill taken up. If it shall be taken up, then I will follow it by another motion.

The VICE-PRESIDENT. The yeas and nays have been ordered, and the Secretary will call the roll.

The Secretary proceeded to call the roll, and called the name of Mr. ALDRICH.

Mr. HILL and Mr. VOORHEES addressed the Chair.

The VICE-PRESIDENT. Debate is not in order.

Mr. VOORHEES. I know debate is out of order, and that nothing which has occurred for the last half hour has been in order; but allow me just a moment to say, that during my long service in this body no one ever knew me to object to a Senator who desired to speak doing so. I thought, however, this morning on a measure of such importance as this that the Senator from New York had no right to proceed to discuss the question and then force the rest of us to vote upon it in total silence, without a word.

I moved around a little myself, as the Senator from Maryland [Mr. GORMAN] well knows, anxious to hear the Senator from New York, for whose ability I have great respect, but at the same time determined, if it was in my power, that no vote should be taken until other Senators, myself included, might give explanations of their views upon this subject.

I have listened with the greatest possible interest to the speech of the Senator from New York, not agreeing with a good deal, but agreeing with some of it, and I am glad he has made a speech. Had I supposed, however, that after that speech was made the rest of us would not have an opportunity to say a word, that speech would not have been made this morning, and I am in consent; I say that with the utmost respect for the Senator from New York, for, had it been necessary to have done so, I might have interposed an objection, a thing I never did before, for the Senator has the right to monopolize the exclusive privilege of discussing a great question like this and then force a vote upon the rest of us in dumb silence. Such a spectacle has never before been presented here, and it ought not to be presented now. I trust the Senator from New York will see the propriety of withdrawing his motion if it is to result in a vote being taken upon this matter.

Mr. DAWES. The only way for the Senator and everybody else to express their views is to take the bill up. That is the only way in which it can be done.

Mr. VOORHEES. I am not going into that question now. All the Senators who have spoken have been out of order, and all this debate has been by unanimous consent.

Mr. STEWART. I should like to inquire of the Senator from Indiana if there is any difficulty, whatever may be the result of this motion, in the Senate in the usual way giving unanimous consent for any speech that will not interfere with a vote on this motion?

Mr. VOORHEES. We can go on in that way if the Senate so choose, but we had better go on under our rules.

Mr. STEWART. There is no trouble about that.

Several SENATORS. Regular order! Regular order!

Mr. HILL. I desire simply to say a word in answer to the suggestions of the Senator from Indiana [Mr. VOORHEES].

I have known the Senator from Indiana long, and have too much respect for him to endeavor to deprive him of the opportunity to present his views upon this or any other subject. I do not suppose, however, that a mere vote to take up a bill for consideration would deprive any Senator of ample opportunity to debate the bill at the proper time. The question now is to take up the bill. Those who favor the bill and those who intend to vote against it equally, and with equal propriety, when the bill shall have been brought up for consideration and is before the Senate, can have ample opportunity to debate it.

Mr. VOORHEES. I am not contending for the right to speak myself. I expect I could get that right; but I am speaking for the general, universal, proper treatment of the Senate, with the understanding we have here.

Mr. HILL. I gave notice last Friday that I intended to-day to make the motion which I have submitted. I have made it, and it is before the Senate. I do not wish to deprive a single Senator on either side of the Chamber of an opportunity to discuss the bill; and I do not understand that I am depriving any Senator of that opportunity by simply moving that the bill shall be brought up for consideration. If taken up it can then be debated at full length.

Mr. BLACKBURN. Will the Senator from New York permit a question?

Mr. HILL. I call for the regular order.

The VICE-PRESIDENT. The regular order is called for, which is the call of the yeas and nays.

Mr. VOORHEES. I rise to a parliamentary inquiry.

The VICE-PRESIDENT. The Senator from Indiana will state his parliamentary inquiry.

Mr. VOORHEES. What is the question before the Senate?

The VICE-PRESIDENT. The question is on the motion made by the Senator from New York [Mr. HILL] that the Senate proceed to the consideration of the bill the title of which has been read.

Mr. VOORHEES. I move to say that the bill shall be taken up and on that I call for the yeas and nays.

Mr. HOAR. That cannot be done.

The VICE-PRESIDENT. The Chair will not entertain that. Is the demand for the yeas and nays on the bill to be considered?

The demand was seconded and the yeas and nays were ordered.

Mr. HILL. Will the Chair again state the motion made by the Senator from New York [Mr. HILL] that the Senate proceed to the consideration of the bill the title of which has been read?

The VICE-PRESIDENT. The motion made by the Senator from Indiana [Mr. VOORHEES] is that the bill shall be taken up.



Senator from New York [Mr. HILL] to proceed to the consideration of the bill the title of which has been read shall be laid on the table.

Mr. HOAR. I rise to a question of order.

The VICE-PRESIDENT. The Senator will state his point of order.

Mr. HOAR. My point of order is that this is one of the special motions provided for in Rule IX among the four motions which may be put when a subject is pending, and that no incidental or other motion in regard to it is in order. I call for the reading of Rule IX.

The VICE-PRESIDENT. The rule will be read.

The Chief Clerk read as follows:

#### RULE IX.

##### ORDER OF BUSINESS.

First. A motion, after the consideration of a case, not objected to upon the Calendar is completed, and not later than two o'clock, if there shall be no special order, for that time, the Calendar of General Orders shall be taken up and proceeded with in its order, beginning with the first subject on the Calendar, and so on with the last subject disposed of in proceeding with the Calendar; and in such case the following motion shall be in order at any time as privileged motions, save as against a motion to adjourn or to proceed to the consideration of executive business, or questions of privilege, to wit:

First. A motion to proceed to the consideration of an appropriation or revenue bill.

Second. A motion to proceed to the consideration of any other bill on the Calendar, which motion shall not be open to amendment.

Third. A motion to pass over the pending subject, which if carried, shall have the effect to leave such subject without precedence in its place on the Calendar.

Fourth. A motion to place such subject at the foot of the Calendar.

Fifth. The foregoing motions shall be decided without debate, and shall have precedence in the order above named, and may be submitted as in the nature and with all the rights of questions of order.

Mr. MANDERSON. Mr. President—

The VICE-PRESIDENT. The Chair is of the opinion that the point of order made by the Senator from Massachusetts [Mr. HOAR] is well taken. The pending question, therefore, is on the motion made by the Senator from New York [Mr. HILL].

Mr. MANDERSON. Mr. President, I desire to ask that Rule XXII might be read before the decision upon this subject. It certainly seems to me, if the Chair is to hold that a motion of this character is not in order, the Chair might as well hold that a motion to adjourn is not in order pending this question under Rule XXII.

The VICE-PRESIDENT. The rule will be read.

The Chief Clerk read as follows:

#### RULE XXII.

##### PRECEDENCE OF MOTIONS.

When a question is pending no motion shall be received but—

- To adjourn.
- To adjourn to a day certain or that when the Senate adjourn, it shall be to a day certain.
- To take a recess.
- To proceed to the consideration of executive business.
- To lay on the table.
- To postpone indefinitely.
- To postpone to a day certain.
- To commit.
- To amend.

which several motions shall have precedence in, they stand arranged, and the motions relating to will arrange to take a recess, to proceed to the consideration of executive business, to lay on the table shall be decided without debate.

The VICE-PRESIDENT. The Chair is of the opinion that the motion made by the Senator from Indiana [Mr. VOORHEES] is not at this point or time in order. The pending question before the Senate is on the motion made by the Senator from New York [Mr. HILL], on which the yeas and nays have been ordered. The roll will be called.

Mr. VOORHEES. I beg pardon. I did not catch the decision of the Chair.

The VICE-PRESIDENT. The Chair is of opinion that the motion made by the Senator from Indiana at this point of time is not in order, and that the pending question is on the motion made by the Senator from New York.

Mr. VOORHEES. Then, I simply say that I hope the friends of the bill will vote down the motion of the Senator from New York.

The VICE-PRESIDENT. The roll will be called on the question to proceed to the consideration of the bill.

The Secretary proceeded to call the roll.

Mr. ALFORD (when his name was called). I am paired with the Senator from California [Mr. STANFORD].

Mr. WHITE. May I interrupt the roll call to make a parliamentary inquiry of the Chair?

The VICE-PRESIDENT. The Chair will hear the Senator.

Mr. WHITE. Do I understand if the motion is carried and the bill is taken up that then all further debate will be cut off?

Several SENATORS. No; no; it will be open to debate.

The VICE-PRESIDENT. The bill will then be open to debate.

Mr. FAULKNER (when Mr. CAMDEN'S name was called.) My

colleague [Mr. CAMDEN] is necessarily detained from the Senate to-day. He is paired with the Senator from Nebraska [Mr. PARDON] on this motion.

Mr. GULLOM (when his name was called). I have a general pair with the Senator from Delaware [Mr. GRAY], but his secretary informed me this morning that he had paired with some other Senator. I therefore vote "nay."

Mr. DIXON (when his name was called). I have a general pair with the Senator from Mississippi [Mr. WALTHALL], who is absent this morning. My colleague [Mr. ALDRICH] is also absent, and I transfer my pair with the Senator from Mississippi to my colleague, and I vote "yea."

Mr. GORDON. Mr. President, I have a general pair with the Senator from Wyoming [Mr. WARREN]. If his colleague or any other Senator can inform me how the Senator from Wyoming would vote on this question I shall then be able to decide whether or not I am at liberty to vote.

Mr. CAREY. My colleague [Mr. WARREN], if present, would vote "nay."

Mr. GORDON. Then I vote "nay."

Mr. WHITE (when Mr. GRAY'S name was called). I wish to announce that the Senator from Delaware [Mr. GRAY] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. HIGGINS (when his name was called). On this subject I have a general pair with the Senator from Montana [Mr. SANDERS]. If he were present, he would vote "nay" and I should vote "yea."

Mr. HISCOCK (when his name was called). I am paired on this question with the Senator from Arkansas [Mr. JONES]. If he were present, he would vote "nay" and I should vote "yea."

Mr. PETTIGREW (when his name was called). I am paired with the Senator from West Virginia [Mr. CAMDEN], but I have transferred that pair to the Senator from Nebraska [Mr. PARDON], and vote "nay."

Mr. QUAY (when his name was called). On this question I am paired with the Senator from Iowa [Mr. WILSON]. If he were present, I should vote "yea" and the Senator from Iowa, I understand, would vote "nay."

Mr. SAWYER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON]. If he were present I should vote "yea."

Mr. GEORGE (when Mr. WALTHALL'S name was called). My colleague [Mr. WALTHALL] is detained from the Senate by sickness. He has a general pair with the Senator from Rhode Island [Mr. DIXON], who has transferred it to his colleague [Mr. ALDRICH]. My colleague, if present, would vote "nay" on this question.

The roll on I was concluded.

Mr. CHANDLER (after having voted in the affirmative). I voted inadvertently, forgetting that I had arranged a pair with the Senator from Washington [Mr. ALLEN]. I therefore withdraw my vote.

Mr. MANDERSON. I desire to announce the pair between my colleague [Mr. PARDON] and the Senator from West Virginia [Mr. CAMDEN]. My colleague, if present, would vote "nay."

The result was announced—yeas 23, nays 42; as follows:

YEAS—23			
Black	Frye	Hill	Proctor
Cabery	G. Hanger	Hoar	Sherman
Davis	Gibson	McPherson	Vest
DeLoe	Graham	Mills	Vilas
Dixon	Hale	Morrill	White
Pardon	Hawley	Palmer	
NAYS—42			
Alford	Dwight	Manderson	Shoup
Cary	Feltton	Mitchell	Squire
Chandler	George	Morgan	Stewart
Coffey	Gordon	Pasco	Stockbridge
Cullum	Hamersburg	Pfeiffer	Teller
Curtis	Harris	Perkins	Turpie
Cushman	Horton	Pettigrew	Vance
Daly	Hughes	Platt	Voorness
Callahan	Jones, Nev	Power	Wadcott
Condit	Kyle	Pugh	
Cough	McLean	Ransom	
NOT VOTING—12			
Aldrich	Casey	Jones, Ark	Walthall
Alben	Chandler	Palmer	Warren
Albright	Cole	Quay	Washington
Butler	Gray	Sanders	Wilson
Cameron	Higgin	Sawyer	
Cameron	Hiscock	Stanford	

So the motion was not agreed to.

#### TAXATION OF INDIAN CITIZENS.

Mr. COCKRELL. Regular order.

The VICE-PRESIDENT. The Senate resumes the consideration of the unfinished business, being Senate bill 2048.

The Senate, as in Committee of the Whole, resumed the con-



The next amendment of the Committee on Indian Affairs was to add as a new section the following:

Sec. 4. That this act shall in no particular, except in so far as it confers authority to enter upon the reservation for the purpose of surveying and locating the grantee's line of railroad, take any effect whatever until the Secretary of the Interior shall certify in duplicate writings (one copy whereof shall be delivered to the said company and one copy filed in the office of said Secretary) that the said company has so far graded its line of railroad and constructed its track upon the same as that, in the due and proper prosecution of the work, it has become necessary for the said company to proceed to grade and construct its road upon the lands within said reservation, and that he is satisfied that the company intends in good faith and with reasonable diligence to proceed to the completion of said road across the reservation and put the same in operation for public use.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting to the Midland Pacific Railway Company the right of way through the Crow Creek Indian Reservation, in the State of South Dakota."

#### COURT OF PRIVATE LAND CLAIMS.

Mr. TELLER. I reported this morning from the Committee on Private Land Claims House bill 8340. That bill had the examination of the Judiciary Committee, receiving a favorable report, and also of the Committee on Private Land Claims. It went on the Calendar this morning. I ask that it may be taken up as the other House bills on the Calendar have been and passed.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8340) to amend an act establishing a court of private land claims and to provide for the settlement of private land claims in certain States and Territories, approved March 3, 1891.

Mr. COCKRELL. I should like to ask the Senator reporting the bill to state the material changes it makes in regard to the rights of claimants.

Mr. TELLER. The object of the bill is to correct the act of March 3, 1892, or rather to meet a construction put upon it in the Department. An attempt was made in that act to give the people who had occupied small pieces of land in the Territories of New Mexico and Arizona under the Spanish custom, occupying perhaps one place of five acres, another of 10, and another of 20, some of them from time immemorial, an opportunity to make homesteads by taking 160 acres of land. The act provided that they should reside upon the land. It was found that the homesteader would have 5 acres in one place and 10 acres in another, and under the construction put upon the act by the Department he was confined to the 5 acres on which he lived. This is to extend the act so that if he has 160 acres in five or six parts or more he may take 160 acres and no more. That is all there is in that part of the bill.

Then the last provision extends the time for filing claims under the act to 1894, two years from last January.

Mr. STEWART. I should like to inquire at what time the twenty-year limit expires. Is it twenty years previous to the passage of the original or the amended act?

Mr. TELLER. Previous to the passage of the original act. The bill does not interfere with that at all.

Mr. STEWART. It leaves that feature as it was?

Mr. TELLER. So I understand.

The bill was reported to the Senate without amendment, ordered to a third reading, and was read the third time.

Mr. MORGAN. Mr. President—

The VICE-PRESIDENT. The question is, Shall the bill pass? [Putting the question.] The bill is passed.

Mr. MORGAN. I desire to interpose an objection to the passage of the bill.

The VICE-PRESIDENT. The Chair will put the question again. The question is, Shall the bill pass?

Mr. MORGAN. I wish to submit some remarks upon the bill. I desire to have the floor upon it.

Mr. CULLOM. Let the bill go over.

The VICE-PRESIDENT. The bill will go over.

Mr. MORGAN. I wish the bill to go over until the Senator from North Carolina [Mr. RANSOM], the chairman of the Committee on Private Land Claims, can be present.

Mr. SAWYER. The Senator from Alabama can enter a motion to reconsider the vote on the passage of the bill.

Mr. MORGAN. No, I want the bill to go over until the Senator from North Carolina comes in.

Mr. TELLER. What bill does the Senator from Alabama ask may go over?

Mr. MORGAN. The bill the Senator from Colorado has been discussing.

Mr. TELLER. Until what time?

Mr. MORGAN. Until the Senator from North Carolina [Mr.

RANSOM], the chairman of the committee, can have an opportunity to be heard.

Mr. TELLER. The Senator from North Carolina examined the bill and the committee agreed upon it. He understood that I was to call it up and put it on its passage.

Mr. MORGAN. I understood from a conversation with him the other day that he had some serious objection to it; but I objected to the bill on my own account.

Mr. HOAR. I did not hear the statement of the Senator from Alabama.

The VICE-PRESIDENT. Objection being made, the bill will go over without prejudice.

Mr. RANSOM entered the Chamber.

Mr. TELLER. The Senator from North Carolina is now here.

The VICE-PRESIDENT. The Chair had announced the passage of the bill, and the Senator from Alabama moves that the vote be reconsidered.

Mr. MORGAN. I beg leave to say very respectfully that the Chair should not have pronounced the passage of the bill when I took the floor upon it and objected to it before it was passed.

The VICE-PRESIDENT. The Chair begs pardon; he did not hear the Senator's objection.

Mr. MORGAN. That was my exact purpose in rising. I had the right, I understand, under the rule to do it.

The VICE-PRESIDENT. The bill will stand as having been read three times and as being before the Senate.

Mr. HOAR. Why not let it stand as passed? The Senator from Alabama has a right to enter a motion to reconsider.

Mr. MORGAN. I do not wish the bill to have that attitude.

Mr. TELLER. I do not desire to pursue a course in regard to the measure that any Senator objects to. If the Senator from Alabama wants to let the bill stand as if it had not been before the Senate I shall not object, because I am sure he will not find anything objectionable in the bill.

The VICE-PRESIDENT. The bill will stand as having been read the third time and as being still before the Senate.

#### SAFETY OF LIFE ON RAILROADS.

Mr. CULLOM. I ask that the unfinished business be laid before the Senate.

The VICE-PRESIDENT. The hour of 1 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 9350) to promote the safety of employes and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes.

#### HUDSON RIVER BRIDGE.

Mr. BLACKBURN. I move that the bill now under consideration be laid aside in order to take up the bill (S. 2624) to authorize the New York and New Jersey Bridge Companies to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey.

Mr. CULLOM. The motion, I believe, is not debatable.

Mr. BLACKBURN. It is not debatable, because if it were I should wish to say something.

Mr. CULLOM. So should I.

The VICE-PRESIDENT. The question is on the motion made by the Senator from Kentucky.

Mr. CULLOM. I hope the motion will not prevail.

Mr. BLACKBURN. I trust the motion will prevail, as the consideration of the bill has been asked several times before.

Mr. MITCHELL and others. Regular order!

The VICE-PRESIDENT. The question is on the motion of the Senator from Kentucky to proceed to the consideration of the bill he has indicated.

Mr. PLATT. I wish to inquire whether it is in order to ask that the bill be read at length before the vote is taken?

The VICE-PRESIDENT. The question is on taking up the bill.

Mr. BLACKBURN. The bill is not before the Senate.

Mr. PLATT. I wish to inquire whether it is in order to have the bill read for information?

Mr. HISCOCK. The bill is not before the Senate.

Mr. BLACKBURN. The bill is not before the Senate until the Senate shall take it up. However, by unanimous consent the bill could be read.

Mr. PLATT. I wish to inquire of the Chair whether it is in order, the motion of the Senator from Kentucky having been made to have the bill read for information before the motion is acted upon?

The VICE-PRESIDENT. The Chair is of opinion that it is not in order until the bill is before the Senate.

Mr. BLACKBURN. That is right.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Kentucky [Mr. BLACKBURN] to proceed to the consideration of the bill indicated by him.

Mr. BLACKBURN. On that I demand the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DIXON (when his name was called). I have a general pair with the Senator from Mississippi [Mr. WALTHALL], who is detained from the Chamber by sickness, and therefore I withhold my vote.

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. HIGGINS (when his name was called). I am paired with the senior Senator from New Jersey [Mr. McPHERSON]. He is not present. I do not know how he would vote on this question. In his absence I withhold my vote for the present.

Mr. FRYE. The Senator from New Jersey [Mr. McPHERSON] is against taking up the bridge bill.

Mr. HIGGINS. In that case I will vote. I vote "nay."

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY].

The roll call having been concluded, the result was announced—yeas 22, nays 34: as follows:

## YEAS—22.

Blackburn,	George,	Irby,	Vance,
Blodgett,	Gibson,	Mills,	Vest,
Brice,	Gorman,	Power,	Voorhees,
Caffery,	Harris,	Ransom,	Wolcott,
Coke,	Hill,	Stewart,	
Daniel,	Huntton,	Turpie,	

## NAYS—34.

Allison,	Dolph,	Hoar,	Sawyer,
Bate,	Dubois,	McMillan,	Sherman,
Call,	Frye,	Mitchell,	Shoup,
Carey,	Gallinger,	Morgan,	Stockbridge,
Chandler,	Hale,	Morrill,	Teller,
Cockrell,	Hansbrough,	Palmer,	Vilas,
Cullom,	Hawley,	Platt,	Washburn,
Davis,	Higgins,	Proctor,	
Dawes,	Hiscock,		

## NOT VOTING—31.

Aldrich,	Dixon,	McPherson,	Sanders,
Allen,	Faulkner,	Manderson,	Squire,
Berry,	Felton,	Paddock,	Stanford,
Butler,	Gordon,	Pasco,	Walthall,
Camden,	Gray,	Perkins,	Warren,
Cameron,	Jones, Ark.	Pettigrew,	White,
Casey,	Jones, Nev.	Pugh,	Wilson,
Colquitt,	Kyle,	Quay,	

So the motion was not agreed to.

## SAFETY OF LIFE ON RAILROADS.

The VICE-PRESIDENT. The Senate resumes the consideration of the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9350) to promote the safety of employes and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes, the pending question being on the amendment of Mr. GEORGE to the amendment reported by the Committee on Interstate Commerce.

Mr. CULLOM. Mr. President, I see that the pending bill is to have a tolerably hard road to travel in the Senate of the United States, but I am inclined to think that if we can ever get to a vote upon the question such a bill will receive the sanction of the Senate.

When the Senate went into executive session yesterday evening and I yielded the floor to the Senator from Ohio [Mr. SHERMAN] for the purpose of making such a motion I had not entirely concluded my remarks. As there was some confusion yesterday as to the exact terms of the bill under consideration, I think it perhaps well enough to refer to it again this morning.

I will state that the first section of the amendment reported by the committee as a substitute for the House bill simply provides that after the 1st of January, 1895, it shall be unlawful for a common carrier engaged in interstate commerce by railroad to use on its lines locomotive engines in moving interstate traffic not equipped with power driving-wheel brakes and appliances for operating the trains, etc., the section requiring only a sufficient number of cars, to be so equipped as will enable the engineer to control the train.

There is nothing in the section that has any reference to the Interstate Commerce Commission or to any board outside in determining anything about it. The naked proposition is that it shall be unlawful after a given date to run locomotives not equipped with power brakes, or to run any train in interstate traffic which has not a sufficient number of cars in it so equipped with power brakes that the engineer can control it.

Then, as to the second section of the bill, that section has reference only to what are usually called automatic couplers. It

was the intention and purpose of the committee, and I think it is carried out in the substitute, to simply require a uniform coupler, the testimony showing that such a coupler must be put in use by direction of the National Government in order to protect the lives of the people operating the trains, taking care of the cars, coupling them, etc.

Mr. WOLCOTT. Mr. President, I have a question. Does the Senator from Colorado mean to say that the law in Colorado?

Mr. CULLOM. Certainly.

Mr. WOLCOTT. I ask the Senator to go back to the testimony. It is my own fault that I have to ask this question. I am familiar with the testimony as I should be, but I am not sure I leave the first question before us as to whether or not the money taken so that the Senate can carry out only one question as to what proportion of the locomotive engines of the great railroads are now equipped with air brakes, and how many of them are now being a topped, and how great a proportion of them will be such a law may be? I have been in a hurry to finish my testimony.

Mr. CULLOM. It has been some time since the testimony was taken that has been submitted to the Senate, and I am not very certain in my mind whether there is anything in the testimony which explains that inquiry.

Mr. WOLCOTT. I could not find anything.

Mr. CULLOM. But I desire to say, and I want to be perfectly frank with the Senator and the Senate, that since the bill was reported to the Senate I have given attention to the first section of the bill, and that is the section, I believe, the Senator inquires about.

Mr. WOLCOTT. That is the one.

Mr. CULLOM. The question has suggested itself to my mind whether in a requirement that the power brakes shall be applied to locomotives and cars between now and the 1st of January, 1895, and the coupler shall be on the trains between now and the 1st of January, 1898, there was not a gap of three years in time that was hardly justifiable.

In other words, it occurred to me that possibly, owing to the necessity on the part of the railroads to incur the expense of putting power brakes on the locomotives and upon a sufficient number of cars to enable the engineer to control the train, the time, possibly, was fixed too early. I desire the Senator from Colorado to hear what I have to say on this subject. I want him to know exactly what has controlled me.

Mr. WOLCOTT. I am listening. I asked the question for information on the subject.

Mr. CULLOM. After that question was suggested to my mind, I made inquiry of several gentlemen familiar with railroad subjects, and the testimony to me was that the section is all right, because nearly all of the locomotives already have these power brakes, and that as a great many have been placed upon the cars it would not be so great an expense in that as in putting the automatic coupler on every car. Therefore, after time can be fixed for the equipment of the locomotive and a sufficient number of cars to control the train than in putting the couplers on the cars generally, and I followed the section to start, as it is without calling the attention of the committee to it.

I am ready to say now that I have never had an impulse that led me to desire to do an injustice to any corporation or railroad in the country, and if it can be shown by any gentleman familiar with the subject that the time is too short as to the power brake, I would, so far as I am individually concerned, be willing to extend it for a year and possibly longer. If, however, with the information I have now I would not be willing to do so, that is the explanation I make to the Senator from Colorado.

I have called the attention of the Senate to the first section, because there was some confusion yesterday as to the section in which that section should be enforced.

Now, as to the second section, that applies exclusively to what we call automatic couplers. An automatic coupler for a car costs about \$25, while the power brake to equip a car, according to the testimony, costs from \$45 to \$75. There is a very large difference between the two, and that is why I called attention to the question whether the time as to the power brake was too short. There is no outside force to be applied to the cars, nothing to do with the demand for only a sufficient number of cars to be used except the railroad itself. The testimony of the committee section provides that the cars must be so equipped that a sufficient number of the cars in use, or of the whole of the train, shall be so equipped that about 1,100,000 freight cars in the country.

Mr. HARRIS. There are more than 1,100,000.

Mr. CULLOM. More than 1,000,000.

Mr. HARRIS. I thought the Senator said 1,100,000.

Mr. CULLOM. No, 1,100,000. When we say more than 1,100,000

investigate this question there were about 1,000,000, but now there are something over 1,100,000 freight cars in the country. The only provision in the bill in reference to what kind of a coupler shall be used, is that the roads themselves shall determine it by a vote or whatever means they may arrive at a determination, and when those controlling 75 per cent of the cars vote or report to the Commission that a certain coupler is adopted, then the Interstate Commerce Commission proclaims that fact, and that is the standard coupler.

The Committee on Interstate Commerce has been desirous all the time of avoiding all legislation that would look as though Congress was determining any specific type of coupler.

We have kept patent owners away from us. We have kept every one who ever it was away from us who desired that any specific patent should be adopted by the Congress of the United States. The committee thought that the scheme specified in the bill was as simple and as just and as fair a way to arrive at what the standard coupler should be as any other.

Mr. COCKRELL. Right on the coupler question, I want to ask the Senator, if it will not disturb him—

Mr. CULLOM. No, sir; not at all.

Mr. COCKRELL. Would not the bill compel all the companies practically to adopt one particular patent for coupling?

Mr. CULLOM. Not at all. I understand and I think the Senator, if he will read the Interstate Commerce Commission report, will see that there are about forty different patent couplers which work together, that is to say, either one of which will couple with the other automatically. So we have avoided, as near as we could possibly do it, the proposal of any legislation that would fasten upon the country the necessity of taking any particular patent the owner of which might have a monopoly in the premises.

Mr. COCKRELL. Suppose that the larger corporations, the larger mileage of road, and I believe we go by mileage—

Mr. HARRIS. No; by the number of freight cars.

Mr. COCKRELL. Well, having the larger number of freight cars—it is just the same thing. The longer the road the more freight cars there will be. Suppose they should combine and agree upon one coupler, would not that compel all the others either to take that one particular kind or those so similar to it as to be interchangeable with it?

Mr. CULLOM. Of course if 75 per cent of the companies should vote for a particular coupler, that is to say, a particular type of coupler, the balance under the bill would have to adopt a type that would couple with it. It would not necessarily be the same patent, but whatever device coupled with that car without making it necessary that the switchman should go between the cars I understand the bill would allow to be used.

Mr. COCKRELL. Would it allow the introduction of anything very recently granted that has not been used at all? Could they consider that under the bill?

Mr. CULLOM. I assume they could; and whether they did or not, if a railroad should put a coupler on its cars that coupled with the coupler adopted by the carriers controlling 75 per cent of the cars, my judgment is that it would comply with the law.

Mr. COCKRELL. There is no doubt there is great progress being made in these inventions, and necessarily so.

Mr. CULLOM. Unquestionably.

Mr. COCKRELL. Quite a distinguished gentleman handed me a little provision in regard to this feature, and that is the reason I want to bring it up just at this point, suggesting an amendment, as follows:

That any automatic car coupler lately invented or patented and not now in use which does not disengage itself vertically and is safer than the present car couplers in use, may be given the preference on examination by the Interstate Commerce Commission, anything in this act to the contrary notwithstanding.

Now, as I understand the provision regarding the Interstate Commerce Commission, the question is not left to them?

Mr. CULLOM. Not in the first instance.

Mr. COCKRELL. It is left to this railroad association.

Mr. CULLOM. Not a railroad association, but if the railroads themselves, representing 75 per cent of the cars of the country, say that a particular type of coupler is the type adopted, the Interstate Commerce Commission would proclaim that that was the coupler to be used. However, any other coupler in use, of the same type substantially, so that it could couple with these couplers, I understand the carrier would have a right to use. The great desire and purpose of the committee has been to secure the adoption of what we call a uniform coupler, of which, as I say, there are about forty patents or types which are substantially the same as far as coupling is concerned.

Mr. HARRIS. In this exact connection I should like to ask my friend from Illinois if he is not satisfied by the testimony which has been given before his committee that the railroad companies of this country are adopting the automatic coupler, the self-coup-

ler, as rapidly as in their financial condition they can afford to do. Such is my recollection of the testimony which has been given before the committee.

If that be true, while all of us desire safer appliances of every description that will protect life and limb, still it is a question as to exactly how far we should coercively go to compel companies to adopt one particular thing, and while the thing adopted may be regarded as the best to-day it may be utterly discarded day after to-morrow.

Mr. CULLOM. In response to the inquiry of the Senator from Tennessee, I will state that most of the railroads, and I might say all of them, insist that they are doing the best they can. I agree that they say that, but while they are saying that, not one-third of the freight cars of the country are equipped with these brakes or coupler. While that is true, and while the railroads are going forward at their own gait putting some on every year, the laboring men, the employes of the roads, the switchmen, the yardmen, the men upon the tops of the cars, are complaining that the roads are not putting them on as rapidly as they ought to be put on.

Mr. VILAS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Wisconsin?

Mr. CULLOM. I do.

Mr. VILAS. I should like to ask the Senator from Illinois, who has given a good deal of attention to this subject, if he has known any instance in which any of the railroad companies deferred paying dividends in order to add these facilities to protect the lives of their employes?

Mr. CULLOM. I am obliged to the Senator from Wisconsin for asking me that question. The truth is, Mr. President, that while the railroad companies insist that they are doing the best they can, they are looking to their finances more than to the protection of life and the security to limb of the men operating their trains.

Mr. WOLCOTT. May I ask the Senator from Illinois a question?

Mr. CULLOM. Certainly.

Mr. WOLCOTT. The Senator stated with great warmth and a good deal of feeling the unfortunate situation of the railroad employes. I desire to ask him if it is not a fact that the Association of Switchmen, in convention assembled, protested against the adoption of anything except the link and pin coupling. I also desire to ask whether that fact does not appear in the testimony of our committee?

Mr. CULLOM. I will state what I think the testimony does show. Some link-and-pin men came before our committee, as I remember, and said if we were going to allow this matter to drag along, making only a little improvement each year, it would result in making confusion worse confounded, and they would rather go back to the old link-and-pin arrangement, for then they would know what they had to deal with.

Mr. WOLCOTT. I know the Senator from Illinois is extremely anxious to state the fact as it really exists. If he will turn to page 106 of the testimony, which was taken under the supervision of the chairman of the committee, he will find the following statement, made under date of September 24:

BUFFALO, September 24, 1900.

The switchmen's convention last night selected Philadelphia as the next place of meeting. On the question of car couplers the vertical plane or car-builders' type was almost unanimously condemned, the members citing the crippled delegates as a result of the many patent couplers used, and a motion was made and carried endorsing the link and pin type with a recess on the flange that affords protection to the operator.

I ask the Senator if I have not fairly stated the testimony.

Mr. CULLOM. Of course, if the Senator reads it.

Mr. WOLCOTT. I ask if that does not look as if there was some objection to this proposed legislation by the switchmen themselves?

Mr. CULLOM. I do not raise any question about the testimony being as the Senator has read it.

Mr. HISCOCK. I wish to interject a question which is somewhat in response to the question asked by the Senator from Wisconsin [Mr. VILAS] and also pertinent in view of the remarks which have been made. Is it not true that committees of mechanics connected with the railroad companies have absolutely failed in any such committee or conference—whether of three or five I do not know—to secure a majority, even, of any commission appointed in favor of any one device?

Mr. CULLOM. Referring to the testimony as read by the Senator from Colorado [Mr. WOLCOTT] and suggested by some other Senator, it is true that there was more or less confusion or difference of judgment as expressed to the committee by the witnesses coming before us. For instance, Mr. Crocker, of Boston, who for a number of years was one of the railroad commissioners of Massachusetts, had a bill of a particular kind and came

the passage of the so-called Chandler immigration bill; which was referred to the Committee on Immigration.

He also presented a petition of Council No. 46, United American Mechanics, of Navarre, Ohio, praying for the passage of legislation to prevent the introduction into this country of the vicious, dependent, and criminal elements of the Old World; which was referred to the Committee on Immigration.

Mr. TELLER presented a memorial of 450 citizens of Denver, Colo., remonstrating against the repeal of the so-called Sherman silver law; which was ordered to lie on the table.

Mr. MITCHELL presented a petition of the Legislature of Oregon, praying for the passage of legislation looking to the restriction of the indiscriminate immigration of foreign laborers to the United States; which was referred to the Committee on Immigration.

Mr. McHERSON presented the petition of A. C. Barber and 60 other influential citizens of Lambertville, N. J., praying for the repeal of the so-called Sherman silver law; which was ordered to lie on the table.

He also presented petitions of W. Scott Chufey and 30 other citizens of Ocean County, N. J., and of sundry citizens of New Jersey, praying for the passage of legislation amending the immigration laws and the appointment of a commission to investigate immigration; which were referred to the Committee on Immigration.

#### ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the Vice-President:

A bill (H. R. 929) granting a pension to Mrs. Mary E. Donaldson;

A bill (H. R. 2532) for the relief of Andrew B. Knapp;

A bill (H. R. 5649) for the relief of Lieut. F. W. Davis and granting him an honorable discharge;

A bill (H. R. 6797) to authorize the construction of a bridge across the Cahaba River, in Bibb County, Ala., by the Montgomery, Tuscaloosa and Memphis Railway;

A bill (H. R. 8268) to amend chapter 559, page 1095, volume 26, United States Statutes at Large;

A bill (S. 1933) in relation to testimony before the Interstate Commerce Commission and in cases of proceedings under or connected with an act entitled "An act to regulate commerce," approved February 4, 1887, and amendments thereto;

A bill (S. 3798) to authorize the building of a railroad bridge at Little Rock, Ark.; and

Joint resolution (S. R. 144) to provide for maintenance of order during inaugural ceremonies, March, 1893.

#### REPORTS OF COMMITTEES.

Mr. HARRIS, from the Committee on Finance, to whom was referred the bill (S. 3561) to encourage the construction of electric railroads, to facilitate the rapid transportation of the mails, to promote the interests of commerce and travel, and to aid in demonstrating the feasibility of the distribution of electrical power for agricultural and other purposes along the line of electric roads, and especially to aid in the construction of a pioneer electric railroad between the cities of Chicago and St. Louis, by the Chicago and St. Louis Electric Railroad Company, and to secure to the Government the use of the same for postal, military, and other purposes at the existing rates, reported it with an amendment, and submitted a report thereon.

Mr. PETTIGREW, from the Committee on Public Lands, to whom was referred an amendment submitted by himself on the 24th ultimo, intended to be proposed to the sundry civil appropriation bill, reported it with amendments, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

Mr. BLODGETT, from the Committee on Pensions, to whom was referred the bill (S. 3819) granting a pension to Mary Doubleday, widow of Bvt. Maj. Gen. Abner Doubleday, reported it without amendment, and submitted a report thereon.

Mr. MITCHELL, from the Committee on Claims, reported an amendment intended to be proposed to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also, from the same committee, to whom was referred the bill (H. R. 5564) to permit the withdrawal of certain papers and the signing of certain receipts by John Finn or his attorney, reported it with an amendment, and submitted a report thereon.

Mr. McMILLAN. I am instructed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 8815) to extend North Capitol street to the Soldiers' Home, to report it with amendments. I ask that it take the place on the Calendar of Senate bill 2637 on the same subject, which is Order of Business 687.

The VICE-PRESIDENT. That order will be made. The absence of objection, and the bill, S. 2637, to extend North Capitol street to the Soldiers' Home, will be indefinitely postponed.

Mr. SQUIRE, from the Committee on Public Buildings and Grounds, to whom was referred an amendment submitted by him on the 7th instant, intended to be proposed to the sundry civil appropriation bill, reported it favorably, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

Mr. CAREY, from the Committee on Territories, reported an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MANDERSON, from the Committee on Printing, to whom was referred an amendment submitted by him on the 4th instant, intended to be proposed to the sundry civil appropriation bill, reported it favorably, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

#### SMITHSONIAN AND NATIONAL MUSEUM REPORTS.

Mr. MANDERSON. I am directed by the Committee on Printing, to whom was referred the Senate companion of a resolution submitted by the Senator from Vermont [Mr. Morrill], to report it back favorably, and I ask for its prompt consideration.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution; which was read as follows:

*Resolved, That the Senate do hereby authorize the printing and the publication of the reports of the Smithsonian Institution and the National Museum for the year ending in 1892, in two columns of regular monthly printing, of which two copies shall be furnished to the Senate for the use of the Library of the Senate, and two copies for the use of the Smithsonian Institution and two copies for the use of the National Academy.*

Mr. MANDERSON. This is the regular report of the Smithsonian Institution and the National Museum, and the number provided for agrees with the public printing bill, which has passed both Houses of Congress.

Mr. COCKRELL. Would there be any real obstacle of course of getting these publications issued a little closer to the time they pretend to represent; that is, to bring them up with a short time of the current year?

Mr. MANDERSON. I hope it may be so. Of course that depends very largely upon the amount of labor which may be thrown upon the Government Printing Office. The Senator must be aware of the fact that the Public Printer is the head of that concern and not the Committee on Printing. The amount of work thrown upon the Government Printing Office during the sessions of Congress is very great, and of course matter of this character must step to one side while that which is more pressing is printed. The amount of work performed at the Public Printing Office for the Executive Department grows with every succeeding day, and naturally so, because the work of the Department grows with the increase of the country.

I have simply to say of the present management of the Government Printing Office that I think it has made some very great improvements, and that matter is issued more promptly than has been the case heretofore. This is not only because of the pressure upon the Public Printer by Congress and by members of Congress, but because of the efficiency of that officer, as I think all must recognize.

I realize that there is great trouble in this direction, but I do not see how it can be remedied unless we make a very large increase in the force of the Government Printing Office and give it greater facilities than it now possesses. The loss to the Government in the output of the establishment caused by the existing system against which I have no objection, and I only mention it as producing a result in the slowness of work and the thirty days' leave granted to all employees, which is due to about 19 per cent of their labor as well as the payment of excessive protracted delay in the printing of important matters. The work of the Joint Committee on Printing has been to procure attention in printing these publications, and I hope there may be some bettering of the condition as we run along during the remainder of the present fiscal year.

The concurrent resolution was agreed to.

#### REPORT ON SWEATING SYSTEM.

Mr. MANDERSON, from the Committee on Printing, to whom was referred the following concurrent resolution of the House of Representatives, reported it without amendment, and it was considered by unanimous consent, and agreed to:

*Resolved, That the House do hereby authorize the printing and the publication of the report of the Committee on Printing, of which two copies shall be furnished to the Senate for the use of the Library of the Senate, and two copies for the use of the Smithsonian Institution.*

#### PROHIBITION OF CHINESE IMMIGRATION.

Mr. SHERMAN. I am directed by the Committee on Foreign Relations to report back to the Senate the following concurrent resolution of the Government of China with the United States relative



to the acts of Congress forbidding the immigration of Chinese and the treaty stipulations between the two countries, and to ask that this, being in the nature of a legislative document, be printed and be recommitted to the Committee on Foreign Relations.

Mr. COCKRELL. What is the document? We could not hear upon this side one solitary word that was said.

Mr. SHERMAN. It is the correspondence between the Government of China and the United States in respect to the recent law in regard to Chinese immigration, and being of a legislative character the committee report it back so that it may be printed for the use of the Senate.

The VICE-PRESIDENT. The correspondence will be printed as a document, if there be no objection, and recommitted to the Committee on Foreign Relations.

#### BILLS INTRODUCED.

Mr. MORGAN introduced a bill (S. 3415) to provide for the provisional government of foreign countries and places acquired by treaty or otherwise; which was read the first time by its title.

Mr. MORGAN. I ask that the bill be read at length.

The bill was read the second time at length, as follows:

*Be it enacted, etc.*, That whenever the United States shall acquire dominion over any foreign country or place, by treaty of annexation, or otherwise, the President of the United States, with the advice and consent of the Senate, may appoint a governor for the same and a legislative council to consist of any number of persons, not less than five, nor more than twenty-five, whose acts shall be subject to revision or repeal by Congress, and unless the treaty of annexation, or cession, shall otherwise provide, said governor and council shall constitute and conduct a provisional government for such country, or place, until Congress shall otherwise provide by law.

Mr. MORGAN. I move that the bill be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. VANCE introduced a bill (S. 3446) for the relief of G. M. Woodruff; which was read twice by its title, and referred to the Committee on Claims.

Mr. DAVIS introduced a bill (S. 3847) granting a pension to Sturgis, widow of Brig. Gen. Samuel Davis Sturgis; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CAREY introduced a bill (S. 3848) to increase the pension of Juliet W. Hart; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 3849) granting a pension to Henderson H. Boggs; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PETTIGREW introduced a joint resolution (S. R. 148) authorizing the secretary of the Smithsonian Institution to send articles illustrative of the life and development of the industries of women to the World's Columbian Exposition; which was read twice by its title, and referred to the Committee on the Quadricentennial (Select).

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. DOLPH submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. McMILLAN submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. VOORHEES submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Territories, and ordered to be printed.

Mr. CAREY submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HILL submitted two amendments intended to be proposed by him to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. TELLER submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Territories, and ordered to be printed.

Mr. POWER submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Territories, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. MANDERSON submitted an amendment intended to be

proposed by him to the deficiency appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. BLACKBURN submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. FRYE submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. PASCO submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. DANIEL submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

#### THE ELECTORAL COUNT.

On motion of Mr. HOAR, it was

*Ordered*, That at 5 minutes before 1 o'clock to-day the Senate, in pursuance of the concurrent resolution of the two Houses, proceed to the Hall of the House of Representatives, to take part, under the Constitution and laws, in the count of the electoral votes for President and Vice-President of the United States.

#### SEAL ISLAND FISHERIES.

Mr. TELLER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Treasury be directed to transmit to the Senate copies of all reports made by special agents to the Seal Islands during the years 1891 and 1892.

#### EMPLOYMENT OF ADDITIONAL PAGES.

Mr. SHERMAN submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved*, That the Sergeant-at-Arms be, and he is hereby, authorized to appoint two additional pages for the balance of the present session, to be paid at the rate of \$250 per day each, to be paid from the miscellaneous items of the contingent fund of the Senate.

#### SETTLERS IN TUCSON LAND DISTRICT, ARIZONA.

The VICE-PRESIDENT. Is there further morning business?

Mr. COCKRELL. The Calendar, Mr. President.

The VICE-PRESIDENT. If not that order is closed, and the Calendar under Rule VIII is in order.

Mr. DOLPH rose.

Mr. COCKRELL. I hope we shall be allowed to go on with the Calendar.

Mr. DOLPH. A bill was passed over on my objection in regard to settlers in the Tucson land district in Arizona Territory. I asked that it might go over until Tuesday. It is a House bill and was entitled to consideration under the order. If nobody objects I ask that the bill be taken up and disposed of. I am not personally interested in it; I merely want to do justice to the parties who are interested in it.

The bill (H. R. 7625) for the relief of certain settlers on public land in the Tucson land district in Arizona was considered as in Committee of the Whole. It provides that any person having filed for or entered lands within the Tucson land district in Arizona who shall prove to the satisfaction of the register and receiver of the Tucson land office and the Commissioner of the General Land Office that he has paid any money in fees, commissions, or for the land more than once, or where he has paid double minimum price for land after it was proclaimed for purchase at single minimum by the General Land Office, such excess so paid shall be repaid to the person who so paid the same, or to his heirs or personal representatives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### JOHN W. WACKER.

Mr. COCKRELL. The Calendar.

The VICE-PRESIDENT. The first bill on the Calendar will be announced.

The bill (S. 3113) to remove the charge of desertion standing against John W. Wacker was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Military Affairs with amendments: In line 5, after the name "Wacker," to strike out "late" and insert "who enlisted under the name of John Walker as a" in line 6, after the word "private," to insert "in" and in the same line, after the word "company," to insert "L" and transferred to Company I;" and in line 8, after the word "infantry," to strike out "and issue to him an honorable discharge from said Company I, Ninth New Jersey Volunteer Infantry," and insert—

about without leave from Company I, Ninth New Jersey Volunteer Infantry, after September 9, 1863, he having had twenty-five years of faithful service since his absence without leave under his original enlistment.

act to prohibit the coming of Chinese persons into the United States," approved May 5, 1892, was announced as next in order.

Mr. COCKRELL. The Senator from Oregon [Mr. DOLPH], who reported that bill, is not present.

Mr. HAWLEY. Let the bill go over. The Senator from Oregon is not here.

Mr. HOAR. I should like to move an amendment before the bill goes over and let it and the amendment go over together.

Mr. COCKRELL. Certainly.

Mr. HOAR. I move to amend by striking out all after the enacting clause and inserting these words:

That the act to prohibit the coming of Chinese persons into the United States, approved May 5, 1892, is hereby repealed.

Mr. SHERMAN. That is in the nature of an objection.

Mr. HOAR. I should think it was.

The PRESIDING OFFICER. The bill will be passed over.

Mr. DOLPH subsequently said: May I inquire what disposition was made of the bill (S. 3360) to amend section 9 of an act entitled "An act to prohibit the coming of Chinese persons into the United States," approved May 5, 1892?

The PRESIDING OFFICER. It was passed over on account of the absence of the Senator from Oregon.

Mr. DOLPH. Was there objection to its present consideration? The only effect of the bill is to strike out the word "white" where white witnesses are required in the act, so as to make it read "at least one credible witness, not a Chinese person or person of Chinese descent."

Mr. COCKRELL. There was no specific objection made to the bill, except that it was not to be considered in the absence of the Senator from Oregon, who reported it.

Mr. DOLPH. I should like to call up the bill, if there is no objection, that it may be put on its passage.

Mr. COCKRELL. The Senator from Massachusetts [Mr. HOAR] proposed an exceedingly important amendment to the bill, which was to strike out the entire bill and substitute a clause repealing the law of 1892.

Mr. DOLPH. I am ready for a vote on that amendment, if it is in order.

Mr. HOAR. Let the bill go over.

Mr. DOLPH. This is the second time the bill has gone over, first upon the objection of the Senator from Illinois on the other side of the Chamber [Mr. PALMER], and now by the Senator from Massachusetts [Mr. HOAR]. The colored people complain about the law because the word "white" is used.

The PRESIDING OFFICER. The bill will be passed over.

#### EAST WASHINGTON CROSSTOWN RAILWAY.

The bill (S. 1876) to incorporate the East Washington Cross-town Railway Company of the District of Columbia was announced as next in order.

Mr. McMILLAN. I move that this bill be recommitted to the Committee on the District of Columbia.

The motion was agreed to.

#### ESTATE OF EZEKIEL T. KEEL.

The bill (S. 2940) for the relief of James A. Richardson, administrator of Ezekiel T. Keel, deceased, of Shelby County, Tenn., was the next in order.

The PRESIDING OFFICER. The bill having been adversely reported will be placed under Rule IX, if there is no objection.

Mr. COCKRELL. Yes; let it go over under Rule IX.

#### EXEMPTION FROM COMPETITIVE EXAMINATIONS.

The bill (S. 3024) to exempt veterans from competitive examinations in the classified service of the United States was announced as next in order.

Mr. TURPIE. I ask the unanimous consent of the Senate that that bill may be considered.

Mr. COCKRELL. Let us hear it read for information first, and then we can tell.

The PRESIDING OFFICER. There has been no objection made to its consideration that the Chair has heard. The bill will be read at length.

The Secretary read the bill, as follows:

*Be it enacted, etc.* That persons who are in the classified civil service of the United States, and who were honorably discharged from the military or naval service of the United States, shall have the right to be promoted in such service without being subjected to the compulsory competitive examination now required of applicants for promotion, except such examination as may be required by the appointing power to test the fitness of the applicant for promotion.

Mr. TURPIE. I hope the bill will be passed. It applies to ex-soldiers of the Union who are in the classified service and relates to them only so far as to exempt them from competitive examinations for promotion. I express the hope again that the bill may be passed.

Mr. COCKRELL. No one has objected to the bill.

The Senate, as in Committee of the Whole House, proceeded to consider the bill.

Mr. TURPIE. The bill relates to a very small class of ex-soldiers of the Union who are in holding positions in the classified service, and it only operates to exempt that comparatively small class from competitive examinations, in their names are presented for promotion. The bill does not change and relax the rule of what is called the civil or domestic service, which a man is presented for or comes in for promotion, and is subject to a competitive examination.

Many of these persons are men who have been in the army in their youth did not have the opportunity of receiving a military education, and although they have been in the army and have received the duties both of the military and civil service, and have been promoted, they might not be promoted in the civil service. The bill is for the benefit of the persons in the civil service, and the class from the operation of the bill is a very small class. The bill is a competitive service and the bill is for the benefit of the persons in the civil service.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### IMPERIAL VALLEY.

The bill (S. 3141) to amend an act approved May 12, 1892, entitled "An act to repeal the law of May 12, 1892, relating to the Imperial Valley," was announced as next in order.

Mr. PEFFIGREW. Let that bill go over without prejudice.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

#### GULE, COLORADO, AND SANTA FE RAILWAY.

The bill (S. 3147) to authorize the Gule, Colorado, and Santa Fe Railway Company to purchase certain lands situated on parcels in the Chickasaw Nation, Indian Territory, was reported to the Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### THEOPHILUS PERK MILLS.

The bill (S. 330) for the relief of Theophilus Perk Mills was announced as next in order.

Mr. COCKRELL. Let that be passed over after the passage of the Senator reporting it not being in order.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

#### SAMUEL J. HAYNES.

The bill (S. 1344) to make payment to Samuel J. Haynes of money erroneously and by mistake paid to his nearest relative, was considered as in Committee of the Whole. It provides to pay Samuel J. Haynes \$100, less such debts as the Commissioner of the General Land Office shall certify and determine to have been properly due the Government on his honest and entry in Kimball County, Neb., on which he made claim prior to January, 1890, at the Sidney land office.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. COCKRELL. I move to strike out the preamble. The preamble was rejected.

#### GEORGE C. TANNER.

The bill (S. 2586) to reimburse George C. Tanner, late Commissioner and so forth, the sum of \$200, paid by him for rent of rooms, was considered as in Committee of the Whole. It provides to pay \$200 to George C. Tanner, late Commissioner and so forth, for the rent of rooms paid by him.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS PASSED OUT.

The bill (S. 337) to fund the outstanding claims of Arkansas and other States under the Savage and Grant land acts for other purposes, was announced as next in order.

Mr. COCKRELL. That bill will be passed over after the Senator who reported it is not present.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

The bill (S. 2116) for the relief of John C. Banks, late Commissioner of the General Land Office, was announced as next in order.

Mr. HAWLEY. The bill will be passed over after the Senator who reported it is not present.

Mr. COCKRELL. The bill will be passed over after the Senator who reported it is not present.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

The bill (S. 671) for the relief of John C. Banks, late Commissioner of the General Land Office, was announced as next in order.

Mr. COCKRELL. That bill will be passed over after the Senator who reported it is not present.

Mr. HOAR. I wish to bring up the bill for the relief of John C. Banks, late Commissioner of the General Land Office.

tion of the rule, that merely because there is an adverse report, a bill goes over under the rule. The objection is not to the bill, but to the consideration of the bill at the present time. A committee may very well have made an adverse report and everybody be willing to settle it now. I do not see why the matter should not be settled unless there is some objection to its being dealt with now.

Mr. COCKRELL. When an objection is made I think a bill goes over under the rule, and I made a specific objection in each one of these cases in order to save the very point the Senator is making.

Mr. HOAR. That is all very right. I do not object to the bill going over; it is the right of any Senator to object; but what I object to is an interpretation of the rule that a mere adverse report or a difference of opinion about a bill sends it over.

Mr. COCKRELL. Not at all.

Mr. HOAR. The Senate might desire to have it settled now.

Mr. COCKRELL. Certainly.

The bill (S. 459) for the relief of Alexander Stoddart, of New York, was announced as next in order.

Mr. COCKRELL. That is quite a long bill, and the Senator reporting it is not present. It may lead to discussion. I ask that it be passed over without losing its place on the Calendar.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

CATHERINE E. WHITALL.

The bill (S. 3399) for the relief of Catherine E. Whitall was considered in Committee of the Whole. It authorizes the accounting officers of the Treasury, in the settlement of the accounts of Maj. John A. Whitall, deceased, late paymaster in the United States Army, to pass to the credit of his legal representatives whatever amounts may be shown by satisfactory evidence to have been paid by him, the vouchers for which payments have been stolen from him.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### TIME PENALTIES ON THE CONCORD AND BENNINGTON.

The bill (S. 3395) to remit the penalties on gunboat numbered 3, the Concord, and gunboat numbered 4, the Bennington, was considered in Committee of the Whole. It authorizes the Secretary of the Navy to remit to N. F. Palmer, jr., & Co., of New York City, the time penalties exacted by the Navy Department under the contracts with that company for the construction of gunboat numbered 3, known as the Concord, and gunboat numbered 4, known as the Bennington, the United States having suffered no damage by the delay in the construction of the gunboats.

Mr. COCKRELL. Let the report be read in that case.

The PRESIDING OFFICER. The report will be read.

The Secretary read the following report, submitted by Mr. BLACKBURN July 16, 1892:

The Committee on Naval Affairs, to whom was referred the bill (S. 3395) to remit the time penalties on gunboat No. 3, the Concord, and gunboat No. 4, the Bennington have considered the same and report as follows:

The contracts for building these vessels required that they should be completed and ready for delivery within eighteen months from the date of the contracts, and in case of failure in that respect that the contractors should be liable to the imposition of penalties for each day's delay.

In the case of the Concord the delay was sixty-five days and the penalties amounted to \$3,250, and in the case of the Bennington there was a delay of ninety-two days and the penalties amounted to \$5,350.

The bill having been referred to the Secretary of the Navy for a report on the facts, the Secretary, after a full statement of the case, says:

"While it was required by the contracts for the construction of the Concord and the Bennington that those vessels should be constructed of steel of domestic manufacture, the manufacture of steel of the requisite quality was, at the time of the execution of said contracts, but little understood in this country and but few companies were possessed of a plant adequate to its production, and as the construction of several other steel vessels had recently been contracted for by this Department with other firms the steel manufacturers throughout the country were, during the period for which the contracts for the Concord and Bennington experienced delays in obtaining materials, as stated above, taxed beyond their capacity to supply, within the time limited therefor, materials for all of such vessels which would meet the requirements of the Department."

"This cause of delay, though it could not be considered by the Department as a basis for extending the time for the completion of said vessels, was due to circumstances beyond the control of the contractors, and the Government has sustained no loss by reason of the delay."

It appearing from the report of the Secretary that the delay for which the penalties were imposed was due to circumstances beyond the control of the contractors, and that the Government has sustained no loss by reason of the delay, your committee report back the bill and recommend its passage.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. CHANDLER. I will content myself with voting in the negative on the passage of the bill. I am not in favor of it.

The bill was passed.

M. S. HELLMAN.

The bill (S. 2142) for the relief of M. S. Hellman, of Canyon City, Oregon, was considered in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in line 5, after the word "directed," to strike out the following words:

To cause to be paid to M. S. Hellman, of Canyon City, State of Oregon, out of any moneys in the Treasury not otherwise appropriated, and which amount is hereby appropriated, the amount of \$5,542.55, the balance due him on a contract of May 23, 1871, with the Quartermaster's Department, for the delivery of grain at Camp Harney; and the further sum of \$550.72, currency, due him for flour furnished at Camp Harney under a contract with the Commissary Department of date of July 5, 1871. And he is further instructed to cause to be canceled all claims for damages held by the Commissary Department against said Hellman by reason of his failure to deliver flour at Camp Harney, as per contract of date of July 5, 1871, said Hellman having been prevented from complying with such contract by reason of unforeseen and unavoidable accident.

And to insert:

To charge to M. S. Hellman, of Canyon City, Oregon, the sum of \$1,000 damages, as in full for all damages sustained by the United States for the breach of his contract made July 5, 1871, with Capt. W. H. Bell, commissary of subsistence, United States Army, for the supply of flour at Camp Harney, Oregon, remitting all further claims of damage under said contract, and to settle and adjust his unsettled accounts with the Government, after the deduction of said sum of \$1,000, and the Secretary of the Treasury is directed to pay this balance found due said Hellman upon the proper vouchers therefor. *Provided*, That the said Hellman shall accept the amount so found due in full and final settlement of all claims upon the Government.

So as to make the bill read:

*Be it enacted, etc.*, That the Secretary of War and the proper accounting officers of the Government be, and they are hereby, authorized and directed to charge to M. S. Hellman, of Canyon City, Oregon, etc.

Mr. BATE. What is the amount involved?

The PRESIDING OFFICER. One thousand dollars.

Mr. PEPPER. There is no reason why the bill should be passed over.

The PRESIDING OFFICER. There has been no objection made to the consideration of the bill. The inquiry has been made as to how much is involved in it.

Mr. PEPPER. The report will show. I think about a thousand dollars.

The PRESIDING OFFICER. The report will be read, if it is desired.

Mr. BATE. The amount is what I wished to ascertain.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 6th instant approved and signed the act (S. 3753) relating to the anchorage and movement of vessels in the port of Chicago.

The message also announced that the President of the United States had on the 7th instant approved and signed the act (S. 539) granting an increase of pension to Thomas J. Matlock.

#### EMPLOYMENT OF ADDITIONAL PAGES.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, submitted by Mr. SHERMAN, reported it without amendment, and it was considered by unanimous consent, and agreed to:

*Resolved*, That the Sergeant-at-Arms be, and he is hereby, authorized to appoint two additional pages for the balance of the present session, to be paid at the rate of \$2.50 per day each, to be paid from the miscellaneous items of the contingent fund of the Senate.

#### EQUESTRIAN STATUE OF MAJ. GEN. JOHN STARK.

The bill (S. 2158) for the erection of an equestrian statue of Maj. Gen. John Stark in the city of Manchester, N. H., was announced as next in order on the Calendar.

Mr. COCKRELL. Let that be passed over for the present.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

Mr. CHANDLER. I hope the Senator from Missouri will let the bill be passed. As he knows, a similar bill was passed at a former Congress by a very large majority, and I hope he will allow it to pass.

Mr. COCKRELL. This is the ornamentation statue we once discussed here?

Mr. CHANDLER. This is the one. Will not the Senator be kind enough to withdraw his objection and let the bill pass?

Mr. VOORHEES. I rise to inquire of the Senator from New Hampshire whether there is any other statue erected to Gen. Stark? Is there any other monument or statue to his memory?

Mr. CHANDLER. Certainly; in the Statehouse yard at Concord, N. H., erected by the State.

The VICE PRESIDENT: The Senate is in session. On the motion made by the Secretary, the yeas and nays are ordered. The yeas are 54, and the nays are 46. The motion is agreed to.

## CIRCUIT COURT JURISDICTION.

Mr. HOAR. I am instructed by the Committee on the Judiciary to report a bill to amend the act approved August 13, 1888, in relation to the jurisdiction of the circuit courts of the United States.

The bill (S. 3851) to amend the act approved August 13, 1888, in relation to the jurisdiction of the circuit courts of the United States, was read the first time by its title.

Mr. HOAR. I ask leave to have the bill read for information, as it is very short, and to have the letter of the Attorney-General read, and then I shall ask the Senate to put the bill on its passage.

The bill was read the second time, at length, as follows:

*Be it enacted*, etc., That section 1 of the act approved August 13, 1888, defining the jurisdiction of the circuit courts of the United States, and for other purposes (chapter 895, 25 Statutes at Large, page 433), be, and the same is hereby, amended by inserting after the word "defendant," in the ninth line from the bottom of said section, the following proviso, to wit:

*Provided*, That any foreign corporation may be sued in any district where it may be found, process to be served upon said corporation as in like cases under the laws of the State, Territory, or district where said suit or action is brought, and in all suits or actions brought since August 13, 1888, process heretofore or hereafter so served on such corporation shall be held valid to give said circuit court jurisdiction; so that said section will read as follows:

"That the circuit courts of the United States shall have original cognizance, concurrent with the courts of the several States, of all suits of a civil nature, at common law or in equity, where the matter in dispute exceeds, exclusive of interest and costs, the sum or value of \$2,000, and arising under the Constitution or laws of the United States, or treaties made, or which shall be made, under their authority, or in which controversy the United States are plaintiffs or petitioners, or in which there shall be a controversy between different States, in which the matter in dispute exceeds, exclusive of interest and costs, the sum or value aforesaid, or a controversy between citizens of the same State claiming lands under grants of different States, or a controversy between citizens of a State and foreign states, citizens or subjects, in which the matter in dispute exceeds, exclusive of interest and costs, the sum or value aforesaid, and shall have exclusive cognizance of all crimes and offenses cognizable under the authority of the United States except as otherwise provided by law, and concurrent jurisdiction with the district courts of the crimes and offenses cognizable by them. But no person shall be arrested in one district for trial in another, in any civil action before a circuit or district court; and no civil suit shall be brought before either of said courts against any person by any original process or proceeding in any other district than that whereof he is an inhabitant, but where the jurisdiction is founded only on the fact that the action is between citizens of different States, suit shall be brought only in the district of the residence of either the plaintiff or the defendant. *Provided*, That any foreign corporation may be sued in any district where it may be found, process to be served upon said corporation as in like cases, under the laws of the State, Territory, or district where said suit or action is brought, and in all suits or actions brought since August 13, 1888, process heretofore or hereafter so served on such corporation shall be held valid to give said circuit court jurisdiction; nor shall any circuit or district court have cognizance of any suit except upon foreign bills of exchange, to recover the contents of any promissory note or other instrument payable to bearer and not made by any corporation, unless such suit might have been prosecuted in such court to recover the said contents if no assignment or transfer had been made, and the circuit courts shall also have appellate jurisdiction from the district courts under the regulations and restrictions prescribed by law."

Mr. HOAR. I ask to have the letter of the Attorney-General read.

Mr. HARRIS. I beg to suggest to the Senator from Massachusetts that this seems to me to be a very important bill, and somewhat voluminous. The Senate certainly can not intelligently consider it unless it be in print.

Mr. HOAR. I propose to act upon that suggestion.

Mr. HARRIS. Then let the letter be printed in the Record, without reading at present.

Mr. HOAR. I should like to have the letter read. It is very brief.

Mr. COCKRELL. Let it be read.

The VICE-PRESIDENT. The letter will be read.

Mr. HOAR. I will say to the Senator from Tennessee that the bill seems to be voluminous because it is in the form of repealing and amending an existing law, but in reality it only adds half a dozen words to the existing law.

Mr. HARRIS. It seems to me it deals with the question of jurisdiction and is therefore important.

Mr. HOAR. I think it quite reasonable that the bill should go over after the letter of the Attorney-General shall have been read.

The Chief Clerk read as follows:

DEPARTMENT OF JUSTICE, Washington, D. C., February 6, 1891.

Sir: I beg to call your particular attention to what seems to me to be the urgent necessity for an amendment of the statute as to the jurisdiction of the United States courts against corporations.

For the purpose of explaining my meaning more fully, I ask you to read what is said in my report for the current year on page 17, of which I enclose a copy with this letter.

As the law now stands, in any district, foreign corporations are a favored class. A corporation of Connecticut or Michigan might cut off the Government timber in California or Oregon, and unless a special exception is made in favor of the Government, the case of *Shaw vs. Quincy Mining Company* (45 U. S. 415) would prevent the maintenance of a suit against such corporation in either of the districts where the trespasses were committed.

A private citizen of Connecticut who goes into Oregon and commits a wrong upon one of its citizens can be sued there by the citizen injured, a corporation of Connecticut doing the like thing can not.

The Chicago Stock Yards Company, a corporation, I am informed, of New Jersey, owning \$50,000,000 of property and doing an immeasurable business in Illinois, can not be sued in the Federal courts in that State, notwithstanding that, by reason of its enormous local influence, every reason why the Federal court should have jurisdiction is intensified.

If there is any good reason why corporations should thus be made the favorites of the law it is not apparent to me.

I beg to say further that, in view of the suits pending by the Government against the subsidized railroads, referred to in the report, it would be desirable that any amendment of the law should cover existing litigation.

I hope this matter will have attention.

Respectfully yours,

W. H. H. MILLER, Attorney-General.

Hon. GEORGE F. HOAR,

Chairman, Committee on the Judiciary, United States Senate.

Mr. HOAR. I ask to have another letter of the Attorney-General printed in the Record without being read.

The letter was ordered to be printed in the Record, as follows:

OFFICE OF THE ATTORNEY-GENERAL.

Washington, D. C., February 6, 1891.

Sir: Your note of February 1, asking that I draft a bill for an amendment of the statute as to the jurisdiction of the United States courts against corporations, is received.

I enclose a draft herewith. The importance of the last part of the amendment, making it apply to existing suits, is that under the act of August 7, 1888 (25 Statutes at Large, page 389), requiring the Attorney-General to commence suits to compel subsidized railroad and telegraph companies to operate their own lines, suits have been commenced in the circuit courts against the Southern Pacific Railroad, the Central Pacific Railroad, and the Western Union Telegraph Company, etc. These several corporations are necessary parties in such cases. They are corporations and the inhabitants of different States, and unless the Supreme Court shall hold that a different rule applies in the case of a suit by the Government from that which applies in a suit by a private party (45 United States, page 445), the courts are without jurisdiction and the suits must fail. In that event it is impossible to carry out the requirements of the statute requiring such suits to be brought unless the Government goes as a litigant into the State courts, as heretofore suggested. On pages xvi, xvii, and xviii of my annual report this matter receives attention.

Very respectfully,

W. H. H. MILLER, Attorney-General.

Hon. GEORGE F. HOAR,

United States Senator.

Mr. COKE. I desire to ask the Senator from Massachusetts a question. Is the point made in the letter of the Attorney-General the only point covered in this bill?

Mr. HOAR. Yes; the only point covered in the bill. If I can have the attention of the Senator from Tennessee [Mr. HARRIS] one moment, I think he is quite right in his suggestion that the bill should be printed and go over. I do not want to have any hasty action upon it; but the Senator is wrong in supposing that it is a voluminous bill.

The bill was drawn by the Attorney-General. Instead of simply adding three or four words to the jurisdiction section of the law, it is in the form of enacting, after adding the three or four words, that the section shall read so and so. The bulk of the bill is now the existing law. The only thing which the bill seeks to accomplish is that when a foreign corporation performs an act in any State it shall be responsible for the consequences of that act in that jurisdiction as a private individual would be who was found there. It seems to me a matter about which there can not possibly be any difference of opinion in the Senate.

The Supreme Court of the United States seem to have indicated an opinion both ways. I am not at all certain that the Supreme Court of the United States will not hold the law to be in the end as this proposed statute makes it without the statute, but it manifestly ought to be settled one way or the other. Let the bill go over.

Mr. HARRIS. I suppose when the bill shall have been printed there will be no trouble in the Senate calling it up to-morrow.

Mr. HOAR. Let it go over.

Mr. DOLPH. I desire to call the attention of the Senator to what, in listening to the bill, appeared to be its provision, that it is retrospective, goes back to 1888 and makes a service good which was not good under existing laws. If a court has acted upon insufficient service and rendered a judgment under existing law that is void, this bill seems to be an attempt to validate it and make that a good service.

Mr. HOAR. Only as to pending actions.

Mr. DOLPH. I suggest to the Senator whether the provision is not too broad in that respect.

Mr. HOAR. We will settle that hereafter.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The bill, having been read twice, will be placed on the Calendar.

## COLORADO RIVER IRRIGATION COMPANY.

Mr. DAWES. I am instructed by the Committee on Indian Affairs, to whom was referred the bill (S. 3788) granting right of way to the Colorado River Irrigation Company through the Yuma Indian Reservation in California, to report it without amendment. It will be impossible for me to be in the Chamber much of the time during the remainder of the session. The bill is exactly like one which passed the Senate in the last Congress, and I ask the indulgence of the Senate to put it on its passage now.

WILLIAM SMITH AND OTHERS.

MESSAGE FROM THE HOUSE.

SAFETY OF LIFE ON RAILROADS.

Mr. DOLPH. As I said yesterday, this is an amendment to the amendment proposed by the Senator from Alabama. The amendment of the Senator from Alabama proposes to add a provision that if a brake or a coupling device is selected under the bill upon which there is a patent it shall be condemned for the public use by the United States. I suggested yesterday that the amendment did not go far enough, because a suit might be pending to condemn the device at the time when the law took effect, and therefore the railroad companies might be required to proceed to purchase the patentable device before it was condemned. I offered my amendment with a view of perfecting what I thought was an omission in the amendment of the Senator from Alabama, providing that the common carrier should not be required to adopt and use the patented device until it had been condemned.

The PRESIDENT [Mr. JAMES M. MORRIS] will introduce the amendment proposed by Senator [JAMES A.] HANCOCK.



Mr. CULLOM. I do not think we had better agree to anything until we get to a vote upon this question.

The PRESIDING OFFICER. Then the question will be on agreeing to the amendment proposed by the Senator from Oregon to the amendment of the Senator from Alabama.

Mr. PALMER. I understand the question now before the Senate is upon the amendment proposed by the Senator from Alabama [Mr. MORGAN] as amended by the amendment moved by the Senator from Oregon.

The PRESIDING OFFICER. The Chair will state to the Senator from Illinois that the amendment proposed by the Senator from Oregon to the amendment of the Senator from Alabama has not yet been adopted by the Senate.

Mr. PALMER. If adopted, I understand the whole scheme would amount to this: That the United States Government shall purchase for the use of the railways of the country the device for any coupler that may be ultimately adopted by them; that out of the Treasury there shall be paid for the benefit of the railroad corporations of the country whatever the device is to cost, and the Senator from Oregon proposes that until the work of condemnation is completed and the United States has paid for it the railroads shall not be under obligation to adopt the device contemplated by the bill.

I often admire the Senator from Alabama for his great learning, but these are marvelous conceptions both in theory and in results. One is that the United States Government shall assume that the improvement of the railroad interests of the country is a matter of public concern; that whatever is done for them is done as for public use. Hence we take property for public use upon just compensation, and make the application of this doctrine to a mere personality.

Then I admire very much the public that is intended to be benefited by it. These mere money interests, worthy of all proper encouragement, are to be aided out of the Treasury of the United States. I commend that view very forcibly to my friends from the West—from the granger States. They have demanded that the Government shall control the railroads. This scheme proposes to subsidize them all; to engage in trade in the device and make a present of it to the public as that public is represented by the railroads.

Mr. President, I imagine that age has something to do with my conservatism. I am exceedingly anxious to keep within the lines of rational progress. Perhaps I find it somewhat difficult to do so, but I am not prepared to go to the extent proposed here. I should hesitate about adopting this new policy. If the principle is established I do not know, if there are improved cars, why the Government should not buy that improvement for the benefit of the railroads; and when any improvement is made that would benefit them, make them more useful or safer, and by consequence, more profitable to those who own them, that the Government should step in and gratuitously furnish the needed improvement. Thus after awhile it would be impossible to limit the application of the idea.

I have maintained always, and now maintain, that the railways of the country are public highways. I grant that. I have supposed that they are to a limited extent under public control. But I have always opposed the idea of the Government acquiring any interest in them. I have rejected the idea of Government ownership. I can think of nothing that would be more serious than the United States Government attempting to own and manage the railways. However, I believe if I were driven to the necessity of choosing between Government ownership with the consequent control and Government gratuities, I would prefer the logical result of owning that which was aided by public money.

It must be apparent that such a scheme, if adopted, would produce no beneficial results to the public. Every experiment which has been made that I know anything about in the way of investing public monies in aid of enterprises like this has failed. I know that the people of the State of Illinois have been burdened year after year, though not lately, because happily by one of our more recent revised constitutions the State was prohibited from lending its aid to public corporations, and municipalities were prevented from lending their aid to railroads, except under very peculiar circumstances. The experience I have had is that all attempts at serving the public by the appropriation of money to private corporations or private individuals (I prefer to use that term) have resulted in imposing burdens upon the people without any corresponding advantage.

Suppose this principle is adopted and becomes a part of the permanent policy of the country, and this new method of tapping the public treasury is recognized by the American Congress, can anybody anticipate the results it would reach? It would be an illustration of what I think was very sagely observed by a public man a few years ago, that as the constitutions of the States have been improved and new constitutional restrictions

in the way of protections thrown around private property, the corporations are coming to the seat of the National Government and taking advantage of the flexible interpretations which are given to the Federal Constitution until new methods have been devised to reach the property of the people of the country. I protest that it would be fatal policy to open a new avenue to the Federal Treasury, such as is proposed by this amendment.

I have said these railways are highways. The right of Congress to regulate them seems to be settled not so much by the opinion of the courts as by the judgment of the National Legislature and of all departments of the Government. To control does not imply to subsidize. I can not infer the power to take the public money and appropriate it to the use of the controllers of these highways as a consequence of the right claimed to control them. There is no connection between the two propositions.

I think also another suggestion that I hear is most unreasonable. It is said by gentlemen that the railway companies would find it very expensive to adopt these new devices. An improved coupler (using that term in the concrete for the item) is shown to be a necessity and is as much the duty of the railway as to use the improved rail. It would have been complained no doubt at one time that it would be excessively burdensome to require the railway companies to use the steel rail, and yet the greater economy and safety and all the other considerations that suggested the necessity for the steel rail overcame all objections, and the courts have since recognized the principle that these corporations must use the best devices, the best methods to insure public safety.

The claim, therefore, that it is burdensome and that the burden ought to be transferred from the property from which individual profit is derived to the public, in the more general sense, has no foundation. I have spoken of it as a matter of policy. It has no foundation in justice. When persons engaged in a particular employment are required to adopt a device which is essential to the safety of those whom they employ, why should they demand assistance from the public in the discharge of this plain duty, so important to those who are engaged in the service?

The Senator from Colorado [Mr. WOLCOTT] yesterday stated another view of this case. He spoke of the fact that the men engaged in this service substantially with a knowledge of the risks and were paid for the risks. That is certainly a fair rule when its application is properly limited. But economy would then suggest that as the risks are diminished the expenses would be less; that the element of danger would cease to be an element in the compensation, and economy would suggest to the railroads the adoption of these improved couplers.

But there is an aspect of cruelty and of wrong in that view. When you tell me that the men who have been trained for years in the service of the railway companies, until they have become familiar with that business, have acquired habits adapted to it, have bought homes where they can live convenient to the discharge of this duty, may decline such risks and have some discretion, I say it is certainly a purely imaginary discretion. These men have their employment, their business. They are trained to it, and as they become fitted for pursuits of this kind they become less fitted for other pursuits.

They have become a distinct class of employes, and to invite them to go into some other business as a means of escaping these hazards is as cruel as it is impolitic. Their skill and experience become a part of the property of the country. They are trained men, familiar with these duties. Their experience, their education, contribute to the safety of persons and property, and as they are thus trained and have become efficient and skillful, it is the policy of the Government to continue them in the employment they have selected, and it is the duty of the Government to render that employment as little hazardous as possible.

I direct my attention now particularly to the remarks made by Senators who insist that legislation like this is in favor of what are termed the strong roads as against the weaker ones. My observation is that there is no such thing as a weak railroad in this country. There may be short lines, and there are some, which have been improvidently constructed, and which, standing by themselves, have not been profitable to their owners; but the extent of my information is that the weak roads of the country are those that have been plundered by their managers. The road itself has the capacity of earning all that is necessary to keep the equipment in perfect order. There is no trouble about the earning capacity of a road, as I understand it, but the difficulty is in most cases that the earnings have taken a direction not in harmony with the interests of the public or those who are in the service of the corporation.

I have in my mind now railroad property which is earning, which must and will earn money, but which has been enormously and wrongfully involved in debt, and by the efforts of those who hold the debts and who control the property, at the same time the road is milked of its earnings, until its track is in poor condition,



following titles; which were severally read twice and referred as follows:

The bill (S. 3218) relating to acknowledgments of instruments affecting real estate within the District of Columbia—to the Committee on the District of Columbia.

The bill (S. 3236) authorizing the Commissioners of the District of Columbia to refuse applications for water connections in certain cases—to the Committee on the District of Columbia.

The bill (S. 3147) to authorize the Gulf, Colorado and Santa Fe Railway Company to purchase certain lands for station purposes in the Chickasaw Nation—to the Committee on Indian Affairs.

The bill (S. 3081) to authorize the issue of a duplicate to Addison A. Hosmer of a certificate of location of certain land therein described which has been lost or destroyed—to the Committee on Private Land Claims.

#### GUNBOATS CONCORD AND BENNINGTON.

The SPEAKER also laid before the House the act (S. 3395) to remit the penalties on gunboat No. 3, the Concord, and gunboat No. 4, the Bennington.

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that that be laid on the table until to-morrow.

Mr. KEM. I object, Mr. Speaker.

The SPEAKER. The bill will be referred to the Committee on Military Affairs.

#### SENATE BILLS REFERRED.

The SPEAKER also laid before the House Senate bills of the following titles; which were severally read twice and referred as below:

An act (S. 3024) to exempt veterans from competitive examinations in the classified service of the United States—to the Committee on Reform in the Civil Service.

An act (S. 2158) for the erection of an equestrian statue of Maj. Gen. John Stark in the city of Manchester—to the Committee on the Library.

#### REPORT OF SMITHSONIAN INSTITUTION.

The SPEAKER also laid before the House a Senate concurrent resolution to provide for printing the annual reports of the Smithsonian Institution and of the National Museum for the year ending June 30, 1892.

The resolution was read.

Mr. RICHARDSON. Mr. Speaker, the Committee on Printing have considered that resolution and reported it favorably. I move that it be concurred in.

The SPEAKER. The gentleman from Tennessee, the chairman of the Committee on Printing, asks unanimous consent that this Senate resolution be concurred in.

Mr. RICHARDSON. It does not require unanimous consent, Mr. Speaker.

The SPEAKER. Why not? It is a Senate resolution.

Mr. RICHARDSON. It does not require an appropriation.

The SPEAKER. But it is not a House resolution, and under the rule it can be considered at this time only by unanimous consent.

Mr. RICHARDSON. The House has already provided for printing the identical number provided for in this Senate resolution, and the adoption of this resolution simply prevents a waste of time.

Mr. DINGLEY. What does it provide for the printing of?

Mr. RICHARDSON. The regular annual report of the Smithsonian Institution. As I have said, we have already in the printing bill passed a provision to print this number.

The SPEAKER. The gentleman from Tennessee [Mr. RICHARDSON] asks unanimous consent for the present consideration of this Senate resolution. Is there objection?

Mr. KEM. I object.

The SPEAKER. The resolution will be referred to the Committee on Printing.

#### LEAVE OF ABSENCE.

By unanimous consent, Mr. WILLIAMS of North Carolina obtained leave of absence for ten days, on account of important business.

#### LEAVE TO PRINT DOCUMENTS.

The SPEAKER. The special committee to investigate the Panama Canal Company desire leave to have printed such documents as may be necessary in connection with the subject referred to them for investigation. Without objection leave will be granted.

There was no objection, and it was so ordered.

#### ENROLLED BILLS SIGNED.

Mr. SCOTT, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 2427) granting a pension to Margaret Byron;

A bill (H. R. 2493) granting a pension to Jesse Cleaveland;

A bill (H. R. 3713) for increase of pension of Francis P. Gardner;

A bill (H. R. 3845) to increase the pension of Edward R. Chapman;

A bill (H. R. 4215) to correct the military record of Capt. William C. Knowlton;

A bill (H. R. 4375) for the relief of Charles S. Blood;

A bill (H. R. 6194) to commission David P. Cordray as second lieutenant, to date from June 12, 1892;

A bill (H. R. 7625) for relief of certain settlers on public land in the Tucson land district in Arizona;

A bill (H. R. 8054) to increase the pension of Mary L. Bacon, widow of the late George B. Bacon, late lieutenant-commander of the United States Navy;

A bill (H. R. 8298) to pension Emma Johnson, blind and dependent daughter of Daniel D. Johnson, Company B, One hundred and forty-second New York Volunteers;

A bill (H. R. 8727) for the relief of S. J. Brooks;

A bill (H. R. 8780) to restore to the pension roll Mary Eleanor White, as former widow of Capt. George W. Hazzard;

A bill (H. R. 8784) granting a pension to Edward Smitherman;

A bill (H. R. 8924) granting a pension to the widow of James A. Kelly;

A bill (H. R. 8969) to grant a pension to Lydia Eollman, a dependent sister;

A bill (H. R. 9011) to grant a pension to Ida A. Taylor;

A bill (H. R. 9437) for the removal of the charge of desertion against William H. Holloway; and

A bill (H. R. 9557) granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had insisted upon its amendments to the bill (H. R. 9527) to restore to the public domain a portion of the White Mountain Apache Indian Reservation, in the Territory of Arizona, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. JONES of Arkansas, Mr. PLATT, and Mr. MANDERSON as the conferees on the part of the Senate.

It also announced that the Senate had passed the following resolution:

*Resolved*, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 9555) providing for sundry light-houses and other aids to navigation.

#### ORDER OF BUSINESS.

Mr. DOCKERY. Mr. Speaker, I ask unanimous consent that the call of committees be dispensed with, and that gentlemen having reports to submit have leave to file them with the Clerk.

Mr. TRACEY. I object.

The SPEAKER. Objection is made, and the Clerk will call the standing and select committees for reports.

The Clerk proceeded with the call.

#### LOAN OF FLAGS FOR INAUGURAL CEREMONIES.

Mr. LAPHAM, from the Committee on Military Affairs, reported back with a favorable recommendation the joint resolution (S. R. 140) authorizing the Secretaries of War and of the Navy to loan to the committee on inaugural ceremonies flags, etc.; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### ARMY AND NAVY UNION BADGE.

Mr. LAPHAM, also from the Committee on Military Affairs, reported back with a favorable recommendation a joint resolution (H. Res. 57) authorizing the wearing of the distinctive badge of ceremony; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### TIMBER-CULTURE LAWS.

Mr. AMERMAN, from the Committee on Public Lands, reported back with a favorable recommendation the Senate bill (S. 2564) to amend section 6 of the act approved March 3, 1891, entitled "An act to repeal the timber-culture laws and for other purposes," which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### WASHINGTON AND GEORGETOWN TERMINAL RAILROAD COMPANY.

Mr. RUSK, from the Committee on the District of Columbia, reported back, with a favorable recommendation, a bill (H. R. 9229) to incorporate the Washington and Georgetown Terminal Railroad Company; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

should dissolve, like the mists of the morning, and cease to exist, what shall we do about it?

Mr. CULLOM. The Interstate Commerce Commission would then settle the matter under the terms of the bill. If the American Railway Association do not act within a given time, ninety days, the matter is relegated to the Interstate Commerce Commission.

Mr. GRAY. Does the American Railway Association consist of officers and representatives of all the railroads in the United States?

Mr. CULLOM. Not all, I think.

Mr. GRAY. How many?

Mr. BUTLER. I think perhaps I can give a little information. As I understand, there are two associations, the Eastern and the Western association. The Eastern association has its headquarters at Washington; the Western association at Chicago. They are composed of gentlemen who are generally attorneys at law, who examine all railroad patents. When a patent is sent to a railroad company it is referred to one of these associations, examined with a view of determining whether or not it infringes any other patent, and also, as the Senator from Illinois says, whether it is valuable or not; that is, to say, the members of these associations are appointed by a certain number of the railroad companies. I do not know how many. They are purely voluntary associations.

Mr. GRAY. But there are two such associations?

Mr. BUTLER. Practically they are the same; but their headquarters are in different parts of the country.

Mr. CULLOM. The Senator is laboring under a misapprehension. This section only refers to the height of the drawbar of the car, and there is no controversy about that. It is only a question of whether the companies will put it on or not.

Mr. GRAY. The Senator from South Carolina says that this association is composed of lawyers.

Mr. BUTLER. That is my understanding.

Mr. GRAY. Then they can not be railroad men.

Mr. BUTLER. I know that when there was a vacancy in one of the positions here, a gentleman from the Patent Office—I forget his name now—was appointed to fill the vacancy. He is an expert in patents, and I suppose he is a patent lawyer, although I do not know that he is a lawyer in the full sense of the term.

Mr. GRAY. A patent lawyer is a pretty good sort of lawyer.

Mr. WHITE. I understand the situation to be this. The railroads of the United States, as the Senator says, have two associations. These associations are composed of officers selected by the railroad companies to represent them in the matter of railroad patents. The American Railway Association, resulting from the two associations, as the Senator says, has attorneys here. Of course the attorneys are not the association; the attorneys represent the association.

If a patent is taken out for a railroad appliance, the office of that association in order to determine, first, whether it is an infringement and whether they can safely consider it, refer it to their attorneys, who are skilled patent attorneys, and they examine and report not on the fact of utility, but on the fact of infringement. Then, the practical common sense of this aggregation of railroad men in the United States, learning that the use of the patent will not subject them to a suit for infringement if they use the thing patented, determine its applicability, its utility, and it passes into the great volume of railroad traffic, depending upon their judgment on that question.

Mr. GEORGE. The Senator will allow me to ask one question. Is the business of this association confined exclusively to patents?

Mr. WHITE. That is my understanding.

Mr. CULLOM. Allow me to read some testimony bearing on this point. Mr. Haines, a gentleman who came before us, and who is the head of the association, said to the committee:

Mr. HAINES. Mr. Chairman and gentlemen of the committee, I appear before you to-day on behalf of what is known as the American Railway Association, an organization of the railway corporations of this country, with a mileage of 122,000 miles out of perhaps one hundred and seventy-odd thousands miles that there are in this country. I am personally connected with what is known as the Plant Railroad system, a system of railroads in South Carolina, Georgia, Florida, and Alabama. I am the vice-president of that system, having been at times superintendent, chief engineer, and general manager.

The association for which I speak has a definite purpose. Its purpose is the development and the solution of problems connected with railroad management, and it would therefore seem eminently proper that in a question of the character you have now under consideration, this particular association of railroad corporations should be heard with reference to what is confessedly a most important problem connected with railroad management.

This association will perhaps be more familiar to you under its former title of general time convention, under which title it succeeded in establishing in this country what is known as standard time. It has also established a uniform set of hand and lamp signals for the use of train men, and also a uniform code of train rules, and we shall hope before we get through with this question that probably we shall have contributed something to the solution of this problem also.

I am here with some of my colleagues at the request of our executive com-

mittee, which is composed of Mr. Royce, general superintendent of the Chicago, Rock Island and Pacific Railway, the general manager of the New York, New Haven and Hartford, the vice-president of the New York, Lake Erie and Western, the general superintendent of the West Shore, and the general manager of the Chesapeake and Ohio. I only mention this to show what a representative body we are.

The CHAIRMAN. About how long will you be here?

Mr. HAINES. No less, we would like to hear the gentleman.

The CHAIRMAN. We will have to hear a gentleman who has been the men who are engaged with it.

Mr. HAINES. Our organization is made up of representatives of the following roads: Chicago, Rock Island and Pacific, New York, New Haven and Hartford, Lake Erie and Western, St. Louis, Atlantic and Texas, New York, Lake Erie and Western, Eastern Virginia, West Shore, Chesapeake and Ohio, and the Baltimore and Ohio.

Mr. GRAY. Is the Baltimore and Ohio Railroad Company represented there?

Mr. CULLOM. I do not think the Baltimore and Ohio Company is named.

Mr. GRAY. Is the Pennsylvania Railroad Company represented?

Mr. CULLOM. I do not think that is named; but the association practically represents all the railroads as a matter of fact.

Mr. CALHOUN. Mr. President, I will say to the Senator from Illinois that the gentleman who is named as mentioned to me, Mr. Haines, is one of the most accomplished lawyers in the United States, or in any other country, one of the most extensive experience and knowledge and of the highest character. This whole question with respect to a large matter will be left to him alone.

Mr. CULLOM. I think we had better let the section stand as it is.

Mr. HUNTON. It seems to me from the provisions of the bill that the American Railway Association figures very largely in it and it becomes a very important factor in the execution of the scheme proposed by the distinguished Senator from Illinois. As I understand, it is a limited one, but as to the American Railway Association is a voluntary association and, of course, it may be dissolved on any given day. I ask the Senator from Illinois in case the American Railway Association should be dissolved in the next thirty or sixty days or six months, it would not interfere seriously with the scheme provided for in the bill reported from the Committee on Interstate Commerce.

Mr. CULLOM. In that case, the question would simply be devolved upon the Interstate Commerce Commission. The bill provides that the American Railway Association shall act within ninety days, but if they fail to do so, the Interstate Commerce Commission shall act.

The PRESIDENT OFFICER. Mr. CHANDLER is in the chair. The question is on the amendment proposed by the Senator from Mississippi (Mr. GEORGE) to the amendment of the committee.

Mr. GEORGE. Mr. President, I wish to say a word or two about this amendment. The first thing I wish to say, and I want to impress it upon the Senate, is that there is no precedent for this kind of legislation in any free country in the world. If my amendment is not adopted, I want the Senate to understand what they are doing. We have proposed to make a patent association, having no connection with the Government, to have no oath to discharge their duty, but they are subject to one punishment by the Government in case they are found guilty and found guilty, the absolute judge of who? Of that, the lawyers in this case shall do. We allow them to combine their affairs in business to a point a device which, as I show by the figures, may cost in the aggregate from fifty to one hundred million dollars.

That kind of legislation is unprecedented, there is no precedent anywhere, for any legislative body to say to any man or corporation that that man or that corporation shall transact business according to a rule prescribed by a private individual.

In order to show the true character of this provision, I have but to adopt the suggestion made by the Senator from Colorado [Mr. WOLFE], the other gentleman, as I shall have a right to presume that the railroad companies of this country shall conduct any part of their business as John Smith may direct?

Mr. CULLOM. But John Smith belongs to the railroads in this case.

Mr. GEORGE. It does not make any difference whether John Smith is a member of a railroad company or not.

Mr. McMILLAN. Will the Senator from Mississippi stand to me a moment?

Mr. GEORGE. Yes, sir.

Mr. McMILLAN. I ask the Senator if he is not aware that at the present time the railroads of this country are managed just in that way? They have what is called the Master Car Builders' Association. All the main lines practically belong to it. The Master Car Builders' Association meets once a month and agrees upon certain changes to be made on the cars. They agree upon certain parts of the cars so as to make them interchangeable, for instance, brasses, axles, etc. That has been done for a great many years. One railroad company prescribes what another

shall do before it will haul the cars of the other company. This legislation is really in the same line so far as the coupler is concerned.

Mr. GEORGE. Does not the Senator perceive a vast difference between an agency voluntarily selected by the railroad companies, they by agreement binding themselves to adopt what that chosen agent shall do, and a law of Congress which compels the railroad companies who do not agree to that arrangement, who do not enter into that association, to conduct their business according to rules prescribed by the association? I think that the distinction is a very broad one. Here the Senator seems to be mistaken also as to the facts, but that is not very material. It is well, however, to correct him.

Only 120,000 miles of railroad, according to the information furnished us by the Senator from Illinois, the chairman of the Committee on Interstate Commerce, out of 170,000 miles are represented in this association. So, if we pass this bill as it now stands we provide that a voluntary association of railroad companies, representing 120,000 miles of road, shall dictate not only to the members of that association representing 120,000 miles of railroad, but to all others a rule by which they must transact their business.

Mr. President, I do not think it is necessary to argue a proposition of that sort. I should like anyone, however, who thinks we can do that to name the principle of law or of constitutional liberty under which we have the power to do it.

The PRESIDING OFFICER. The question is on the adoption of the amendment proposed by the Senator from Mississippi to the amendment of the committee.

Mr. CULLOM. I hope the Senate will stand by the original amendment as reported by the committee.

The PRESIDING OFFICER. The Secretary will report the amendment to the amendment proposed by the Senator from Mississippi.

The SECRETARY. In section 5, line 2, after the word "act," it is proposed to strike out "the American Railway Association is authorized hereby to designate to;" in line 3, after the word "Commission," to insert "shall designate;" in line 8, after the word "cars," to strike out "upon their determination being certified to the Interstate Commerce Commission" and insert "and;" in line 14, after the word "standard," to strike out "but should said Commission fail to determine a standard as above provided, it shall be the duty of the Interstate Commerce Commission to do so;" so as to read:

Sec. 5. That within ninety days from the passage of this act the Interstate Commerce Commission shall designate the standard height of drawbars for freight cars measured perpendicular from the level of the tops of the rails to the centers of the drawbars, and shall fix a maximum variation from such standard height to be allowed between the drawbars of empty and loaded cars; and said Commission shall at once give notice of the standard fixed upon to all common carriers, owners, or lessees engaged in interstate commerce in the United States by such means as the Commission may deem proper, and thereafter all cars built or sent to the shops for general repairs shall be of that standard.

Mr. WOLCOTT. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. GRAY. Mr. President, I wish to say that I have been impressed by the statement made by the Senator from Mississippi [Mr. GEORGE] that this delegation of a judicial power in the bill to a private association is at war with the traditions of our legislation, and seems to controvert the very fundamental principles of American jurisprudence.

The Interstate Commerce Commission is a judicial body, directed by the legislative power of the United States under the commerce clause of the Constitution to exercise its judgment, and, under the responsibility of the acceptance of that position, to determine questions which may arise, which have been committed to it by Congress lawfully under the commerce clause. To commit, however, the determination of a matter which is important to these railroad interests to the judgment of a private association or to the judgment, which is the same thing, of a private individual, whoever he may be, seems to be entirely a different thing, and one which does not stand upon the same principle or the same footing.

The American Railway Association may be composed, as the Senator from Illinois says it is composed, of expert railroad men, but that does not affect the principle. The Senator from South Carolina [Mr. BUTLER] says it is composed of lawyers; but however it may be composed, it is precisely the same as if the conduct of these railroad companies and the management of their property were committed to a private individual, John Smith or John Jones, to determine, without the responsibility of judicial interposition or responsibility under the law, to exercise it by will or caprice or not at all. How can we compel this railway association to exercise the function which we seek to impose upon it? How can we by mandamus compel it to exercise this judicial function?

Mr. CULLOM. This bill does not provide that the association shall do it unless they wish to. If they do not want to act, then the Interstate Commerce Commission will act.

Mr. GRAY. But then we are submitting, in the first place, the conduct of the business of these corporations to an irresponsible and private determination by individuals who are not exercising any legal function, who are not proceeding to perform any judicial function, who are not responsible to Congress, and who can not be punished for malfeasance, or misfeasance, or nonfeasance of any duty which is here sought to be prescribed.

Therefore, the objection, as it occurs to me, made by the Senator from Mississippi is well taken. Without impugning at all the respectability of these gentlemen, which is vouched for by the Senator from Illinois, it seems to me a dangerous precedent, for, if we can do this, we can in other things within the wide domain which the commerce clause of the Constitution opens up for legislation of Congress, prescribe that the business of this country shall be conducted according to the determination of some private individual, who has or has not, as the case may be, a private interest in the way in which it shall be performed.

Mr. WOLCOTT. Mr. President, referring generally to section 5, for the moment, the very serious question raised by the Senator from Mississippi [Mr. GEORGE] and coincided with by the Senator from Delaware [Mr. GRAY], I desire to call the attention of the Senate to one or two facts.

There was absolutely no testimony before the Committee on Interstate Commerce and there is no sort of evidence before this body as to what proportion of the freight cars of the United States is properly equipped, and how long a time it will necessarily take to equip them with drawbars of the proper height.

Nobody knows how extensive these preparations may be, and the time is limited to July of this year. If this bill becomes a law in the next two weeks, between then and ninety days from that time anywhere from three hundred thousand to a million cars must be changed so as to comply with certain provisions of the law as to the height of drawbars, etc. I apprehend that no sane body of men would desire, without any sort of testimony, without any sort of knowledge as to what this legislation means, to dump this requirement on the railroads of the United States.

Whenever we ask a question as to some pertinent fact, the chairman of the Interstate Commerce Committee hauls out from under his desk a petition from 10,000 brakemen, constituting a small percentage of the brakemen of the country—

Mr. CULLOM. If the Senator will allow me, he has stated—I will not say what is not true, but he has certainly misstated the fact. The chairman of the committee has never but once hauled out any such petition and presented it to the Senate. If the Senator from Colorado objects to the presentation of the petition of these 10,000 men he has a right to do so, and he has a right to disregard it, but the chairman of the committee does not propose that the Senator from Colorado shall misstate the facts as to his action.

Mr. WOLCOTT. Mr. President, possibly I was so much impressed by the dramatic force with which the petition was hauled out by the chairman of the Interstate Commerce Committee that I considered it rather a continuous operation as affecting the deliberations of the last two or three days.

I do not object to the chairman of the Committee on Interstate Commerce presenting the petition as often as he may like, or in gathering for himself or his section all the political capital he thinks he can make out of the handling of that petition, which represents a very small percentage of the railroad employees, and which, upon investigation, I have no doubt would disclose the fact that less than 25 per cent of the people who signed the petition are brakemen engaged in the railroad business.

I have not charged the chairman of the Interstate Commerce Committee with any wrongdoing, but I do say the facts and proceedings of the last three days bear me out in the statement that as to the first section of the bill, which is a requirement that will cost in the neighborhood of from fifty to seventy-five million dollars, we have not one word of testimony, and nobody has been able to tell us how many cars have to be equipped and how much it will cost. No single item has been given to the Senate upon which it may intelligently act. We are proceeding entirely in the dark.

Upon another section we are asked between now and ninety days from now to require the railroads to do this great thing, and when we ask for the testimony, we are said to prefer capital to blood, and we are reminded of the fact that 10,000 brakemen out of 150,000 have petitioned for immediate action. That is no answer when people who are legislating on behalf of vast and important interests here come and ask for some intelligent knowledge as to the questions upon which they are called to vote. I say that nobody in the Senate knows what we are called upon to vote for.





Leaving out those words, the section would read:

SEC. 2. That on and after the 1st day of January, 1898, it shall be unlawful for any such common carrier to haul or permit to be hauled or used on its line any car used in moving interstate traffic not equipped with couplers, coupling action directly by impact, and which can be uncoupled without the necessity of men going between the ends of cars.

I think we shall have accomplished by the amendment all that we may legitimately seek to accomplish, and shall not impose upon the railroad companies a condition which may have no reference at all to the end we have in view, but may very materially impair their ability to carry on the traffic which may be brought to their road.

For instance, suppose a railroad company receives every day, as all our great trunk lines are receiving, a lot of cars from another road, and though they may have the automatic couplers coupled by impact, which will not make necessary the interposition of the body of the brakeman to couple, they should not be uniform, what do we care whether they are uniform or not, if we accomplish the end that, in the language of this bill under my amendment, prescribes that they shall be automatic couplers, coupling by impact, and which shall not make necessary the interposition of the body of the brakeman?

Suppose a road, from caprice, from one of those antagonisms which come from the fierce competition for traffic, should refuse cars which come from another road, even though they may have an automatic coupler, one that will couple by impact, one that will not make necessary the interposition of the body of the brakeman, and say, "This train is not uniform in the character of the coupler, in type or action, and therefore we refuse to receive it."

I think that every extraneous and unnecessary condition should be eliminated from this bill, and that only those provisions should remain which are necessary to accomplish the great and humane end which this bill unquestionably has in view; that is, the protection of the life and limb of the brakemen on the railroads.

The PRESIDING OFFICER. The amendment of the Senator from Delaware to the amendment of the committee will be stated.

The SECRETARY. In section 2, line 5, after the word "couplers," it is proposed to strike out "uniform in type and action," so as to read:

That on and after the 1st day of January, 1898, it shall be unlawful for any such common carrier to haul or permit to be hauled or used on its line any car used in moving interstate traffic not equipped with couplers coupling automatically by impact, and which can be uncoupled without the necessity of men going between the ends of the cars.

The PRESIDING OFFICER. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. WOLCOTT. Mr. President, I do not know that it is possible to improve this bill in the minds of the majority of the committee, but I make this suggestion to the Senate. We have no sort of authority on earth to say what a railroad shall do with cars which are exclusively destined for State business. I think, perhaps, that will be conceded by the chairman of the committee. We can not provide as to cars to be used upon a railroad exclusively within a State, for, unfortunately for that railroad company, the Interstate Commerce Commission can not regulate it or the Interstate Commerce Commission can not manage so much of the company's property.

Now, we have a provision here in section 5, which reads as follows:

Upon their determination being certified to the Interstate Commerce Commission, said Commission shall at once give notice of the standard fixed upon to all common carriers, owners, or lessees engaged in interstate commerce in the United States by such means as the Commission may deem proper, etc.

This applies to all railroads engaged in interstate commerce, and almost all the railroads of the country more or less are engaged in interstate commerce.

And thereafter all cars sent or sent to the shops for general repairs shall be of that standard.

I should like to know upon what assumption, if the chairman of the committee will explain, he propose to legislate that every car that a railroad company sends to its shops for general repairs shall have a certain height of drawbar. I should like to know upon what theory of law we can compel a company that operates its cars exclusively within a State to do that, because that company may have some of its cars engaged in interstate commerce, and that we can say as to all other cars whenever they are sent to the shops they shall be built of a certain standard.

Mr. BRICE. If the Senator will allow me a moment, I understand that many of the roads have different gauges and some of them have the narrow standard.

Mr. WOLCOTT. Yes.

Mr. BRICE. Does the Senator understand from the language of the bill what the height of the drawbar is to be above the rail?

Mr. WOLCOTT. I am entirely ignorant as to that. I think it is known probably to the chairman of the committee.

Mr. BRICE. Does it provide for the same height for the narrow as for the broad gauge?

Mr. WOLCOTT. As a matter of fact, of course not; but as a matter of theory, as this bill is constructed, of course yes. This bill is being constructed on a theory.

One further suggestion in connection with the same clause, which possibly the chairman of the committee having this subject in charge will explain. We make the time 1895 when this uniform drawbar shall come into use. We say that at any time prior to that, if a railroad company sends its cars to its shops for general repairs it shall put in that drawbar. Is the Interstate Commerce Commission to determine what constitutes the general repairs of a car? You may knock it all to pieces, it may have its sides staved in, it may have the springs and brakes out of fashion; but who is to decide that that makes general repairs, and that the railroad company shall do what is here prescribed?

If you put a provision in your law that by 1895 they shall all be improved, why should not a railroad company between now and 1895 have the right to send its cars to its shops for general repairs and not equip them? Before I venture to submit any amendment on this subject to the approval of the chairman of the committee, I should like to have these matters explained.

Mr. TURPIE. Mr. President—

Mr. GRAY. At the top of page 9—

The PRESIDING OFFICER. The Chair recognized the Senator from Indiana [Mr. TURPIE].

Mr. GRAY. I beg the Chair's pardon.

Mr. TURPIE. I move that the Senate do now adjourn.

Mr. CULLOM. I am inclined to think that we can get through with the bill in a little time if we remain in session. It is now only a few minutes after 5 o'clock, and I should be glad if the Senate would remain and complete the bill.

The PRESIDING OFFICER. The question is on the motion of the Senator from Indiana.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 10, 1893, at 12 o'clock m.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate February 6, 1893.*

### JUDGES OF PROBATE FOR UTAH.

Lilleston B. Bartlett, of Utah Territory, to be judge of probate in the county of Grand, in the Territory of Utah.

Joseph B. Blair, of Utah Territory, to be judge of probate in the county of Salt Lake, in the Territory of Utah.

Alexander C. Bishop, of Utah Territory, to be judge of probate in the county of Weber, in the Territory of Utah.

### PROMOTIONS IN THE ARMY.

*Adjutant-General's Department.*

Capt. John B. Babcock, Fifth Cavalry, to be assistant adjutant-general.

*Pay Department.*

Lieut. Col. Theobald H. Stanton, deputy paymaster-general, to be assistant paymaster-general.

Maj. George W. Chandler, paymaster, to be deputy paymaster-general.

*Cavalry.*

Second Lieut. Joseph C. Byron, Eighth Cavalry, to be first lieutenant.

### POSTMASTERS.

Hezekiah B. Smith, to be postmaster at New London, in the county of New London and State of Connecticut.

Harvey S. Clark, to be postmaster at Lodi, in the county of San Joaquin and State of California.

Benard Billings, to be postmaster at Newton Upper Falls, in the county of Middlesex and State of Massachusetts.

Green R. Lamb, to be postmaster at Enterprise, in the county of Dickinson and State of Kansas.

George W. Akers, to be postmaster at Stafford, in the county of Stafford and State of Kansas.

John D. Jones, to be postmaster at Yale, in the county of St. Clair and State of Michigan.

William H. Sherman, to be postmaster at Ayer, in the county of Middlesex and State of Massachusetts.

Loring N. Fowler, to be postmaster at Concord Junction, in the county of Middlesex and State of Massachusetts.

Joseph G. Fietam, to be postmaster at Weimar, in the county of Colorado and State of Texas.

Harry F. Hawkins, to be postmaster at Beaver Falls, in the county of Beaver and State of Pennsylvania.

Justus Piekitt, to be postmaster at Fergus Falls, in the county of Otter Tail and State of Minnesota.

Mr. HOPKINS of Illinois (to Mr. WILLIAMS of Massachusetts). You have no right to instruct the Clerk. Mr. Speaker, a member comes up here in front of the desk, dictating how the Clerk shall read the roll. I submit to the Chair that the Clerk is not to be dictated to as to how he shall read.

Mr. CABLE. Mr. Speaker, I wish to state that I was out of the Hall for a moment when my name was called. I should have voted against sustaining the demand for the previous question.

Mr. RICHARDSON. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. There is so much disorder that it is impossible for us to hear what is being said. I ask that members be requested to take their seats.

The SPEAKER. The Chair is trying to preserve order. The vote will be recapitulated, so there will be no mistake about it, and no erroneous record of a vote. The Clerk will recapitulate the vote so that members may hear how they are recorded.

Mr. BURROWS. Would it not be well to have members resume their seats, under the rule?

The SPEAKER. The Chair has appealed to members to preserve order. The Clerk will recapitulate the vote in such a manner that gentlemen can hear how they are recorded.

The Clerk recapitulated the names of those voting.

The SPEAKER. On this question the ayes are 153 and the noes 142. [Applause.] The ayes have it, and the previous question is ordered. The question now is upon agreeing to the report of the Committee on Rules.

Mr. COX of Tennessee. Mr. Speaker, I move that the report of the committee be recommitted to the Committee on Rules without instructions.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. DINGLEY. Division.

The House divided; and there were—ayes 150, noes 83.

Mr. PENDLETON. I call for the yeas and nays. [Cries of "Oh, no!"]

The question was taken on ordering the yeas and nays.

The SPEAKER. Forty-five gentlemen have arisen in support of the demand for the yeas and nays—not a sufficient number; and the yeas and nays are refused. The ayes have it, and the report is recommitted to the Committee on Rules.

Mr. BLAND. I move to reconsider the vote just taken.

The SPEAKER. Under the rules the report of the committee can not be brought back on a motion to reconsider.

Mr. BLAND. I move to reconsider the vote just taken, and to lay that motion on the table.

The SPEAKER. The Chair will state that the vote to recommit a bill can not be reconsidered so as to bring the bill back.

Mr. LONG. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONG. Would it be in order to offer a resolution to set aside a day for eulogies on the death of this bill and the effort to defeat free silver? [Laughter.]

Mr. BOUTELLE. Mr. Speaker, where does this result leave the proposition to carry out the pledges of the Democratic platform? [Laughter on the Republican side.]

Mr. ENLOE. It will leave it to the members of the next Congress elected on that platform.

#### ANNUAL REPORT OF THE COMMISSIONER OF LABOR.

The SPEAKER laid before the House the following message from the President of the United States: which, with the accompanying documents, was referred to the Committee on Labor:

*To the Senate and House of Representatives:*

I transmit herewith the eighth annual report of the Commissioner of Labor. This report relates to industrial education in the United States and foreign countries.

EXECUTIVE MANSION,

Washington, D. C., February 8, 1893.

BENJ. HARRISON.

#### MOBILE AND DAUPHIN ISLAND RAILROAD.

The SPEAKER laid before the House the bill (S. 3811) to amend an act entitled "An act to grant to the Mobile and Dauphin Island Railroad and Harbor Company the right to trestle across the shoal water between Cedar Point and Dauphin Island," approved September 26, 1890.

Mr. CLARKE of Alabama. Mr. Speaker, I ask unanimous consent for the present consideration of this Senate bill.

The SPEAKER. The Clerk will read the bill, after which the Chair will ask if there be objection.

The bill was read at length.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. KEM. I object.

The SPEAKER. The gentleman from Nebraska objects, and

the bill will be referred to the Committee on Commerce and Navigation.

#### CARRIAGE OF PASSENGERS BY SEA.

The SPEAKER laid before the House the bill (S. 3812) to amend an act entitled "An act to regulate the carriage of passengers by sea," approved August 2, 1882, which was read a first and second time and referred to the Committee on International Commerce.

The SPEAKER also laid before the House the bill (S. 3813) to amend Bill "An act to regulate the carriage of passengers by sea," approved August 2, 1882, which was read a first and second time and referred to the Committee on International Commerce.

#### GREEN LEAF S. GREEN.

The SPEAKER laid before the House the bill (S. 3814) to move the charge of desertion from the record of the Green Leaf S. Green.

Mr. GREENLEAF. Mr. Speaker, I ask that the bill be allowed to lie upon the Speaker's table.

The SPEAKER. Is there objection to the request of the gentleman from New York that the bill be allowed to lie upon the Speaker's table for the present?

Mr. WATSON. What is the bill?

The SPEAKER. The bill was again reported to the House.

The title of the bill was again reported.

The SPEAKER. Is there objection?

Mr. KEM. I object, Mr. Speaker.

The SPEAKER. The bill will be referred to the Committee on Military Affairs.

#### SENATE BILLS REFERRED.

The SPEAKER laid before the House Senate bills having the following titles: which were severally read a first and second time, and referred to committees in listed below:

The bill (S. 3075) for the relief of Maj. Gen. George C. Goetz—to the Committee on Military Affairs.

The bill (S. 2783) authorizing the President to receive upon the retired list of the Army Sergeants, Long and Company, late of the Signal Corps, United States, survivors of the Tia Juana Bay expedition—to the Committee on Military Affairs.

The bill (S. 2122) to amend the military record of Gen. H. Skinner—to the Committee on Military Affairs.

The bill (S. 1808) for the recognition of Henry C. H. as a soldier and aid-de-camp on the staff of Maj. Gen. B. F. B. of the United States Volunteers—to the Committee on Military Affairs.

The bill (S. 2586) to reimburse George C. Tanner, late of the United States Army, the sum of \$200 paid by him for rent of rooms—to the Committee on Claims.

The bill (S. 2309) for the relief of Catherine E. W. to the Committee on Claims.

The bill (S. 2112) for the relief of M. S. Hebard, of Clatsop City, Oregon—to the Committee on Claims.

The bill (S. 1779) for the relief of A. P. H. Stead—to the Committee on Claims.

The bill (S. 1311) to make payment to Samuel J. Hayes of money erroneously and by mistake paid on his account to the Government—to the Committee on Claims.

The bill (S. 373) for the relief of the heirs of David D. Dowd—to the Committee on Claims.

CALIFORNIA AVENUE, BELAIR HEIGHTS, DISTRICT OF COLUMBIA.

The SPEAKER laid before the House the bill (S. 3815) to amend an act entitled "An act to grant to the California Avenue and Belair Heights, District of Columbia, the right to trestle across the shoal water between Cedar Point and Dauphin Island," approved September 26, 1890.

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent that that bill lie on the Speaker's table until the next morning.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. WATSON. Mr. Speaker, I would like to hear the bill reported again. We can not hear anything over it.

The title of the bill was again reported.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the bill lie on the Speaker's table for the present.

Mr. WATSON. I object, Mr. Speaker.

The SPEAKER. The bill will be referred to the Committee on the District of Columbia.

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent that that bill lie on the Speaker's table until the next morning.

The SPEAKER. The gentleman from Nebraska asks unanimous consent that that bill lie on the Speaker's table for the present.

The SPEAKER also laid before the House Senate bills having the following titles: which were severally read a first and second time, and referred to committees in listed below:

following titles; which were severally read twice and referred as follows:

The bill (S. 3248) relating to acknowledgments of instruments affecting real estate within the District of Columbia—to the Committee on the District of Columbia.

The bill (S. 3239) authorizing the Commissioners of the District of Columbia to refuse applications for water connections in certain cases—to the Committee on the District of Columbia.

The bill (S. 3117) to authorize the Gulf, Colorado and Santa Fe Railway Company to purchase certain lands for station purposes in the Chickasaw Nation—to the Committee on Indian Affairs.

The bill (S. 3081) to authorize the issue of a duplicate to Addison A. Hosmer of a certificate of location of certain land therein described which has been lost or destroyed—to the Committee on Private Land Claims.

#### GUNBOATS CONCORD AND BENNINGTON.

The SPEAKER also laid before the House the act (S. 3395) to remit the penalties on gunboat No. 3, the Concord, and gunboat No. 4, the Bennington.

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that that be laid on the table until to-morrow.

Mr. KEM. I object, Mr. Speaker.

The SPEAKER. The bill will be referred to the Committee on Military Affairs.

#### SENATE BILLS REFERRED.

The SPEAKER also laid before the House Senate bills of the following titles; which were severally read twice and referred as below:

An act (S. 3024) to exempt veterans from competitive examinations in the classified service of the United States—to the Committee on Reform in the Civil Service.

An act (S. 2158) for the erection of an equestrian statue of Maj. Gen. John Stark in the city of Manchester—to the Committee on the Library.

#### REPORT OF SMITHSONIAN INSTITUTION.

The SPEAKER also laid before the House a Senate concurrent resolution to provide for printing the annual reports of the Smithsonian Institution and of the National Museum for the year ending June 30, 1892.

The resolution was read.

Mr. RICHARDSON. Mr. Speaker, the Committee on Printing have considered that resolution and reported it favorably. I move that it be concurred in.

The SPEAKER. The gentleman from Tennessee, the chairman of the Committee on Printing, asks unanimous consent that this Senate resolution be concurred in.

Mr. RICHARDSON. It does not require unanimous consent, Mr. Speaker.

The SPEAKER. Why not? It is a Senate resolution.

Mr. RICHARDSON. It does not require an appropriation.

The SPEAKER. But it is not a House resolution, and under the rule it can be considered at this time only by unanimous consent.

Mr. RICHARDSON. The House has already provided for printing the identical number provided for in this Senate resolution, and the adoption of this resolution simply prevents a waste of time.

Mr. DINGLEY. What does it provide for the printing of?

Mr. RICHARDSON. The regular annual report of the Smithsonian Institution. As I have said, we have already in the printing bill passed a provision to print this number.

The SPEAKER. The gentleman from Tennessee [Mr. RICHARDSON] asks unanimous consent for the present consideration of this Senate resolution. Is there objection?

Mr. KEM. I object.

The SPEAKER. The resolution will be referred to the Committee on Printing.

#### LEAVE OF ABSENCE.

By unanimous consent, Mr. WILLIAMS of North Carolina obtained leave of absence for ten days, on account of important business.

#### LEAVE TO PRINT DOCUMENTS.

The SPEAKER. The special committee to investigate the Panama Canal Company desire leave to have printed such documents as may be necessary in connection with the subject referred to them for investigation. Without objection leave will be granted.

There was no objection, and it was so ordered.

#### ENROLLED BILLS SIGNED.

Mr. SCOTT, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 2427) granting a pension to Margaret Byron;

A bill (H. R. 2493) granting a pension to Jesse Cleaveland;

A bill (H. R. 3713) for increase of pension of Francis P. Gardner;

A bill (H. R. 3845) to increase the pension of Edward R. Chapman;

A bill (H. R. 4215) to correct the military record of Capt. William C. Knowlton;

A bill (H. R. 4375) for the relief of Charles S. Blood;

A bill (H. R. 6194) to commission David P. Cordray as second lieutenant, to date from June 12, 1892;

A bill (H. R. 7625) for relief of certain settlers on public land in the Tucson land district in Arizona;

A bill (H. R. 8054) to increase the pension of Mary L. Bacon, widow of the late George B. Bacon, late lieutenant-commander of the United States Navy;

A bill (H. R. 8298) to pension Emma Johnson, blind and dependent daughter of Daniel D. Johnson, Company B, One hundred and forty-second New York Volunteers;

A bill (H. R. 8727) for the relief of S. J. Brooks;

A bill (H. R. 8780) to restore to the pension roll Mary Elanor White, as former widow of Capt. George W. Hazzard;

A bill (H. R. 8784) granting a pension to Edward Smitherman;

A bill (H. R. 8924) granting a pension to the widow of James A. Kelly;

A bill (H. R. 8969) to grant a pension to Lydia Bollman, a dependent sister;

A bill (H. R. 9011) to grant a pension to Ida A. Taylor;

A bill (H. R. 9137) for the removal of the charge of desertion against William H. Holloway; and

A bill (H. R. 9557) granting additional quarantine powers and imposing additional duties upon the Marine Hospital Service.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that the Senate had insisted upon its amendments to the bill (H. R. 9527) to restore to the public domain a portion of the White Mountain Apache Indian Reservation, in the Territory of Arizona, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. JONES of Arkansas, Mr. PLATT, and Mr. MANDERSON as the conferees on the part of the Senate.

It also announced that the Senate had passed the following resolution:

*Resolved*, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 9555) providing for sundry light-houses and other aids to navigation.

#### ORDER OF BUSINESS.

Mr. DOCKERY. Mr. Speaker, I ask unanimous consent that the call of committees be dispensed with, and that gentlemen having reports to submit have leave to file them with the Clerk.

Mr. TRACEY. I object.

The SPEAKER. Objection is made, and the Clerk will call the standing and select committees for reports.

The Clerk proceeded with the call.

#### LOAN OF FLAGS FOR INAUGURAL CEREMONIES.

Mr. LAPHAM, from the Committee on Military Affairs, reported back with a favorable recommendation the joint resolution (S. R. 140) authorizing the Secretaries of War and of the Navy to loan to the committee on inaugural ceremonies flags, etc.; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### ARMY AND NAVY UNION BADGE.

Mr. LAPHAM, also from the Committee on Military Affairs, reported back with a favorable recommendation a joint resolution (H. Res. 57) authorizing the wearing of the distinctive badge adopted by the Regular Army and Navy Union upon all occasions of ceremony; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### TIMBER-CULTURE LAWS.

Mr. AMERMAN, from the Committee on Public Lands, reported back with a favorable recommendation the Senate bill (S. 2564) to amend section 6 of the act approved March 3, 1891, entitled "An act to repeal the timber-culture laws and for other purposes;" which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

#### WASHINGTON AND GEORGETOWN TERMINAL RAILROAD COMPANY.

Mr. RUSK, from the Committee on the District of Columbia, reported back, with a favorable recommendation, a bill (H. R. 9229) to incorporate the Washington and Georgetown Terminal Railroad Company; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

year—to the Select Committee on Immigration and Naturalization.

By Mr. HARMER: Memorial and paper to accompany petition of George W. Roosevelt, of Company K, Twenty-sixth Regiment, for increase of pension—to the Committee on Invalid Pensions.

By Mr. HARRIES: Petition of the German Soldier Society of Winona, Minn., asking Congress to repeal the act closing the World's Columbian Exposition on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. HATCH: Petition of farmers of Clark County, Mo., for the passage of the antioption bill—to the Committee on Agriculture.

By Mr. HAYNES of Ohio: Resolution of the board of health of the village of Woodville, Ohio, in favor of the National Government controlling the quarantine system—to the Committee on Interstate and Foreign Commerce.

By Mr. HIFT: Petition of the Rockford Furniture Company, of Rockford, Ill., for 1-cent letter postage—to the Committee on the Post-Office and Post-Roads.

By Mr. HOOKER of New York: Petition of the Ohio Society of Surveyors and Civil Engineers, of Columbus, Ohio, referred to the Committee on Appropriations and re-referred to the Committee on Agriculture—to the Committee on Agriculture.

By Mr. HOUK of Ohio: Two petitions of associations of Ohio; one of Putnam Council, Order of United American Mechanics of Dayton, and Fulton Council, Order of United American Mechanics of Dayton, both for amendment of the immigration laws—to the Select Committee on Immigration and Naturalization.

By Mr. JOSEPH: Memorial of the Legislative Assembly of the Territory of New Mexico, praying that the present session be extended from sixty to seventy days—to the Committee on the Territories.

By Mr. MORSE: Petition of I. Q. A. Lathrop and ninety-two others, of Hingham, Mass., praying for the repeal of the silver-purchase act of July 14, 1890—to the Committee on Banking and Currency.

Also, petition of the United Order of American Mechanics of Plymouth, Mass., praying for the restriction of immigration—to the Select Committee on Immigration and Naturalization.

By Mr. OHLIGER: Resolution of U. S. Grant Council, Junior Order of United American Mechanics of Canton, Ohio, concerning immigration—to the Select Committee on Immigration and Naturalization.

Also, petition of East Liverpool (Ohio) Turnverein, for the repeal of the Sunday-closing law—to the Select Committee on the Columbian Exposition.

By Mr. OUTHWAITE: Resolutions of the Iron Moulders' Beneficial Society, No. 98, of Columbus, Ohio, urging the establishment of a permanent Census Bureau—to the Select Committee on the Eleventh Census.

Also, petition of the Helvetia Aid Society, of Columbus, Ohio, for opening the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. ROBINSON of Pennsylvania: Memorial of the College of Physicians of Philadelphia, Pa., favoring the establishment of a national commission on quarantine—to the Committee on Interstate and Foreign Commerce.

By Mr. RUSSELL: Petition of Miantonomoh Council, No. 39, United American Mechanics, of Norwich, Conn., in favor of restricting immigration—to the Select Committee on Immigration and Naturalization.

Also, petition of the Board of Trade and citizens of Norwich, Conn., for the suspension of all purchases of silver bullion—to the Committee on Banking and Currency.

Also, petition of Mohegan Council, No. 75, United American Mechanics, of Old Lyme, Conn., in favor of restricting immigration—to the Select Committee on Immigration and Naturalization.

Also, petition of Warren Council, No. 53, United American Mechanics, of Niantic, Conn., in favor of restricting immigration—to the Select Committee on Immigration and Naturalization.

By Mr. STAHLNECKER: Resolution of the New York State Legislature, favoring the construction of a national harbor of relief in the bight of Canaveral, Florida—to the Committee on Rivers and Harbors.

By Mr. STONE of Kentucky: Papers in the claims known as the Paducah claims of John E. Williamson, administrator of the estate of John B. Thompson, deceased, and other citizens of Paducah, Ky.—to the Committee on War Claims.

By Mr. JOSEPH D. TAYLOR: Nine memorials setting forth the evil results of unrestricted immigration, praying legislation that will prohibit immigration for one year excepting visitors to the World's Fair, and the appointment of a commission to in-

vestigate and report on the evils of immigration, said memorials bearing the signature of Dr. Frank James and 201 other citizens of the Eighteenth Congressional district of Ohio—to the Select Committee on Immigration and Naturalization.

By Mr. VINCENT A. TAYLOR: Petition of the Methodist Episcopal Sunday School Association of Ohio, closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

Also, petition of 12 citizens of Cleveland, Ohio, for the opening of the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

By Mr. WARNER: Petition of citizens of Ohio, for the repeal of the law authorizing the payment of bounty to the Committee on Immigration and Naturalization.

By Mr. WILLIAMS of Illinois: Petition of the millers and sawyers of Clinton County, Ill., relative to the operation of the millers, railroads, and elevators, for the restriction of immigration—to the Committee on Agriculture.

## SENATE.

FRIDAY, February 10, 1893.

The Senate met at 12 o'clock m.

Prayer by the Chaplain, Rev. J. C. Bruhl, R. D. D.

The VICE-PRESIDENT. The Journal of yesterday's proceedings will be read.

Mr. QUAY. I desire to inquire whether there is a quorum of the Senate present.

The VICE-PRESIDENT. The roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Alason,	Doyle,	Hoke,	Spencer,
Bate,	Duff,	Hoots,	Stewart,
Berry,	East,	Kyle,	Sheep,
Budgett,	Gallinger,	McMillan,	Stewart,
Butler,	George,	McPherson,	Stewart,
Caffery,	Gibson,	Merrill,	Teller,
Call,	Gorman,	Packer,	Tilden,
Carry,	Hale,	Packer,	Wadsworth,
Chandler,	Hansbrough,	Pence,	White,
Cockrell,	Harris,	Parkins,	
Cullum,	Hawley,	Pugh,	
Dawes,	Hiscock,	Quay,	

The VICE-PRESIDENT. Forty-five Senators have answered to their names. A quorum is present. The Journal of yesterday's proceedings will be read by the Secretary.

The Journal of yesterday's proceedings was read and approved.

## EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a supplemental list of judgments rendered by the Court of Claims, which was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a statement of the work of the division of warrants, estimates, and appropriations, and requesting that a provision of law be enacted authorizing the use of any unexpended balances of appropriations for the work performed in that division which, with the necessary papers, was referred to the Committee on Appropriations and ordered to be printed.

## PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented resolutions adopted by the Tacoma (Wash.) Chamber of Commerce, February 2, 1893, regarding the annexation of the Hawaiian Islands to the United States, which were referred to the Committee on Foreign Relations.

Mr. QUAY presented a petition, of Council No. 76, of the Order of United American Mechanics, of Danbury, Conn., for the passage of the so-called Chandler bill, which was referred to the Committee on Immigration and Naturalization.

Mr. HANSBROUGH. I present a petition of the citizens of North Dakota, praying that the national monument of Abraham Lincoln millage be donated to the State of North Dakota, the benefit and use of a State monument.

I desire to state that Chicago, Illinois, has won the prize in the matter by reason of the fact that the State of Illinois has the State wishes to acquire a new and improved Chicago and North Western Railroad grant. I move that the petition be referred to the Committee on Public Land.

The motion was agreed to.

Mr. SHERMAN presented a memorial of the Presbyterian Church of Beech Springs, Ohio, remonstrating against the repeal of the law closing the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of Iron Moulders' Beneficial Society, No. 28, of Columbus, Ohio, praying for the establishment of a permanent Census Bureau and the collection of statistics showing the distribution as well as the production of wealth; which was referred to the Committee on the Census.

Mr. CULLOM presented petitions of 28 farmers of Massac County, Ill., and of sundry citizens of Marion County, Ill., praying for the establishment of a commission to investigate the combine formed to depreciate the price of grain, etc.; which were referred to the Committee on Agriculture and Forestry.

Mr. CHANDLER. I present a petition of the National Woman's Christian Temperance Union, in convention assembled at Denver, Colo., in November, 1892, signed by Frances E. Willard, president, and the other officers of the union, praying for a further and more stringent restriction of immigration at our ports of entry.

The petitioners state that they believe the safety and welfare of our nation and Government are imperiled by the admission of such a large number of aliens, especially as nearly half of our Commonwealths, either by statutory or constitutional enactments, permit male immigrants over 21 years of age to vote at all elections within twelve months after their arrival in our borders by filing their intention to become citizens. They respectfully urge that a larger restriction be placed upon the number, the character, or the power of those coming to our shores, that they may not practically hold upon their arrival, far greater power over our morals and even the very life of the nation than the women who are born of American parents, and who have all their lives lived as good and faithful citizens in our midst.

I move that the petition be referred to the Committee on Immigration.

The motion was agreed to.

Mr. KYLE presented a memorial of West Union Farmers' Alliance, No. 599, of Day County, S. Dak., remonstrating against the repeal of the so-called Sherman silver law; which was ordered to lie on the table.

Mr. PERKINS presented a petition of sundry citizens of Kansas, praying for the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. POWER presented petitions of citizens of Helena, Butte City, Great Falls, Musselshell, and Missoula, in the State of Montana, and petitions of Eagle Butte Lodge, No. 328, Brotherhood of Railroad Trainmen, of Forsyth; of Union No. 123, Journeymen Bakers and Confectioners' International Union of America, of Butte City; of Bonanza Lodge, No. 191, Brotherhood of Locomotive Firemen, of Missoula, and of Union No. 43, Journeymen Tailors' Union of America, of Great Falls, in the State of Montana, praying for the opening of the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. CAREY presented a memorial of citizens of Sheridan County, Wyo., remonstrating against the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

Mr. HOAR presented the petition of George Parsons Lathrop and other citizens of the United States, praying for the passage of legislation incorporating the National Historical Society; which was referred to the Committee on the Library.

Mr. QUAY presented a joint memorial of the Legislature of Pennsylvania, remonstrating against the adoption of any amendment to the pension laws decreasing pensions; which was read, and referred to the Committee on Pensions, as follows:

CONCURRENT RESOLUTION.

IN THE HOUSE OF REPRESENTATIVES OF PENNSYLVANIA.

Harrisburg, January 27, 1893.

*Resolved by the house of representatives of the Commonwealth of Pennsylvania (of the senate will concur), That we view with alarm the proclaimed purpose to strike down the pensions of the patriotic men who saved this country from disruption, and declare that, instead of the reduction of pensions, we are in favor of placing every honorably discharged soldier on the pension rolls, under the terms of the Pennsylvania service pension bill, introduced into the United States Senate by Senator J. D. CAMERON, or a modification thereof, whereby every honorably discharged soldier of the war of the rebellion shall be treated as the veterans of all other wars of the United States have been.*

We furthermore enter our solemn protest against the effort now being made to deprive the armless and legless veterans of their right, under the present law, to an exchange of their artificial limbs. We believe the preservation of this nation is worth all it cost in blood and treasure, including the money heretofore paid and to be paid to its veteran soldiers as pensions, and we earnestly request the Pennsylvania Senators and members of the House of Representatives to use their best efforts to secure the immediate pension-

ing of every honorably discharged soldier, and to prevent the threatened injustice to our armless and legless veterans.

CHARLES E. VOORHEES,  
Chief Clerk House of Representatives.

In the Senate, January 31, 1893, the foregoing resolution concurred in.

E. W. SMILEY,  
Chief Clerk of the Senate.

Approved the 6th day of February, 1893.

ROBT. E. PATTISON.

#### REPORTS OF COMMITTEES.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom were referred the memorial of M. Ashford, J. B. Wilson, and 27 others, owners and dealers in real estate in the District of Columbia, and the memorial of S. J. Fague & Son, Easterday & Haldeinan, Allen O. Dart, and 57 others, owners and dealers in real estate in the District of Columbia, remonstrating against the proposition in the District of Columbia appropriation bill to authorize the District Commissioners to reassess special assessments and taxes which have been or shall hereafter be declared void by the courts, asked that the committee be discharged from the further consideration of the memorials, and moved that they be referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 2177) to provide for the re-assessment and relieving of taxes declared illegal and void, and for other purposes, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 3898) amending the charter of the Maryland and Washington Railway Company, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (H. R. 8125) to provide for the regulation of the equipment and operation of street railroad lines within the District of Columbia by the Commissioners of said District, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3792) to incorporate the American University, reported it with amendments.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (H. R. 1922) for the relief of George M. Henry, reported it without amendment, and submitted a report thereon.

Mr. PALMER, from the Committee on Military Affairs, to whom was referred the bill (H. R. 3181) correcting the master of Lieut. Gilman L. Johnson, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (H. R. 5319) for the relief of Daniel Eldridge, Company D, Fifteenth Illinois Volunteers, reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. 4671) for the relief of George W. Schachleifer, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1968) for the relief of Dr. James Madison, reported it with an amendment.

Mr. HUNTON, from the Committee on the District of Columbia, to whom was referred the bill (S. 3795) to authorize the Washington, Alexandria and Mount Vernon Electric Railway Company to construct a bridge across the Potomac River, and to construct a railroad over the same and through certain streets and reservations of Washington, asked to be discharged from its further consideration, and that it be referred to the Committee on Commerce; which was agreed to.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 3788) granting right of way to the Colorado River Irrigation Company through the Yuma Indian Reservation, in California; and

A bill (S. 3843) to authorize the Chesapeake and Ohio Railway Company to renew its railroad bridge across the Big Sandy River upon such plans and location as may be approved by the Secretary of War.

The message also announced that the House had passed a joint resolution (H. Res. 214) providing for additional telegraphic and electric light facilities in the city of Washington during the inaugural ceremonies on the 4th day of March, 1893; in which the concurrence of the Senate was requested.

#### AIDS TO NAVIGATION.

Mr. DOLPH. By direction of the Committee on Commerce, I obtained the recall from the House of Representatives of the bill (H. R. 9955) providing for sundry light-houses and other aids to navigation, and the bill was returned last evening. I ask that





between the first plate and the corresponding drawing is sufficient to show that in practice no error in this course is likely to occur.

On the second plate there was no difference between the scale of the plate and that of the drawing. On the stationing of the soundings was found to be exact. The stationing of the work on the first plate is such as to make the engraving of it difficult alike by hand and by machine, while that on the second plate is convenient alike for execution by hand and by machine. The performance of the machine under average circumstances can thus be fairly defined and compared with the results attained by hand.

The services of two men are required to operate the machine. They would be paid at the rate of \$4 and \$2 per day, respectively.

On the first plate 2,500 soundings were stationing and engraved in a period extending over four days and amounting to twenty hours. On the second plate 3,200 soundings were stationing and engraved in six consecutive hours. On both plates 6,100 soundings were engraved in twenty-six hours or four working days.

A skilled engraver required seven and three-quarter hours to trace and lay down the soundings on the first plate. He would require nine hours to gauge and mark them in, and seven days to engrave them according to the present standard, or ten days for the stationing and engraving of the 2,500 soundings on the first plate. Similarly for the second plate, nine days would be required to station and engrave the 3,200 soundings. For both plates nineteen days would be required to station and engrave the 6,100 soundings. Thus 1 skilled engraver working nineteen days, or 19 skilled engravers working one day, or approximately 5 skilled engravers working four days will accomplish as much as the machine does in four days.

The cost of operating the machine one year, exclusive of the interest on the investment, is \$5 (365 - 52) = 6 = 313. \$1,875  
The services of five skillful engravers for one year will cost 7,875

Annual gain in the capacity of the office 5,947

It appears also that this machine will station and engrave soundings at the rate of 40 cents per 100. The average cost of this work in the office is \$1.50 per 100, and by contract \$2 per 100. The cost of engraving soundings by this machine is one-fourth of the usual cost.

It should be clearly stated that part of this advantage is involved in the change of the character of the figure engraved, and, inasmuch as engravers have not generally been engaged under the supervision of the Government in engraving figures consisting of lines of invariable breadth, such as are engraved by this machine, it becomes difficult to state the advantage of the machine in exact terms.

After the second plate was removed from the machine an engraver was employed one and one-half hours in finishing the 4's and 8's. It is our opinion, however, that it is unnecessary to modify the figure 4 as it is engraved by the machine.

The board finds itself unable to fix a price for a machine involving so much skill, genius, and labor, but is of the opinion that if a price is submitted judgment could be formed as to whether it is fair.

Respectfully submitted.

JOHN A. NORRIS,

*Lieutenant, U. S. Navy.*

HERBERT G. OGDEN,

*Assistant, U. S. Coast and Geodetic Survey.*

H. M. WITZEL,

*Lieutenant, U. S. Navy.*

G. W. LITTLEHALES,

*Assistant, U. S. Hydrographic Office.*

The HYDROGRAPHER, U. S. NAVY.

*U. S. Hydrographic Office, Navy Department, Washington, D. C.*

Mr. COCKRELL. In line 6, after the word "machine," I move to insert "and the right to manufacture and use the same and any improvements which have been or may be made in the same without the payment of any royalty therefor." That is the express recommendation of the board.

Mr. CHANDLER. That amendment should be made. I had drawn a similar amendment, but it is entirely complete in the language used by the Senator from Missouri and should be adopted.

The amendment was agreed to.

Mr. COCKRELL. After the words "Navy Department," in line 4, I move to insert "or any other Government Department."

Mr. CHANDLER. That is correct.

Mr. COCKRELL. Perhaps it would be better to strike out the words "Navy Department" and insert "for the use of the Government."

Mr. CHANDLER. Say "for the use of the United States."

Mr. COCKRELL. I move, in line 4 and line 7, to strike out the words "Navy Department" where they occur and insert "United States."

The PRESIDING OFFICER. Mr. Hawley in the chair. The amendment will be stated.

The SECRETARY. In line 4, it is proposed to strike out "Navy Department" and insert "the United States;" and in line 7, to strike out "Navy Department" and insert "United States;" so as to read:

That the Secretary of the Navy be, and he is hereby, authorized to purchase for the use of the United States, at a cost not exceeding the sum of \$25,000, the Oliver & Kolb letter-engraving machine, for the use of the United States.

Mr. GALLINGER. I have no disposition to delay the consideration of this bill, if it is a good one, but I have not had time to examine it; and remembering that the Government has reversed its policy in reference to presses in the Bureau of Engraving and Printing and returned to hand work, I ask that the bill go over until I can look into it.

Mr. COCKRELL. Let the last amendment be adopted, and then let the bill go over.

Mr. GALLINGER. I have no objection to that.

The amendment was agreed to.

The PRESIDING OFFICER. The bill goes over under objection.

Mr. CHANDLER. I ask that the bill be printed as amended. The PRESIDING OFFICER. The bill will be printed as amended in the absence of objection.

#### WHITE MOUNTAIN APACHE INDIAN RESERVATION.

Mr. JONES of Arkansas submitted the following conference report, which was read:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3525) to restore to the public domain a portion of the White Mountain Apache Indian Reservation in the Territory of Arizona, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 3, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4 and agree to the same, with an amendment as follows: In line 2 thereof strike out the word "Colville" and insert in lieu thereof the words "White Mountain Apache Indian;" and the Senate agree to the same.

JAMES K. JONES,

ORR PLATT,

CHARLES F. MANDERSON,

*Managers on the part of the Senate*

S. W. PEEL,

THOMAS DUNN ENGLISH,

JOHN L. WILSON,

*Managers on the part of the House*

The report was concurred in.

#### LIBRARY OF HUBERT HOWE BANCROFT.

The joint resolution (S. R. 108) directing the appraisal of the library of Hubert Howe Bancroft was considered as in Committee of the Whole.

Mr. COCKRELL. I see there is no report accompanying this joint resolution.

Mr. QUAY. This is not the original proposition for the purchase of the Bancroft library, which I think, as submitted, involved an expenditure of \$500,000, but merely provides for an appraisal. It is a subject in which the late Mr. Elaine took a deep interest. It was brought to my attention by Mr. Curtis, of the Bureau of Pan-American Republics, who has examined the documents in the library of Mr. Bancroft, and believes they are of the greatest value to the Government and ought to be in our possession.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### WASHINGTON AND ARLINGTON RAILROAD COMPANY.

The bill (S. 3448) to amend the charter of the Washington and Arlington Railroad Company was announced as next in order on the Calendar.

Mr. PERKINS. I ask that that bill may be temporarily passed, retaining its place on the Calendar.

The PRESIDING OFFICER. It will be so ordered.

Mr. HUNTON subsequently said: I desire to inquire what was done with the bill to amend the charter of the Washington and Arlington Railroad Company?

Mr. PERKINS. It was passed over, retaining its place on the Calendar.

The PRESIDING OFFICER. The bill was temporarily laid aside.

Mr. HUNTON. Why was it passed over?

Mr. PERKINS. The Senator from Michigan [Mr. McMillan], the chairman of the Committee on the District of Columbia, requested me to have the bill passed over. I did so at his request. I do not know why he made the request.

#### CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY.

Mr. PERKINS. I ask unanimous consent for the present consideration of Senate bill 3702. I think the bill will take no time.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3702) granting to the Chicago, Rock Island and Pacific Railway Company the use of certain lands at the Chickasaw Station, and for a "Y" in the Chickasaw Nation, Indian Territory.

The bill was reported from the Committee on Indian Affairs with an amendment, in line 9, before the word "station," to strike out "Chickasaw" and insert "Chickasha;" so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Chicago, Rock Island and Pacific Railway Company, a corporation created under and by virtue of the laws of the States of Illinois and Iowa, is hereby granted the right to use for railroad purposes two additional strips of land, each 100 feet in width, lying on each side of the ground selected for station purposes, under act of Congress, Chickasha Station, in the Chickasaw Nation, Indian Territory; and said railway company is also granted a right of way 1,500 feet in length for a "Y" in sections 21 and 22, township 7 north, range 7 west of Indian meridian, said right of way to be of a width of 300 feet for a distance of 100 feet, and for the remaining 1,100 feet the width shall be 100 feet. The amount of compensation to be paid to the Chickasaw Nation or chief of Indians for such appropriation of land and



tions 2474 and 2475 of the Revised Statutes—to the Committee on the Public Lands.

By Mr. TOWNSEND: Petition of E. Bethel, of Denver, Colo., in favor of using the metric system in the customs service after July 1, 1893—to the Committee on Coinage, Weights, and Measures.

By Mr. WILLCOX: Three petitions of the Order of United American Mechanics of Connecticut, as follows: The petition of Coginching Council, No. 62; of Putnam Council, No. 19, and of Pioneer Council, No. 1, all for restricting foreign immigration—to the Select Committee on Immigration and Naturalization.

By Mr. YOUMANS: Petition of Frank A. Robinson and others, for repealing the act closing the World's Fair on Sunday—to the Select Committee on the Columbian Exposition.

## SENATE.

SATURDAY, February 11, 1893.

The Senate met at 12 o'clock m.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

### PRESIDENTIAL ELECTORS.

The VICE-PRESIDENT laid before the Senate communications from the Secretary of State transmitting, in pursuance of the provisions of the act of Congress approved February 3, 1887, certified copies of the final ascertainment of the electors for President and Vice President appointed in the States of North Dakota and Montana at the elections held therein on the 8th of November, 1892, as certified by him by the governors of those States; which were ordered to lie on the table.

### INDIAN DEPREDAATION CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the Attorney-General of the United States, transmitting, in pursuance of law, a list of the final judgments rendered in Indian depredation cases since June 30, 1891, in favor of claimants and against the United States and not paid; which, with the accompanying papers, was referred to the Select Committee on Indian Depredations, and ordered to be printed.

### PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a joint resolution of the Legislature of South Dakota, favoring the passage of the bill to establish a military post at or near the city of Pierre, S. Dak.; which was referred to the Committee on Military Affairs.

Mr. BUTLER presented a memorial of the Charleston Ministerial Union, remonstrating against the opening of the World's Columbian Exposition on Sunday, transmitted in a note from Mr. J. L. Stokes, the secretary of that organization; which was referred to the Committee on the Quadro-Centennial (Select).

He also presented a petition of the Lumber Trade Association of New York City, praying for the construction of the Nicaragua Canal under Government supervision; which was ordered to lie on the table.

Mr. GALLINGER presented a petition of Washington Council, No. 3, Order United American Mechanics, of Goldstown Centre, N. H., praying for the passage of legislation restricting immigration; which was referred to the Committee on Immigration.

Mr. KYLE presented a joint resolution of the Legislature of South Dakota, favoring the passage of the bill to establish a military post at or near the city of Pierre, S. Dak.; which was referred to the Committee on Military Affairs.

Mr. FELTON presented a petition of the trustees of the San Francisco (Cal.) Bar Association, praying for the establishment of a law library in San Francisco for the circuit court of appeals; which was referred to the Committee on the Judiciary.

He also presented a petition of citizens of Flagstaff, Arizona Territory, praying for the construction of a deep-water harbor at San Pedro, Cal.; which was referred to the Committee on Commerce.

Mr. CAREY presented the petition of Rev. D. A. Snow and 28 other citizens of the District of Columbia, praying for a constitutional amendment prohibiting the manufacture, importation, exportation, transportation, and sale of all alcoholic liquors as a beverage in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. QUAY presented a petition of the College of Physicians of Philadelphia, Pa., praying for the passage of an act to place the quarantine at all our frontiers under national control, the prohibition for one year of the entrance into this country of steerage passengers, and the establishment at Washington of a national health commission; which was referred to the Committee on Epidemic Diseases.

Mr. PLATT presented a petition of sundry citizens of Connecticut, praying for the passage of legislation restricting all immigration for one year; which was referred to the Committee on Immigration.

Mr. HOAR presented a memorial of the Evangelical Alliance, of Boston, Mass., remonstrating against the sale of intoxicating liquors on the New Hebrides Islands; which was referred to the Committee on Foreign Relations.

Mr. FRYE presented petitions circulated by the Woman's Christian Temperance Union, and signed by Mrs. A. C. Clark, Miss A. A. Hicks, Mrs. H. B. Cook, and 16 other citizens of Maine; by Rev. C. W. Foster, H. L. Leonard, G. M. Morgan and 67 other citizens, of Maine; by James W. Clark, John Moore, Hattie A. Burkett, and 8 other citizens of Maine; and by F. C. Pendleton, H. C. Mahoney, Sallie Durham and 31 other citizens of Maine, praying for the passage of the bill providing for the appointment of a commission to investigate the social vice; which were referred to the Committee on Education and Labor.

He also presented petitions circulated by the Woman's Christian Temperance Union and signed by C. H. Prey, J. W. Deering, Lucy C. Pitcher, and 11 other citizens of Maine; by Caleb Fuller, C. E. Baeden, Lizzie E. Marshall, and 17 other citizens of Maine, and by F. C. Pendleton, H. C. Mahoney, Eunice B. Giles, and 29 other citizens of Maine, praying for the passage of the bill prohibiting the importation, exportation, and interstate transportation of alcoholic beverages; which were referred to the Committee on the Judiciary.

### REPORTS OF COMMITTEES.

Mr. QUAY, from the Committee on Commerce, to whom was referred the bill (S. 3857) authorizing the construction of a bridge over the Monongahela River, at the foot of Main street, in the borough of Bellevue, in the State of Pennsylvania, reported it without amendment.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely.

A bill (S. 679) to amend an act entitled "An act to provide for the settlement of all outstanding claims against the District of Columbia, and conferring jurisdiction on the Court of Claims to hear the same, and for other purposes."

A bill (S. 1102) referring to the Court of Claims the claims of Elias E. Barnes and others; and

A bill (S. 603) referring to the Court of Claims the claims of James W. Walsh and others.

Mr. SHOUP, from the Select Committee on Indian Depredations, to whom was referred an amendment submitted by himself on the 10th instant, intended to be proposed to the legislative, executive, and judicial appropriation bill, reported it favorably and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

He also, from the Committee on Pensions, to whom was referred the bill (H. R. 3743) granting a pension to Julia E. Look, formerly widow of the late Gen. Daniel McCook, reported it with amendments and submitted a report thereon.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred an amendment submitted by Mr. POWER on the 10th instant, intended to be proposed to the sundry civil appropriation bill, reported it favorably, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

He also, from the same committee, to whom was referred an amendment submitted by himself on the 10th instant, intended to be proposed to the Military Academy appropriation bill, reported it favorably, and moved that it be referred to the Committee on Appropriations, and be printed; which was agreed to.

Mr. CHANDLER: I am directed by the Select Committee on Failed National Banks, to whom was referred the bill (S. 3730) in amendment of the provisions of the Revised Statutes relative to national banks, to report it without amendment and to submit a report thereon. I desire to state that the Senator from Kentucky, Mr. Carlisle, was a member of the committee, but he is not now in the Senate. The Senator from Ohio [Mr. BURKE] consents that the report may be made, reserving the right to himself at a latter period to dissent from the whole or any portion of the report.

The PRESIDING OFFICER: Mr. PERKINS in the chair. The bill will be placed on the Calendar.

Mr. QUAY, from the Committee on Public Buildings and Grounds, to whom was referred an amendment submitted by Mr. CAMERON on the 30th ultimo, intended to be proposed to the sundry civil appropriation bill, reported it favorably, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.



## ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the Vice-President:

A bill (H. R. 8349) to amend an act establishing a Court of Private Land Claims, and to provide for the settlement of private land claims in certain States and Territories, approved March 3, 1891.

A bill (S. 3787) to authorize the construction of a bridge across the St. Marys River, between the States of Florida and Georgia;

A bill (S. 3826) authorizing Velasco and Surfside Terminal Railway Company to construct a bridge across the Galveston and Brazos Canal;

A bill (S. 3825) to authorize the Homestead and Pittsburg Bridge Company to construct a bridge over the Monongahela River from Pittsburg to Homestead; and

A joint resolution (S. R. 134) authorizing the exhibition at the World's Columbian Exposition of the picture entitled "The Recall of Columbus," by Augustus G. Heaton.

## SETTLERS ON FOREST RESERVATIONS IN CALIFORNIA.

The VICE-PRESIDENT. If there is no further morning business, that order is closed, and the Calendar under Rule VIII is in order.

Mr. FELTON. I ask unanimous consent to call up the joint resolution (S. R. 159) to provide for the appointment of a commission by the Secretary of the Interior to appraise the improvements made by actual settlers upon public lands, holding in good faith, under the United States in the Sequoia and Yosemite reservations in California, and for other purposes.

The VICE-PRESIDENT. Is there objection to the request of the Senator from California?

Mr. DOLPH. I object.

Mr. FELTON. I move that the Senate proceed to the consideration of the joint resolution.

Mr. DOLPH. On that motion I call for the yeas and nays.

The yeas and nays were ordered.

Mr. KYLE. Is a remark in order?

The VICE-PRESIDENT. Remarks are not in order.

Mr. MORGAN. I ask that the Senator from South Dakota have unanimous consent to make an explanation of the joint resolution.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Alabama?

Mr. DOLPH. What is the request?

The VICE-PRESIDENT. The Senator from Alabama asks unanimous consent that the Senator from South Dakota may be permitted to make some remarks with reference to the motion which has just been made.

Mr. DOLPH. I shall not object to that, but I shall myself ask unanimous consent to be heard.

Mr. MORGAN. Of course, the Senator can have it.

Mr. DOLPH. It will consume some time.

Mr. MORGAN. Everybody wants to hear the Senator from Oregon.

Mr. DOLPH. The joint resolution has not been to the Secretary of the Interior nor to the Committee on Public Lands, and I do not propose that it shall be railroaded through the Senate if the Senate chooses to take it up.

Mr. PALMER. I desire to make an inquiry. If the joint resolution is taken up would it supersede House bill 9559, the railroad bill? What would be the effect of taking up the joint resolution at this time?

The VICE-PRESIDENT. House bill 9559, which is the unfinished business, does not come up until after the expiration of the morning hour, at 2 o'clock. The Senator from South Dakota will proceed.

Mr. KYLE. I do not wish to make extended remarks at this time, as if the measure is taken up, I expect to talk for a little while. I wish to say, however, that this is one of the most important measures now pending upon the Calendar, and I hope we shall have the unanimous vote of the body to take the joint resolution up. It can be disposed of in a very short time, I think.

The VICE-PRESIDENT. The roll will be called on agreeing to the motion of the Senator from California to proceed to the consideration of the joint resolution.

The Secretary called the roll.

Mr. GEORGE. My colleague [Mr. WALTHALL] is detained from the Senate by indisposition. He is paired generally with the Senator from Rhode Island [Mr. DIXON]. I make this announcement for the day.

The result was announced—yeas 42, nays 3, as follows:

## YEAS—42.

Berry,  
Blodgett,  
Brace

Butler,  
Caffery,  
Call

Carey,  
Chandler,  
Cockrell

Coke,  
Cullom,  
Dubois

Felton,  
Gallinger,  
George,  
Hansbrough,  
Harris,  
Hoar,  
Huntton,  
Jones, Ark.

Kyle,  
McMillan,  
McPherson,  
Mauderson,  
Mills,  
Morgan,  
Morrill,  
Palmer

Peffer,  
Perkins,  
Platt,  
Poyer,  
Pugh,  
Sawyer,  
Shoup,  
Stewart

Stockbridge,  
Teller,  
Turpie,  
Vance,  
Vilas,  
Voorhees

## NAYS—3.

Dolph

Hawley

Sherman

## NOT VOTING—4.

Aldrich,  
Allen,  
Allison,  
Bate,  
Blackburn,  
Cameron,  
Cassidy,  
Cassidy,  
Colpitt,  
Daniel,  
Davis

Dawes,  
Dixon,  
Paulkner,  
Frye,  
Gibson,  
Gordon,  
Gorman,  
Gray,  
Hale,  
Higgins,  
Hill

Hiscock,  
Irby,  
Jones, Nev.,  
Mitchell,  
Paddock,  
Pasco,  
Pettigrew,  
Proctor,  
Quay,  
Ransom,  
Sanborns

Squire,  
Stanford,  
Vest,  
Walthall,  
Warren,  
Washburn,  
White,  
Wilson,  
Woolcott

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. R. 159) to provide for the appointment of a commission by the Secretary of the Interior to appraise the improvements made by actual settlers upon public lands holding in good faith, under the United States, in the Sequoia and Yosemite reservations, in California, and for other purposes.

Mr. DOLPH. Mr. President, I opposed the taking up of this joint resolution, because I knew that it would necessarily occupy a good deal of time of the Senate, and probably consume the morning hour for more than one day, and also because I do not think it is a meritorious measure, or at least we have not sufficient information before the Senate to justify us in adopting it.

I have been honored by the Senate by being made the chairman of the Committee on Public Lands. I wish to say for that committee that I think it is one of the most painstaking and industrious committees in this body. It has promptly taken up and disposed of every measure referred to it that any member of the committee desired to have disposed of. It has reported a great many bills which have been passed by the Senate, and many of them by both branches of Congress.

On the 15th of February, 1892, the Senator from South Dakota [Mr. KYLE] introduced Senate bill 2198, entitled "A bill to amend an act entitled 'An act to set apart certain tracts of land in the State of California as forest reservations,' approved October 1, 1890."

That bill proposed that the provisions of an act of Congress withdrawing from settlement a certain tract of land described in the bill should be amended so as to contain the following provision:

"That nothing in this act shall be construed as in anywise affecting the grant of lands made to the State of California by virtue of the act entitled 'An act authorizing a grant to the State of California of the Yosemite Valley, and of the land embracing the Mariposa Big Tree Grove,' approved June 30, 1861; or as affecting any bona fide entry of or filing on land made within the limit above described under any law of the United States prior to the approval of this act."

This bill of the Senator from South Dakota was introduced and referred to the Committee on Public Lands on the 15th of February, 1892. On the 2d of March, 1892, probably at the next meeting of the committee, before this bill was referred to the senior Senator from Mississippi [Mr. WALTHALL] for examination, and as other measures relating to this reservation and the rights of these parties came in, as has always been the custom of the committee, they were referred to that Senator as a subcommittee.

Mr. President, I am extremely desirous, although I shall necessarily speak somewhat at length in discussing this bill of having the attention of the Senate. I think I have something of sufficient importance to present to justify their attention and something which requires their consideration.

As I have said, the bill introduced by the Senator from South Dakota was referred to the Committee on Public Lands and contained a provision intended to protect the supposed settlers upon this reservation. The subject-matter of that bill was again brought before the Committee on Public Lands.

The senior Senator from California [Mr. STANFORD] introduced at the last session, March 23, 1892, a bill (S. 2765) for the relief of settlers upon certain land within recent reservations in the county of Tulare and State of California, which was referred to the Committee on Public Lands and which provides:

"That the said bona fide settlers (settlers upon this reservation) may make a claim for said land for said indemnity upon the passage of this bill, and it is hereby provided that a sufficient amount of money be and is hereby appropriated out of any moneys in the Treasury of the United States not otherwise appropriated, to carry out the provisions of this bill."

Mr. COCKRELL. Will the Senator please tell us from what he is reading?

Mr. DOLPH. I am reading from a bill introduced by the senior

aminer of November 29, 1891 (Exhibit V). I called special attention to the fact that in this article, instead of blaming the Government for "crushing out the life of the colony," as he has so often in high-sounding and malignant language done before, he now places the whole blame for the failure of the scheme upon the colonists themselves.

I transmit herewith (Exhibit W), a statement prepared by a resident member, purporting to show the colony possessions and the number and names of the resident members. While I believe the member intended to be an entire good faith, yet I have information from several sources that the printing press, engine, and other machinery referred to has either never been paid for or has been paid for in "time checks," and that most of the horses and mules belong to private individuals and not to the colony.

If everything that the colony really owns was placed in the market to-morrow I doubt if it would realize \$5,000 at the outside figure, and this is all they have to show for some \$100,000 to \$200,000 contributed. The list of 117 resident members is also inaccurate, as I know of several named therein who do not reside within 30 miles of the settlement. A significant fact is that the names of only 3 of the resident members appear in the original lists of "member files."

To show the serious straits to which the colony is now reduced, I transmit copy of a notice posted on the side of their hall (Exhibit X), calling for volunteers to go outside the colony and work and "turn in all their earnings in excess of personal needs," to buy food and provisions for the others. The colony is now in *extremis*; they have no home resources what-over with which to furnish the necessities of life to 147 souls, or even 77 souls; contributions from outside sources have almost ceased, and how they are to keep body and soul together is a serious question.

Before leaving Kaweah I requested the new board of trustees to submit a statement of their case from their own point of view, for transmission with my report, and I particularly requested that they would specifically state how the colony had been "crushed by the despotic heel of the Government," as has been so often claimed in various so-called workmen's organs published throughout the country.

This statement (Exhibit Y) is simply a rehash of what has been published so many times, and is, in brief, to the following effect:

In 1884 a number of people, "earnest believers in the theory of co-operation, wishing to make a practical test of the same," located on Government lands in the "Giant Forest," and filed their timber-land claims thereon "in accordance with law." Commissioner Sparks suspended action on these claims on suspicion of fraud. "Conscious of the rectitude of their intentions," they "proceeded to build a road to communicate with their timber lands, and to improve their homesteads." Their claims, however, were canceled, and by this action of the Government they were "robbed of their houses, and reduced to penury and want," and they ask that their claims be restored and the timber lands be patented to them. The evident impression they desire to create by their well-guarded statements is, that they had settled on these timber lands in "Giant Forest," and solely for the purpose of making homes thereon, and not for speculation in the timber.

The actual facts are, that the lands in the "Giant Forest" were not suitable for homestead or other entry under the settlement laws; as shown by their own sworn statements, in which they swear that "said land is unfit for cultivation and valuable chiefly for its timber." They made no attempt to acquire said lands for homes under any of the settlement laws. They filed timber land applications therefor under the act of June 3, 1878 (20 Stat., 389), under the provisions of which settlement or residence on the land is not required.

In fact, the "Giant Forest," even if it had been suitable for entry under the homestead laws, was inaccessible at that time for residence purposes, and even to-day, after the completion of the wagon road to the edge of the forest, that portion of the forest upon which these men filed timber-land applications can only be reached by a circuitous, difficult, and dangerous narrow trail, up and down precipitous mountains for a distance of about 5 miles. The efforts of these men have been directed solely toward securing possession of the valuable timber lands in the "Giant Forest," with the object of making in the lumber business on a large scale, and the colonization project for the purpose of acquiring homes, etc., was simply a side show for the purpose of drawing attention from their real object and creating sympathy.

Had the management of the colony expended one-half their efforts and one-third of the money received in a bona fide attempt to establish homes for the members of the colony and acquire lands valuable for agriculture, orchard, or grazing purposes, as a recompense from which to secure subsistence, instead of expending all of their efforts and money in an endeavor to secure timber lands for speculative purposes, there might possibly have been some chance for the colony to have become a success.

The Kaweah colony is now virtually dead, and I can see no object anyone can have in keeping up the agitation regarding it, except possibly for the purpose of airing political aspirations and booning themselves for office. I transmit a letter dated December 5, 1891, received by me from J. J. Martin, who is the secretary of the association (Exhibit Z), and call attention to the following paragraph therein, showing the effort they are now making to create a political issue on their demands:

"Our people have joined the Farmers' Alliance in a body, and that party are anxious to take up our case in the next Presidential campaign."

The entire history of the "Kaweah Cooperative Colony" can be summed up in a few words.

It was conceived in illegality, born in fraud, and nurtured in falsehood and deception; but as it grew in years, and acquired knowledge by experience it endeavored to shake off the evil influences which had governed its life, and is now perishing from exhaustion.

In substantiation of the statements made by me in this report, I transmit the affidavit of Mr. Robert T. Van Norden, of San Francisco, Cal. (Exhibit AA), who accompanied and assisted me in my investigation, and was present at every interview held by me with members of the colony and others.

Regarding the charges of timber trespass by members of the colony, I desire to state that in my opinion there has been much more agitation on that subject than the facts in the case warranted.

Upon the completion of the wagon road to the borders of the forest in 1890, the colonists erected a small sawmill on section 3, township 16 south, range 20 east, cut a few trees from lands adjoining, and saved them up into lumber, which was used in the construction of houses, etc., for the use of members of the colony.

When the special agent attempted to stop them from cutting, they assumed a defiant attitude and refused to desist unless compelled by law, therefore the arrest of the trustees was necessary. This stopped the cutting and caused them to remove the sawmill; and it seems to me that the further and continued prosecution of the case against them was unwise, as it gave them a handle with which to work up sympathy by claiming that the Government was persecuting them; and they worked it to the best advantage possible to them.

The colonists subsequently leased a sawmill on the S. 1 of NE. 1 sec. 11, and S. 1 of NW. 1 sec. 12, T. 17 S., R. 20 E., which was patented to Isham Mulenix April 9, 1890, and is now assessed to the estate of T. J. Atwell, and during last year sawed some 200,000 feet of lumber. A country road runs through the Atwell claim, and they hauled a few loads of lumber there on to the val-

ley and Mr. J. K. Miller, who reside at Mendocino, but Messrs. Miller and Martin, connected with the sawmill at 1418 Buchanan street, San Francisco, Cal., and who handle the lumber, sold it by the "Kaweah Colony."

I submit the following photographs:—  
Exhibit BB—A view of the sawmill and the cooperative colony.  
Exhibit CC—A view of the sawmill and the cooperative colony.

While the colonists were at work on the sawmill, they were engaged in the business of buying and selling lumber, and were in the habit of hauling lumber to the sawmill, and then hauling it to the market, and selling it at a profit.

The business of the colony was conducted in a very irregular manner, and was not in accordance with the laws of the State of California, and the Government.

There is no doubt that the colony was engaged in a business which was illegal, and that the Government was entitled to seize the property of the colony.

Subsequent National Fair, San Francisco, Cal., 1892. I am satisfied that the colony was engaged in a business which was illegal, and that the Government was entitled to seize the property of the colony.

Those who have a right to the timber lands in the "Giant Forest" are the people who have been living on the lands for many years, and who have been paying taxes on the lands.

The action of the Government in canceling the claims of the colonists is a very proper one, and is in accordance with the laws of the State of California, and the Government.

It is clear that the colonists were engaged in a business which was illegal, and that the Government was entitled to seize the property of the colony.

The action of the Government in canceling the claims of the colonists is a very proper one, and is in accordance with the laws of the State of California, and the Government.

Very respectfully,  
G. A. VAN DUNN,  
District Attorney, Fresno County, Cal.

(See the duty exhibit herewith.)

LIST OF EXHIBITS—  
A—Prospectus of the Cooperative Land, Pioneers, and Colonization Association of California.  
B—Certified copy of articles of incorporation of the Kaweah Cooperative Land and Giant Forest Railroad Company.

C—Certified copy of articles of incorporation of the Cooperative Building, Tile, and Terra Cotta Association.

D—Letter of Charles F. Keller of March 23, 1891.

E—Form of power of attorney signed by many of the colonists.

F—Affidavit of Edward M. Jefferson.

G—Affidavit of Thomas Marlous.

H—Protest of resident members of colony against action of the State Attorney, etc.

I—The Commonwealth for November, 1892.

J—Time check.

K—Application for membership.

L—Map of Miles's survey.

M—Letter of C. E. Miles, November 14, 1891.

N—Certified copy of articles of incorporation of the Giant Forest Wagon and Toll Road.

O—Certified copy of articles of incorporation of the Kaweah Cooperative Land Colony.

P—Letter of J. J. Martin, November 21, 1891.

Q—Certified copy of deed from Kaweah Cooperative Land Association to Kaweah Cooperative Land Company.

R—List of timber-land claims which were canceled by the Government.

S—Copy of deed from timber-land claim to the Government.

T—Letter of Burnitt G. Haskett, November 18, 1891.

U—Letter of Burnitt G. Haskett, December 18, 1891.

V—First page of San Francisco Chronicle, December 18, 1891.

W—Statement as to residence of members of the cooperative colony.

X—Copy of published notice posted on the side of the colony.

Y—Statement of present board of trustees.

Z—Letter of J. J. Martin of December 5, 1891.

AA—Affidavit of Asa L. and Robert T. Van Norden.

BB—Photograph of Atwell's mill.

CC—Photograph of Atwell's mill.

DD—Photograph of Giant tree.

WASHINGTON, FRIDAY, AND MONDAY, JANUARY 15, 1893.

Mr. HUNTON. With the consent of the Senate, I have the honor to call up the bill, S. 3337, to incorporate the Kaweah Cooperative Land and Alexandria Railway Company, and to report thereon.

I will withdraw it.

The PRESIDING OFFICER. Mr. HUNTON has withdrawn the bill. The Chair will call the attention of the Senate to the fact that the bill is not to be called up except in the case of a unanimous vote of the Senate.

West Virginia [Mr. FAULKNER] for the State of Virginia [Mr. McMILLAN]. The Chair does not call the bill.

Mr. HUNTON. Does the Chair wish to call the bill up?

to taking up the bill.

The PRESIDING OFFICER. The Chair has the honor to call the bill up, and to report thereon.

agreement at that time. The Chair has the honor to call the bill up, and to report thereon.

feel constrained to say that the bill is not to be called up except in the case of a unanimous vote of the Senate.

Mr. HUNTON. The Chair has the honor to call the bill up, and to report thereon.

man of the Committee on the District of Columbia, I am authorized to call the bill up, and to report thereon.

incorporated in the bill. There is a unanimous vote of the Senate.

Virginia, I am authorized to call the bill up, and to report thereon.



Mr. HANSBROUGH. I think the bill had better go over until the two Senators indicated are in the Chamber.

The PRESIDING OFFICER. The Senator from North Dakota objects, and the bill will go over.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 9th instant approved and signed the joint resolution (S. R. 141) to provide for the maintenance of order during the inaugural ceremonies, March, 1897.

The message also announced that the President had on the 10th instant approved and signed the act (S. 3311) to refer the claim of Jessie Benton Fremont to certain lands, and the improvements thereon, in San Francisco, Cal., to the Court of Claims.

The message further announced that the President had this day approved and signed the act (S. 3798) to amend an act entitled "An act to authorize the building of a railroad bridge at Little Rock, Ark."

#### HOUSE BILL REFERRED.

The bill (H. R. 10363) to remove the disabilities of William F. Robinson, a citizen of the State of Alabama, was read twice by its title, and referred to the Committee on the Judiciary.

#### FORTIFICATIONS APPROPRIATION BILL.

Mr. DAWES submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9923) "making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 6, 7, 8, and 9.

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 5, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows. In lieu of the sum proposed in said amendment insert "\$175,000," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with amendments as follows. In lines 3 and 4, page 1, of said amendment, strike out the words "or so much thereof as may be necessary" and insert in lieu thereof the following: "Of the several sums available for allotment by the Board of Ordnance and Fortification for experimental and other purposes under the several acts making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes," which several acts were approved September 22, 1888, March 2, 1889, August 18, 1890, February 4, 1891, and July 23, 1892, and this act, all of which sums are hereby set aside to the extent necessary and made available and continued in force for this purpose."

And strike out the words "eighty-five" where they occur in lines 16 and 20, page 2, of said amendment and insert in lieu thereof the word "sixty," and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with amendments as follows. Strike out all of lines 17 to 24, inclusive, except the word "Provided" in line 24, on page 2, of said amendment, and at the end of said amendment add the following: "Or who is connected with or in the employ of any manufacturer who has or shall have contracts with the United States for any ordnance material;" and the Senate agree to the same.

H. L. DAWES,

WILLIAM M. STEWART,

A. P. GORMAN,

*Managers on the part of the Senate.*

WILLIAM C. P. BRECKINRIDGE,

L. F. LIVINGSTON,

WILLIAM COGSWELL,

*Managers on the part of the House.*

Mr. HAWLEY. Senators are well aware that the reading of the report gives not the slightest imaginable idea of what has been done by the conferees. I should be very glad if the Senator in charge would mention some of the chief recessions made by the committee of conference on the part of the Senate.

Mr. DAWES. The first amendment of the Senate is for the construction of gun and mortar platforms, \$50,000. That is agreed to. By the second, sites for fortifications and sea-coast defenses, the Senate appropriated \$300,000 and the House conferees receded with an amendment reducing the amount to \$175,000.

Mr. HAWLEY. What was the original House proposition?

Mr. DAWES. There was none.

Mr. HAWLEY. None at all?

Mr. DAWES. None at all. The third amendment is for the protection, preservation, and repair of fortifications. The House of Representatives appropriated \$45,000. The estimate was \$81,600, I think. It appeared that there was of the \$60,000 appropriated last year an unexpended balance remaining in the hands of the Government of a little less than \$20,000. The officials were very desirous of having it increased to \$60,000 for the sake of having a fund on hand to meet exigencies which they could not of course foresee; whether any or how great was all in the future. The Senate conferees have receded from the Senate amendment adding \$10,000 to that fund, which leaves on hand

over and above what they had last year a surplus of about \$18,000.

The next is the amendment authorizing the Board to make a contract with A. H. Emery for a disappearing gun carriage. That amendment is agreed to by the conferees with the modification that only 60 per cent instead of 80 per cent shall be advanced to Mr. Emery during the construction upon the bond given by him to repay that sum if the carriage is not satisfactory and accepted by the Department, and it appropriates a balance in the Treasury under the appropriations of years past of enough money to meet the payment for the carriage provided it is accepted. The legal effect of the whole provision is that Mr. Emery undertakes to construct a disappearing carriage on the plan proposed by him, and the Government advance to him 60 per cent of what it costs upon his giving a bond to reimburse the Government all that sum if his carriage does not meet the stipulations of the contract.

The sixth amendment is for steel breech-loading rifled mortars of 12-inch caliber, \$300,000. The Senate conferees have receded from that amendment on the ground that we have already eighty mortars of all sizes, and that other parts of the progressive work as a whole were more behind than this particular feature. As it was not possible for the Senate to carry out their views of obtaining appropriations up to what they thought the requirements of the service demanded, the conferees felt justified in dropping, if they must drop anything, the mortars, because that feature of the plan has been heretofore advanced more than some others.

The tenth amendment is a change of phraseology in the appropriation for the Board of Ordnance and Fortifications, the phraseology in the bill having been inserted by the House committee by mistake and they themselves wishing to have the correction made. It stands in precisely the language of the fortification appropriation acts heretofore.

The amendment providing for one more civilian member of the Board, who should be either a civil or a mechanical engineer, eminent in his profession and well acquainted with the general properties of steel and in the construction and use of machines, the Senate conferees found it impossible to hold, and therefore they have receded.

Mr. HAWLEY. There is one defect in the bill that is greatly to be regretted. The plans for the fortification of the coast are thoroughly matured by the engineers. They can tell just what land they require around the coast from Maine to California and Oregon, just where the land is, just what is the area required, and can give a pretty good guess as to what they may be obliged to pay for it. Of course no progress can be made at any of those places designated until the land shall have been purchased. That is the first step. Then the engineers and ordnance officers know precisely what guns they wish to place, just where to place them, and the approximate cost of them. But it may as well be understood that not one step can be made towards the real fortification of the thousands of miles of coast of this great country without any appropriation for the purchase of sites.

Mr. DAWES. What the Senator says is scriptural—it is all true—but nevertheless the bill in its present shape is the best possible thing attainable under the circumstances. The other House made no appropriations for sites. Gen. Casey, who has charge of this matter, appeared before the House committee and urged a large appropriations. He appeared before the Senate committee after the bill came here and said that there is one particular place—he did not care to mention it in the hearing of speculators—which is a strategic point of immense value to the Government that it was in his opinion the paramount duty of the Government to obtain.

All these matters have been considered by the committee of conference. The suggestions of the committee on the part of the Senate that these necessary sites were falling into the hands of speculators and the price would be enhanced greatly unless they were taken at the earliest possible moment were met with the answer that the rise in value could not exceed the interest on the money, and that we should always be able to fall back upon the power of condemnation, to which the Senate conferees replied that all experience showed that by condemnation process we paid more than we did by private purchase.

When the conference committee came together the conferees on the part of the Senate found the committee on the part of the House resolved to stand upon the point that they would not purchase any of the sites this year, owing to what they felt was the condition of the Treasury. However, the point to which I have alluded seemed to make some impression upon them, and as a necessary concession upon their part they have conceded to the extent of \$175,000. I do not controvert what the Senator from Connecticut has said. I felt its force quite as much as he did.

Mr. HAWLEY. I took it for granted that the Senator from Massachusetts would not interpret me as censuring the Senate

Mr. BATE. Yes; but whether it does or not it is quite applicable. It will be an element in the amount of damage, because the case will go to the courts, and if the employé knows of the defect and still continues in the service that will be a fact for the court and the jury. I think the amendment is eminently proper.

Mr. WHITE. I shall favor the amendment if the Senator from Mississippi will act upon the suggestion I have made.

Mr. GEORGE. I desire simply to have a vote upon the section as it came from the House of Representatives. I recognize the doctrine of contributory negligence, as stated by the Senator from Louisiana, but I propose also to say that the section, although it be not skillfully drawn, has the same effect exactly as if the word "contributory" was stricken out. If, however, it will aid in getting any votes in favor of the amendment, I am very willing that the word "contributory" shall be stricken out.

Mr. WHITE. If the Senator will allow me a moment, I am heartily in favor of the purpose he has in view.

Mr. GEORGE. Will striking out that word help the amendment with the Senator?

Mr. WHITE. If the Senator will allow me a moment I will try to write a little change which I think will accomplish the purpose I have in view; and when I have written it I shall submit it to the Senator.

Mr. GEORGE. Very well. I wish to get all the votes I can for the amendment.

Mr. WHITE. Let me read the section and call the attention of the Senator from Mississippi to it as I propose to modify it:

That any employé of any such common carrier who may be injured by any locomotive, car, or train in use contrary to the provisions of this act shall not be deemed thereby to have assumed the risk thereby occasioned, although continuing in the employ of such carrier after the habitual unlawful use of such locomotive, car, or train had been brought to his knowledge.

Mr. GEORGE. I accept the amendment.

Mr. WHITE. I would strike out, in line 4, the words "guilty of contributory negligence," and insert the words which I send to the desk, "thereby to have assumed the risk thereby occasioned."

Mr. GEORGE. That is all right.

Mr. CULLOM. I suggest, if there is going to be no opposition to the amendment, that the call for the yeas and nays may as well be withdrawn.

Mr. GEORGE. Of course I will withdraw the call for the yeas and nays if the understanding is that the amendment is going to pass unanimously.

Mr. GRAY. I do not think it will pass unanimously.

Mr. GEORGE. I withdraw the call for the yeas and nays.

Mr. GRAY. Then I renew the call for the yeas and nays.

Mr. GEORGE. Very well.

Mr. GRAY. I think there is a very serious objection to this amendment, and I have doubt about the right of Congress, in regulating the instrumentalities of commerce, to stretch its powers so as to regulate the contracts in every respect which may be made with these people. I have enough doubt about it to control my vote.

The VICE-PRESIDENT. The amendment proposed by the Senator from Louisiana [Mr. WHITE] to the amendment will be stated.

The CHIEF CLERK. It is proposed to amend the section so as to read:

That no employé of any such common carrier who may be injured by any locomotive, car, or train, which is in use contrary to the provisions of this act, shall be deemed thereby to have assumed the risk thereby occasioned, although continuing in the employ of such carrier after the unlawful use of such locomotive, car, or train had been brought to his knowledge.

Mr. GRAY. Mr. President, this amendment seeks to introduce to every one of our forty-four States an amendment to the common law of that State of a character more far reaching than any which has ever been before attempted by Congress, so far as I can now recall, by one enactment. We undertake now to prescribe to the courts in every State in this Union a rule in regard to negligence, a rule in regard to the liability of employers, and a rule in regard to the ordinary risk assumed by all persons who engage with their eyes open in certain employment, to be administered not only by the courts of the United States, but by the courts of every State in this country, whether that contravenes the policy of a State or not, whether, in the opinion of its courts or in the policy adopted by its Legislature, such a rule be wise or not. I believe that this exercise of power by Congress in this respect is unnecessary, and that there is no exigency demanding so far reaching and radical an exercise of power as would be made by this amendment if adopted.

The law in regard to the risks assumed by one man who takes employment from another are the product of a long series of years, of many decisions, of the philosophy of the best minds which have been devoted to the elucidation of that subject.

They do not rest upon any capricious or haphazard foundation; they are not the result of hasty consideration; but they have been the development of the laws of human action and intercourse, and relation of parties *inter se*, which have been developed by our courts after argument and discussion through a long series of years and by many wise tribunals, with an entire consciousness of opinion. I believe that it would be better to leave it so.

I believe that justice would be better administered, that the relations of man and man would be in a more satisfactory condition, if we were to restrain our hand, if we were to leave the power—which I am not now discussing—from interference in this delicate and delicate relation. If the States choose to do it, they have the thing; they have the power; and in the competition going on between the States in the improvement of our civil service, one State advancing tentatively and making experiments in this direction or that, and other States adopting it if they find that it stands the test of experience and the best judgment of the courts and of the public opinion of the country, I think that is the best way to attain these results, and the safest and easiest way in which advancement can be made along these lines.

I do not think we have sufficiently considered how far we are invading the jurisprudence of the States, and how tremendous a thing it is if we reach out our hand and place it upon the courts of forty-four States in this Union, to control them in administering the law, which has been administered from time out of mind. I think there is no necessity for it and no exigency demanding our interference.

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from Mississippi as modified. The amendment will be read.

The CHIEF CLERK. It is proposed to insert as a new section the following:

SEC. 8. That any employé of any such common carrier who may be injured by any locomotive, car, or train in use contrary to the provisions of this act shall not be deemed thereby to have assumed the risk thereby occasioned, although continuing in the employ of such carrier after the habitual unlawful use of such locomotive, car, or train had been brought to his knowledge.

Mr. PEPPER. I understood that the suggestion which I made as to the phraseology of this amendment had been accepted so far as the first and second lines are concerned.

Mr. GEORGE. There is no necessity for the Senator's amendment. It is covered by the amendment as it now stands.

Mr. PEPPER. I think my amendment would improve it very much.

The VICE-PRESIDENT. The question is on the amendment. Mr. CALL. I suggest to the Senator from Mississippi to strike out the word "habitual." It is entirely unnecessary.

Mr. GEORGE. I will accept the amendment to strike out "habitual."

Mr. CALL. I move to strike out that word.

The VICE-PRESIDENT. The amendment proposed by the Senator from Florida will be stated.

The CHIEF CLERK. In line 5, of the proposed section 8, it is proposed to strike out the word "habitual," so as to read:

Continuing in the employment of such carrier after the unlawfulness of such locomotive, car, or train, etc.

The amendment to the amendment was agreed to.

Mr. PEPPER. I move to insert the word "the" before "unlawful."

Mr. GEORGE. That is right.

The VICE-PRESIDENT. The amendment will be so modified. The question is on the amendment as modified.

Mr. GRAY. I call for the yeas and nays on that amendment. The yeas and nays were ordered.

Mr. CULLOM. As I understand, this vote is upon the question of agreeing to the amendment offered by the Senator from Mississippi [Mr. GEORGE] as amended.

The VICE-PRESIDENT. That is the question?

Mr. WHITE. I wish to make a very brief statement, if it be in order.

I entirely agree with the constitutional view expressed by the Senator from Delaware [Mr. GRAY], but I do not think that constitutional view will operate to prevent us from voting for the amendment, because if there be a class of contracts which under the Constitution is not brought within its scope, without restriction by the operation of this proposed amendment, the Constitution upon which it rests, the civil power, the law, and the administration of the class of contracts; but if there be a class of contracts which is within our constitutional power of legislation, even if it be I think the provision will be a wise one, and the legislation will be valid to the extent of its constitutionality, and need not be invalid wherever it extends beyond the limits of the Constitution.

Mr. HOAR. I ask that the amendment be agreed to.

The VICE-PRESIDENT. The amendment will be agreed to at the request of the Senator from Massachusetts.



taken out of the bill, and the bill will be in danger of failing if the amendment remains. I hope my colleague on the committee will consent to the reconsideration of the vote, and then that the appropriation be stricken from the amendment which he offered.

Mr. GORMAN. I am very sorry that I can not consent to the request of the Senator. I think the appropriation ought to remain in the bill. I should prefer a much larger amount, as I think more will be required.

Mr. CULLOM. I do not think so.

The VICE-PRESIDENT. The question is, Shall the vote by which the bill was ordered to a third reading be reconsidered? The motion to reconsider was agreed to.

The VICE-PRESIDENT. It will be necessary also, the Chair suggests, to reconsider the vote by which the amendment made as in Committee of the Whole was concurred in.

Mr. HOAR. I understand that the amendment was inserted in committee on a motion to amend the bill.

The VICE-PRESIDENT. The amendment has been concurred in in the Senate.

Mr. HOAR. Then, I move to reconsider the vote by which the amendment made as in Committee of the Whole was concurred in in the Senate.

The VICE-PRESIDENT. The question is on the motion made by the Senator from Massachusetts.

The motion was agreed to.

Mr. HOAR. I now move to lay the amendment of the Senator from Maryland to the amendment of the committee on the table.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. At the end of section 5 it is proposed to insert:

And to enable the said Commission to perform the duties imposed upon them by this act, there is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum of \$3,000, or so much thereof as may be necessary.

Mr. HOAR. I move to lay that amendment on the table.

Mr. GORMAN. I ask for the yeas and nays on that motion.

Mr. HOAR. I understand the President of the Senate to have stated that the motion concurring in the amendment in the Senate having been reconsidered, the question now is up in the Senate concurring in the amendment separate from the other amendment.

The VICE-PRESIDENT. It is not a separate amendment; it is an amendment as amended.

Mr. HOAR. Very well; then I will move to strike out the amendment adopted on the motion of the Senator from Maryland.

Mr. HARRIS. What is the exact parliamentary status of the question now? I was absent from the Chamber a moment, and therefore do not know.

The VICE-PRESIDENT. The Chair understands the Senator from Massachusetts desires to have stricken out the words which have been read by the Chief Clerk.

Mr. HARRIS. The Senate, as I understand, has proceeded to the point of the question, Shall the bill pass; that is, the bill had been ordered to a third reading, and read the third time. Now, upon the motion of the Senator from Massachusetts, the votes by which the bill was ordered to a third reading, and read the third time, have been considered. The next thing, as it seems to me, if the Senator desires to get at the practical method, is he must move to reconsider the vote by which the Senate agreed to the amendment made in Committee of the Whole.

The VICE-PRESIDENT. That motion has been made and carried.

Mr. HARRIS. Then it was done while I was absent from the Chamber. I beg pardon of the Chair and the Senate.

The VICE-PRESIDENT. The question is on striking out the words which have been read.

Mr. HOAR. As I understand, the whole matter before the Senate is the bill, which is in the shape of an amendment.

The VICE-PRESIDENT. The entire bill.

Mr. HOAR. From that I move to strike out the words which have been read.

Mr. DOLPH. I rise to a point of order.

The VICE-PRESIDENT. The Senator will state his point of order.

Mr. DOLPH. The Senate amendment was perfected. Among one of the amendments which were perfected was the amendment which it is sought to get rid of now. Will it not require that the vote of the Senate adopting the Senate amendment as it was perfected, in lieu of the bill as it came from the House, be first reconsidered?

Then is a motion in order to strike out an amendment adopted as in Committee of the Whole? Must not the vote be reconsidered by which the Senate substitute was adopted, and then the vote be reconsidered by which the amendment of the Senator from Maryland was adopted?

The VICE-PRESIDENT. That vote has been reconsidered. Mr. DOLPH. The vote by which the amendment made as in Committee of the Whole was adopted?

The VICE-PRESIDENT. So the Chair understands.

Mr. HARRIS. I suggest to the Senator from Oregon that that is the exact question which I present. The Chair has voted that the vote by which the amendment was adopted in Committee of the Whole had been reconsidered in way of a point of order.

Mr. DOLPH. But not on the question of whether the Senate in the amendment made as in Committee of the Whole adopted but it adopted the amendment of the Senate as it came from the House. Before you came to the Chair, I moved to reconsider the vote by which the amendment was substituted for the bill as it came from the House. It was reconsidered, and then a motion to strike out the amendment was made, but a motion to reconsider the vote by which the amendment of the Senator from Maryland was adopted was in order.

Mr. HOAR. If I may be permitted to make one suggestion to the Chair, the Committee of the Whole of the Senate has constitutionally no better in the Senate than any standing committee of the Senate. When it reports a bill to the Senate, although the committee consists of the whole Senate or a majority, whether in the nature of a proposed amendment to a bill as it comes from the House or in the nature of a proposed amendment to a Senate bill, is still but the report of a committee.

A House bill came over here, and in Committee of the Whole of the Senate there was a substitute offered to the House bill which had been reported by the committee of which my friend from Illinois [Mr. CULLOM] is chairman. That substitute was perfected in Committee of the Whole. Then it was reported to the Senate as one proposed amendment.

Mr. DOLPH. And was adopted.

Mr. HOAR. It was adopted as in Committee of the Whole, and then it was adopted in the Senate. Then the bill passed to a third reading. Now, the Senate has reconsidered, first, the passage to a third reading, and next the vote concurring in that amendment reported by the Committee of the Whole, and I have voted to reconsider it. The question now before the Senate is, Will the Senate adopt the amendment by way of a substitute as perfected in Committee of the Whole? That question being pending, I move to amend the proposed amendment by striking out certain language, which has been read, and that is the question now before the Senate.

The VICE-PRESIDENT. The question is on striking out the words which have been read.

Mr. GORMAN. What words are they?

The VICE-PRESIDENT. The words proposed to be stricken out will be reported.

The CHIEF CLERK. At the end of section 5 it is proposed to strike out:

And in order to enable said Commission to perform the duties imposed upon them by this act, there is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum of \$3,000, or so much thereof as may be necessary.

Mr. GORMAN. On that I demand the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. QUAY, when Mr. CAMERON'S name was called. I desire to announce that upon this bill and on the amendments generally my colleague [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. HUNTON, when his name was called. I am paired on this question with the Senator from Connecticut [Mr. PLATT]. If he were present I should vote "yea."

Mr. JONES of Arkansas when his name was called. I am paired with the Senator from South Carolina [Mr. BUTLER]. If he were present I should vote "yea."

Mr. PASCO, when his name was called. I am paired with the Senator from North Dakota [Mr. CASTLE], but after consulting with his colleague I learn that his views are in no way the same, and therefore I feel at liberty to vote on this amendment and on the bill when it comes to the question of final passage. I vote "yea."

Mr. POWER, when his name was called. I am paired with my colleague [Mr. SANBORN] on this question.

Mr. QUAY (when his name was called). I am paired with the Senator from West Virginia [Mr. CAYMAN].

The roll call was concluded.

Mr. CAMDEN. I am on my pair with the Senator from South Dakota [Mr. PATTERSON], who is absent.

The result was announced—yeas 39, nays 11, as follows:

#### YEAS—39.

Allison.	Call.	Gale.	Dolph.
Bate.	Carey.	Cullom.	Foraker.
Berry.	Chandler.	Davis.	Frederick.
Caffery.	Cockrell.	Dawes.	Frye.

Gallagher,  
Ham-brough,  
Hawley,  
Hoge,  
Jones, Ark.  
Kyle

McPherson,  
Morrell,  
Palmer,  
Pascu,  
Puffer,  
Perkins,

Proctor,  
Pugh,  
Sawyer,  
Sherman,  
Squire,  
Stockbridge,

Turpie,  
Vilas,  
Voorhees,  
Washburn,  
White.

The result was announced—yeas 39, nays 10, as follows:

## YEAS—39

Allison,  
Berry,  
Cahery,  
Caldwell,  
Cary,  
Chandler,  
Clegg,  
Coffey,  
Davis

Dawes,  
Dolph,  
Dunlap,  
Fellon,  
Frye,  
Gallagher,  
Gray,  
Hawley,  
Harris,  
Hear

Jones, Nev.  
McMillan,  
McPherson,  
Morrell,  
Palmer,  
Pascu,  
Puffer,  
Perkins,  
Proctor,

Pugh,  
Sherman,  
Squire,  
Teller,  
Turpie,  
Vilas,  
Voorhees,  
Washburn,  
White

Reed,  
Blair,  
Dix

George,  
Gordon,  
Gray,

## NAYS—11

Harris,  
McMillan,  
Morgan,

Stewart,  
Vance

## NOT VOTING—37

Albright,  
Allen,  
Buckburn,  
Butler,  
Cameron,  
Campbell,  
Carr,  
Coffey,  
Dix,  
Fletcher

Gibson,  
Gordon,  
Hale,  
Higgins,  
Hill,  
Hiscock,  
Huntton,  
Irby,  
Jones, Ark.  
Manterson,

Mills,  
Mitchell,  
Paddock,  
Pettigrew,  
Platt,  
Power,  
Quay,  
Ransom,  
Sanders,  
Shoup

Stantford,  
Teller,  
Vest,  
Walshall,  
Warren,  
Wilson,  
Wolcott,

## NAYS—10

Albright,  
Bacon,  
Daniel

George,  
Gordon,  
Harris,

Morgan,  
Sawyer,  
Stewart,

Vance

## NOT VOTING—38

Albright,  
Allen,  
Bacon,  
Butler,  
Cameron,  
Campbell,  
Carr,  
Coffey,  
Dix

Funkhouser,  
Gibson,  
Hale,  
Higgins,  
Hill,  
Hiscock,  
Huntton,  
Irby,  
Jones, Ark.

Manterson,  
Mills,  
Mitchell,  
Paddock,  
Pettigrew,  
Platt,  
Power,  
Quay,  
Ransom,  
Sanders,

Shoup,  
Stanford,  
Stockbridge,  
Vest,  
Walshall,  
Warren,  
Wilson,  
Wolcott

So the motion to strike out was agreed to.

The VICE-PRESIDENT. The question recurs on concurring in the amendment made as in Committee of the Whole as amended.

The amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The VICE-PRESIDENT. The question is, Shall the bill pass?

Mr. BLADGETT. On that question I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BATE when his name was called. I have a general pair with the Senator from Washington [Mr. ALLEN]. I can not ascertain on consultation with his colleague how he would vote. I do not know his views on the bill. I will therefore withhold my vote, but were the Senator from Washington here I should vote for the bill.

Mr. PASCO when Mr. BUTLER'S name was called. The Senator from South Carolina [Mr. BUTLER] was called from the Chamber, and desired me to announce his pair with the Senator from Pennsylvania [Mr. CAMERON].

Mr. CAMDEN when his name was called. I am paired with the Senator from South Dakota [Mr. PETTIGREW].

Mr. GALLINGER when his name was called. I have a general pair with the junior Senator from Texas [Mr. MILLS]; but his colleague informs me that he would probably support the bill, and therefore I vote "yea."

Mr. HAWLEY when his name was called. I have a general pair with the Senator from Missouri [Mr. VEST], but we found ourselves in accord on the bill, and so I have arranged to transfer the pair to the Senator from Colorado [Mr. WOLCOTT]. I vote "yea."

Mr. HISCOCK when his name was called. On this question I am paired with the Senator from Delaware [Mr. HIGGINS]. If present he would vote "yea" and I should vote "nay."

Mr. JONES of Arkansas when his name was called. I am paired with the Senator from South Carolina [Mr. IRBY]. If he were present he would vote "yea" and I should vote "nay."

Mr. PERKINS when his name was called. I am paired with the Senator from California [Mr. STANFORD], but I am informed by the Senator from Colorado [Mr. TELLER] that he is paired with the Senator from Oregon [Mr. MITCHELL], and that the Senator from Oregon would vote for the bill, if present. For that reason I transfer my pair with the Senator from California to the Senator from Oregon and vote "yea."

Mr. POWER when his name was called. I am paired with my colleague [Mr. SHERMAN] on this question.

Mr. QUAY when his name was called. I again announce my pair with the Senator from West Virginia [Mr. FAULKNER]. I do not know how he would vote on this question; but if he were present, I should vote "yea."

Mr. STOCKBRIDGE when his name was called. I am paired on this question with the Senator from Maryland [Mr. CHASE]. I should vote "yea" if I were not paired.

Mr. GEORGE when Mr. WALSHALL'S name was called. My colleague [Mr. WALSHALL] is detained from the Senate by indisposition. He is paired with the Senator from Rhode Island [Mr. DIX].

Mr. CARY when Mr. WARREN'S name was called. My colleague [Mr. WARREN] is paired with the Senator from Georgia [Mr. GORDON].

The roll call was concluded.

Mr. DANIEL. I desire to announce that my colleague [Mr. HUNTON] is paired with the Senator from Connecticut [Mr. PLATT].

So the bill was passed.

Mr. CULLOM. I move that the Senate ask for a conference with the House of Representatives on the bill and amendments.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. CULLOM, Mr. WILSON, and Mr. HARRIS were appointed.

## MARITIME CANAL COMPANY OF NICARAGUA.

Mr. SHERMAN. I move that the Senate proceed to the consideration of the bill, S. 1218, to amend the act entitled "An act to incorporate the Maritime Canal Company of Nicaragua," approved February 23, 1889.

The VICE-PRESIDENT. The question is on the motion of the Senator from Ohio that the Senate proceed to the consideration of the bill named by him.

Mr. DANIEL. I object.

Mr. SHERMAN. It is not subject to objection; it is a motion to take up a bill.

Mr. DANIEL. Then I call for the yeas and nays on the motion.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. PASCO when his name was called. I am paired with the Senator from North Dakota [Mr. CARY]. Not knowing how he would vote on this question, I withhold my vote.

Mr. QUAY when his name was called. I am paired with the Senator from West Virginia [Mr. FAULKNER], and withhold my vote.

Mr. RANSOM when his name was called. I have general a pair with the Senator from Maine [Mr. HALE]. I have no idea how he would vote upon this matter.

Mr. FRYE. He would vote "aye."

Mr. RANSOM. Then I vote "yea."

The roll call was concluded.

Mr. HAWLEY after having voted in the affirmative. I voted inadvertently. I am paired with the Senator from Missouri [Mr. VEST]. Supposing him to be against the bill, I withhold my vote.

Mr. COCKRELL. I suggest that the Senator from Connecticut transfer his pair with my colleague to the Senator from Maine [Mr. FRYE], with whom I am paired, and then he and I vote both votes.

Mr. HAWLEY. That is quite right. I shall let my vote stand under that arrangement.

Mr. COCKRELL. Then my colleague will stand paired with the Senator from Maine [Mr. HALE].

Mr. FRYE. That is right.

Mr. COCKRELL. The Senator from Maine [Mr. HALE] would vote "yea" if present, and my colleague would vote "nay."

The result was announced—yeas 33, nays 19, as follows.

## YEAS—33

Allison,  
Bacon,  
Cary,  
Chandler,  
Cullom,  
Dawes,  
Dolph,  
Dunlap,  
Fellon,

Frye,  
Gallagher,  
Gordon,  
Hawley,  
Hiscock,  
Hear,  
Jones, Nev.,  
Kyle,

McMillan,  
McPherson,  
Morgan,  
Morrell,  
Perkins,  
Proctor,  
Ransom,  
Sawyer,  
Sherman,

Squire,  
Stockbridge,  
Teller,  
Vance,  
Washburn,  
White.

## NAYS—19

Bate,  
Berry,  
Blodgett,  
Cahery,  
Call

Cockrell,  
Coke,  
Daniel,  
George,  
Harris

Jones, Ark.,  
Mills,  
Palmer,  
Puffer,  
Power

Pugh,  
Turpie,  
Vilas,  
Voorhees.

## NOT VOTING—35.

Aldrich.	Dixon.	Irby.	Shoup.
Allen.	Faulkner.	Manderson.	Stanford.
Blackburn.	Gibson.	Mitchell.	Stewart.
Butler.	Gordon.	Paddock.	Vest.
Camden.	Gray.	Pasco.	Walthall.
Cameron.	Hale.	Pettigrew.	Warren.
Casey.	Ingraham.	Platt.	Wilcox.
Colquhitt.	Hill.	Quay.	Wolcott.
Davis.	Huntton.	Sanders.	

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1218) to amend the act entitled "An act to incorporate the Maritime Canal Company of Nicaragua," approved February 20, 1889.

Mr. TELLER. Mr. President, I wish to state that I voted to take up the Nicaragua Canal bill because I thought it was a bill of considerable importance and because I knew that the distinguished Senator from Alabama [Mr. MONTAN] would be compelled to go away very soon, and desired to submit some remarks on the bill but did not wish to do so unless it was before the Senate. In voting to take up the bill I do not desire it to be understood that I am committed to support it, for, as it now stands, I shall not be able to do so.

Mr. SHERMAN. I understand the Senator from Maine [Mr. FRYE] will probably desire to address the Senate on Monday upon the bill. Therefore, I ask that the bill be read this evening, so that it will not be in his way. Let the bill be read in full in a formal way, and then, so far as I am concerned, I shall be very willing that the Senate adjourn, the Senator from Maine being entitled to the floor.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary read the bill.

## EXECUTIVE SESSION.

Mr. HOAR. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened and at 5 o'clock and 6 minutes p. m. the Senate adjourned until Monday, February 13, 1893, at 11 o'clock a. m.

## NOMINATIONS.

*Executive nominations received by the Senate, February 11, 1893.*

## APPOINTMENT IN THE ARMY.

James A. Finley, late captain and assistant surgeon, to be captain and assistant surgeon, to rank from November 10, 1879.

## JUDGES OF PROBATE.

Joseph Barton, of Utah Territory, to be judge of probate in the county of San Juan, in the Territory of Utah, as provided by section 19, chapter 397, volume 24, laws 1887, United States Statutes at Large.

David Cameron, of Utah Territory, to be judge of probate in the county of Garfield, in the Territory of Utah, vice William O. Orton, whose term expired December 23, 1892.

Joseph D. Jones, of Utah Territory, to be judge of probate in the county of Utah, in the Territory of Utah; his term will expire February 20, 1893.

## AGENT.

George H. Shields, of Missouri, to be agent of the United States under the treaty for a claims commission concluded between the United States and Chile, August 7, 1892.

## ARBITRATOR.

John V. L. Findlay, of Maryland, to be arbitrator on the part of the United States under the treaty for a claims commission concluded between the United States and Chile, August 7, 1892.

## SECRETARY.

Arthur W. Fergusson, of the District of Columbia, to be secretary on the part of the United States under the treaty for a claims commission concluded between the United States and Chile, August 7, 1892.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate, February 10, 1893.*

## COMMISSIONER OF LABOR.

Carroll D. Wright, of Massachusetts, to be Commissioner of Labor.

*Executive nomination confirmed by the Senate, February 11, 1893.*

## CAPTAIN AND ASSISTANT SURGEON IN THE ARMY.

James A. Finley, late captain and assistant surgeon, to be captain and assistant surgeon in the Army, to rank from November 10, 1879.

## HOUSE OF REPRESENTATIVES.

SATURDAY, February 11, 1893.

The House met at 11 o'clock a. m., and was called to order by the Speaker. Prayer by the Chaplain, Rev. W. H. Malvern, D. D.

The Journal of the previous day's proceedings was read and approved.

## COMMITTEE ON THE TREASURY.

The SPEAKER laid before the House a communication from the Secretary of the Treasury, stating that the bill (H. R. 10000) for the resolution of the Chamber of Commerce, relative to the removal of the gold and silver from the list of commodities, and the repeal of the silver laws, was now pending on the floor of the House, and that the bill was now pending on the floor of the House.

The SPEAKER. This communication is from the Committee on Banking and Currency, and is a report on the bill (H. R. 10000) for the resolution of the Chamber of Commerce, relative to the removal of the gold and silver from the list of commodities, and the repeal of the silver laws.

Mr. TAYLOR of Illinois. Mr. Speaker, I have the honor to refer that communication on the bill (H. R. 10000) for the resolution of the Chamber of Commerce, relative to the removal of the gold and silver from the list of commodities, and the repeal of the silver laws, to the floor of the House.

Mr. DINGLEY. It is simply a communication from the Chamber of Commerce, and it is not a bill.

Mr. TAYLOR of Illinois. The Committee on Banking and Currency has no jurisdiction over the bill (H. R. 10000) for the resolution of the Chamber of Commerce, relative to the removal of the gold and silver from the list of commodities, and the repeal of the silver laws.

The SPEAKER. The Chair will state, to the gentleman from Illinois [Mr. TAYLOR] that on yesterday there was a report by the Secretary of the Treasury for a resolution of the Chamber of Commerce, relative to the removal of the gold and silver from the list of commodities, and the repeal of the silver laws. This communication was sent to the Committee on Banking and Currency, which had reported it to the House. The Chair will state to the fact that once communication was made, it was transmitted, as the Chair understands it.

Mr. PICKLER. I ask that both of these communications be printed in the Record, as they are short communications, and that the House may have the information. The Secretary has laid it out, and if it is to go to the committee I know of no way to get it before the House.

The SPEAKER. The gentleman from South Dakota [Mr. PICKLER] asks that the communications be printed in the Record.

Mr. DINGLEY. Was not the original communication printed when it came from the Secretary of the Treasury?

The SPEAKER. It was printed as a document in the usual form, and this letter will be printed in the same way.

Mr. RICHARDSON. It is not a bill to print these documents in the Record. They are printed as documents and I object to including them in the Record. An amendment would save me a copy of the printed document.

Mr. PICKLER. I understand the amendment will be made in the usual form.

The SPEAKER. As a bill, it is a communication, and it is a bill.

Mr. PICKLER. My request is that it be printed in the Record also.

Mr. RICHARDSON. It is not a bill, and it is a document, and will be printed as a document, and it is a bill.

## COMMITTEE ON THE POST-OFFICE DEPARTMENT.

The SPEAKER laid before the House a communication from the Postmaster General, stating that the bill (H. R. 10000) for the resolution of the Chamber of Commerce, relative to the removal of the gold and silver from the list of commodities, and the repeal of the silver laws, was now pending on the floor of the House, and that the bill was now pending on the floor of the House.

## COASTWISE NAVIGATION.

The SPEAKER laid before the House a communication from the Secretary of the Treasury, stating that the bill (H. R. 10000) for the resolution of the Chamber of Commerce, relative to the removal of the gold and silver from the list of commodities, and the repeal of the silver laws, was now pending on the floor of the House, and that the bill was now pending on the floor of the House.

Mr. DINGLEY. Mr. Speaker, I have the honor to refer that communication on the bill (H. R. 10000) for the resolution of the Chamber of Commerce, relative to the removal of the gold and silver from the list of commodities, and the repeal of the silver laws, to the floor of the House.

The SPEAKER. The Chair will state, to the gentleman from Maine [Mr. DINGLEY] that on yesterday there was a report by the Secretary of the Treasury for a resolution of the Chamber of Commerce, relative to the removal of the gold and silver from the list of commodities, and the repeal of the silver laws.

The bill was read.

But, notwithstanding the fact that the bill (H. R. 10000) for the resolution of the Chamber of Commerce, relative to the removal of the gold and silver from the list of commodities, and the repeal of the silver laws, was now pending on the floor of the House, and that the bill was now pending on the floor of the House.



Mr. DINGLEY. Mr. Speaker, this simply amends the statute to carry out its intent, and is unanimously recommended by the Committee on Commerce and by the Secretary of the Treasury. There has been an evasion of the statute of 1792 within a year or two, and an amendment is required to carry out the meaning of the statute.

The policy of the Government has been to limit the transportation of merchandise from one port of the United States to another to American vessels. That has been the uniform policy from the foundation of the Government. Within a year some foreign vessels have endeavored to evade the statute by calling at a foreign port. For instance, in proceeding from New York to New Orleans they might call at the port of Havana, and then claim that that was not a transportation from one American port to another.

Mr. COOMBS. Havana being a coastwise port.

Mr. DINGLEY. The Secretary of the Treasury has recommended this amendment, and the Committee on Commerce have reported an identical bill, and it is simply to carry out the intent of the statute.

The SPEAKER. Is there objection to the request of the gentleman from Maine [Mr. DINGLEY]?

There was no objection.

The bill was ordered to a third reading, and was accordingly read the third time, and passed.

On motion of Mr. DINGLEY, a motion to reconsider the last vote was laid on the table.

By unanimous consent, the corresponding House bill (H. R. 9802) was ordered to lie on the table.

ALLOWANCE OF CLAIMS TO CITIZENS OF JEFFERSON COUNTY, KY.

The SPEAKER laid before the House the bill (S. 203) for the examination and allowance of certain awards made by the board of claims to certain citizens of Jefferson County, Ky.

Mr. CARUTH. Mr. Speaker, that bill is exactly similar to one which passed the House in the Fifty-first Congress; another bill of like character was favorably reported to the Fifty-first Congress. This bill is favorably reported to this Congress and is now on the Calendar. I ask immediate consideration for the Senate bill.

The bill was read at length.

Mr. OWENS. Is there any report on that bill?

Mr. HOOKER of New York. We better have the regular order.

Mr. CARUTH. I hope the gentleman will not insist on demanding the regular order. This bill passed the Fifty-first Congress, and is favorably reported now; and I hope the gentleman will withdraw his objection. This bill has been pending here for a number of years.

The SPEAKER. Unless the demand is withdrawn, the bill will be referred.

Mr. CARUTH. I ask unanimous consent, Mr. Speaker, that the bill may lie upon the Speaker's table for the present.

The SPEAKER. The gentleman from Kentucky ask unanimous consent that the bill lie on the Speaker's table for the present.

Mr. HOOKER of New York. I have no objection to that. Subsequently.

Mr. CARUTH said: Mr. Speaker, the gentleman from New York [Mr. HOOKER] has consented to withdraw his objection to the bill for the consideration of which I asked unanimous consent a moment ago.

The SPEAKER. The Chair is informed that the gentleman from New York [Mr. HOOKER] withdraws his objection to the consideration of the bill requested by the gentleman from Kentucky.

The Clerk will again report the title of the bill.

The title was again reported.

Mr. OWENS. Mr. Speaker, I would like to have the report read.

Mr. ANTONY. I think that we had better have the regular order.

Mr. CARUTH. I hope the gentleman will withdraw that; and, if not, I hope the bill will be allowed to lie on the Speaker's table.

The SPEAKER. Unanimous consent was given that it might lie on the table, and, without objection, the bill will lie on the table.

Mr. ANTONY. I withdraw the demand for the regular order.

Mr. BURROWS. Let us have the regular order. There is no use chaffing backward and forward in this way.

ORDER OF BUSINESS.

Mr. COBB of Missouri. I ask that the bill (S. 5504), that is a concurrent bill, if not taken up, be allowed to lie on the table.

Mr. WATSON. I think it ought to come up in its time.

# SENATE BILLS REFERRED.

The SPEAKER laid before the House the following Senate bills and joint resolutions, which were severally read a first and second time, and referred as indicated below:

The bill (S. 3446) to remove the charge of desertion from the military record of Peter Blekeley—to the Committee on Military Affairs.

The bill (S. 3792) granting to the Chicago, Rock Island and Pacific Railway Company the use of certain lands at Chickasha Station, and for a "Y" in the Chickasaw Nation, Ind. T., to the Committee on Indian Affairs.

The bill (S. 3297) granting to the Interstate Water and Electric Power Company of Kansas the right to erect and maintain a dam across the Kansas River within Wyandotte County, in the State of Kansas—to the Committee on Rivers and Harbors.

The bill (S. 705) for the relief of George H. Plant, of the District of Columbia—to the Committee on Claims.

The bill (S. 2139) for the relief of Mrs. Mary P. C. Hooper—to the Committee on Patents.

The bill (S. 316) to incorporate the Holstein-Friesian Cattle Association—to the Committee on Agriculture.

The joint resolution (S. R. 102) to provide for the construction of a wharf as means of approach to the monument to be erected at Wakefield, Va., to mark the birthplace of George Washington—to the Committee on the Library; and

The joint resolution (S. R. 108) directing the appraisal of the library of Hubert O. Bancroft—to the Committee on the Library.

## GAINESVILLE, OKLAHOMA AND GULF RAILWAY COMPANY.

The SPEAKER laid before the House the bill (H. R. 3627) to grant to the Gainesville, Oklahoma and Gulf Railway Company a right of way through the Indian Territory, and for other purposes, with Senate amendments.

Mr. BAILEY. Mr. Speaker, the Senate amendments are purely formal, and I move to concur in them.

The Senate amendments were read.

The SPEAKER. The gentleman from Texas moves to concur in the Senate amendments.

The question was taken, and the Senate amendments were concurred in.

On motion of Mr. BAILEY, a motion to reconsider the vote by which the Senate amendments were concurred in was laid on the table.

## JOHN FINN.

The SPEAKER laid before the House a bill (H. R. 5594) permitting the withdrawal of certain papers and the signing of certain receipts by John Finn, or his attorney, with Senate amendments.

Mr. COBB of Missouri. Mr. Speaker, I move that the House concur in the Senate amendments.

The Senate amendments were read.

The SPEAKER. The gentleman from Missouri moves to concur in the Senate amendments.

The question was taken, and the Senate amendments were concurred in.

The SPEAKER. Without objection, the title will be amended in accordance with the amendments of the Senate.

There was no objection.

On motion of Mr. COBB of Missouri, a motion to reconsider the vote by which the Senate amendments were concurred in was laid on the table.

## LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. HULL, for two days, on account of important business.

To Mr. BELKNAP, for one day, on account of important business.

To Mr. MOORE, indefinitely, on account of sickness.

## ORDER OF BUSINESS.

The SPEAKER. The regular order is the call of the standing and select committees for reports.

The committees were called.

## FLOWER MARKET, WASHINGTON, D. C.

Mr. RUSK, from the Committee on the District of Columbia, reported back with a favorable recommendation a bill (S. 2457) to provide for the erection of a flower market in the city of Washington, D. C., which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

## REPORT OF UNITED STATES COMMISSIONERS TO PARIS EXPOSITION OF 1889.

Mr. RICHARDSON, from the Committee on Printing, reported the following resolution:

IN THE SENATE OF THE UNITED STATES, January 2, 1893.  
Resolved by the Senate (the House of Representatives concurring), That in

WILLIAM M'GARRAHAN.

Mr. TELLER. I wish to give notice that to-morrow morning, after the routine business is through, I shall ask the Senate to take up Senate bill 3741, known as the McGarrahan bill. I do not think it will lead to any extended discussion, and I shall ask the Senate to take up the bill at that time.

ORDER OF BUSINESS.

Mr. SHERMAN. I submit to the Senate whether it would not be a better course and expediate business to proceed to the consideration of the regular business at 1 o'clock rather than go on with other business now. The Senator from Maine [Mr. FRYE] has the floor upon the Nicaragua bill. I ask that the Senate proceed to the consideration of Senate bill 1218.

The VICE-PRESIDENT. The Senator from Ohio asks unanimous consent that the Senate proceed to the consideration of a bill, the title of which will be read.

Mr. JONES of Arkansas. I hope the Senator from Ohio will not insist on that. There are a number of measures on the Calendar that ought to be considered. The very short time allowed to the Calendar ought not to be taken up by the consideration of the regular order, when day after day will be devoted to that business. I think that the hour and a half which belongs to the Calendar ought to be devoted to the Calendar.

Mr. SHERMAN. If we can proceed with the Calendar under the five-minute rule I have no objection, but if it is to be taken up for the discussion of collateral subjects that will consume time I shall object.

Mr. JONES of Arkansas. I am perfectly willing to take it up under the five-minute rule, and I think that ought to be done.

Mr. SHERMAN. I will ask the Chair whether there is any unfinished business of the morning hour?

Mr. JONES of Arkansas. There never is.

Mr. COCKRELL. There can not be any unfinished business in the morning hour.

The VICE-PRESIDENT. There is no unfinished business of the morning hour.

Mr. SHERMAN. Very well; if the Calendar can be proceeded with in the ordinary way I have no objection, but if we are to waste the time in discussion I shall object.

The VICE-PRESIDENT. If there is no further morning business that order is closed, and the Calendar under Rule VIII is in order.

Mr. DOLPH. I desire to state that I am quite willing for unanimous consent to proceed to the Calendar under the five-minute rule. I commenced to speak Saturday on a measure which was brought up in the morning hour, because I thought it necessary to submit to the Senate information on the joint resolution which was called up. Whenever that measure is called up again I shall desire to include my remarks without attempting to occupy more time than is necessary, so as to put the Senate in the possession of full information concerning it. But I am entirely indifferent whether the measure ever comes up again. I objected to its being taken up on Saturday, and all I desire is time to inform the Senate in regard to the facts in the case.

Mr. JONES of Arkansas. That measure can not be reached this morning on the Calendar.

Mr. SHERMAN. Let us commence with the first case on the Calendar.

The VICE-PRESIDENT. If there is no further morning business—

Mr. CAREY. Is the Calendar in order?

The VICE-PRESIDENT. If there is no further morning business that order is closed, and the Calendar under Rule VIII is in order.

ADMISSION OF NEW MEXICO.

Mr. CAREY. I call up the bill (H. R. 7136) to enable the people of New Mexico to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States, which was passed over without prejudice.

Mr. PLATT. I should like to inquire of the Senator from Wyoming whether he thinks that bill can be disposed of under the five-minute rule. We have just had unanimous consent to go to the Calendar under the five-minute rule and not to take up cases objected to.

Mr. HARRIS. I beg to suggest that we are to go to the Calendar under the standing rule of the Senate.

Mr. CAREY. I did not understand that there had been unanimous consent given. Of course it is not my intention to violate a unanimous-consent agreement, but I understood that we were going to the Calendar regularly.

Mr. HARRIS. I suggest to the Senator from Wyoming that the Senate is proceeding under Rule VIII, according to the rules of the Senate, and not by any consent rule.

The VICE-PRESIDENT. The Senator from Wyoming asks—

Mr. HOAR. Will the Chair state whether any unanimous consent has been given by the Senate?

The VICE-PRESIDENT. The Calendar has been taken up under Rule VIII.

Mr. HOAR. I ask the Chair if any unanimous consent has been given to the Calendar has been taken up by the Senate?

The VICE-PRESIDENT. Unanimous consent has been given.

Mr. PLATT. I object to the consideration of the bill from Wyoming.

The VICE-PRESIDENT. Over the objection.

Mr. CAREY. I move that the consideration of the bill pending the objection, under Rule VIII.

The VICE-PRESIDENT. The question is on the motion of the Senator from Wyoming.

Mr. PLATT. On that motion I am in favor of it.

The yeas and nays were ordered, and the yeas were 14, and the nays 10, to call the roll.

Mr. BUTLER, when his name was called, said: "yea," the Senator from Pennsylvania [Mr. CAYLOR].

Mr. CULLOM, when his name was called, said: "yea," and paired with the Senator from Delaware [Mr. HARRIS]. I do not know how he would vote on this question.

Mr. HAWLEY, when his name was called, said: "yea," and paired with the Senator from Missouri [Mr. HAYDEN]. I am following his colleague; I feel at liberty to vote "yea."

Mr. COCKRELL. I do not know how he would vote, but I would vote, and I authorized the Senator from Missouri [Mr. HAWLEY] to vote.

Mr. McMILLAN, when his name was called, said: "yea," and paired with the Senator from North Carolina [Mr. PASCO].

Mr. PASCO, when his name was called, said: "yea," and paired with the Senator from North Dakota [Mr. CAYLOR]. I am following his colleague; I should vote "yea," if he were present.

Mr. PETTIGREW, when his name was called, said: "yea," and paired with the Senator from West Virginia [Mr. CAYLOR].

The roll call was concluded.

Mr. McPHERSON, after making a point of order, said: "yea." Has the junior Senator from Delaware [Mr. HARRIS] voted?

The VICE-PRESIDENT. He is not present.

Mr. McPHERSON. Then I wish to withdraw my name, and pair with that Senator.

Mr. GORDON. Upon this question and upon all questions I am paired with the Senator from Wyoming [Mr. WYOMING].

Mr. McPHERSON. In order to make a quorum I vote "yea," as I suppose the Senator from Delaware [Mr. HARRIS] would vote if he were present.

Mr. McMILLAN. On this question I feel at liberty to vote "nay."

Mr. BUTLER. I will vote to make a quorum. I vote "yea," as I think my pair would vote.

Mr. CULLOM. On the suggestion of the Senator from Maryland [Mr. GORMAN] I will take the liberty of casting my vote.

Mr. GORMAN. I think the Senator from Illinois has a right to vote.

Mr. CULLOM. I vote "nay."

Mr. PASCO. As my vote will not change the result in order to make a quorum I vote "nay."

Mr. GORDON. In order to make a quorum I vote "yea." The result was announced—yeas 14, nays 10, as follows:

YEAS—14			
Blackburn,	Gordon,	Palmer,	Sawyer,
Butler,	Harris,	Peffer,	Tamm,
Carey,	McPherson,	Purdie,	
Fulton,	Mitchell,	Quinn,	
NAYS—10			
Berry,	Dawes,	Hatch,	Stanford,
Blodgett,	Dolph,	James Arly,	Stewart,
Bryce,	Faulkner,	McMillan,	Wadsworth,
Caffery,	Frye,	Mundt,	Wheeler,
Cullom,	Gorman,	Mitchell,	Wheeler,
Cockrell,	Hawley,	Platt,	
Coke,	Hill,	Reed,	
Cullom,	Hoar,	Thayer,	
NOT VOTING—18			
Aldrich,	Dixon,	Jones,	McPherson,
Allen,	Emmons,	Kearney,	McPherson,
Alison,	Gallinger,	McPherson,	McPherson,
Bate,	George,	McPherson,	McPherson,
Camden,	Gibson,	McPherson,	McPherson,
Cameron,	Gray,	McPherson,	McPherson,
Cass,	Hale,	McPherson,	McPherson,
Chandler,	Hansbrough,	McPherson,	McPherson,
Coburn,	Hazen,	McPherson,	McPherson,
Daniel,	Hill,	McPherson,	McPherson,
Davis,	Hoy,	McPherson,	McPherson,

So the motion was not agreed to.

The VICE-PRESIDENT. The Calendar is taken up under Rule VIII, and will be proceeded with.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWERS, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 714) to incorporate the Eclectic Medical Society of the District of Columbia;

A bill (S. 252) to change the name of the Capital, North O Street and South Washington Railway Company;

A bill (S. 253) to authorize the Union Railroad Company to construct and maintain a bridge across the Monongahela River; and

A bill (S. 354) to amend an act entitled "An act for the construction of a railroad and wagon bridge across the Mississippi River at South St. Paul, Minn.," approved April 26, 1890.

The message also announced that the House had passed the following bills with amendments; in which it requested the concurrence of the Senate:

A bill (S. 1032) for the relief of Mrs. Fannie N. Belger; and

A bill (S. 243) to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia," approved March 3, 1891.

The message further announced that the House had passed the concurrent resolution of the Senate providing for the printing of 5,500 copies of the reports of the Commissioners of the United States to the Paris Exposition of 1889.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 3253) to increase the pension of William G. Smith; and

A bill (H. R. 8450) to remove the charge of desertion from the record of Charles G. Tyler.

The message further announced that the House had agreed to the reports of the committees of conference on the amendments of the Senate to the following bills:

A bill (H. R. 9527) to restore to the public domain a portion of the White Mountain Apache Indian Reservation, in the Territory of Arizona, and for other purposes; and

A bill (H. R. 9937) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The message also returned to the Senate, in compliance with its request, the bill (S. 354) to amend the act approved August 13, 1888, in relation to the jurisdiction of the circuit courts of the United States.

## ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the Vice-President:

A bill (S. 710) to amend section 4247 of the Revised Statutes of the United States;

A bill (S. 3788) granting right of way to the Colorado River Irrigation Company through the Yuma Indian Reservation in California;

A bill (S. 3843) to authorize the Chesapeake and Ohio Railroad Company to renew its railroad bridge across the Sandy River upon such plans and locations as may be approved by the Secretary of War;

A bill (H. R. 5504) to permit the withdrawal of certain papers and the signing of certain records by John Chan or his attorney;

A bill (H. R. 9955) providing for sun-light nooses and other aids to navigation;

Joint resolution (H. Res. 214) providing for additional telegraphic and electric light facilities in the city of Washington during the inaugural ceremonies on the 4th day of March, 1891; and

Joint resolution (S. R. 14) providing for the Secretary of War and the Navy to form the command on land and naval communications.

## JOINT RESOLUTION AND RESOLUTION.

THE VICE-PRESIDENT. The Chair lays before the Senate the bill (S. 354) to amend the act approved August 13, 1888, in relation to the jurisdiction of the circuit courts of the United States, which has been returned to the Senate, in compliance with its request. The Chair calls the attention of the Senator from Oregon [Mr. MITCHELL] to the bill.

Mr. MITCHELL. I desire to enter a motion at this time to reconsider the vote by which the bill was passed. The motion may lie on the table.

THE VICE-PRESIDENT. The motion to reconsider will be entered.

## MASONIC MUTUAL RELIEF ASSOCIATION.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 243) to

amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia," approved March 3, 1891, which was in line 23, after the word "vice-president," to strike out the words "and one of their number as secretary."

Mr. FAULKNER. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

## HOUSE BILLS REFERRED.

The bill (H. R. 3253) to increase the pension of William G. Smith was read twice by its title and referred to the committee on Pensions.

The bill (H. R. 8450) to remove the charge of desertion from the record of Charles G. Tyler was read twice by its title and referred to the Committee on Military Affairs.

## AGREEMENT WITH CHEROKEE INDIANS.

THE VICE-PRESIDENT. The first bill on the calendar under Rule VIII will be stated.

The bill (S. 276) to ratify and confirm an agreement with the Cherokee Nation of Indians, of the Indian Territory, to make appropriations for carrying out the same, and for other purposes, was announced as first in order on the calendar.

Mr. PLATT. That bill has been passed as a substitute for a house bill on the same subject. It may as well be stricken from the calendar.

THE VICE-PRESIDENT. The bill will be indefinitely postponed in the absence of objection. The Chair hears none, and it is so ordered.

## POTOMAC STEAMBOAT COMPANY.

The bill (S. 709) for the relief of the Potomac Steamboat Company was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with amendments, in line 6, after the words "five thousand," to strike out "three hundred;" and in line 15, after the date "1892," to insert "said amount to be received by the said Potomac Steamboat Company in full satisfaction of all claims and demands against the United States in consequence of the said collision;" so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, directed to pay out of any money in the Treasury not otherwise appropriated, to the Potomac Steamboat Company the sum of \$5,000, that being the amount paid by the said Potomac Steamboat Company under a decree of the circuit court of the United States for the eastern district of Virginia, affirmed by the Supreme Court of the United States, to the Baker-Sullivan Company for damages rendered by the steamer *Edison*, belonging to the said Potomac Steamboat Company, which was sunk by the United States steamer *Albatross*, on the 14th day of December, 1890, in consequence of the collision of the said Potomac Steamboat Company with the said steamer *Albatross*, and demands against the United States in consequence of the said collision.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## EXTENSION OF NORTH CAPITOL STREET.

Mr. McMILLAN. I ask unanimous consent for the present consideration of House bill 8451. It is a very short bill, which was heretofore passed over.

By unanimous consent the Senate, as in Committee of the Whole, passed the bill.

The bill was reported from the Committee on the District of Columbia with amendments.

The first amendment was, in line 4, after the word "street," to strike out "and the sum of \$1,000, or so much thereof as may be necessary," and insert "and the amount of money necessary to pay the payment of condemnation and the cost of grading;" so as to read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby directed to pay out of any money in the Treasury not otherwise appropriated, to the District of Columbia the sum of \$1,000, or so much thereof as may be necessary, to pay the payment of condemnation and the cost of grading, in consequence of the extension of North Capitol Street, and the amount of money necessary to pay the payment of condemnation and the cost of grading is hereby authorized to be paid out of any money in the Treasury not otherwise appropriated, to the District of Columbia.

Mr. COE KIRK. Mr. President, that makes the amendment absolutely inoperative.

Mr. McMILLAN. I think that was the understanding. The bill has been so changed on the floor. The House of Representatives gave the amount of \$12,000, but some of the people interested thought that might not be sufficient. The cost will not be much over \$1,000, but I have no objection to having the amount changed.

Mr. BLACKBURN. Will the Senator from Michigan permit me to suggest to him that I know the junior Senator from Missouri [Mr. VEST] is very anxious to be in the Chamber when

this bill is considered? He is absent to-day, but he will be here to-morrow.

Mr. McMILLAN. I have no objection to having the bill go over on the statement of the Senator.

Mr. BLACKBURN. I shall be obliged if the Senator will allow the bill to go over to-day.

Mr. McMILLAN. Very well.

The VICE-PRESIDENT. The bill will be passed over, retaining its place on the Calendar.

#### ESTATE OF D. FULFORD.

The bill (S. 1565) for the relief of the heirs of D. Fulford was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in section 2, line 6, after the word "thereon," to insert "and to contain such words as to cover any liability resulting from any mistake in the designation or description of the bonds, so that in no event shall the United States be called upon by a rightful claimant for a second payment thereof," so as to make the section read:

Sec. 2. That the said heirs of D. Fulford shall also execute and file with the Secretary of the Treasury a bond with sufficient sureties, to be approved by the Secretary of the Treasury, in the penalty of \$2000 conditioned to save harmless the United States from loss or ability on account of said bond, or the interest accrued thereon, and to contain such words as to cover any liability resulting from any mistake in the designation or description of the bonds, so that in no event shall the United States be called upon by a rightful claimant for a second payment thereof.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### R. CONNABLE & SONS.

The bill (S. 3279) for the relief of R. Connable & Sons was considered as in Committee of the Whole.

Mr. COCKRELL. Let the report be read in that case.

The VICE-PRESIDENT. The report will be read.

The Secretary read the following report, submitted by Mr. SANDERS July 28, 1892:

The Committee on Claims, to whom was referred the bill (S. 3279) for the relief of R. Connable & Sons, have had the same under consideration and report the bill back with the recommendation that it do pass.

Connable & Sons owned the tug D. G. Babcock, among others, and were fined \$100 for running the same without a license as engineer, which was paid prior to taking an appeal. The Babcock was practically navigated by Capt. Dahmer, and by inadvertence of his the same was run one trip without a licensed engineer. As a further penalty Dahmer's license as a captain was revoked, but after examining into the circumstances the Treasury Department arrived at the conclusion that he was not a blame-worthy and restored to him his license. However, as the money had been paid into the Treasury it was too late to remit the penalty, and this bill contemplates what would have been the result had not Connable & Sons so promptly paid the money. The facts show that Connable & Sons have for many years been the owners of tugs and have never been accused of violating any of the marine regulations, and they seem to have been put into this position without intent and fault on their part.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PURCHASE OF TEMPLE FARM, YORKTOWN, VA.

The bill (S. 2698) providing for the purchase of Temple Farm, at Yorktown, Va., and for other purposes, was announced as next in order on the Calendar.

Mr. MORRILL. I was not aware that that bill had been reported from the Committee on Public Buildings and Grounds; certainly it must have been reported at some time when I was not present. I desire that it shall be passed over without prejudice, until I can have further time to examine it.

Mr. COCKRELL. I hope the Senator will examine the bill very carefully and ascertain the market value of this land and whether it is worth \$140 an acre. It seems to me very much like paying a pretty high price for it.

Mr. DANIEL. I can answer the question of the Senator. The market value of this land is very insignificant compared with the price put upon it by the bill. It is agricultural land and the value is very much less, indeed not half, but it is a large tract of land and the place on which the British Army in the Revolution surrendered. It is proposed to purchase it on the ground of *apropos antiquities*.

Mr. MORRILL. I object to the present consideration of the bill.

The VICE-PRESIDENT. Objection being made, the bill will go over.

#### ELI AYRES.

The bill (S. 757) to quiet the title of certain lands in the State of Mississippi, and for the relief of Eli Ayres, his legal representatives, etc., was announced as next in order on the Calendar.

Mr. JONES of Arkansas. I think the proper reading is its place on the Calendar.

The VICE-PRESIDENT. The bill will go over.

#### SEAL OF THE STATE OF ALASKA.

The bill (S. 287) to provide for the seal of the State of Alaska was reported from the Committee on Finance with an amendment, in section 1, line 1, after the word "fisheries of Alaska," to insert "and the fisheries of the State of Alaska," so as to read: "The seal of the State of Alaska shall be a shield, divided into four quarters, the quarters being: 1st, a fish; 2nd, a seal; 3rd, a fish; 4th, a fish." The bill was reported with the amendment, and the amendment was agreed to. The bill was then reported to the Senate as amended, and the amendment was concurred in. The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The bill was reported to the Senate as amended, and the amendment was concurred in. The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### NEW YORK AND ALBANY OYSTER BEDS.

The bill (S. 3114) to provide for the appointment of commissioners to examine the oyster beds in Raritan Bay, New York, and in New Jersey, and to make recommendations thereon, was announced as next in order on the Calendar.

Mr. JONES of Arkansas. Let that be read.

The VICE-PRESIDENT. The bill will be passed over.

#### UTAH EXHIBITS AND COMMODITIES.

The bill (H. R. 7827) to provide for the purchase of the exhibits and commodities of Utah to provide for the sale of the same, was announced as next in order on the Calendar.

Mr. COCKRELL. I have just read the report of the committee, and it is a very interesting one. It is a bill to provide for the purchase of the exhibits and commodities of Utah to provide for the sale of the same. It is a bill to provide for the purchase of the exhibits and commodities of Utah to provide for the sale of the same. It is a bill to provide for the purchase of the exhibits and commodities of Utah to provide for the sale of the same.

Mr. PETTIGREW. There is something in the bill, but it is not a good bill. It should be dropped.

Mr. COCKRELL. Let it be dropped.

The VICE-PRESIDENT. The bill will be passed over.

#### JOSEPH AND ELIZA A. BROWN.

The bill (S. 280) for the relief of Joseph and Eliza A. Brown, his wife, was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in line 13, after the word "and," to insert "and," so as to read: "and," so as to make the bill read:

The bill was reported from the Committee on Claims with an amendment, in line 13, after the word "and," to insert "and," so as to read: "and," so as to make the bill read:

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### NATIONAL BANK OF THE ISLANDS.

The resolution reported by Mr. MANDERSON, relating to the National Bank of the Islands, was announced as next in order on the Calendar.

Mr. MANDERSON. I think as it is quite a long bill, to which the resolution refers, and not a very important one, this session of Congress, it is hardly worth the trouble of printing copies of the document. I therefore move that the consideration be indefinitely postponed.

The motion was agreed to.

#### SENECA INDIAN AND SPRINGFIELD INDIAN.

The bill (H. R. 3594) for the relief of the Seneca tribe of Indians, in the State of New York, was announced as next in order on the Calendar.

Mr. PETTIGREW. I think the bill is a very good one, and it is a bill to provide for the relief of the Seneca tribe of Indians, in the State of New York. It is a bill to provide for the relief of the Seneca tribe of Indians, in the State of New York. It is a bill to provide for the relief of the Seneca tribe of Indians, in the State of New York. It is a bill to provide for the relief of the Seneca tribe of Indians, in the State of New York.

Mr. JONES of Arkansas. I wish to say that the subject-matter proposed to be disposed of by House bill 3391 has been before Congress for twenty years. The Stockbridge Indians are living on lands where they were in 1856, and persistent efforts have been made to deprive them of their homes. The facts and circumstances involved in the matter have been considered by committee of this body. The Committee on Indian Affairs sent for persons and papers, heard witnesses, examined all the facts, and reported almost unanimously in favor of the passage of the bill. It has been again and again passed by this body; it has been passed by the other House of Congress. There is but one side to this controversy. The delay is not creditable to the Government of the United States, and is an outrage on these Indians.

I hope the Senate will vote down the proposition to recommit the bill, in which case I shall move that the Senate proceed to its consideration.

Mr. SAWYER. I hope the Senate will not vote down the motion to recommit. I think the bills should be recommitted, and I hope they will be.

The VICE-PRESIDENT. The question is on the motion of the Senator from South Dakota to recommit the bills named by him to the Committee on Indian Affairs.

Mr. VILAS. I trust the bills will not be recommitted, especially in view of what the Senator from Arkansas [Mr. JONES] has already sufficiently said with reference to them. These bills involve a long delayed measure of justice, which has never been denied by either House of Congress, except when it has been defeated in the way of recommitment, obstruction, or delay.

The simple, plain measure of justice, which the Committee on Indian Affairs had no difficulty in determining, lies merely in awarding to certain Indians their title to lands which they have occupied for thirty-six years, which was made perfect to them by a treaty of the United States, and for which they have been entitled to a patent under the terms of that treaty for a quarter of a century.

Mr. McPHERSON. Why have they not got it?

Mr. VILAS. They have not got it simply because they fell under the hands of individual operators, who have been able to obstruct and prevent this measure of justice to this day.

The VICE-PRESIDENT. The question is on the motion of the Senator from South Dakota, to recommit the bills which he has named.

Mr. JONES of Arkansas. I ask for the yeas and nays on the motion to recommit.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE]. Not knowing how he would vote, if present, I withhold my vote.

The roll call was concluded.

Mr. BUTLER. I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. CULLOM. I am paired with the Senator from Delaware [Mr. GRAY], and therefore withhold my vote.

Mr. DOLPH. Has the Senator from Mississippi [Mr. GEORGE] voted?

The VICE-PRESIDENT. He is not recorded as voting.

Mr. DOLPH. If the Senator from New York [Mr. HISCOCK], who sits on this side of the Chamber, is not paired with any other Senator I shall transfer my pair with the Senator from Mississippi, who is only temporarily absent, and vote "yea." It will be understood then that the Senator from Mississippi and the Senator from New York are paired.

Mr. CAREY. I am paired with the Senator from South Carolina [Mr. IRBY]. I will transfer that pair to the Senator from North Dakota [Mr. CASEY], and shall vote to make a quorum. I vote "yea." This will also enable the Senator from Florida [Mr. PASCO] to vote.

Mr. DANIEL. I am paired with the Senator from Washington [Mr. SQUIRE]. I do not know how he would vote if present, but I withhold my vote. I should vote "nay" if he were here.

Mr. PASCO. Under the arrangements announced by the Senator from Wyoming [Mr. CAREY], I vote "nay."

Mr. MANDERSON (after having voted in the affirmative). I see that the Senator from Kentucky [Mr. BLACKBURN], with whom I am paired, has not voted. I will therefore withdraw my vote unless I can make a transfer of my pair. I suggest to the Senator from Virginia [Mr. DANIEL] that we pair the Senator from Kentucky with the Senator from Washington [Mr. SQUIRE], and that will permit the Senator from Virginia and myself to vote.

Mr. DANIEL. That is entirely agreeable to me.

Mr. MANDERSON. Then the Senator from Washington [Mr. SQUIRE] will stand paired with the Senator from Kentucky [Mr. BLACKBURN], and I shall let my vote stand.

Mr. DANIEL. I vote "nay."

Mr. BLACKBURN entered the Chamber, and said: I desire to vote on the pending motion. I vote "yea."

Mr. DANIEL. Then I will announce my pair with the Senator from Washington [Mr. SQUIRE]. The Senator from Kentucky [Mr. BLACKBURN] has come in and voted, and I withdraw my vote.

Mr. CULLOM. I think I have an understanding with the Senator from Delaware [Mr. GRAY], with whom I am paired, to vote when my vote is necessary to make a quorum. I vote "yea."

The result was announced—yeas 21, nays 20; as follows:

YEAS—21			
Blackburn,	Frye,	Mitchell,	Sawyer,
Carey,	Hale,	Merrill,	Sherman,
Orlorn,	Hansbrough,	Peffer,	Stockbridge,
Davis,	Hawley,	Pettigrew,	Teller,
Dolph,	Higgins,	Platt,	Voorhees,
Felton,	Manderson,	Proctor,	Wolcott,
NAYS—20			
Berry,	Cole,	Mills,	Quay,
Blodgett,	Harri-	Morgan,	Stewart,
Brice,	Hunt-	Palmer,	Turpie,
Cabery,	Jones, Ark.,	Pasco,	Vilas,
Call,	McPherson,	Pugh,	White,
NOT VOTING—13			
Aldrich,	Daniel,	Hill,	Sanders,
Allen,	Dawes,	Hiscock,	Shoup,
Allison,	Dixon,	Hoar,	Squire,
Bate,	Dufres,	Irby,	Stanford,
Baker,	Faulkner,	Jones, Nev.,	Vance,
Cameron,	Gallinger,	Kyle,	Vest,
Cameron,	George,	McMillan,	Walthall,
Casey,	Gibson,	Padlock,	Warren,
Chandler,	Gordon,	Perkins,	Washburn,
Coleman,	Grattan,	Powers,	Wilson,
Culbert,	Gray,	Ransom,	

So the motion to recommit was agreed to.

#### PUBLIC BUILDING AT BUTTE CITY, MONT.

The bill (S. 879) to provide for the construction of a public building at Butte City, Mont., was announced as next in order on the Calendar.

Mr. BUTLER. Let that bill go over without prejudice.

The VICE-PRESIDENT. The bill will go over, retaining its place on the Calendar.

#### EUNICE M. BROWN.

The bill (S. 2219) for the relief of Eunice M. Brown was considered in Committee of the Whole. It proposes to pay to Eunice M. Brown \$500 in full compensation for and satisfaction of all claims due to her by reason of services performed by her as matron of the hospital at Camp Chase, Ohio, during the years 1864 and 1865.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### ELIZA E. PHILLIPS AND OTHERS.

The bill (S. 181) for the relief of Eliza E. Phillips, Chesta M. Phillips, Charles Phillips, and Nora Phillips, of the city of New Orleans, La., and Robert L. Phillips, of the town of Washington, Ark., was announced as next in order on the Calendar.

Mr. COCKRELL. That bill has been reported adversely. I move that it be postponed indefinitely.

The motion was agreed to.

#### ACCOMMODATION FOR GOVERNMENT PRINTING OFFICE.

The joint resolution (S. R. 120) making available the sum of \$250,000 appropriated in 1890, and suspended in 1891, to provide accommodation for the Government Printing Office, was announced as next in order on the Calendar.

Mr. QUAY. Let that go over without prejudice.

Mr. MANDERSON. Do I understand the Senator from Pennsylvania to object to the present consideration of the joint resolution?

Mr. QUAY. I should like to have the joint resolution go over temporarily.

Mr. MANDERSON. It will have to go over, then, I presume.

The VICE-PRESIDENT. The joint resolution will go over without prejudice, retaining its place on the Calendar.

#### DAVID RYAN.

Mr. PALMER. I move that the next case on the Calendar, being the bill (H. R. 3594) to confer jurisdiction upon the Court of Claims to hear and determine the claim of David Ryan against the United States, be recommitted to the Committee on Claims. The motion was agreed to.

#### THE AMERICAN UNIVERSITY.

Mr. PROCTOR. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 3792) to incorporate the American University.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on the District of Columbia with amendments: in line 9 to strike out "M" and insert "W," so as to read "Alpheus W. Wilson;" and in line 14 to strike out the name of "James M. Reid, of Michigan."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### MARY DOUBLEDAY.

Mr. BLODGETT. I ask the Senate to proceed to the consideration of the bill (S. 3819) granting a pension to Mary Doubleday, widow of Bvt. Maj. Gen. Abner Doubleday.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions, with an amendment, in line 7, before the word "dollars," to strike out "one hundred" and insert "fifty," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Doubleday, widow of Maj. Gen. Abner Doubleday, and pay her a pension of \$50 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### REMOVAL OF INDIANS IN ARIZONA.

The bill (S. 3146) authorizing the removal of the Indians of Papago or Gila Bend Reservation in Maricopa County, Ariz., to the Papago Reservation in Pima County, or to one of the Pima and Maricopa Reservations known as the Gila River and Salt River Indian Reservations, was announced as next in order on the Calendar.

Mr. PLATT. The bill was reported by the chairman of the Committee on Indian Affairs [Mr. DAWES]. I have sent for him, but am unable to find him. I think perhaps the bill had better be passed over informally until he comes in.

The VICE-PRESIDENT. The bill will be passed over without prejudice.

#### SENECA INDIAN LANDS.

Mr. HILL. I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 10206) to ratify and confirm an agreement made between the Seneca Nation of Indians and William B. Barker.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

#### SCHOONER HENRY R. TILTON.

Mr. HIGGINS. I ask unanimous consent to take up the bill (S. 3089) for the relief of the owners of the schooner Henry R. Tilton and of personal effects thereon.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Claims with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of War be, and he is hereby, authorized and directed to ascertain as soon as practicable what was the reasonable value of the schooner Henry R. Tilton and the proportion thereof belonging to each of her several owners at the time she was sunk by a deflected projectile from a gun on the United States proving grounds at Sandy Hook on or about the 9th day of July, 1892; and he shall, in like manner, ascertain what was the reasonable value of the personal effects of each of the several officers and sailors on the said schooner at the time of her sinking as aforesaid; and he shall report to the Secretary of the Treasury the several amounts so ascertained; and the Secretary of the Treasury is hereby authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, to the owners of the said schooner the value thereof so ascertained and reported as herein prescribed: *Provided*, That the aggregate amount so reported as the value of said schooner does not exceed \$10,000, less the amount of the net proceeds of the sale of the schooner; and he shall pay to the officers and crew of said schooner the several sums so ascertained to have been the value of their personal effects lost: *Provided*, That the aggregate of said several sums shall not exceed \$1,000: *Provided further*, That all and each of said several amounts shall be received by the persons herein described in full satisfaction of all their claims against the United States on account of the loss of the said schooner Henry R. Tilton.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the owners of the schooner Henry R. Tilton and of the owners of personal effects thereon."

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. F. O. TOWLES, its Chief Clerk, announced that the House had passed the joint resolution (S. R. 136) to amend an act entitled "An act making Saturday a half-holiday for certain Federal employees in the District of Columbia," approved December 22, 1892.

The message also announced that the House had passed the following bill: in which a resolution was passed by the House of Representatives:

A bill (H. R. 9730) to amend the act relating to the Pacific Railroad Company of the District of Columbia.

A bill (H. R. 9544) to create a commission of survey for the District of Columbia.

A bill (H. R. 10030) to narrow California Avenue at Fair Heights, District of Columbia; and

A bill (H. R. 10236) relative to vacation allowances for military debtors for the benefit of creditors in the District of Columbia, and to amend section 782 of the Revised Statutes of the United States relating to the District of Columbia.

#### UNROLLED BILLS SIGNED.

The message further announced that the President of the United States had signed the following enrolled bills:

A bill (H. R. 3627) to grant to the Gulf, Santa Fe, and Texas and Gulf Railway Company a right of way, through the Indian Territory, and for other purposes.

A bill (H. R. 9527) to restore to the public domain a portion of the White Mountain Apache Indian Reservation, in the Territory of Arizona, and for other purposes; and

A bill (H. R. 9786) authorizing the construction of a bridge over the Monongahela River, at West Elizabeth, in the State of Pennsylvania.

#### MARITIME CANAL COMPANY OF NARRAGANSETT.

The VICE-PRESIDENT. The hour of 1 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1218) to amend the act entitled "An act to incorporate the Maritime Canal Company of Narragansett," approved February 20, 1889.

Mr. FRYE. Mr. President, from the time that Columbus sought for in vain, the dream of the world has been to find a pathway for ships across the isthmus connecting North and South America. I imagine that there is no spot on the round globe which has been so fretted by prospectors, investigators, and surveyors as this. But for the last twelve or fifteen years attention has been directed chiefly to three points—Panama, Tehuantepec, and Nicaragua.

Panama has been tried. Mr. De Lesseps at first favored Nicaragua, but owing to certain complications changed to Panama, giving as his reason that a sea-level canal was an absolute necessity, and that at this point only was it practicable. He laid out his sea-level canal. It touched the Chagres River at nine different points. I had the honor to be a member of the special committee in the House of Representatives on isthmian routes in 1881. The inquiry extended over six months of time, and was exceedingly interesting and instructive. I carry an across the Chagres River, and made up my mind that no such uncontrollable and reckless scheme as that could be found elsewhere in the wide world. I was then satisfied that man never could harness it and compel it to do his will.

Mr. De Lesseps expended \$250,000,000 on this route and elsewhere, changed from a sea-level to a lock canal, and failed. Oh, what a pity it is that that magnificent man, the admiration of a world, should to-day in his old age be compelled to drink the bitter dregs of an awful sorrow and a fearful humiliation! I trust that the wonderful works he has achieved in the past may restore him to liberty once more.

Since then a French commission has investigated this canal and has unanimously arrived at the conclusion that it is a practical impossibility; so no further thought may be given to Panama.

Tehuantepec attracted the attention of the world on account of its advocacy by one of the most distinguished engineers who ever lived, one of our own American people. His reputation we have a right to be proud of. Mr. Stevens was a genius, and I have no hesitation in saying that with his mind and his genius combined he never has a superior. He was the greatest engineer on earth. He conceived a scheme for a canal which was as attractive as it was brilliant. It was to cut through the mountains of the Atlantic Ocean the largest ship canal, fully 1,000 feet in diameter on a steel-laid track, and then by a series of locks to carry it over on to a steel-laid track, and then by a series of locks to carry it over her across the isthmus and drop her into the Gulf of Mexico. The Pacific. A magnificent work, worthy of the greatest of men. Mr. Eads. He had, I believe, a greater power of imagination than



and his views upon men than anyone I ever saw. He labored on that ship-railway in Congress for five or six years. I think he prevailed upon the engineers of the world and upon the scientists to believe that his scheme was practicable. I think he failed to convince the ordinary common-sense practical ship-owner, ship-builder, and ship-sailor.

Mr. Eads is in the midst of his work. No successor to him has ever been born, and in my opinion none ever will be. So the canal may be eliminated from the problem.

There has been a favorite location for a great many years on account of its climate, because the distance for an elevated canal was only 20 miles while lake and river transportation were 112 miles, because midway, as will be seen on that map [indicating], is a magnificent sheet of fresh water, deep enough and broad enough to hold the navies of the whole world; because at either extremity harborsafe and convenient can be easily provided, and because it is just beyond what is known as the calm belt of Panama.

In 1826, the then minister from the new Republic of the Central American States called the attention of our Secretary of State to this route, and Mr. Clay returned the following reply:

The idea has been conceived of joining the two oceans by a canal navigation. The execution of it will form a great epoch in the commercial affairs of the whole world. The practicability of it can scarcely be doubted. Various schemes for the proposed canal have been suggested, and have divided public opinion. The evidence, tending to show the superiority of the advantage of that which would traverse the province of Nicaragua, seems to have nearly settled the question in favor of that route.

In 1872 President Grant appointed a board of five of the ablest engineers in the United States, and they were instructed to make thorough investigation of the routes across this isthmus. They entered upon their work, prosecuted it with great fidelity, and finally, after having examined eight different routes, unanimously reported in favor of Nicaragua.

In 1881 concessions were made—ample, all that were required—and a bill was presented to Congress to give aid to the building of the canal at this point, but Mr. De Lesseps and Mr. Eads regarded that proposition, of course, with extreme hostility, combined and fought it with great persistency, and succeeded in defeating it.

In 1884, under President Arthur, a treaty was made with Nicaragua, under the terms of which every concession, right, and privilege required were granted, and the United States were bound to construct this canal. It is in the memory of many Senators who are here now that for long months we discussed that treaty. It will be remembered, too, that in the midst of the contest the ghost of the Clayton-Bulwer treaty, a treaty that had been as dead as Julius Cæsar for a quarter of a century, was summoned into this Chamber, and succeeded in preventing the treaty from receiving the necessary two-thirds vote through its old command a very large majority.

President Cleveland withdrew that treaty after his accession to the Presidency. I have reason, Mr. President, to believe, and I do believe, that were Mr. Cleveland President of the United States to-day and were that a pending treaty he would not withdraw it. On the contrary, he would earnestly recommend its ratification.

In 1887 concessions were granted by Nicaragua and Costa Rica to private individuals. In 1889 Congress granted them corporate powers, and from that time until now they have been at work on the canal, having expended several million dollars, and I am glad to say that as to the canal itself they have as yet found the slightest obstacle to final success. Indeed, sir, I know of but few in the country who object to this route as a practical and a feasible one to-day. The distinguished Senator from Minnesota [Mr. DAVIS] at the last session of Congress made a speech against the then pending bill, the burden of which was "earthquakes around Nicaragua," and a suggestion that if the Government should invest 100,000,000 very likely one might destroy the route to-morrow.

Mr. President, there was an earthquake at Christchurch, N. Z., a while ago. Do you think that the people of Christchurch should now flee to the mountains and desert their homes? We are expending some \$1,000,000 to build a harbor at Charleston—\$750,000 in the sundry civil appropriation bill of this year. Does the Senator from Minnesota think that we ought to stop such appropriations because, to-morrow, under Divine Providence, another earthquake may demolish the city and leave it a deserted village and no harbor be necessary? We are spending \$500,000 to build a lock at the Sault Ste. Marie, and an earthquake may shake that in pieces. Shall we stop work and leave the vessels to remain with no opportunity of conduct from the one lake to the other? San Francisco has been visited by earthquakes again and again. Shall San Francisco be restored to its primitive condition and its land let out to feed wild cattle because another earthquake may come?

Mr. President, I admit that with God all things are possible,

but in legislation are we to be deterred from doing our duty on account of possibilities? Shall every man in a thunder shower who knows that lightning sometimes strikes and kills have builded for himself a glass jar with insulated feet, so as to make himself safe from its shafts?

Mr. Menocal was asked about earthquakes when he was before our committee. I will read what he says:

BY MR. BURNETT:

Mr. SHERMAN. On what page?

Mr. FRYE. Page 118. Mr. Burnet is says:

You have spoken of earthquakes, which is a subject, I am sure, of great interest to a good many people, and the stability of such works. You have been down there a good many years, how many earthquakes have you experienced?

A. I never experienced but one or two, and they were so slight as to be of no consequence.

Q. How recent is the last earthquake in that region of country that has overthrown houses?

A. Not long, I know, except that the towers of each cathedral and houses have been slightly cracked.

Q. How recent were these?

A. In 1845 in the tower of the cathedral cracked and fell.

Q. When and how?

A. It was about 1845, I think, and the tower of the cathedral west of the lake.

Is that an argument which should deter the United States from undertaking and carrying out this magnificent work?

Mr. President, at the last Congress the following resolution was offered in reference to this subject on the 11th day of April, 1890:

Resolved, That the Committee on Foreign Relations be and it hereby is, directed to inquire into all steps that have been taken under the act of Congress entitled "An act to incorporate the Maritime Canal Company of Nicaragua," approved February 18, 1890, and what are the present conditions and prospects of the enterprise, and to consider and report what, in its opinion, the interests of the United States may require in respect of that enterprise and under that act.

Who inspired that resolution? Did it come from this corporation? Was it inspired by any of its stockholders? Is there a Senator on this floor who has ever heard from a stockholder asking that this resolution should be passed? I assert that the chambers of commerce, the boards of trade of the United States, intelligent business men who understand our commercial interests, statesmen who know the necessity of the United States securing a political control of this canal, and members of Congress insist upon the resolution, and that this corporation and its stockholders had nothing whatever to do with it. I doubt very much if they desired it to pass and the committee to be directed to take up this work.

The committee acted promptly. It was referred to a subcommittee of the ablest men we have ever had in the Senate. They were faithful in their investigations. They reported a bill to the Senate and, leaving out my own name, I submit to Senators at the names signed to that report ought to have great weight and influence with us. The names are JOHN SHERMAN, George F. Edmunds, WILLIAM P. FRYE, William M. Evarts, J. N. DODD, JOHN T. MORGAN, Joseph E. Brown, H. B. PAYSON, and E. A. TILDEN. There is no politics in this, I am happy to say. The bill was reported too late for action.

Again, at the present session of Congress, the Committee on Foreign Relations was instructed to further investigate this matter. The committee made the required investigation and have reported the bill which is now pending. A bill very much more favorable to the Government and the people of the United States than that which was reported by the Senators whose names I have just cited. I say in this, that it leads not with mortgages and bonds and stock to give a loan or a guaranty of \$10,000,000 of stock to this Government, thus insuring to the United States the absolute political and business control of the canal forever.

Now, Mr. President, I have always favored the construction of this canal by the Government, and am glad that years ago I began a speech in which I maintained that it was the duty of the United States to make an appropriation of \$100,000,000 to be given for the canal to be built by the Secretary of War as he might need it to be constructed, to be placed under the Army engineers, and garrisoned with men against whom no suspicion ever yet was expressed, and of men whom nobody would dream of charging with the slightest infidelity in making contracts or seeing that they were faithfully executed. I suppose that such a proposition as that now could not prevail, and while I still hold to my own opinion, I give my entire adhesion conscientiously and heartily to the bill which has been reported.

Mr. President, I do not propose to discuss the political reasons why our Government should control this canal, though in my opinion such control is vital to the interests of this Republic in the future. I leave that branch of the case to the distinguished Senator from Alabama [Mr. MORGAN], who can do his duty with an ability I never dreamed of.

Nor do I propose to discuss the bill in its several provisions, nor undertake to defend any of them. It was reported by a Sen-



Statement showing such part of the annual expenditures under appropriations made in the several fortification acts from the fiscal year 1880 to 1892, inclusive, as were disbursed under the direction of the Chief of Engineers, United States Army.

Appropriations.	1880	1890	1891	1892	Total.
Preservation and repair of fortifications.....	\$65,027.84	\$65,797.61	\$110,173.70	\$83,261.22	\$354,230.37
Sea walls and embankments.....	25,000.16	72,940.19	6,300.00	2,000.00	106,240.35
Torpedoes for harbor defense.....	30,100.00	275,500.00	274,252.25	186,851.78	766,734.04
Armament for fortifications.....		300.00	123.91	70,000.00	70,423.91
Plan for fortifications.....		5,000.00	2,500.00	6,750.00	14,000.00
Construction of counterpoise battery.....		2,000.00	2,000.00		4,000.00
Gun and machine battery.....			115,158.04	800,288.13	915,446.17
Site for fortifications and harbor defenses.....			253,578.35	502,920.63	756,498.98
Fort Marion, Fla.....			15,000.00		15,000.00
Sea wall, Governors Island, New York Harbor.....			5,996.00	28,000.00	33,996.00
Protection of shore, Fortress Monroe.....			5,000.00	21,000.00	26,000.00
Total.....	125,127.00	452,108.20	\$29,756.27	1,891,851.75	3,148,883.22

JANUARY 7, 1893.

The previous question was ordered.  
The conference report was agreed to.

On motion of Mr. BRECKINRIDGE of Kentucky, a motion to reconsider the last vote was laid on the table.

**CAPITOL, NORTH O STREET AND SOUTH WASHINGTON RAILWAY COMPANY.**

Mr. HEMPHILL. Mr. Speaker, I call up for consideration the bill (S. 2852) to change the name of the Capitol, North O Street and South Washington Railway Company.

The bill was read, as follows:

*Be it enacted*, etc., That the name of the Capitol, North O Street and South Washington Railway Company be, and the same is hereby, changed to "The Belt Railway Company." *Provided*, That said change shall not affect pending suits and said company nor the enforcement of existing contracts with said company.

The bill is ordered to a third reading, and it was accordingly read the third time, and passed.

#### BOARD OF CHARITIES, DISTRICT OF COLUMBIA.

Mr. HEMPHILL. Mr. Speaker, I now call up the bill (H. R. 9873) to create a board of charities, etc., in the District of Columbia.

The bill is as follows:

*Be it enacted*, etc., That there shall be created in and for the District of Columbia a board to be known as the Board of Charities for the District of Columbia, to be composed of five members, who shall serve without compensation; the said board to be a body politic and corporate, and to have the powers and to be constituted in the manner hereinafter provided.

Sec. 2. That the members of the board of charities shall be appointed by the President of the United States upon the recommendation of the District Commissioners: *Provided*, That there shall always be at least one representative of each sex upon the board. Of the five members first appointed after the passage of this act two shall serve for one year, two for two years, and one for three years. Thereafter all appointments except such as shall be made for the remainder of unexpired terms shall be for the term of three years. The President of the United States, upon the recommendation of the District Commissioners, may remove any member of the board of charities.

Sec. 3. That the board shall elect from among its own members a president and vice-president, who shall severally discharge the duties usual to such officers or such as the by-laws of the board may prescribe.

Sec. 4. That the board shall further appoint as secretary some thoroughly experienced and otherwise suitable person, not a member of the board. The said secretary shall have power, under the direction of the board, to represent it in all matters of investigation and visitation, to conduct the office business, and to draft its annual report. He shall be entitled to compensation at the rate of \$3,000 per year.

Sec. 5. That the board of charities for the District of Columbia shall have all the powers and be charged with all the duties heretofore belonging to the superintendent of charities, save only that the District Commissioners shall have power to revise its estimates and to incorporate the same with their own estimates from year to year. The board of charities shall further have full powers of investigation, report, and estimate as regards the Reform School for Boys of the District of Columbia, the Girls' Reform School, the Washington Asylum, and all charitable institutions that care for the poor of the District and that are supported in whole or in part by public appropriations.

Sec. 6. That the superintendent of charities for the District of Columbia shall serve as acting secretary of the board of charities from its organization until a date not later than the 1st day of August, 1893, on and after which date the office of superintendent of charities for the District of Columbia is hereby abolished. Any appropriations that may have been made for the superintendent of charities shall be available after the abolition of said office for the use of the board of charities.

Sec. 7. That this act shall take effect from and after its passage.

Mr. MEREDITH, interrupting the reading. Mr. Speaker, I make the point of order against this bill that it should be considered in Committee of the Whole. It carries an appropriation of \$7,000 in the section just read by the Clerk.

Mr. HEMPHILL. Mr. Speaker, I ask that the bill be considered in the House as in Committee of the Whole. It does not make any difference, and it will save time.

The SPEAKER. The gentleman from South Carolina [Mr. HEMPHILL] asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. MEREDITH. I will have to object.

The SPEAKER. The gentleman from Virginia objects.

THOS. LINCOLN CASEY,  
Brigadier-General, Chief of Engineers.

Mr. HEMPHILL. I will state, Mr. Speaker, that this superintendent of charities gets a salary of \$3,000 a year, and this bill proposes to make him secretary of this board with the same salary and no additional salary over that which he is now getting. The bill does not make any appropriation.

The SPEAKER. It is a charge upon the Treasury.

Mr. HEMPHILL. It simply provides that an officer already in existence shall be known by a different name, and shall draw the same salary that he already does. It does not appropriate any money for it.

The SPEAKER. Section 4 of the bill does not limit the appointment to any particular officer. It says:

"The board shall further appoint as secretary some thoroughly experienced and otherwise suitable person, not a member of the board."

And it provides that he shall have a salary of \$3,000 per year.

Mr. HEMPHILL. I do not think it is a matter of any consequence one way or the other whether it is considered in committee or in the House or in Committee of the Whole. I ask the gentleman from Virginia [Mr. MEREDITH] not to press that point, as it simply loses time; and he will not lose any of his rights.

Mr. MEREDITH. Mr. Speaker, this bill is objectionable, because it places under this board of charities the Reform School for Boys. Now, that comes properly under the Department of Justice; and I do not think the board of charities ought to have anything to do with a school that is now operated under the Attorney-General, who has control of this matter. I do not think this a proper bill, and that is the reason I make the point.

Mr. HEMPHILL. So far as I am concerned, I will say to the gentleman that he can offer an amendment that the Reform School for Boys be stricken out. There is some question as to whether that is entirely a penal or a charitable institution, and it does not make any difference one way or the other, so far as this bill is concerned.

Mr. MEREDITH. If my friend will accept an amendment striking that school out of the bill, I have no objection to the bill.

Mr. HEMPHILL. I will accept such an amendment.

The SPEAKER. Without objection, the bill will be considered in the House as in Committee of the Whole.

There was no objection.

Mr. DOCKERY. I should like to inquire of the gentleman what is the purpose of the bill?

Mr. HEMPHILL. The purpose is simply a reorganization of the board of charities here, making it a board consisting of five persons in the District of Columbia, who receive no compensation, at all, a public official board in conjunction with the superintendent of charities, and he is to act as their secretary at a compensation already provided for.

Mr. DOCKERY. What relation, if any, will this board have to the board of children's guardians?

Mr. HEMPHILL. It is only another branch of the charities of the city. It does not relate to the Board of Children's Guardians. It puts under the supervision of this board all the charities and charitable institutions of the city. The superintendent is to cooperate in conjunction with the Board of Charities and make reports to Congress as to the number of persons connected with these charities. It makes no appropriation of money.

Mr. DOCKERY. I shall not interpose an objection to the passage of this bill. I defer to the judgment of the Committee on the District of Columbia, but I wish to say, in this connection, that the Board of Children's Guardians, created by an act of the last Congress, seems for some reason, I am not clear as to just what it is, to be very satisfactory in its operation.

The SPEAKER. The Clerk will continue the reading of the bill.

The reading of the bill was resumed and concluded.

encountered every time they leave the grounds. I submit that if you shut up these liquor saloons within one mile of any home it will tend to remove temptations of this kind, and will be for the moral, spiritual, and temporal welfare of those unfortunate people who are there as inmates.

Mr. MEREDITH. I would like to ask the gentleman whether such a law will prevent any inmate of the Soldiers' Home from crossing the mile limit, buying a bottle of whisky, and taking it back with him to get drunk on?

Mr. CAMPBELL. As they do now.

Mr. MEREDITH. As they do now, and have been doing right along (so the governor of the home here has informed us), to the utter demoralization of the good order and discipline of the home.

Mr. MORSE. I think I have already answered that suggestion of the gentleman. I ask for a vote on my amendment.

The question being taken.

The SPEAKER. The noes seem to have it.

Mr. DINGLEY. I call for a division.

The question being again taken, there were—ayes 22, noes 54.

So the amendment was rejected.

The Clerk read as follows:

SEC. 19. That no licensee under a barroom license shall employ, or permit to be employed, or allow any female other than his wife, daughter, mother, or sister to sell, give, furnish, or distribute any intoxicating drinks or any admixture thereof, of ale, wine, or beer to any person or persons, nor permit the playing of pool, or billiards, or other games in the room where such liquors are sold; *Provided*, That the excise board may, in its discretion, permit the playing of such games, except cards, in duly licensed places.

Mr. LONG. I offer an amendment to this section.

The Clerk read as follows:

Add at the end of section 19, on page 12:

"That no licensee in any place shall knowingly sell or permit to be sold in his establishment any intoxicating liquor of any kind to any person under the age of 21 years, under the penalty upon due conviction thereof of forfeiting such license, and no person so forfeiting his license shall again be granted a license for the term of two years."

Mr. LONG. I do not think there will be any objection to that amendment.

The amendment was adopted.

Mr. DINGLEY. I move to amend, in section 19, by striking out of lines 2 and 3 the words "other than his wife, daughter, mother, or sister."

This is a provision that allows a saloon-keeper to put his wife, daughter, mother, or sister in a saloon for the purpose of dispensing intoxicating liquors. It seems to me that for this Congress to pass a law authorizing the keeper of such an establishment to place women to dispense liquors in their various saloons would be simply an outrage. Let women be kept from such places as these at least.

The amendment was adopted.

The Clerk resumed and concluded the reading of the bill, as follows:

SEC. 20. That in the interpretation of this act words of the singular number shall be deemed to include their plurals, and that words of the masculine gender shall be deemed to include the feminine, as the case may be.

SEC. 21. That this act shall be in lieu of and as a substitute for all existing laws and regulations in the District of Columbia in relation to the sale of distilled and fermented liquors in the said District, and that all laws or parts of laws inconsistent with this act be, and they are hereby, repealed.

Mr. PICKLER. I want to ask the attention of the chairman of the committee for a moment to a provision which we have already passed over, beginning with the last line on page 11, in the following words:

*Provided*, That the excise board may, in their discretion, permit the playing of such games, except cards, in duly licensed places.

Now, the first provision of this section prohibits the playing of pool or billiards or other games in the room where such liquors are sold. Does not this latter provision nullify what we have already done? Why should they be prohibited in one place from doing this thing and permitted in the next paragraph to do what they were forbidden to do?

Mr. HEMPHILL. As I understand the meaning of this section it is that they can not play any of these games in any of the places where liquors are authorized to be sold, but that the excise board may grant a license by which such permission may be granted in such building, provided it is not in the same room where the liquor is sold, except as to the playing of cards, which is prohibited absolutely.

Mr. PICKLER. I think that is not the proper construction of it. It says that they shall be prohibited from doing a thing, and then provides that it may be done by getting a license.

I simply call the gentleman's attention to it, as it seems to be a contradiction.

Mr. HEMPHILL. I think the object is to prohibit these games in saloons where liquor is sold unless, in the judgment of the board of excise, the parties get a license for that purpose.

Mr. JOSEPH D. TAYLOR. I offer an amendment to this paragraph.

The Clerk read as follows:

Amend section 19, by striking out the words "other than his wife, daughter, mother, or sister" and inserting the words "other than his wife, daughter, mother, or sister, or the other, whether male or female, who is a resident of the same household."

Mr. JOSEPH D. TAYLOR. I have a suggestion to make at this time a matter of some importance, and I would like to ask the chairman of the committee whether he would be willing to consider it, or the other, whether male or female, who is a resident of the same household, or the other, whether male or female, who is a resident of the same household, or the other, whether male or female, who is a resident of the same household.

It seems to me that a law of this kind, which would prevent a gentleman from bringing a woman into a saloon, would be a very objectionable law, or a new provision, which would be a very objectionable law. But now, if we could have a law which would be a very objectionable law, or a new provision, which would be a very objectionable law.

I do not think that this House should be so easily led into the possibility of repealing that law, or any other law, which would be a very objectionable law, or a new provision, which would be a very objectionable law. The people of this city, so far as I know, are not in any way interested in this bill, but I believe that it is a very important matter, and I believe that it is a very important matter.

or repealing that law, I believe that it is a very important matter, and I believe that it is a very important matter. The fact were generally known in the District of Columbia, and I believe that it is a very important matter, and I believe that it is a very important matter.

Mr. DINGLEY. I will suggest to the gentleman from Ohio that the amendment might better come in in the next paragraph, the word "act."

Mr. JOSEPH D. TAYLOR. At the suggestion of the gentleman from Maine [Mr. DINGLEY] I offer the amendment to come in the fifth line after the word "act." I have the approval of the chairman, as I understand it, and I think I will have the approval of the House.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Ohio, Mr. JOSEPH D. TAYLOR.

The Clerk read as follows:

In section 21, line 5, after the words "and as a substitute for all existing laws which are applicable to the District of Columbia," insert the words "and as a substitute for all existing laws which are applicable to the District of Columbia."

Mr. JOSEPH D. TAYLOR. I wish to modify my amendment so that it will read:

Except such laws as are applicable to the District of Columbia, and as a substitute for all existing laws which are applicable to the District of Columbia.

That is more explicit, and I think better language.

The amendment was agreed to.

Mr. HEMPHILL. I demand the previous question.

Mr. CAMPBELL. With the consent of the gentleman from South Dakota [Mr. PICKLER] I want to call attention to the fact that was a lapse, to come in at line 11, on page 12, of the bill, to ask the gentleman from South Carolina, Mr. Hemphill, to withhold his demand for the previous question in order that I may make a brief statement.

Mr. HEMPHILL. I do not know what the gentleman's amendment is.

Mr. CAMPBELL. It is simply a modification of the amendment offered by the gentleman from South Dakota [Mr. PICKLER], and he is willing to have it modified, as I understand.

Mr. PICKLER. I do not want to agree to anything. What is it you want?

Mr. CAMPBELL. I want to call attention to the fact that when you go to these places, and you find that they are not in compliance with the law, in relation to the sale of liquor, in the District of Columbia, in relation to the sale of liquor, in the District of Columbia, in relation to the sale of liquor, in the District of Columbia.

Mr. HEMPHILL. Well, I am not sure that I am not in compliance with the law, in relation to the sale of liquor, in the District of Columbia, in relation to the sale of liquor, in the District of Columbia.

Mr. CAMPBELL. Well, I am not sure that I am not in compliance with the law, in relation to the sale of liquor, in the District of Columbia, in relation to the sale of liquor, in the District of Columbia, in relation to the sale of liquor, in the District of Columbia. I am not sure that I am not in compliance with the law, in relation to the sale of liquor, in the District of Columbia, in relation to the sale of liquor, in the District of Columbia.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Ohio, Mr. JOSEPH D. TAYLOR.

Mr. HEMPHILL. I demand the previous question.

Mr. CAMPBELL. I want to call attention to the fact that when you go to these places, and you find that they are not in compliance with the law, in relation to the sale of liquor, in the District of Columbia, in relation to the sale of liquor, in the District of Columbia, in relation to the sale of liquor, in the District of Columbia.

Mr. CAMPBELL. I want to call attention to the fact that when you go to these places, and you find that they are not in compliance with the law, in relation to the sale of liquor, in the District of Columbia, in relation to the sale of liquor, in the District of Columbia, in relation to the sale of liquor, in the District of Columbia.

of a case in which it will bring hardship to some of the very best people in the District.

The SPEAKER. If there be no objection, the word "hereafter" can be inserted.

Mr. HEMPHILL. So that it will read:

shall be hereafter convicted.

The SPEAKER. It can be inserted if there is no objection. Will the gentleman from New York [Mr. CAMPBELL] indicate the point at which it should be inserted?

Mr. CAMPBELL. Page 3, line E.

There was no objection.

Mr. PICKLER. I would like to hear how that modification reads.

The SPEAKER. The Clerk will report the text as amended now.

The Clerk read as follows:

On page 3 line 13, insert "shall hereafter be convicted."

Mr. CAMPBELL. I do not want any retroactive legislation.

Mr. HEMPHILL. Mr. Speaker, the amendment, as the Clerk has read it, does not make sense. The word "hereafter" ought to be inserted in the amendment which was offered by the gentleman from South Dakota [Mr. PICKLER].

Mr. PICKLER. I think there is some force in what the gentleman says, but I do not want to change my amendment.

Mr. HEMPHILL. That is all we can do anyhow, and so far as the gentleman's amendment is retroactive, it will not have any force.

Mr. CAMPBELL. It does no harm to modify it, when the modification is satisfactory to all parties.

Mr. HEMPHILL. If you will indicate the place where it should be inserted, we will do it.

Mr. CAMPBELL. I understand it has all been fixed by the Clerk.

Mr. HEMPHILL. Let it go, and it will be fixed hereafter. I demand the previous question.

The SPEAKER. The gentleman from South Carolina demands the previous question.

The previous question was ordered.

The bill as amended was ordered to be engrossed and read a third time, and being engrossed, was accordingly read the third time, and passed.

On motion of Mr. HEMPHILL, a motion to reconsider the last vote was laid on the table.

#### WASHINGTON AND GEORGETOWN TERMINAL RAILWAY COMPANY.

Mr. HEMPHILL. Mr. Speaker, I ask to call up the bill (H. R. 9229) to incorporate the Washington and Georgetown Terminal Railway Company. I think this bill affects some portion of the streets in the eastern part of the city, and I ask that the bill be considered in the House as in Committee of the Whole.

There was no objection.

The bill was read, as follows:

*Be it enacted, etc.*, That E. Kurtz Johnson, E. Southard Parker, Samuel Ross, L. G. Hine, William A. Winstett, J. B. Rank, and Andrew B. Duvall, with their associates and assigns, be, and they are hereby, created a body corporate, under the title of the Washington and Georgetown Terminal Railway Company, and by that name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, and defend and be defended in all courts of equity, and may make and have a common seal and have the same altered at their pleasure.

Sec. 2. That the capital stock of the said company shall consist of 500 shares of \$50 each, with the power to increase the same from time to time as may be necessary to carry out the purposes and objects of its charter, but not exceeding in all \$50,000; that the said company be, and it is hereby, authorized to issue bonds and to secure the same by a mortgage on its property, right of way, and franchises; *Provided, however*, That the issue of bonds shall at no time exceed the amount of the paid-up capital stock of the said company.

Sec. 3. That within twenty days after the passage of this act, the incorporators named in the first section hereof, their associates, successors, and assigns, or a majority of them or if any of them refuse or neglect to act, a majority of the remainder shall receive subscriptions to the said capital stock at some convenient place in the District of Columbia, first giving ten days' notice of the opening of the books therefor by advertisement in a daily paper published in said District. Every subscriber shall pay at the time of subscribing 25 per cent of the amount by him subscribed, or his subscription shall be null and void and nothing shall be received in payment of the said subscription except lawful money or certified checks of a national bank. When the books of subscription of the said company shall have been closed, the incorporators named in the first section, their associates, successors, and assigns, or a majority of them, and in case any of them refuse or neglect to act, then a majority of the remainder shall, within twenty days thereafter, call a meeting of the stockholders of the said company to meet within ten days thereafter to choose directors, of which public notice shall be given for five days prior thereto in two daily newspapers published in the city of Washington; and at all meetings of the stockholders each share shall entitle the person holding the same to one vote, to be given in person or by proxy.

Sec. 4. That the government and direction of the affairs of the company shall be vested in a board of directors, seven in number, who shall be stockholders, and who shall hold office for one year, or until their successors are elected and qualified, and the said directors, a majority of whom shall constitute a quorum, shall elect one of their number from the board to be president, and shall also choose a vice president, secretary, and treasurer, and each other officers as may be in their judgment, necessary to transact the

business of the company. The said directors shall have the power to make and prescribe the needful by-laws, rules, and regulations for the government of the company, and shall fix the times for payment of the amounts due on subscriptions to the capital stock thereof.

Sec. 5. That there shall be an annual meeting of the stockholders for the election of directors, to be held at such time and place, and under such conditions, and upon such notice as the said by-laws may prescribe. The principal office of the said company shall be in Washington, but the company may establish offices at such other places as may be in its judgment necessary for the transaction of its business.

Sec. 6. That the said company shall have power, and is hereby authorized, to lay out, locate, construct, maintain, and operate a single or double track railroad in the District of Columbia, from a point at or near the north end of the Long Bridge over the Potomac River eastwardly and southwardly along Water street to K street, and thence on and along K street to a connection with the Baltimore and Potomac Railroad near Third street southeast to a point on the Eastern Branch of the said Potomac River in the city of Washington, with the power to make contracts, connections, and arrangements with other railroad companies in the said District of Columbia for the transportation of property and passengers over their roads, and the use thereof for such purposes, and to make leases with other connecting lines of railroad; and if the terms of such user and the compensations to be paid such roads for the transportation of property and passengers can not be agreed upon, then the same shall be fixed by the supreme court of the District of Columbia upon proper proceedings had therefor. That the said corporation shall have authority to build and maintain a dock or docks on the Potomac River in west Washington between New Hampshire avenue and the Aqueduct Bridge, and at other points on the Potomac River adjacent to the line of its road, and to receive thereat and send therefrom barges, vessels, cargoes, and railway cars from and to any point on the line of the railroad heretobefore authorized to be constructed, and from and to points on the Potomac River; and the said company shall have the power to build warehouses and depots at any point near the docks aforesaid, west of Twenty-seventh street and south of K street northwest in the said city of Washington and in west Washington, and at points along the line of its road, and to construct sidings, turn-outs, turntables, and switches necessary for the delivery of cars to said warehouses and depots and to connect the same with other railroads in west Washington, or Georgetown, and to cross any streets or alleys necessary for that purpose, and to operate the said road by steam, horse, or electric power.

The construction of said road and of the switches, sidings, and connections heretobefore authorized shall be under the supervision of the Commissioners of the District of Columbia, who shall make such reasonable regulations as may be deemed proper to prevent the said railway company from unnecessarily obstructing any of the streets or tracks which its line of road may cross, and who may prescribe reasonable penalties for any violation of such regulations. *Provided*, That when the route of said road coincides with the duly authorized lines of any incorporated street railway of the District of Columbia, said company shall lay separate and independent tracks in the original construction of the said road whenever, in the judgment of the Commissioners of the District of Columbia, it shall be deemed by them possible and practicable so to do. But whenever the foregoing route shall so coincide, either or both companies may use the same tracks when, on account of the width of the streets or for other sufficient reason, it shall be deemed by the Commissioners of the District to be practicable and necessary; and in such case they may use such tracks in common upon such fair and equitable terms as may be agreed upon by the said companies, and in the event said companies fail to agree upon equitable terms, either of the said companies may apply by petition to the supreme court of the District of Columbia, which shall hear and determine the matter in due form of law and adjudge to the proper party the amount of compensation to be paid therefor. Said railway shall be constructed of good materials and in a substantial manner, with the rails laid upon an even surface with the pavement of the street, with the gauge to correspond with that of the steam roads located in the District of Columbia, all to be approved by the Commissioners of the District of Columbia.

Sec. 7. That if the said corporation can not agree with the owner or owners for the purchase, use, or occupation of land for the right of way, or any other property adjacent to the said road and required for its construction or improvement from time to time, and for its depots and other purposes, in connection with the use of said road or necessary for the enjoyment of the powers herein granted, the said property may be acquired by the said company in the manner provided by sections numbered 648 to 653, both inclusive, of the Revised Statutes relating to the District of Columbia; condemnation of property in west Washington shall be confined to property west of Thirty-second street and east of Thirty-sixth street; but nothing herein contained shall authorize the condemnation of any church or school property. *And provided further*, That the construction of the said road shall be commenced within one year and finished within three years after the passage of this act, unless prevented by legal proceedings or other matters beyond the control of the said company.

Sec. 8. That all acts or parts of acts inconsistent herewith are hereby repealed, and Congress hereby reserves the right to alter, amend, or repeal this act.

The amendments recommended by the committee were read, as follows:

In act in the seventh line of section 6, after the word "a," the words "connection with the Baltimore and Potomac Railroad near Third street southeast" and in the twenty-ninth line, same section, after the word "street," by the insertion of the words "northwest in the said city of Washington and," and in the thirty-second line of same section, after the word "or," by the insertion of the words "west Washington," and in the seventh section, eleventh line, after the word "Columbia," by the insertion of the words "condemnation of property in west Washington shall be confined to property west of Thirty-second street and east of Thirty-sixth street," and in section 8 line 1 all acts or parts of acts inconsistent herewith are hereby repealed and.

The SPEAKER *pro tempore*. Without objection the amendments will be considered as agreed to. [After a pause.] The chair hears none, and it is so ordered.

The bill as amended was ordered to be engrossed for a third reading, and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. RUSK, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### SPECIAL TAXES IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL. Mr. Speaker, I desire to call up the bill S. 3383, which has been reported, but the report has not been





taken by the Clearing House Association last month (January), when ten banks out of the twenty-six voted to rescind the order passed unanimously in May last, is evidence that the law is not working satisfactorily by at least strong minority of the banks, and we are satisfied that the dissatisfaction is general among the depositors of all the banks.

Very respectfully, yours,

CHAS. W. DORSEY, *Cashier.*

C. P. DAVENPORT, Esq., *Cashier, Washington, D. C.*

Mr. Speaker, I have had these letters read to show what the leading bankers of Baltimore think of this new Saturday half-holiday. They have only had such a law since last April, and express their dissatisfaction in this strong and terse language, and show that already ten of the twenty-six banks demand the repeal of the law; ten of the banks that petitioned for its passage less than a year ago demand its repeal. And I have heard this half-holiday condemned in this city, not only by bankers, but by some of the most prominent men in the District of Columbia; but I do not care now to name them. I could do so. The law now proposed and the present law is substantially the law in Baltimore which these bankers condemn, and it is a law which will be condemned by others when it has had a trial in this District.

I have seen other letters of a similar character from prominent officers of banks in the city of Baltimore, but these are the most outspoken. I remember that some of them state that they intend to go in a body to the next Legislature and urge the repeal of the law, and the fact that ten of the Baltimore banks have already voted in the clearing house in favor of repealing the law, shows that the law is not satisfactory, and if not satisfactory in Baltimore, why should it be satisfactory in the District of Columbia?

This is all that I care to say in regard to the dissatisfaction which has already arisen from this Saturday half-holiday law in the city of Baltimore. I think the law which it is proposed to amend here ought to be repealed. It was passed without such consideration and inquiry as a law of this importance ought to have. I have been able to learn the name of but one banker in the District of Columbia who ever asked for the passage of this law. Without at present going further, I ask to have this amendment adopted, reserving the balance of my time to speak further in regard to the matter. I propose now to amend this law so that it shall be applicable only to the summer months, as it is in Pennsylvania.

In that State a half-holiday is provided for banks and trust companies from June 15 to September 15, three months, and in that State the law is discretionary, leaving it in all cases to the directors whether they will observe the law or not, and in the letters which I have seen it has been suggested that the Baltimore law which we are proposing to try here in the District of Columbia might do very well for the hot months when very little business is done. If the law is extended through all the year, as is now proposed in this city, there are thousands of people who will be greatly inconvenienced. In fact, Mr. Speaker, this is a law for the benefit of the bank clerks only. I have been spoken to by a number of citizens on this subject, probably for the reason that I am connected with one of the banks. I am not a banker, Mr. Speaker, or a paid official in any bank, and only express my own opinion and may be mistaken, but this is the way I view it.

There are thousands of men in this city who transact business on Saturday afternoons, who pay out and receive money, who pay their employes with checks, and who receive bank checks in the business, builders whose pay rolls are made out and whose hands are paid off on Saturday afternoon, and who want to have access to the banks to get those checks paid. To show the extent of the business in this city I have been handed the following statement, which I will read:

*Number of stores, &c., in Washington, D. C., 1909.*

[List made up from city directories.]

Bacon and lard	48	Meat market	41
Bakery shops	229	Milk dealers	120
Beer companies	5	Musicians	40
Book and shoe dealers	261	Nailers	97
Carnal dealers	9	Oil dealers	32
Cigars and tobacco	76	Opticians	9
Clothing	43	Painters	117
Coal and wood	135	Paper dealers and hangers	39
Commission merchants	1	Photographers	33
Confectioners	216	Physicians	562
Dentists	144	Railroad	18
Druggists	172	Refrigerators and hangers	16
Dry goods	116	Restaurants and saloons	313
Embroidery	33	Schools and academies	60
Fish and oysters	24	Stables, livery, &c.	67
Florists	50	Tailors	151
Flour and feed	77	Ten and coffee	11
Fruit dealers	72	Telephone companies	3
Furniture	73	Typewriters and supplies	37
Grocers	1,265	Undertakers	42
Hardware	44	Variety stores	58
House furnishers	31	Miscellaneous	700
Ice dealers	17		
Junk dealers	19		
Laundry	76		
Lawyers	691		
		Grand total	7,114

This statement shows that there are 7,114 places of business in the city of Washington, and it seems to me that it will be an unnecessary and an unfortunate blow at the business of Washington to allow the banks to close when every other kind of business is carried on Saturday afternoon as on other days. Banks are supposed to be for the accommodation of the public, and I do not see why they should be compelled by Congress to close or permitted to close. Not only this, but the census reports show that Washington City paid out in wages for manufacturing over \$11,000,000 in a single year.

Now, Mr. Speaker, reserving the balance of my time, I offer an amendment which is intended to make this law correspond with the law of Pennsylvania and of some other States.

The amendment was read, as follows:

On page 8, line 8, after the word "Saturday," insert the words "from and including the 15th day of June to and including the 15th day of September."

Mr. HEMPHILL. Mr. Speaker, I want to say only a word about this. A short time ago the Congress of the United States passed a law providing for a half-holiday for banks and other institutions in the cities of Washington and Georgetown. In the transcribing of that law some inaccuracy occurred, so that it is not exactly what we expected it would be. When it passed the House it was intended, I believe, to leave the matter of closing somewhat in the discretion of the banks, but that was changed in the Senate and the change was not noticed when the bill came back to the House.

This bill proposes to make clear what the purpose of the law is with reference to these institutions. Now, the gentleman from Ohio [Mr. JOSEPH D. TAYLOR] proposes to amend the law so as to confine its operation to three months during the summer. As I understand it, the institutions here are all opposed to that, and I trust, therefore, that the amendment offered by the gentleman from Ohio will not be adopted.

Mr. SCOTT. Do the proposed amendments that are now pending make it discretionary with the banks whether they shall close or not?

Mr. HEMPHILL. No, sir. The law is that they shall close, and this proposed amendment is simply designed to make the purpose of the law clear. I will say further that the amendment provides for the whole of the District of Columbia instead of merely the cities of Washington and Georgetown.

The question was taken on the amendment of Mr. JOSEPH D. TAYLOR; and the Speaker declared that the yeas seemed to have it.

Mr. JOSEPH D. TAYLOR. I withdraw that amendment and propose another.

The amendment was read, as follows:

Page 3, strike out after the word "amended," and insert the words "repealed," so that it will read: "That section 1 of an act of Congress approved December 22, 1902, entitled 'An act making Saturday a half-holiday for banks, and trust company purposes in the District of Columbia,' be, and it is hereby, repealed."

Mr. JOSEPH D. TAYLOR. Mr. Speaker, I think the existing law on this subject ought to be repealed, for two or three reasons. In the first place, it is special legislation, made only for the benefit of a special class, made only for the benefit of the bank clerks of the city of Washington. And in this respect it has been a failure elsewhere. Only a few days ago you passed through this House a provision of law extending from seven to eight hours the time during which the clerks in the Government Departments must work daily, requiring them to work not only eight hours per day, but six days in every week, excepting legal holidays.

Now, I want to know why Congress should pass a law for the special benefit of the bank clerks of the city of Washington when such a law operates to the disadvantage of all the other kinds of business in the city; why should the clerks in all the Departments and in all the business houses of the city be deprived of this luxury? Where is the consistency? Why should such a demand as this be made upon us? Is it because the committee has so decided?

This law will be a dead letter, as it is in Baltimore. I have had read in the hearing of the House letters from the cashiers of prominent banks in the city of Baltimore stating that a law similar to this, passed by the Legislature of Maryland, is a dead letter in that city, and that the banks continue open on Saturday until 3 o'clock. This has been found to be a necessity. Saturday afternoon is the busiest half day in the whole week. Men are paid their wages on that day; and those receiving checks require the money for them during the day. I can not see the necessity for such a law. We have no such law in Ohio. Only a few States have any such a law. It is special legislation for the benefit of the few to the disadvantage of the many. Closing the bank doors in this city at the hour of 12 o'clock will prove a disadvantage to the general public if I am not grievously mistaken.

Bankers in Philadelphia and other cities of Pennsylvania, and in different States where Saturday afternoon has been made a holiday during the summer months only, say that the measure has not proved satisfactory, for the reason that the forenoon is too short to finish up the business of the day and much of that business goes over. Much of the business of Saturday, together with the business letters which arrive during Sunday, must be attended to during Monday; thus the business of Monday is so great that the bank clerks are overworked instead of being benefited, by reason of the accumulation of business which requires attention on Monday, and when Monday is a legal holiday the business of Saturday goes over till Tuesday.

I want to be fair and just in this matter. If it be desired proper to have such a half-holiday here as they have in New York—a Saturday half-holiday—let a bill of that kind be passed, but let us not have a half-holiday on Saturday for bank clerks and not for other clerks. Think of the girls who are employed, hundreds of them, in the large stores of this city, who go there at 7 or 8 o'clock in the morning and work till 9 o'clock on Saturday night. You do not propose any relief for them, but you propose relief for the bank clerks, who go to their banks at 9 o'clock and are out long before the clerks in the stores are released.

I have never heard but one argument in favor of this bill, and that is that in some of the large banks the business is so great that the clerks are detained late on Saturday evening. Still, I went into the Washington Loan and Trust Company building of this city, a week or two since on Saturday. It was about the hour of 1 o'clock, and I noticed that every clerk had left the bank and the janitor was cleaning the rooms. It had not taken the clerks very long to get out of the building after the clock struck 12 on that Saturday.

Mr. HEARD. Will the gentleman allow me a question?

Mr. JOSEPH D. TAYLOR. Certainly.

Mr. HEARD. I ask the gentleman whether within his knowledge the business men generally of this city have made any protest against this arrangement?

Mr. JOSEPH D. TAYLOR. I have not talked with a business man of Washington, who was not a banker, who did not protest against the half holiday. I have not spoken to any one about it who did not first speak to me.

Mr. HEARD. Does the gentleman know any banker in this city except himself representing the Ohio National Bank, who is opposing this measure?

Mr. JOSEPH D. TAYLOR. I am not a banker.

Mr. HEARD. The gentleman is president, as I understand, of the Ohio National Bank; and according to my information, derived from the committee which waited on our committee, and which represented the banks of the District, the bank of which the gentleman from Ohio is president is the only institution in the city which is opposed to this measure.

Mr. JOSEPH D. TAYLOR. The gentleman is very much mistaken.

Mr. HEARD. Well, I make that statement upon the authority of the committee which waited upon the District Committee, a committee headed by Messrs. Stevens, Johnston, and Martindale, and others, representing these banking institutions. That is the information which the Committee on the District of Columbia has.

Mr. JOSEPH D. TAYLOR. The president of one of the large banks in this city said a few days ago that he had received a letter from the cashier of one of the Baltimore banks, who called it, as he says, a "devilish holiday," and I know what he thinks about it. I know that the bankers of the city have signed a resolution asking that Congress pass this amendment, and the reason given for this is that the present law can not be repealed. I will ask the gentleman whether he knows of any banker in this city, except one, that ever requested the passage of this law? I mean the original law.

Mr. HEARD. Yes, sir.

Mr. JOSEPH D. TAYLOR. Will you give the names?

Mr. HEARD. The District Committee was waited upon by some gentlemen, one of whom, as I remember very well, was B. H. Warner, the president of the Columbia Bank.

Mr. JOSEPH D. TAYLOR. What other banker asked the passage of this law? I know Mr. Warner had done so.

Mr. HEARD. Mr. Johnston, of the Riggs Bank; Mr. Stevens, the president of the West End Bank, and some three or four or five other gentlemen, constituting a committee representing the banks of this city, were before our committee within the last few weeks. And they stated positively to the committee that the bank of which the gentleman from Ohio now addressing the House is the president is the only one in the city of Washington that is opposed to the adoption of this measure.

Mr. JOSEPH D. TAYLOR. I will say to the gentleman that it is probably because of my connection with one of the banks of

the city, that I am so much opposed to this measure.

Mr. HEARD. I am not a banker, and I am not connected with any bank in this city.

Mr. JOSEPH D. TAYLOR. I am not a banker, and I am not connected with any bank in this city.

Mr. HEARD. I am not a banker, and I am not connected with any bank in this city.

Mr. JOSEPH D. TAYLOR. I am not a banker, and I am not connected with any bank in this city.

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Mr. JOSEPH D. TAYLOR. I am not a banker, and I am not connected with any bank in this city.

law, and all ought to have the same right to remain open, and all ought to remain open or closed. I do not want any bank that I am connected with to have any advantage whatever over any other bank, and my request for the repeal of this law is in order, that I may put myself on record as entering my protest against it, not because the repeal can possibly be of any benefit to me, but because I believe the law is unjust and will be a failure, and that the next Congress will be asked to repeal it inside the next twelve months. It is because I think this half holiday is wrong, wrong in principle and inconvenient in practice, but if it shall turn out otherwise no one will approve it more than I will.

Mr. HEMPHILL. Mr. Speaker, I only want to state that there is a law already in the District upon this subject. It is very imperfect and this is simply to perfect the law. There is no provision here fixing any penalty of any kind. The banks can remain open as long as they want to. The only thing is that it fixes the mode and time of protest, etc., providing that if a bank closes upon Saturday at 12 o'clock, that protest can be made or notes paid on the following Monday, etc. It is not a matter of any great consequence. It is simply clearing up a statute that is already in existence, and I hope we will have a vote upon it. I will be gratified either way the House votes.

Mr. JOSEPH D. TAYLOR. Mr. Speaker, one thing I overlooked. One of the objections to this law is that it is unlike any law in any State in this Union. It will unsettle the law as to millions of dollars of money that have been loaned to residents of the District. The laws of New York, Maryland, and New Jersey, and the other States which have this provision, are altogether different. This law proposes to be applicable to paper made before the passage of the law.

None of the other States have attempted to apply the law to paper made before the passage of the law. They all say "made after the passage of this act." That is the language used in every State which has up to this hour attempted to make a Saturday half-holiday. This law proposes to make it applicable to paper whether made in the District or out of the District, whether made before or after the passage of this act, and in my judgment it will unsettle the law and involve people in litigation.

I wish to yield a moment to the gentleman from New York [Mr. WEVER].

The SPEAKER. The gentleman from South Carolina yielded to the gentleman from Ohio [Mr. JOSEPH D. TAYLOR].

Mr. HEMPHILL. I will yield to the gentleman from New York [Mr. WEVER].

Mr. WEVER. Mr. Speaker, we are enjoying this half-holiday law in the State of New York, and my experience is that it is an unmitigated nuisance in every way, shape and manner, not only for the banker, but for the depositor and the business man. A great deal of fault is found with it by depositors and business men, more even than by the bankers.

The difficulty with us—I do not know whether it exists as to this law here—is that we do not dare to remain open after the hour that the law requires us to close, because there is danger, then to the bank in making its payments of checks. The trouble is that the law we are obliged to close, and the people generally who deal with banks are very angry indeed about the law and they blame the bankers, and think the bankers had something to do with getting it passed. The law is not in the interest of the bankers, and is very far from being in the interest of depositors or business men.

Mr. HEMPHILL. Mr. Speaker, I only want to say I have a paper here signed by twenty-five or twenty-six banking institutions in this city, asking that this bill be passed in the interest of their employees, and to make the law certain. That is all they ask. Whether it has operated well outside of the District, as shown by the gentleman from Ohio [Mr. JOSEPH D. TAYLOR], is not a matter of any concern.

I call for the previous question.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Strike out all after the word "amended," and insert the word "repealed," so that it will read:

"That section 1 of the act of Congress approved December 22, 1892, entitled 'an act making Saturday a half holiday for banking and trust company purposes,' be and is hereby repealed."

Mr. HEMPHILL. Is that the amendment of the gentleman from Ohio [Mr. JOSEPH D. TAYLOR]?

The SPEAKER. This is the amendment of the gentleman from Ohio [Mr. JOSEPH D. TAYLOR] for the repeal of the law.

The amendment was rejected.

The joint resolution was ordered to a third reading, and was accordingly read the third time, and passed.

REGULATING THE SALE OF INTOXICATING LIQUORS IN THE DISTRICT OF COLUMBIA.

The SPEAKER. Before the gentleman from South Carolina [Mr. HEMPHILL] calls up another bill, the Chair desires to call

the attention of the House to an amendment to the bill regulating the sale of intoxicating liquors in the District of Columbia which was passed a few moments ago. The gentleman from New York [Mr. CAMPBELL] submitted an amendment, which was agreed to, which provided "that an applicant who was heretofore adjudged guilty, should not again be granted a license." The language does not fit well to the text of the bill.

The gentleman from Maine [Mr. DINGLEY] suggests the insertion of the words "since the passage of the act," so that it will read that "such applicant has never since the passage of the act been adjudged guilty," etc. Without objection the amendment suggested by the gentleman from Maine, which is approved by the gentleman from New York [Mr. CAMPBELL], and which seems to make the matter more plain, will be agreed to.

There was no objection.

WASHINGTON AND ARLINGTON RAILROAD COMPANY.

Mr. HEMPHILL. Mr. Speaker, I have in my hand House bill 9651 reported to the House, but the report has not as yet been printed. I ask to call it up and to offer the substitute reported by the committee.

The SPEAKER. When was this report made?

Mr. MEREDITH. It was made on Saturday.

The SPEAKER. There seems to be no printed report with this bill.

Mr. HEMPHILL. I stated that there was no report with it.

Mr. MEREDITH. I asked permission to submit the report on Saturday last. That permission was given, the report was handed in, it went to the Printer, and I am informed that they are looking for it here every moment.

The SPEAKER. The Clerk will report the original bill.

Mr. HEMPHILL. Mr. Speaker, I will have to ask that this bill be considered in Committee of the Whole. It relates to the Aqueduct bridge.

Mr. HOLMAN. Let the bill be reported first.

The SPEAKER. On what Calendar is the bill? The bill has not been printed at all as reported. [After a pause.] There seems to be no print of this bill as reported.

Mr. MEREDITH. I asked leave to report it on Saturday.

The SPEAKER. There is no point of it here. The Clerk has got the original papers.

Mr. HEMPHILL. There is a mistake somewhere then.

The SPEAKER. It was referred to the House Calendar, the Journal states.

Mr. HOLMAN. Let it go over.

The SPEAKER. The Clerk will report the original bill.

Mr. HEMPHILL. For the original bill we propose a substitute.

The SPEAKER. But the House has to know what it is proposed to be a substitute for.

Mr. HOLMAN. If there is no report accompanying this bill, it should go over.

The SPEAKER. There is no report.

Mr. HEMPHILL. If the gentleman from Indiana objects to this, of course we can not go on.

Mr. HOLMAN. I think we ought to have the report.

Mr. MEREDITH. The report is not printed yet.

Mr. HOLMAN. What is the bill?

Mr. LIVINGSTON. There is no bill.

Mr. HEMPHILL. The bill is printed.

The SPEAKER. The matter is not before the House except by unanimous consent.

Mr. HEMPHILL. I will have to withdraw the bill.

Mr. HOLMAN. I do not interpose any objection.

The SPEAKER. The gentleman from South Carolina asks unanimous consent for the present consideration of this bill.

Mr. OUTWATE. Let the bill be put subject to objection.

The SPEAKER. The Clerk will report the original bill.

The Clerk read as follows:

*Read and felt.* That section 1 of the act to incorporate the Washington and Arlington Railroad Company of the District of Columbia approved February 28, 1891, be, and hereby is amended by striking out all after the words "from Virginia avenue northwest," to the words "and provided that so much of" and inserting the following words: "to street north west; thence along G street to a point on the northern shore of the Potomac River, thence by a first-class street and ferryboat to the shore of Annapolis Island, thence across said island by such route as the Commissioners of the District of Columbia shall approve to the waters of the Potomac River, thence by a bridge or causeway to be built by said company to the Virginia shore of said Potomac River; thence by such route as the Secretary of War shall approve to Rosslyn, and from thence by an trolley or trolley line as may be selected by the said company with the approval of the Secretary of War to the north west corner of the Arlington cemetery, and thence through the Arlington estate outside of the cemetery grounds to the city of Washington, to be located in the State of Virginia, *Provided*, That no company shall not operate any part of its line within the limits of the city of Washington by electric power with overhead wires, *Provided*, That should any part of the track herein authorized or any part of the same street or avenue with any other duly incorporated street railway in the District of Columbia, but one set of tracks shall be used, and the relative advantages of use and of chartered rights may be adjusted upon terms to be mutually agreed upon between the companies, or, in case of disagreement, by the supreme court of the District of Columbia on peti-



## SENATE.

TUESDAY, February 11, 1893.

The Senate met at 12 o'clock m.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

## ENROLLED BILLS SIGNED.

The VICE-PRESIDENT announced his signature to the following enrolled bills, which had previously received the signature of the Speaker of the House:

A bill (H. R. 3627) to grant to the Gainesville, Oklahoma, and Gulf Railway Company a right of way through the Indian Territory, and for other purposes;

A bill (H. R. 3527) to restore to the public domain a portion of the White Mountain Apache Indian Reservation, in the Territory of Arizona, and for other purposes; and

A bill (H. R. 9786) authorizing the construction of a bridge over the Monongahela River, at West Elizabeth, in the State of Pennsylvania.

## HOUSE BILL REFERRED.

The bill (H. R. 983) to create a board of charities, etc., in the District of Columbia, was read twice by its title and referred to the Committee on the District of Columbia.

## BRIGHTWOOD RAILWAY COMPANY.

The bill (H. R. 9739) to amend the charter of the Brightwood Railway Company of the District of Columbia, was read twice by its title.

Mr. McMILLAN. A similar bill was reported by the Senate Committee on the District of Columbia, and is now on the Calendar. The House bill is satisfactory to our committee. The objection the Senator from West Virginia [Mr. FAULKNER] had to the Senate bill has been removed by this bill.

Mr. FAULKNER. The Senator from Michigan is satisfied that the bill as passed by the other House does not interfere with the matter to which I called his attention?

Mr. McMILLAN. I am. It does not interfere with it.

The VICE-PRESIDENT. Does the Senator from Michigan desire the present consideration of the bill?

Mr. McMILLAN. Yes; I ask for its present consideration.

The VICE-PRESIDENT. The bill will be read.

After reading, the Senate, by unanimous consent, proceeded to consider the bill as in Committee of the Whole.

Mr. HALE. In the confusion I could get from the reading very little idea of what the bill covers. I do not even know what examination it has had. Was the bill reported from the Committee on the District of Columbia?

Mr. McMILLAN. I will state to the Senator that a bill was reported from our committee that is exactly the same as the House bill now before the Senate, except that in the bill reported by the committee the company desired to go farther on through Takoma Park, crossing the Baltimore and Ohio tracks, and so to the District line. That provision was stricken out by the other House. The bill is now entirely satisfactory to the committee and to the railroad people. It is an amendment to the charter of the Brightwood Railroad, which runs up Seventh street, and I think is an improvement to the road, and so to the public. It gives facilities for travel to a great many people who would not have them if the bill is not passed. It connects with the Fourteenth-street road, so that passengers can go from the Treasury Department direct to the Soldiers' Home or to Takoma Park.

Mr. HALE. Does the bill practically confiscate any more of our public highways to the use of electric cars?

Mr. McMILLAN. No; the road is kept out of the main streets. The streets over which these branches are to run are streets not now in use, and no objections have been made to the bill as it now stands. Each of the branches are on streets not really opened, but which are just being put through private lands. The bill has been amended to meet every objection raised against it, and the routes are the ones suggested by the District Commissioners.

Mr. HALE. What is to be the motive power?

Mr. McMILLAN. The motive power is the trolley system. It is outside of the city limits, beyond Florida avenue.

Mr. HALE. And it does not run either upon or adjacent to any great line of public travel?

Mr. McMILLAN. It does not.

Mr. HALE. Does it cross any?

Mr. McMILLAN. The original road goes to Brightwood, on Brightwood avenue, which is an extension of Seventh street. It also runs through Brightwood to the District line, with a branch to Takoma Park. The present bill provides for two other branches, one to the Eagle gate of the Soldiers' Home, through the Petworth subdivision, the other to the Fourteenth street line of the Washington and Georgetown Railroad, so that pas-

sengers on that line can have a direct route instead of going by the roundabout way of the Seventh street line.

Mr. HALE. This road crosses the Fourteenth street line.

Mr. McMILLAN. No; the branch connects with the Fourteenth street line. Neither branch crosses any large avenue.

Mr. HALE. I can only say that the most any of us can do, who are interested in the District and in its prosperity, is to watch these bills, and we have got to trust somebody to preserve something for the general traveling public and not give up everything to these railroad companies. Primarily we have got to trust the District or Columbia Committee. If the chairman of that committee, who is a good business man, a good legislator, and is faithfully seeking to preserve the rights of the public, has examined this question and is satisfied that it gives no undue privileges that will interfere with public travel, I can say nothing more about it.

It is a most unfortunate thing, Mr. President, that gradually we are becoming conformed in every direction by the electric car system of one company and another. A large part of the comfort and pleasure which people take and will take in the future in driving about this beautiful city is being cut off. I wish to urge the Senator from Michigan, who is chairman of the District Committee, to be watchful day and night of all these schemes.

Mr. McMILLAN. I will state in answer to the Senator from Maine, that I have always made it a point to drive over the streets myself and see just exactly where a proposed road is to be built, and ascertain whether it does interfere with the drives of Washington. I can assure the Senator that these branches do not do so, and that they will be a great convenience to the public.

Mr. HALE. Is the clause of repeal that is commonly put in such bills, as safeguarding them, contained in this measure?

Mr. McMILLAN. Yes, sir. It is contained in the last section.

Mr. HALE. That is found in the bill?

Mr. McMILLAN. It is found in the original act. This is simply adding to the main act, giving the company certain rights. The original act provides that the charter may be amended or repealed.

Mr. HALE. This is subject to the same restrictions?

Mr. McMILLAN. It is subject to the same restrictions.

Mr. MORRILL. I desire to ask the chairman of the Committee on the District of Columbia whether this is a cable or an electric road?

Mr. McMILLAN. It is an electric road, outside of the city borders.

Mr. MORRILL. I wish to say that the cable roads where they go around circles have not been laid in any scientific manner. They are laid so as to make in dry weather a perpetual screech. It is a real nuisance wherever they go around a circle, because the rails have not been placed so as to avoid a continuous noise. I think, perhaps, the fault is that one rail ought to have been laid lower than the other. Certainly there is some way to prevent it; either to keep it oiled or in some other way. I notice that whenever there is snow on the ground or when it rains the noise ceases. I merely call the attention of the Senator from Michigan as chairman of the Committee on the District of Columbia to this matter, which I think ought really to be looked into.

Mr. McMILLAN. I will state to the Senator from Vermont that I will call the attention of the president of that company to the fault around the circles.

Mr. HOAR. I should like to have the clause in regard to the right of Congress to repeal the act read.

The VICE-PRESIDENT. It will be read.

Mr. McMILLAN. It is section 6.

The Chief Clerk read as follows:

SEC. 6. This act shall be considered as an amendment to the act approved October 15, 1887, granting a charter to the Brightwood Railway Company, and shall be construed as being subject to all the powers, privileges, limitations, and conditions of said original act, except as specifically provided otherwise herein.

Mr. HOAR. Is this an amendment to that act to go back to the other House?

Mr. McMILLAN. It is an amendment to that act. It is a House bill which has just come over.

Mr. HOAR. Has it been amended in any way?

Mr. McMILLAN. No; it is an original bill of the other House.

Mr. HOAR. Do I understand that the committee propose to amend the bill?

Mr. McMILLAN. We do not propose to amend it.

Mr. HOAR. I should like to have the provision referred to there also read.

Mr. McMILLAN. In the original act?

Mr. HOAR. Yes. The bill does not contain any clause re-

serving the absolute power of Congress to amend, alter, or repeal unless it is contained in the clause which has just been read referring to another act. I should like to have that read from the first act.

Mr. McMILLAN. I will procure it and hand it to the Senator. He desires to have that put into the bill.

Mr. HOAR. I desire to have it inserted, unless it is already in.

Mr. McMILLAN. It is in the original act. I have not the original act here. It is in every bill of the kind. There is no objection to such an amendment.

Mr. HOAR. I move to amend the bill by adding a new section, as follows:

This act may be altered, amended, or repealed by Congress at any time, in its discretion.

The amendment was agreed to.

The bill was reported to the Senate as amended, and a concurrence was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

#### CALIFORNIA AVENUE.

The bill (H. R. 10029) to narrow California avenue within Blair Heights, District of Columbia, was read twice by its title.

Mr. McMILLAN. I will state that the same bill, word for word, has passed the Senate. I ask for the present consideration of the bill.

The VICE-PRESIDENT. The bill will be read for information.

After reading, the Senate, by unanimous consent, proceeded to consider the bill as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 977) for the relief of B. F. Rockafellow.

The message also announced that the House had agreed to the amendments to the Senate to the bill (H. R. 9612) to amend section 833 of the Revised Statutes of the United States relating to semiannual returns of fees by district attorneys, marshals, and clerks.

The message further announced that the House had passed the following bills: in which it requested the concurrence of the Senate:

A bill (H. R. 9229) to incorporate the Washington and Georgetown Terminal Railway Company;

A bill (H. R. 19285) to amend the charter of the District of Columbia Suburban Railway Company;

A bill (H. R. 10394) to incorporate the American University; and

A bill (H. R. 10489) to amend the act of May 6, 1890, fixing the rate of interest to be charged on arrearages of general and special taxes now due the District of Columbia, and for other purposes.

The message also communicated to the Senate resolutions of the House commemorative of the life and services of Hon. EDWARD F. McDONALD, late a Representative from the State of New Jersey.

#### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 9923) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; and

A bill (H. R. 10209) to ratify and confirm an agreement made between the Seneca Nation of Indians and William B. Barker.

#### PETITIONS AND MEMORIALS.

Mr. WILSON presented petitions of Protection Lodge, No. 137, Brotherhood of Locomotive Engineers, of Eldon, Iowa, and of Iron Molders' Union, No. 224, of Burlington, Iowa, praying for the opening of the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

He also presented memorials of the United Presbyterian Church of Guernsey; of the First Baptist Church of Antrim, and of the Presbyterian Church of Carroll, all in the State of Iowa, remonstrating against the repeal of the law closing the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. QUAY presented petitions of citizens of Philadelphia, Freedom, Pittsburg, Allegheny, Wilkesburg, Conemaugh,

Franklin, Johnstown, Gettysburg, and West Chester, Pa., and of Mars, Meigs, Monroe, and Morgan counties, West Virginia, praying for the opening of the World's Columbian Exposition on Sunday; which were referred to the Committee on the Quadro-Centennial (Select).

Mr. MANSFIELD presented a memorial of the National Association of Manufacturers, praying for the opening of the World's Columbian Exposition on Sunday; which was referred to the Committee on the Quadro-Centennial (Select).

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Mr. SHOUP, from the Committee on Indian Affairs, to whom were referred the following bills, reported adversely thereon, and they were postponed indefinitely:

A bill (S. 1634) to provide for a final settlement with the Naaleam band of the Tillamook tribe of Indians, of Oregon, in accordance with a certain agreement between the United States and the said Indians, dated the 6th day of August, 1851; and

A bill (S. 1635) to provide for a final settlement with the Tillamook tribe of Indians, of Oregon, in accordance with a certain agreement between the United States and the said Indians, dated the 7th day of August, 1851.

Mr. STOCKBRIDGE, from the Committee on Indian Affairs, to whom was referred an amendment submitted by Mr. MANDERSON, January 25, intended to be proposed to the Indian appropriation bill, reported it favorably, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

Mr. SHERMAN, from the Committee on Finance, reported an amendment in respect to United States bonds, intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MORRILL, from the Committee on Finance, to whom was referred the bill (S. 873) to establish an assay office at Baker City, in the State of Oregon, reported it without amendment.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred an amendment submitted by Mr. DEBOIS February 11, intended to be proposed to the Indian appropriation bill, reported it favorably and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

Mr. JONES of Arkansas, from the Committee on Indian Affairs, to whom was recommitted the bill (H. R. 3594) for the relief of the Stockbridge and Munsee tribe of Indians in the State of Wisconsin, reported it without amendment.

Mr. JONES of Arkansas. I present the views of the minority of the Committee on Indian Affairs on the bill (S. 3392) to ratify and confirm an agreement entered into in March, 1892, between the Indians of the Rosebud Agency and certain Indians of the Lower Brule Agency, both in South Dakota, and for other purposes, of which I gave notice some days since.

The VICE-PRESIDENT. The views of the minority will be printed with the report of the majority.

Mr. SQUIRE, from the Committee on Public Buildings and Grounds, to whom was referred an amendment submitted by himself, February 13, intended to be proposed to the deficiency appropriation bill, reported it favorably, and moved that it be referred to the Committee on Appropriations and be printed; which was agreed to.

#### REPORT OF COMMISSIONER OF LABOR.

Mr. MANDERSON, from the Committee on Printing, to whom was referred the following concurrent resolution of the Senate, submitted by him on the 10th instant, reported it without amendment, and it was considered by unanimous consent, and agreed to:

*Resolved by the Senate (the House of Representatives concurring). That there be printed 35,000 additional copies, in cloth binding, of the eighth annual report of the Commissioner of Labor, relating to industrial education in the United States and Europe; 16,000 copies for the use of the members of the House of Representatives, 8,000 copies for the use of the members of the Senate, and 11,000 copies for distribution by the Department of Labor.*

#### BILLS INTRODUCED.

Mr. MANDERSON introduced a bill (S. 3864) for the relief of John M. Burks, James Manning, and C. S. Waite; which was read twice by its title, and referred to the Committee on Claims.

Mr. BLODGETT introduced a bill (S. 3865) for the relief of Antoinette Aeken; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. QUAY introduced a bill (S. 3866) for the relief of William D. Hartup, administrator of the Andrew Hartup, surviving partner of the firm of Tomlinson & Hartup & Co.; which was read twice by its title, and referred to the Committee on Claims.

Mr. CAFFERY introduced a bill (S. 3867) granting a pension to Peter Bromon, of Patterson, La.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 3868) to provide for allotment of land in severalty to the Quapaws in Indian Territory, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. VOORHEES introduced a bill (S. 3869) for the relief of Lewis Pelham; which was read twice by its title, and referred to the Committee on Claims.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. STEWART submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appro-

priation bill; which was referred to the Committee on the Judiciary, and ordered to be printed.

Mr. QUAY submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was read, as follows:

Insert the following, to come in on page 39, in line 16, after the word "and":

And it is hereby declared that all appropriations herein made for or pertaining to the World's Columbian Exposition are made upon the condition that the said Exposition shall not be opened to the public on the first day of the week, commonly called Sunday; and if the said appropriation be accepted by the corporation of the State of Illinois known as the World's Columbian Exposition upon that condition, it shall be and it is hereby made the duty of the World's Columbian Commission, created by act of Congress of April 25, 1890, to make such rules or modification of the rules of said corporation as shall require the closing of the Exposition on the first day of the week, commonly called Sunday.

Mr. QUAY. That is merely a reenactment of the provision inserted in the last sundry civil appropriation act. I move that the proposed amendment be referred to the Select Committee on the Quadro-Centennial and be printed.

The motion was agreed to.

Mr. VOORHEES submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HOAR submitted two amendments intended to be proposed by him to the sundry civil appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. COKE submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PLATT submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. COCKRELL submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriations; which was referred to the Committee on Appropriations, and ordered to be printed.

#### AMENDMENTS TO MARITIME CANAL BILL.

Mr. STEWART submitted an amendment intended to be proposed by him to the bill (S. 1218) to amend the act entitled "An act to incorporate the Maritime Canal Company, of Nicaragua," approved February 20, 1889; which was ordered to lie on the table, and be printed.

Mr. QUAY submitted an amendment intended to be proposed by him to the bill (S. 1218) to amend the act entitled "An act to incorporate the Maritime Canal Company of Nicaragua," approved February 20, 1889; which was read, referred to the Committee on Foreign Relations, and ordered to be printed, as follows:

Amend the bill by adding the following, to come in as an additional section: "This act shall not take effect until the Government of the United States shall have secured by convention with the Governments of Costa Rica and Nicaragua, the right to fortify an Isthmus on the termini of the proposed canal upon the Atlantic and Pacific Oceans, and to maintain one or more armed vessels upon the Lake of Nicaragua, and to move military forces through the territory of either of those States for the purpose of protecting the canal and the persons of citizens of the United States operating the same."

Mr. FELTON submitted an amendment intended to be proposed by him to the bill (S. 1218) to amend the act entitled "An act to incorporate the Maritime Canal Company of Nicaragua," approved February 20, 1889; which was ordered to lie on the table and be printed.

Mr. LEFFER submitted an amendment intended to be proposed by him to the bill (S. 1218) to amend the act entitled "An act to incorporate the Maritime Canal Company of Nicaragua," approved February 20, 1889; which was ordered to lie on the table and be printed.

#### PRINTING OF CHEROKEE OUTLET BILL.

Mr. PLATT. I should like to obtain an order to reprint the bill (H. R. 9199) to ratify and confirm an agreement with the Cherokee Nation of Indians of the Indian Territory, to make appropriation for carrying out the same, and for other purposes, as it passed the Senate. The entire print has been exhausted.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The order will be made to reprint the bill, if there is no objection.

#### CLOSING OF WORLD'S FAIR ON SUNDAY.

Mr. QUAY submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved.* That the Secretary of the Treasury shall be, and hereby is, directed forthwith to inform the Senate whether the appropriations, or any part thereof, made to the World's Columbian Exposition by the act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes, approved August 5, 1892, have been paid to the World's Columbian Commission; and if so, what rules,

## COMMITTEE ON THE DISTRICT OF COLUMBIA.

On motion of Mr. McMILLAN, it was

*Ordered*, That the Committee on the District of Columbia have leave to sit during the remaining sessions of the Senate.

## READING OF WASHINGTON'S FAREWELL ADDRESS.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Chief Clerk read the resolution submitted yesterday by Mr. HOAR, as follows:

That on the 231 day of February, current, the anniversary of the birth-day of George Washington, the Senate shall meet at 12 o'clock at noon, and after the reading of the Journal, shall listen to the reading of Washington's farewell address by the Senator from Nebraska, President *pro tempore* of the Senate.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1303) to increase the pension of Mrs. S. A. Farquharson. The message also announced that the House had passed the following bills:

A bill (S. 2828) for the relief of L. M. Garrett; and

A bill (S. 3819) granting a pension to Mary Doubleday, widow of Bvt. Maj. Gen. Abner Doubleday.

The message further announced that the House had agreed to the resolution of the Senate providing for the printing of the eighth annual report of the Commissioner of Labor.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 9730) to amend the charter of the Brightwood Railway Company of the District of Columbia; and

A bill (H. R. 9826) granting certain rights and privileges to the commissioners of waterworks in the city of Erie, Pa.

The message further announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 1479) to remove the charge of desertion from the record of James Morrison, alias James C. McIntosh;

A bill (H. R. 10241) to amend "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 13, 1892;

A bill (H. R. 10391) to amend an act entitled "An act to provide for the establishment of a port of delivery at Council Bluffs, Iowa;" and

A joint resolution (H. Res. 202) extending the session of the Thirtieth Legislative Assembly of the Territory of New Mexico from sixty to seventy days.

The message also announced that the House had passed a concurrent resolution providing for the printing of 9,000 copies of the annual report of the Chief of the Weather Bureau; in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution requesting the Secretary of War to ascertain and report the present actual condition of harbor improvement at Cumberland Sound and the entrance to the port of Fernandina, Fla.; in which it requested the concurrence of the Senate.

## ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the Vice-President:

A bill (S. 1683) for the relief of Mrs. Fannie N. Belger;

A bill (S. 2946) to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia," approved March 3, 1869;

A bill (S. 3836) to authorize the Union Railroad Company to construct and maintain a bridge across the Monongahela River; and

A joint resolution (S. R. 130) to amend an act entitled "An act making Saturday a half-holiday for banking and trust companies in the District of Columbia," approved December 22, 1892.

## ARMY APPROPRIATION BILL.

Mr. STEWART submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9825) "making appropriations for the support of the Army for the fiscal year ending June 30, 1894, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5 and 13.

That the House recede from its amendments numbered 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

Mr. MANDERSON. The committee on the bill for an appropriation for the support of the Army for the fiscal year ending June 30, 1894, have reported to the Senate a bill which is substantially the same as the bill reported by the House, with the exception of a few amendments. The committee have agreed to the bill, and I have the honor to report it to the Senate.

There are one or two matters connected with the bill which I should like to call your attention to. The first is upon agreeing to the conference report. The Senate has agreed upon the bill, after very full consideration, and in favor of it, an amendment proposed by the Committee on Military Affairs, which it was urged was a necessity for the support of the military service. It was an amendment raising the pay of noncommissioned officers, particularly sergeants. The strange anomaly might not exist that private soldiers of the Army, who are so directly responsible for their superior training and drilling of the Army.

I should like to ask concerning that amendment, which is at the desk, and if there is disagreement to that that we may be informed, or if there is change in it that we may receive information upon that subject.

Mr. STEWART. I can state the change. The pay of sergeants is, I think, \$22 now, and it was increased by the amendment to \$30. That was changed by inserting \$20 in the place of \$22. We did not agree to the full extent of the Senate amendment. In other respects the amendment is unchanged. The Senate inserted \$25 for \$30 in the amendment making the Senate agree to the bill.

Mr. MANDERSON. I would like to ask the Senate whether he is aware of the fact that by the report of the Committee on Military Affairs of the Senate, I think also by the action of the Committee on Military Affairs of the other House, the recent action was taken that the sergeants' pay should be \$34 a month, and that the sergeants' compromise at \$30 a month was one of the things that was not only to the House Committee on Military Affairs, but also to the conference on the part of the House in charge of the bill.

I greatly fear sometimes that, notwithstanding the expression and very decided action on the part of the Senate and in making this remark I do not mean to say that the Senate confers, but I do mean to say that the Senate confers, and I think this is such an important matter that it is worth holding and perhaps it is worth holding and perhaps it is worth holding where the Senate confers, and I think the wishes expressed by the Senate in the report of the committee holding another report of the Senate, and I think in form as proposed, and I think in form as proposed, which we certainly of the Committee on Military Affairs concluded from what they have said that the Senate as was the Senate when it gave the report of the committee of the amendment?

Mr. STEWART. I think that if we raise the pay to \$25 at this session perhaps the rest can be procured at another session.

Mr. MANDERSON. No; we want it now.

Mr. STEWART. The conference committee have reported otherwise, and they were unanimous. I do not propose to discuss what occurred in the conference and to tell how each man stood.

Mr. MANDERSON. No; I do not ask that.

Mr. STEWART. That I can not do. But the conferees on the part of the Senate have done their best to carry out the wishes of the Senate. If the Senate are dissatisfied with the report they can reject it and have another conference.

Mr. BATE. Will the Senator from Nevada allow me a word?

Mr. STEWART. Certainly.

Mr. BATE. There are several things in the report that I can not for one understand, and I am a member of the Committee on Military Affairs. I not only fail to understand the action of the conferees on the point made by the Senator from Nebraska [Mr. MANDERSON], but also in regard to the Signal Service, striking out lieutenant-colonel and leaving the service as it is in regard to the general who is now at the head of it. All of these are important matters, and I can not get the drift of them from the report. I suggest the propriety of having it printed and let it lie over until to-morrow or some other day. I hope the suggestion will meet the approbation of the Senator from Nevada.

Mr. STEWART. I have no objection to that course. I would rather that the Senate should look at the report.

Mr. BATE. I ask that that be done.

Mr. ALLISON. Before the report passes over, I should like to say a few words in response to the suggestions that have been made respecting the report, and especially the suggestion made by the Senator from Nebraska [Mr. MANDERSON], that possibly the Senate conferees did not, with that tenacity of purpose which should have characterized them, insist on certain amendments.

I desire to say respecting these amendments, in the first place, that they had no part or parcel or place in this bill. It was distinct and separate legislation that should have been considered by the two Houses independently.

Mr. MANDERSON. So it has been.

Mr. ALLISON. It should not have been placed upon an appropriation bill. The Committee on Appropriations let the amendments go on the bill at the urgent request of the Committee on Military Affairs, with the understanding and statement that there was no objection to the amendments in either House, and if they were put on here the effect would be to make an important improvement in the Army. With that understanding I for one, as a member of the Committee on Appropriations, consented that the amendments should go upon the bill, and I waived the point of order which I had a right to make. The reason, as an argument in favor of two amendments to the bill, it was stated that the amendment relating to the enlistment of persons in the Army, which required that they should be 30 years of age and should not enlist more than once, would save a large sum of money in the future as respects the Army, and that that amendment taken in connection with the other amendment respecting the sergeants, would result in a considerable reduction in the expenditures of the Government for the Army.

Those two amendments were put upon the bill together as a part of one scheme. Having been told that the amendment respecting the enlistment of soldiers was one that met with approval in both Houses, when we went into conference we were met on the part of the House conferees with an insistence that the first amendment should be practically disregarded by the insertion of clauses that came to them and not from the War Department and the Adjutant-General, nullifying practically the whole provision respecting the enlistment of soldiers in the Army. They wanted us to yield all the saving which we were told would be made by the two amendments together.

I agree that the conferees upon the part of the House of Representatives would perhaps have accepted the proposition, and I may go further and say that they probably would have yielded the \$30 a month pay to sergeants, but I submit that it is unjust and unjust to this body to put amendments upon the bill reducing expenditures and then in conference to change those amendments so as to increase expenditures.

I have no objection to the report going over. I have no objection to the report being voted down by the Senate if the conferees, as has been intimated by the Senator from Nebraska, have not done their duty in the premises. I care nothing respecting this matter. I want the question whether we shall raise the pay of the soldiers of the Army, whether they be first sergeants or second sergeants, to be submitted to the two Houses of Congress in open session for their vote, and not upon an appropriation bill which must pass within the next ten days.

Mr. STEWART. I should like to state that if the report is

referred back to the committee of conference I for one shall be in favor of raising the point of order and leaving the whole of this legislation off the bill, if there is such disagreement about it. It can only go on by waiving the point of order. There is considerable already done by the conferees in this bill in the line desired by the Senator from Nebraska, but if we are to delay time on these questions and if they are going to raise discussion, they are subject to the point of order, and the only course we shall have to pursue will be to leave them off the bill.

Mr. MANDERSON. Mr. President, I do not think it is a waste of the time of the Senate that the Senate shall insist that its conferees shall with determination insist in conference upon that which the Senate places upon appropriation bills. This is the second conference report upon an appropriation bill that has come to us at the present session of Congress. There was a little inclination to reflect somewhat upon the action had in the conference on the fortifications appropriation bill, but that was passed by without much complaint. This is the entering wedge of that which is to occupy the Senate during the remainder of the session. We are either to keep our mouths closed or we are to be reflected upon and declared to be unjust because those of us interested in items upon appropriation bills insist that there shall not be a speedy giving way of that which is placed upon the bills by the Senate.

This amendment is not subject to any point of order, as suggested by the Senator from Nevada, and it was not subject to the raising of a point of order when it was presented, as declared now by the Senator from Iowa. The amendment came under the rules of the Senate, based upon legislation had in this body and based upon legislation had in the House of Representatives, both Houses having expressed their desire but not having met by bill. The amendment was introduced under the rules by the Senator from Vermont [Mr. PROCTOR]. It passed to the proper committee for the consideration of questions of that character. It went to the Committee on Military Affairs, and it received from that committee unanimous report in its favor. Having thus paved its way under the rules it was not subject to a point of order, as suggested by the Senator from Iowa, for it is not in the character of general legislation upon an appropriation bill.

Mr. ALLISON. It is, absolutely, and nothing else.

Mr. MANDERSON. It is the stating of what shall be done with the amount appropriated for the pay of the Army, that it shall have its distribution as declared, that to first sergeants there shall go \$30 per month. Under the law a first sergeant now receives \$22.

Mr. HALE. Does not the amendment change the law in a direct way and make the pay \$30? How can the Senator get more general legislation than to take the pay of any portion of the Army that is fixed by law and provide that there shall be a different pay established? If that is not general legislation it is difficult to see what is.

Mr. MANDERSON. I think it is a special appropriation of that which is generally appropriated. But let that be as it may, the point of order was not made, and no man in the Senate raised his voice against the wisdom of the proposed enactment. Several spoke in its favor.

Mr. ALLISON. The Senator will allow me to state that, while it is true no point of order was made, it was not made because it was understood that the two Houses desired this legislation. I for one waived the point of order on that ground. It is to be understood that all legislation is to go on the appropriation bills, then let the legislation come; but if it is understood that controverted questions are to go upon these bills, it will be impossible for us to pass at a short session all the controverted questions in this body and in the other upon appropriation bills.

Mr. MANDERSON. But I have suggested to the Senator that this was not a controverted question. It has not been controverted between the two Houses.

Mr. ALLISON. I will state that we were told by the conferees on the part of the House that the House of Representatives would never consent upon an open vote to increase the pay of sergeants. That was stated in conference by the House conferees.

Mr. MANDERSON. The House have provided in a bill for an increase in the pay of sergeants, not to the extent, however, of the Senate bill as reported by the Committee on Military Affairs.

As to the matter referred to by the Senator from Iowa, as having been abandoned because of the saving in the bill which had been procured by the amendment introduced by the Senator from Vermont [Mr. PROCTOR], the fact, as I understand it, is this: The proposition referred to on page 24 of the print which I have in hand is as follows:

And hereafter, in time of peace, no recruit shall be enlisted in the Army for the first time who is over 30 years of age, and no person shall be enlisted who has served ten years or more, or who is over 35 years of age, ex-



## PROMOTIONS IN THE NAVY.

Ensign Albert P. Niblack, to be a lieutenant, junior grade, in the Navy from August 24, 1892, vice Lieut. (junior grade) T. M. Brumby, promoted.

Ensign William Truxton, to be a lieutenant, junior grade, from November 18, 1892, vice Lieut. (junior grade) Valentine S. Nelson, promoted (to be subject to the examinations required by law).

Ensign Stokely Morgan, to be a lieutenant, junior grade, in the Navy from December 4, 1892, vice Lieut. (junior grade) E. E. Wright, promoted.

Commander Silas W. Terry, to be a captain in the Navy from January 9, 1893, vice Capt. William Whitehead, deceased.

Lieut. Commander Edward T. Strong, to be a commander in the Navy from January 9, 1893, vice Commander Silas W. Terry, promoted.

Lieut. Daniel Delehanty, to be a lieutenant-commander in the Navy from January 9, 1893, vice Lieut. Commander E. T. Strong, promoted.

Lieut. (junior grade) Albert Gleaves, to be a lieutenant in the Navy from January 9, 1893, vice Lieut. Daniel Delehanty, promoted.

Ensign Francis J. Haesler, to be a lieutenant, junior grade, in the Navy from January 9, 1893, vice Lieut. (junior grade) Albert Gleaves, promoted.

Lieut. Commander Robert E. Impey, to be a commander in the Navy from January 25, 1893, vice Commander Henry L. Johnson, dismissed.

Lieut. Frank W. Nichols, to be a lieutenant-commander in the Navy from January 25, 1893, vice Lieut. Commander R. E. Impey, promoted (to be subject to the examinations required by law).

Lieut. (junior grade) James P. Parker, to be a lieutenant in the Navy from January 25, 1893, vice Lieut. Frank W. Nichols, promoted (subject to the examinations required by law).

Ensign Edward Simpson, to be a lieutenant, junior grade, in the Navy from January 25, 1893, vice Lieut. (junior grade) James P. Parker, promoted.

Lieut. Commander Zera L. Tanner, to be a commander in the Navy from February 7, 1893, vice Commander O. A. Batcheller, retired.

Lieut. Charles C. Cornwell, to be a lieutenant-commander in the Navy from February 7, 1893, vice Lieut. Commander Z. L. Tanner, promoted (subject to the examinations required by law).

Lieut. (junior grade) Benjamin W. Hodges to be a lieutenant in the Navy from February 7, 1893, vice Lieut. Charles C. Cornwell, promoted (subject to the examinations required by law).

Ensign William C. P. Muir, to be a lieutenant, junior grade, in the Navy from February 7, 1893, vice Lieut. (junior grade) B. W. Hodges, promoted.

Assistant Engineer Samuel H. Leonard, to be a passed assistant engineer in the Navy from August 3, 1892, to fill a vacancy (subject to the examinations required by law).

Assistant Engineer Leo D. Miner, to be a passed assistant engineer in the Navy from October 7, 1892, to fill a vacancy (subject to the examinations required by law).

Assistant Engineer Thomas W. Kinkaid, to be a passed assistant engineer in the Navy from November 11, 1892, to fill a vacancy.

Assistant Engineer Harry Hall, to be a passed assistant engineer in the Navy from December 14, 1892, to fill a vacancy (subject to the examinations required by law).

Assistant Engineer Joseph L. Wood, to be a passed assistant engineer in the Navy from January 17, 1893, to fill a vacancy (subject to the examinations required by law).

## CONFIRMATION.

*Executive nomination confirmed by the Senate February 15, 1893.*

## POSTMASTER.

Edward J. Day, to be postmaster at Moberly, in the county of Barry and State of Missouri.

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 15, 1893.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

## COMPULSORY INSURANCE OF WORKINGMEN IN GERMANY.

The SPEAKER laid before the House the following message from the President of the United States; which was read, and

with the accompanying documents, referred to the Committee on Labor:

*To the Senate and House of Representatives:*

I transmit herewith a special report of the Commissioner of Labor relating to compulsory insurance of workingmen in Germany and other countries.

EXECUTIVE MESSAGES

*Washington, D. C., February 14, 1893.*

BENJ. HARRISON

## REPORTS ON THE NAVAJO COUNTRY.

The SPEAKER also laid before the House the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith a communication of the 17th instant from the Secretary of the Interior, transmitting copy of reports of Lieut. Brown, Currier, and Smith, United States Army, who were charged with the duty of inspecting the Navajo country so that the Interior Department could be advised as to the practicability of restraining the Navajos within their present restrictions and of furnishing irrigation and water for their flocks, together with report of the Commissioner of Indian Affairs upon the matter, with draft of an item of appropriation to carry the same into effect.

BENJ. HARRISON

EXECUTIVE MESSAGES *February 14, 1893.*

## REPORT OF THE COMMISSIONER OF LABOR.

The SPEAKER also laid before the House the following concurrent resolution of the Senate:

*Resolved, That the Secretary of the Interior be and he is hereby authorized to prepare 33,500 additional copies, besides the binding of the eighth annual report of the Commissioner of Labor relating to industrial education in the United States and Europe, 16,000 copies for the use of the members of the House of Representatives, 1,000 copies for the use of the members of the Senate, 11,000 copies for distribution by the Department of Labor.*

Mr. RICHARDSON. This is the regular annual report of the Commissioner of Labor, and I ask its immediate consideration.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There being no objection, the concurrent resolution was considered, and agreed to.

## MARY DOUBLEDAY.

The SPEAKER also laid before the House the bill (S. 3819) granting a pension to Mary Doubleday, widow of Bvt. Maj. Gen. Abner Doubleday.

Mr. COOMBS. Mr. Speaker, I ask unanimous consent for the present consideration of that bill.

The SPEAKER. The bill will be read, subject to the right of objection.

The bill was read, as follows:

*Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Doubleday, widow of Maj. Gen. Abner Doubleday, and pay her a pension of \$100 per month.*

There being no objection, the bill was considered, ordered to a third reading, and being read the third time, was passed.

On motion of Mr. COOMBS, a motion to reconsider the last vote was laid on the table.

## BRIGHTWOOD RAILROAD COMPANY, DISTRICT OF COLUMBIA.

The SPEAKER also laid before the House the amendment of the Senate to the bill (H. R. 9730) to amend the charter of the Brightwood Railroad Company of the District of Columbia.

Mr. RICHARDSON. I ask unanimous consent for the present consideration of the Senate amendment to this bill.

The Senate amendment was read at length.

Mr. RICHARDSON. I move concurrence in the Senate amendment.

There being no objection, the Senate amendment was considered, and concurred in.

## AMERICAN UNIVERSITY.

The SPEAKER. The Chair will state that the House has already passed a bill to incorporate the American University, a similar bill, No. S. 3792, having also passed the Senate. The Senate has passed the House bill, and, without objection, the Senate bill on the same subject will be indefinitely postponed.

There was no objection, and it was so ordered.

## LEGISLATIVE ASSEMBLY OF NEW MEXICO.

Mr. JOSEPH. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (H. Res. 202) extending the session of the Thirtieth Legislative Assembly of the Territory of New Mexico from sixty to seventy days.

The SPEAKER. The joint resolution will be read, subject to objection.

The joint resolution was read, as follows:

Whereas the Thirtieth Legislative Assembly of the Territory of New Mexico, being now in session at Santa Fe, N. Mex.; and

## SENATE.

THURSDAY, February 16, 1893.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

## CLOSING OF WORLD'S FAIR ON SUNDAY.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, in answer to a resolution of the 15th instant, information relative to the manner of disbursement of appropriations made to the World's Columbian Exposition by the act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes, approved August 5, 1892, etc., which was read.

Mr. QUAY. Nearly every Senator has received communications from different Christian denominations, by the United States relating to the closing of the World's Fair on Sunday. The response of the Secretary of the Treasury to their solicitation of the Senate, it seems to me ought to be sufficient to satisfy those who are interested in the question. I think in this instance the Senate had better depart from its usual rule and print the report of the Secretary of the Treasury in the Record.

The communication was ordered to lie on the table, and to be printed in the Record, as follows:

TREASURY DEPARTMENT. *Report of the Secretary.*

Sir: I have the honor to acknowledge the receipt of a resolution of the Senate of the United States, dated February 14, 1893, as follows:

*Resolved*, That the Secretary of the Treasury shall be authorized to report forthwith to inform the Senate whether the appropriations or any part thereof, made to the World's Columbian Exposition by the act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes, approved August 5, 1892, have been paid to the World's Columbian Exposition, and if not, what modifications of the rules of said Commission have been made to effect the closing of the Exposition on the first day of the week commonly called Sunday.

In reply I have the honor to state that payments have been made to officers, employees, and members of the Commission and others, from the appropriation above referred to, for salaries, traveling expenses and subsistence, rent, lights, furniture, and contingent expenses, upon rendered vouchers when properly certified and transmitted to this Department for payment.

The World's Columbian Exposition, by resolution of its board of directors on August 19, 1892, formally accepted the appropriation made by the act of Congress, approved August 5, 1892, on the condition that the same should, on or before October 24, 1892, the World's Columbian Exposition Association be incorporated, and transmitted to the World's Columbian Commission a copy of its constitution, governing rates of entrance and admission fees, etc., of which the following, relative to the closing of the Exposition on the first day of the week commonly called Sunday, formed a part, viz:

"The gates shall be open, subject to limitations hereinafter provided, on each day of the week except the first day thereof commonly called Sunday, from the 1st day of May to and including the 30th day of October, 1893, and otherwise authorized and provided for by the act of Congress."

In pursuance of the directions contained in the act of Congress, approved August 5, 1892, in aid of the World's Columbian Exposition and in further making appropriation for the sundry civil expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes, approved August 5, 1892, the World's Columbian Commission, on the 24th day of October, 1892, amended the rules of the World's Columbian Exposition Association relative to the closing of the Exposition on Sunday, and approved from among the official minutes of the association, as part of the World's Columbian Commission, on file in this office, as follows:

"The Exposition shall be open for the admission of visitors during the months commencing on the 1st day of May and ending with the 30th day of October, 1893, on each day of the week, subject to the limitation hereinafter provided for, except the first day of the week, commonly called Sunday, and on said last-mentioned day the said Exposition and the gates thereof shall be closed."

Respectfully yours,

CHARLES FOSTER, Secy.

To the President, UNITED STATES SENATE.

## SAFETY OF BUSCH BUILDING.

The VICE-PRESIDENT laid before the Senate a communication from the Postmaster-General transmitting, in response to a resolution of the 15th instant, correspondence relative to the alleged unsafe condition of the Busch building, received by the money order branch of the Sixth Auditor's office, and which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

## PETITIONS AND MEMORIALS.

Mr. HAWLEY presented a petition of the Board of Trade and Commerce of the city of Hartford, Conn., praying for the repeal of the so-called Geary Chinese-exclusion law, which was referred to the Committee on Foreign Relations.

Mr. PEPPER. I present the memorial of W. H. Keen, and a large number of other citizens of New York and New Jersey, in relation to transportation. It is very brief, and I is of sufficient importance, in my judgment, to justify me in reading it. The memorial is very brief:

Whereas the trunk-line railroads are, through their officials, urging upon Congress the repeal of the clause in the interstate-commerce law which forbids railway pools; and

Whereas the deplorable consequences to the people of the recent "coal combine" or railway pool, as well as of previous pools of a similar sort, designed to end all competition and to advance rates of transportation arbitrarily, justify us in apprehending similar results on a more extensive scale if the antipooling clause is repealed; and

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bill just reported will take the place of the Senate bill on the same subject upon the Calendar, and the Senate bill will be indefinitely postponed.

JOHN M. GOODHUE.

Mr. DAVIS. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 2905) for the relief of John M. Goodhue, to report it favorably with an amendment, and I ask for its present consideration.

After reading, the Senate, by unanimous consent, proceeded to consider the bill as in Committee of the Whole. It authorizes the President of the United States to nominate and, by and with the advice and consent of the Senate, to appoint John M. Goodhue, late major of the Twenty-third and Eleventh Regiments of the United States Infantry, a major of infantry in the Army; and when so appointed he shall be placed upon the list of retired officers of the Army, unlimited, with rank and pay from the date of his appointment and retirement under the provisions of the bill. The amendment of the Committee on Military Affairs was to add:

The retired list being thereby increased in number to that extent; and all laws and parts of laws in conflict herewith are suspended for this purpose only.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### AIDS TO NAVIGATION.

Mr. DOLPH. Yesterday the bill to provide for certain light-houses and other aids to navigation became a law. I now submit an amendment intended to be proposed to the sundry civil appropriation bill, making appropriation for those works. As the time is short I will ask that the amendment be referred to the Committee on Appropriations, but suggest that the clerks retain it on the table. Should the consideration of the sundry civil appropriation bill be not concluded during the afternoon, so that it will go over until to-morrow, I shall ask later to have the amendment printed, so that we may have it to-morrow morning. I will state to the committee that inasmuch as we can not discriminate about these works I hope the committee will allow the amendment to be adopted without question, and then consider in the conference whether any of the items should be rejected or whether appropriations should be made for all of them. Some of them are of vital importance.

Mr. CULLOM. Does the Senator report the amendment from the Committee on Commerce?

Mr. DOLPH. I report it by direction of the Committee on Commerce, and I ask that it be referred to the Committee on Appropriations, but I suggest to the clerks to keep it on the table this afternoon. If we do not conclude the consideration of the sundry civil appropriation bill this afternoon I shall ask to have it printed later in the day, so that it may be in print to-morrow morning. If we finish the appropriation bill to-day I shall submit it without printing, on the report of the committee.

Mr. CULLOM. The Chairman of the Committee on Appropriations is not present, but I have no doubt the arrangement will be satisfactory, allowing the amendment to come up like other outside amendments for consideration.

The VICE-PRESIDENT. The amendment will lie on the table for the present.

#### BILLS INTRODUCED.

Mr. PEPPER introduced a bill (S. 3872) to provide for the sale of the surplus lands belonging to certain tribes of Indians within the limits of the Quapaw Agency in the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. COCKRELL introduced a bill (S. 3873) to authorize the Kansas City, Pittsburg and Gulf Railroad Company to construct and operate a railroad, telegraph, and telephone line through the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CALL introduced a bill (S. 3874) for the relief of Mary A. McEran, and for the issue of a land warrant for 500 acres of land; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. HUNTON. Introduced a joint resolution, and as it merely calls for a report from the Commissioner of Internal Revenue, I ask for its present consideration.

The joint resolution (S. R. 154) instructing the Commissioner of Internal Revenue to reopen and re-examine the claim of the Continental Fire Insurance Company and others and certify the amount of tax erroneously paid by said corporations, if any, was read the first time by its title and the second time at length, as follows:

*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Commissioner of Internal Revenue*

be, and he is hereby directed to reopen and re-examine the claims of the Continental Fire Insurance Company, the Maryland Fire Insurance Company, the Eagle Fire Insurance Company, the City Fire Insurance Company, the Commercial Mutual Insurance Company, the Western National Bank, the Merchants' National Bank, the Chesapeake Bank, and the Eastern Railroad Company, and certify the amount of taxes erroneously paid by said corporations, if any, to Congress.

The VICE-PRESIDENT. The Senator from Virginia asks for the present consideration of the joint resolution.

Mr. MORRILL. I think it ought to be referred to the Committee on Finance before it is adopted. I make that motion.

The VICE-PRESIDENT. The Senator from Vermont moves that the joint resolution be referred to the Committee on Finance.

The motion was agreed to.

Mr. HILL (by request) introduced a joint resolution (S. R. 155) authorizing and directing the Secretary of the Interior to purchase Report on Mineral Industry, etc., covering mineral statistics for 1892, etc.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Printing.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. DAVIS submitted an amendment intended to be proposed by him to the Indian Appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. COKE submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. SQUIRE submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

#### WITHDRAWAL OF PAPERS.

On motion of Mr. PUGH, it was

*Ordered*, That Patrick Doran have leave to withdraw his papers from the files of the Senate, there being no adverse report.

#### PERSONNEL OF THE NAVY.

Mr. HALE submitted the following resolution; which was referred to the Committee on Naval Affairs:

Whereas there are constantly before Congress numerous bills dealing with the question of rank and pay in the Navy, and other matters concerning the *personnel* of the same; and

Whereas the present laws relating to this subject are in many instances inconsistent, unjust, and the result of piecemeal legislation: Now, therefore,

*Be it resolved*, That a special joint committee, consisting of three members of the House who have been elected to the Fifty-third Congress and three members of the Senate who will continue Senators during such Congress, be appointed respectively by the Speaker of the House of Representatives and the President of the Senate, whose duty it shall be to fully investigate and consider the entire subject of the rank, pay, and all other matters relating to the *personnel* of the Navy, to have power to send for persons and papers, sit during the recesses of both Houses, and to report to the next Congress, as soon after it convenes as may be convenient, what legislation, if any, is necessary in the premises, any bill so reported by them shall simplify, codify and revise existing laws relating to the *personnel* of the Navy, so far as may be found possible. And said commission is hereby authorized to employ a clerk at \$6 per day and a messenger at \$3 per day while employed, and any expenses incurred by said commission in performing the duties herein required shall be defrayed equally from the contingent funds of the two Houses.

#### MARITIME CANAL COMPANY OF NICARAGUA.

Mr. STEWART. I desire to offer a substitute for the Maritime Canal bill. It is short, and I ask that it be read and printed, and lie on the table. Then it will be understood when the bill comes up.

The VICE-PRESIDENT. The proposed amendment will be read, if there be no objection.

The amendment was read and ordered to lie on the table and be printed, as follows:

Strike out all after the enacting clause and insert:

"That the President of the United States be, and he is hereby, authorized and empowered to contract with the Governments of Nicaragua and Costa Rica for a right of way for an interoceanic ship-canal between the Atlantic and the Pacific Oceans on the route proposed by the Maritime Canal Company of Nicaragua, and for a port at each end of the canal on the Atlantic and the Pacific Oceans, together with all necessary privileges to enable the United States to operate and protect said canal and the approaches thereto, granting to the United States such jurisdiction and power as may be necessary and proper to make and enforce all laws, rules, and regulations relating to said canal and approaches, thereto which may be necessary or proper for that purpose, and he may agree on behalf of the United States that said canal shall be constructed, equipped, and put in operation within ten years after the passage of this act.

"Sec. 2. That the President of the United States is further authorized and empowered to negotiate with the Maritime Canal Company of Nicaragua for the purchase of all its property rights of every description, real, personal, and mixed, including franchises and concessions connected with or relating to the proposed Nicaragua Canal and the approaches thereto.

"Sec. 3. That to enable the President of the United States to carry out the provisions of this act the Secretary of the Treasury is authorized to issue not exceeding \$100,000,000 of bonds to pay debt by the United States after thirty years and for the redemption authorized by the act of July 14, 1850, entitled 'An act to authorize the refunding of the national debt,' and subject to all the terms, conditions, qualities, privileges, and exemptions provided by said act, but the rate of interest shall not exceed 3 per cent; and the Secretary of the Treasury is authorized and directed to sell at not less than par a sufficient amount of said bonds to pay said Governments of Nicaragua and Costa Rica for the rights, property, and privileges which may be secured under the provisions of this act, and to pay to the Maritime Canal Company of Nicaragua for the rights and property to be purchased under this act not exceeding the sum of \$8,000,000. But no money shall be paid to either the Government of Nicaragua or Costa Rica, or the Maritime Canal Company of Nicaragua, until the Attor-



to \$500,000, as it was in the bill as it came from the House of Representatives.

Mr. QUAY. My proposition is to vote down the amendment of the committee.

Mr. FELTON. I apprehend that a vote "nay" restores the clause as it came from the House of Representatives.

The VICE-PRESIDENT. It does.

Mr. ALLISON. In order to restore the amount as it came from the other House the Senator will have to vote "nay."

Mr. BUTLER. As I understand the situation, it is this: Those Senators who favor the amendment of the committee will vote "yea;" those who do not concur in the amendment of the committee will vote "nay," the effect of a negative vote being to restore the bill to the form in which it came from the House of Representatives. That I understand to be the situation.

The VICE-PRESIDENT. That is the situation.

Mr. QUAY. Those who vote "yea" will vote to reduce the appropriation for the Philadelphia Harbor from \$500,000 to \$300,000; those who vote "nay" will vote to retain the provision as it came from the other House; and that is what the Senators from Pennsylvania and New Jersey desire shall be done.

The Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I have a general pair with the Senator from Pennsylvania [Mr. CAMERON]; but I am informed by his colleague [Mr. QUAY] that he would vote "nay" on this question, and I therefore vote "nay."

Mr. QUAY. I desire to say for my colleague that he is necessarily absent on account of sickness. If present he would vote "nay."

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY]. Not knowing how he would vote I present I withhold my vote.

Mr. FAULKNER (when his name was called). I am paired with the Senator from Rhode Island [Mr. ALDRICH]. If his colleague knows how he would vote, then I may be able to vote on this question; otherwise I shall withhold my vote.

Mr. GORDON. I have a general pair with the Senator from Wyoming [Mr. WARREN]. If any Senator can vouch as to which way he would vote, I shall then be able to decide whether to vote or not; otherwise I withhold my vote for the present.

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER].

The roll call was concluded.

Mr. McPHERSON. I am paired with the Senator from Delaware [Mr. HIGGINS]. I do not know how he would vote on this question, and therefore withhold my vote.

Mr. TELLER. My colleague [Mr. WOLCOTT] is detained from the Senate by sickness.

Mr. QUAY. I desire to say to the Senator from New Jersey that while I am not absolutely informed as to the opinion of the Senator from Delaware upon this question, I have no more doubt than if I had assurance from him to that effect, that he would vote "nay" upon the pending proposition, on account of his location and his equal interest with that of the Senator from New Jersey and myself in this appropriation.

Mr. McPHERSON. If assurance can be given as to how the Senator from Delaware would vote, I will decide whether or not to vote.

Mr. QUAY. I think the Senator from Delaware would vote in the negative if he were here, but I am not authorized to say so.

Mr. McPHERSON. If the Senator is not authorized to say so, I shall have to withhold my vote.

Mr. PLATT. I am paired with the Senator from Virginia [Mr. HUNTER], and withhold my vote.

Mr. WHITE (after having voted in the affirmative). I see the Senator from Montana [Mr. POWELL] is not in his seat. I have a pair with him, and therefore withdraw my vote.

Mr. BATE. I have a general pair with the Senator from Washington [Mr. ALLEN]. I am unable to ascertain how he stands on this question, and I can not find his colleague in the Chamber. I therefore shall withhold my vote.

Mr. STOCKBRIDGE. I am paired with the Senator from Maryland [Mr. GIBSON], and therefore withhold my vote.

Mr. GORDON. I announce the pair of my colleague [Mr. COLQUHOUN] with the Senator from Iowa [Mr. WILSON].

The result was announced—yeas 21, nays 25, as follows:

## YEAS—21.

Allison,	Frye,	McMillan,	Teller,
Berry,	Gorman,	Morrill,	Vilas,
Blackburn,	Hale,	Proctor,	Voorhees,
Call,	Harris,	Sawyer,	
Cockrell,	Hawley,	Sherman,	
Dawes,	Jones Ark,	Stewart,	

## NAYS—25.

Blodgett,	Chandler,	Pellon,	Manderson,
Brist,	Coke,	Hansbrough,	Mitchell,
Butler,	Davis,	Hiscock,	Morgan,
Caffery,	Dolan,	Hoar,	Paddock,

Palmer,	Pugh,	Turpie,	Washburn,
Peffer,	Quay,	Vance,	
Pettigrew,	Shoup,	Vest,	

## NOT VOTING—40.

Aldrich,	Dixon,	Hinton,	Ransom,
Allen,	Dulais,	Irby,	Sanders,
Bate,	Faulkner,	Jones, Nev.,	Squire,
Cameron,	Gallinger,	Kyle,	Stanford,
Cameron,	George,	McPherson,	Stockbridge,
Carey,	Gibson,	Mills,	Wadhall,
Casey,	Gordon,	Pasco,	Warren,
Colquitt,	Gray,	Parkins,	White,
Cullom,	Higgins,	Platt,	Wilson,
Daniel,	Hill,	Power,	Wolcott,

So the amendment was rejected.

The VICE-PRESIDENT. The next amendment of the Committee on Appropriations will be stated.

The next amendment of the Committee on Appropriations was, on page 81, line 13, to reduce the appropriation for continuing improvement of Hay Lake Channel, St. Marys River, Mich., from \$500,000 to \$225,000.

Mr. WASHBURN. Mr. President, if it were not for the proviso at the end of these appropriations I should not object to the adoption of the pending amendment. While all the appropriations provided for in this bill are made in accordance with the existing law they should be made, as I think, on the estimates submitted by the proper officers of the Government, yet in some cases where information has been received subsequently to the time of the estimate there should be reductions. That is notably the case, as was so well stated by the chairman of the Committee on Commerce yesterday, as far as the appropriations connected with the great Sault St. Marie Canal or the St. Marys River are concerned.

Gen. Poe, who has charge of that district, appeared before our committee and in a very honest, truthful, candid way stated that these appropriations could be reduced to a certain extent. I should be very willing that the amendment proposed by the Committee on Appropriations should be agreed to were it not for the provision which will prevent the use of the money necessary to carry on this work as rapidly as it can be used, and I think no Senator on this floor would claim for a moment that this work should not be carried on as fast as it is physically possible to do so.

Take the appropriation on the next page of the bill, for continuing the improvement of the St. Marys River at the Falls, Michigan. The original estimate was \$2,000,000, but the statement of Gen. Poe was that it could be properly reduced to \$1,230,000, but the amendment proposed by the committee, permitting only 75 percent to be used in the fiscal year, would reduce the amount available to \$922,500, which will not be sufficient, in my judgment, to allow the work to go forward as rapidly as it should. Unless there can be an understanding that the amendment to which I refer in the last portion of the bill is to be voted down I cannot for one agree that the reduction shall be made as proposed by the amendment reported by the Committee on Appropriations.

Mr. DOLPH. The Senator from Minnesota will allow me to suggest that my recollection is that the amount appropriated here is to complete this work. If that be so, it ought not to be continued over until next year. If the provision reducing the amount to be expended which stands at the top of page 81 is to be retained in this bill, there should be no reduction for the improvement of Hay Lake Channel, because we want to secure the completion of that work. That ought to be excepted at least.

Mr. WASHBURN. I intended to make that statement. I misunderstood with the Senator from Oregon that this amount will complete the improvement of Hay Lake Channel.

Mr. ALLISON. If Senators will allow me a moment, Gen. Poe, in his testimony before the Committee on Commerce, told us as respects Hay Lake Channel, that the money would not be expended until the end of the season, the middle of November, 1891, and the provision in the bill respecting this expenditure is in exact accord with the statement of Gen. Poe to the committee.

Mr. WASHBURN. I do not think that was the statement before the Committee on Commerce.

Mr. ALLISON. I have the statement of Gen. Poe here.

Mr. FRYE. Mr. President, the friends of improvements of rivers and harbors can not afford to vote blindly; they can not afford to vote against an amendment where the evidence is entirely in favor of its adoption. If they do, other river and harbor bills are liable to pay the penalty hereafter.

In this item for Hay Lake Channel, in the item for St. Marys River, and in the item for the channel connecting the waters of the Great Lakes between Chicago, Duluth, and Buffalo, the evidence is entirely one way, and that is that there is money enough to last until November 16. I say that Senators who favor improvements in rivers and harbors must think twice before they vote against an amendment thus sustained.

If the proposition made by the Senator from Minnesota [Mr.



that the value of that tonnage is \$500,000,000, which I believe is beyond the value of the tonnage upon any other river.

For a long period of time both the Legislature of the State of New York and Congress have been endeavoring to provide a permanent channel commencing at Troy and extending some 18 miles below there. The effort is attended with difficulty because of the streams that come in and come down from the upper river, bearing silt, and the freezing of the river, the ice gorges that occur there, which have the effect to change the channel and create bars. It is absolutely necessary for transportation that there should be about 12 feet of water. That is required for the transportation which comes into the river from the Erie Canal, which is towed down through by tugs which draw that amount of water.

There has been a great deal of trouble on the upper section of the Hudson River with its tows of canal boats, and the money that has been appropriated year by year has been nearly wasted. The General Government has appropriated for this work first and last \$1,500,000, and it has been nearly all swept away. In addition to this, the State of New York has appropriated from first to last \$1,500,000, and a large proportion of the results have been swept away.

The Committee on Commerce finally put into the river and harbor bill a provision for the completion of this work under contract upon estimates that it could be completed for about \$2,000,000. The very able and elaborate report made by the engineer in charge states that to derive the advantage of that money the work should be completed within five years. I have his report before me. He gives his reasons for the statement. It is expected when the work is done that the flow of water will largely contribute to clearing the channel, and it is necessary that the work should be done for economical reasons at the rate of about a half a million dollars each year. It has been so recommended by him, and his recommendations have been approved and indorsed by Gen. Casey.

There is another peculiarity about the work. It is supposed that about half of this money will be expended in the removal of rock and stone and about half of it in dredging. It is necessary that these two branches of work should be carried on simultaneously. The work can not be carried on effectively in any other way.

Contracts have been made, and the contracts as made contemplate the expenditure of money at the rate of about half a million dollars each year. The contractors, relying upon the report of the engineer and the terms of the contract, have assembled and are assembling their plant with reference to performing about that amount of work each year. There are two contractors engaged in it, one for the removal of the rock and the other for the dredging.

I am assured by the engineer in charge that it is absolutely indispensable, for the purpose of doing this work economically, that it should be done at the rate of about one-fourth of the work each year. Every spring nature to some extent overcomes what engineering has accomplished. It is necessary that the work should be completed and removed from those perils that the protections they provide—their dikes and all that—should be carried on simultaneously; and the elaborate scheme which is presented contemplates the expenditure of the money in that way.

There was no evidence before the Committee on Commerce or before the Committee on Appropriations in respect to this item except the protest of Gen. Casey. I understand, against the reduction of the appropriation; but the committee did not enter into an examination in detail upon the reasons for it. I am told that if this appropriation is reduced to about the amount the Government has been accustomed in connection with the State of New York to expend each year upon this section of the Hudson River, the money will be lost as it has been heretofore, and I call attention to the fact that \$3,000,000 have been expended here.

I ask the Senate to bear in mind the immense volume of commerce that is to be affected by this improvement. I am inclined to think that it is about the only appropriation the bill carries for the State of New York. That State has not been accustomed to urge with great persistency the improvements of its rivers and harbors. As I said a little while ago, it has gone step by step and hand in hand with the General Government in the improvement of the rivers. But if now this appropriation is struck down, the provision of law the Senator from Maine [Mr. FRYE] has spoken of as wise, so far as this work is concerned, might as well be eliminated from the statute books. The moment that you bring this item down to the appropriations that have been accustomed to be made by New York and by the General Government for this river, in the spring of the year the force of nature will undo all that was previously accomplished by engineering and by contractors.

I do not urge this because I want a specific amount for this work. I am not animated by any such motive as that. But after a full examination of this question and of this elaborate report, giving the details giving the whole scheme for this improvement, I am satisfied that it comes within the exception the Senator in charge of the bill, the distinguished chairman of the Committee on Appropriations, and the distinguished chairman of the Committee on Commerce announced that they were willing to make, and to give not only all that was desired but all that was necessary in the direction of economy for the work.

I ask the Senate to vote down this amendment of the committee.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee. [Putting the question.] The yeas appear to have it.

Mr. ALLISON. Let us have a division.

Mr. GORMAN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BATE (when his name was called). I am paired with the Senator from Washington [Mr. ALLEN]. I withhold my vote not knowing how he would vote.

Mr. GORDON (when Mr. COLQUITT's name was called). My colleague [Mr. COLQUITT] is paired with the Senator from Iowa [Mr. WILSON].

Mr. FAULKNER (when his name was called). I am paired with the Senator from Rhode Island [Mr. ALDRICH] on these questions.

Mr. McPHERSON (when his name was called). I am paired with the Senator from Delaware [Mr. HIGGINS]. I do not know how he would vote on this question, and therefore withhold my vote.

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER].

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT], and therefore withhold my vote.

The roll call was concluded.

Mr. DIXON. I have a general pair with the Senator from Mississippi [Mr. WALTHALL]. As he is absent I withhold my vote. My colleague [Mr. ALDRICH], who is also absent, is paired with the Senator from West Virginia [Mr. FAULKNER].

Mr. GORDON. I announce my pair with the Senator from Wyoming [Mr. WARREN].

Mr. McMILLAN (after having voted in the negative). I have a general pair with the Senator from North Carolina [Mr. VANCE]. Not seeing him in the Chamber I withdraw my vote.

Mr. HISCOCK. I am paired with the Senator from Arkansas [Mr. JONES]. I will transfer that pair to the Senator from North Carolina [Mr. VANCE], so as to allow the Senator from Michigan [Mr. McMILLAN] to vote. I vote "nay."

Mr. McMILLAN. Then I will let my vote stand.

Mr. QUAY. I wish to announce that upon this vote and upon subsequent votes to be taken upon the items in this bill under the head of "Engineer Department" my colleague [Mr. CAMERON] is paired with the Senator from Arkansas [Mr. JONES].

The result was announced—yeas 22, nays 30, as follows:

#### YEAS—22

Allison,	Gorman,	Hutton,	Shoup,
Berry,	Gray,	Merrill,	Teller,
Blackburn,	Jade,	Palmer,	Vilas,
Call,	Harris,	Proctor,	White,
Cullom,	Hawley,	Sawyer,	
Gibson,	Hoar,	Sherman,	

#### NAYS—30

Boiler,	Frye,	Morgan,	Quay,
Cary,	Hansbrough,	Paddock,	Ransom,
Chafler,	Hill,	Peffer,	Squire,
Cole,	Hiscock,	Perkins,	Stockbridge,
Dunbar,	Kyle,	Pettigrew,	Vest,
Davis,	McMillan,	Platt,	Washburn,
Dolph,	Manderson,	Power,	
Felton,	Mitchell,	Pugh,	

#### NOT VOTING—35

Aldrich,	Cockrell,	Higgins,	Stewart,
Allen,	Colquitt,	Irby,	Turpie,
Bate,	Dewes,	Jones of Ark.	Vance,
Bloodgett,	Dixon,	Jones of Nev.	Voorhees,
Brice,	Dulles,	McPherson,	Walthall,
Cameron,	Faulkner,	Mills,	Warren,
Cameron,	Gallinger,	Pasco,	Wilson,
Carey,	George,	Sanders,	Wolcott,
Carey,	Gordon,	Stanford,	

So the amendment was rejected.

The VICE-PRESIDENT. The next amendment which was passed over will be stated.

The CHIEF CLERK. On page 82, line 7, before the word "hundred," the committee report to strike out "seven" and insert "six;" so as to read:

For improving Mississippi River from the mouth of the Ohio River to





The yeas and nays were ordered.

Mr. WASHBURN. I simply wish to repel the suggestions made by the distinguished Senator from Iowa that I attacked the Committee on Appropriations, and that I should especially have made an attack in connection with this appropriation for the improvement of the Upper Mississippi River. I never had such a thought. I made the statement because I in some part represent an endeavor to represent that great country, which is so dependent upon all such means of communication. I did it as a matter of duty. The estimate was made for \$750,000 for this special work. Gen. Greely came before the Committee on Commerce and, excepting the three items where the reductions have been agreed to, he said that every dollar could be wisely and judiciously and economically expended.

Mr. WHITE. May I ask the Senator a question?

Mr. WASHBURN. Certainly.

Mr. WHITE. I am looking at the bill of last year that the provision making the appropriation for this work was not for a completed work, and therefore this particular item would not present the question which has been raised by the committee as to completed work. The river and harbor act of last year contained the following clause:

Improving the Mississippi River from the mouth of the Ohio River to the landing on the west bank below the Washington avenue bridge, Minneapolis, Minn.: Continuing improvement, \$1,125,000. *Provided*, That on and after the passage of this act additional contracts may be entered into by the Secretary of War for such materials and work as may be necessary to carry on continuously the systematic improvement of the Mississippi River between the points mentioned.

It is not a contract for completion. This is not such a case as the one upon which the Senator from Iowa, the distinguished chairman of the committee, makes a test.

Mr. WASHBURN. I do not think there is any particular point in that, because the contracts were made.

Mr. WHITE. It is a point in favor of the position which the Senator from Minnesota is taking.

Mr. WASHBURN. I understand.

Mr. WHITE. The distinguished chairman in discussing the matter yesterday said one rule ought to apply to a case where there were contracts for completion and another rule where in the act of last year the contracts were not for completion, but simply for a given amount of work. I find, although I did not know until this moment, that this particular item is in that category.

Mr. PAULKNER. Mr. President, I am somewhat surprised to hear the remarks which have fallen from the lips of the Senator from Minnesota in reference to the improvement of the Great Kanawha.

Mr. WASHBURN. I hope the Senator from West Virginia did not misunderstand me. I have no objection to that appropriation remaining as it is, and it should so remain; there is no doubt about it. It is the estimate of the Chief of Engineers, the highest authority we have and the only authority we have to act upon, and I think that appropriation should be made. I simply suggested that there would have been the same propriety in cutting that appropriation as there is to cut many others.

Mr. PAULKNER. It was in justification of the action of the committee that I wanted especially to refer to the remarks of the Senator from Minnesota. I know myself the committee examined as to the propriety of cutting down the appropriation for the Great Kanawha, and they went so far as to have the engineer, Col. Craigbill, make a report in reference to the necessity for that appropriation. It was not until this subsequent report was received, not made directly to the Chief of Engineers, but while the committee was examining into the question, that the committee were convinced of the absolute necessity for the entire appropriation being made at this time. I desire to make this statement in justification of the action of the committee and to show the propriety of the appropriation remaining unchanged.

Mr. McPHERSON. Mr. President, I am in the unfortunate position of being likely to be misunderstood very greatly in respect to my official attitude upon many of the questions that arise in the bill. I shared as I am with the Senator from Delaware [Mr. HIGGINS], I do not know how he would vote upon any of these questions, and I am forced to maintain an attitude of absolute neutrality.

I wish to say with respect to the improvement that is now going on in the harbor at Philadelphia with regard to the islands there, my observations upon that question were based very largely upon a certain condition of facts.

I addressed myself, as I remember, to the chairman of the committee, asking him if there was not a distinction which should properly be drawn between that appropriation and all others found in the bill referring to rivers and harbors. The point was that inasmuch as the people of Pennsylvania and Philadelphia (and I have an indistinct recollection that New Jersey as well through her Legislature) had made an appropriation of

money for the purchase of the islands, it becomes somewhat a matter of contract between the Government and the people. It is a partnership existing between them.

The city of Philadelphia and the State of Pennsylvania appropriated their money and paid it with the understanding that the improvement there was to be continued as rapidly as possible unto the end. Some two years have elapsed. The money of the city of Philadelphia, and New Jersey, if she did really apply it, has been paid in. They have lost the interest, they have lost the benefit of the improvement, and as it requires an addition of but \$200,000 more to make up the appropriation to the full amount estimated for by the Chief of Engineers, it seems to me as though the Government can hardly afford with that state of facts to refuse the appropriation to continue the work as rapidly as possible.

However, I wish to state in the presence of the Senate that I am in hearty sympathy with the distinguished Senator who has charge of the bill, now that he has become a rigid economist, and just as long as the spasm lasts I intend to support that Senator in every way not only with respect to this appropriation bill but every other one. As the statement was made by the distinguished Senator from Iowa yesterday and the distinguished Senator from Maryland this morning with respect to this matter, it is not a question of right or wrong; it is not a question as to what would be the best thing to do provided we had the money; it is not a question of economy; it is a question of money.

Where are you going to get the money to pay for these improvements in the present depleted condition of the Treasury? I want to say that as to all the items in the bill, and even upon the item which I discussed this morning, I should have supported the committee and voted for the committee's amendment, although I did not think there was a wide distinction between that and other items. As to all the items in the bill where there is a reduction of expenditures I shall support the committee. If I find any place in the bill where there have been increases made above the House bill I shall hold myself at liberty to offer amendments to reduce the amounts, for as to this and every appropriation bill which comes before the Senate from now to the end I shall vote for the lowest possible appropriation.

Mr. ALLISON. I only desire to say a few words further respecting this particular appropriation, and I do it rather in response to what was suggested by the Senator from Louisiana [Mr. WHITE]. It is true in a sense that the appropriations for the Mississippi River stand upon a different basis from the other appropriations, for the reason that, as respects all the other appropriations, contracts have been made or will be made for the completion, whereas it is not and can not be expected, in regard to any of these appropriations, that there will be a completion of any work.

Therefore there is in the suggestion of the Senator from Louisiana great force when he says that if we do not appropriate as was provided originally in the river and harbor act of last year the appropriations designated there will be lost; and I am willing for myself to yield somewhat to that suggestion. But I must say to Senators that I do not think the reasons which apply to the Lower Mississippi apply to the improvement under consideration; and I say it with all respect to the Senator from Minnesota [Mr. WASHBURN]. The improvements in the Upper Mississippi River are entirely different in character from those in the Lower Mississippi River.

In last year's bill there was only \$500,000 or \$300,000—I do not remember the exact amount—appropriated for this reach, if I may call it a reach, from the mouth of the Missouri to Minneapolis. Last year the Committee on Commerce, that committee which stands here justly and properly as the champion of the most liberal appropriations for rivers and harbors, proposed to appropriate only \$600,000 for the current year, for work for which we have now proposed to appropriate \$750,000.

In other words, we are \$100,000 better as respects our judgment and our devotion to the Upper Mississippi River than was the Committee on Commerce only a year ago. I think that when we increase this appropriation at the rate of more than \$100,000 a year beyond the appropriations suggested in the mature deliberations of the Committee on Commerce, of which my friend before me [Mr. FRYE] is the distinguished chairman and my friend on the right [Mr. WASHBURN] is such a distinguished member, we can not be said to be in hostility to adequate and ample appropriations for rivers and harbors. I put the \$750,000 which I am in favor of appropriating for this year as against the \$600,000 we appropriated last year for the same purpose, on the recommendation of the Committee on Commerce.

The PRESIDING OFFICER. Mr. HARRIS in the chair. The question is on agreeing to the amendment of the committee: on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. BATE (when his name was called). I am paired with

the Senator from Washington [Mr. ALLEN]. Not knowing how he would vote, I withhold my vote.

Mr. GORDON (when his name was called). I am paired with the Senator from Wyoming [Mr. WARREN].

Mr. DOLPH (when Mr. GORMAN'S name was called). I have agreed to pair with the Senator from Maryland [Mr. GORMAN] on this vote.

Mr. McPHERSON (when his name was called). I am paired with the Senator from Delaware [Mr. HIGGINS]. If he were here I should vote "yea."

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT].

The roll call was concluded.

Mr. DIXON. I have a general pair with the Senator from Mississippi [Mr. WALTHALL]. As he is absent I withhold my vote. My colleague [Mr. ALDRICH] is paired with the Senator from West Virginia [Mr. FAULKNER].

Mr. DAVIS. I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. BERRY. On this question I am paired with the Senator from Pennsylvania [Mr. CAMERON]. If he were here I should vote "yea."

Mr. GEORGE. My colleague [Mr. WALTHALL] is detained from the Senate by indisposition. He has a general pair with the Senator from Rhode Island [Mr. DIXON].

The result was announced—yeas 21, nays 24; as follows:

#### YEAS—21

Allison,	Frye,	Palmer,	Stewart,
Blackburn,	Gibson,	Perkins,	Van Dusen,
Cull,	Hale,	Powers,	Voorhees,
Cumtlen,	Harris,	Proctor,	
Cullom,	Hawley,	Sherman,	
Daniel,	Jones, Ark,	Snodgrass,	

#### NAYS—24

Blodgett,	George,	Mitchell,	Reynolds,
Brice,	Gray,	Morgan,	Sawyer,
Butler,	Hambrough,	Peffer,	Spaulding,
Caffery,	Hickock,	Pettigrew,	Wadsworth,
Coke,	McMillan,	Phelan,	Washburn,
Felton,	Martinson,	Quay,	White,

#### NOT VOTING—42

Aldrich,	Dawes,	Hutton,	Stanford,
Allen,	Dixon,	Irby,	Strombridge,
Bate,	Dolph,	James, Tex.,	Teller,
Berry,	Dubois,	Kyle,	Turpie,
Cameron,	Faulkner,	McPherson,	Vicks,
Carey,	Gallinger,	Mills,	Walthall,
Casey,	Gordon,	Merrill,	Waynen,
Chandler,	Gorman,	Paddock,	Wilson,
Cockrell,	Higgins,	Pasco,	Wolcott,
Colquitt,	Hill,	Platt,	
Davis,	Hoar,	Sanders,	

So the amendment was rejected.

The PRESIDING OFFICER. The Secretary will state the next amendment of the committee which was passed over.

The SECRETARY. On page 82, line 12, the committee report to change the total so as to read "in all \$1,425,000."

Mr. ALLISON. That should be modified by making the amount \$1,525,000, the amendment in line 7 having been agreed to. I move to so amend the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Appropriations was, on page 82, line 15, to reduce the appropriation for continuing improvement of St. Marys River at the falls, Michigan, from \$2,000,000 to \$1,230,000.

Mr. McMILLAN. I understand that this amendment of the committee is approved by Gen. Poe, and therefore I have no objection to it; but I should like to offer an amendment to the amendment of the committee. After the word "dollars," in line 16, at the end of the paragraph, I move to add the following proviso:

*Provided, That of the amount hereby appropriated, the sum of \$25,000, or so much thereof as may be necessary, may be expended in widening the present channel at the elbow at the lower end of Lake George in St. Marys River, Michigan.*

I believe that amendment is accepted by the chairman of the Committee on Appropriations.

Mr. ALLISON. I do not object to it.

The PRESIDING OFFICER. The question is, on agreeing to the amendment of the Senator from Michigan to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 82, line 18, to reduce the appropriation for improving channel connecting the waters of the Great Lakes between Chicago, Duluth, and Buffalo, from \$1,000,000 to \$875,000.

The amendment was agreed to.

The next amendment of the Committee on Appropriations

was, on page 82, line 21, to reduce the appropriation for improving the channel connecting the waters of the Great Lakes between Chicago, Duluth, and Buffalo, from \$1,000,000 to \$875,000.

Mr. ALLEN. I am paired with the Senator from Wyoming [Mr. WARREN]. I have agreed to pair with the Senator from Maryland [Mr. GORMAN] on this vote.

Mr. McPHERSON (when his name was called). I am paired with the Senator from Delaware [Mr. HIGGINS]. If he were here I should vote "yea."

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT].

Mr. DIXON. I have a general pair with the Senator from Mississippi [Mr. WALTHALL]. As he is absent I withhold my vote.

Mr. DAVIS. I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. BERRY. On this question I am paired with the Senator from Pennsylvania [Mr. CAMERON]. If he were here I should vote "yea."

Mr. GEORGE. My colleague [Mr. WALTHALL] is detained from the Senate by indisposition. He has a general pair with the Senator from Rhode Island [Mr. DIXON].

The result was announced—yeas 21, nays 24; as follows:

YEAS—21

ALLISON, Frye, Palmer, Stewart, Van Dusen, Voorhees, Cull, Gibson, Perkins, Powers, Wadsworth, Cumtlen, Harris, Proctor, Snodgrass, Cullom, Hawley, Sherman, Daniel, Jones, Ark, Snodgrass.

NAYS—24

Blodgett, George, Mitchell, Reynolds, Brice, Gray, Morgan, Sawyer, Butler, Hambrough, Peffer, Spaulding, Caffery, Hickock, Pettigrew, Washburn, Coke, McMillan, Phelan, White, Felton, Martinson, Quay.

NOT VOTING—42

Aldrich, Dawes, Hutton, Stanford, Allen, Dixon, Irby, Strombridge, Bate, Dolph, James, Tex., Teller, Berry, Dubois, Kyle, Turpie, Cameron, Faulkner, McPherson, Vicks, Carey, Gallinger, Mills, Walthall, Casey, Gordon, Merrill, Waynen, Chandler, Gorman, Paddock, Wilson, Cockrell, Higgins, Pasco, Wolcott, Colquitt, Hill, Platt, Sanders, Davis, Hoar.

The PRESIDING OFFICER. The Secretary will state the next amendment of the committee which was passed over.

The SECRETARY. On page 82, line 12, the committee report to change the total so as to read "in all \$1,425,000."

Mr. ALLISON. That should be modified by making the amount \$1,525,000, the amendment in line 7 having been agreed to. I move to so amend the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Appropriations was, on page 82, line 15, to reduce the appropriation for continuing improvement of St. Marys River at the falls, Michigan, from \$2,000,000 to \$1,230,000.

Mr. McMILLAN. I understand that this amendment of the committee is approved by Gen. Poe, and therefore I have no objection to it; but I should like to offer an amendment to the amendment of the committee. After the word "dollars," in line 16, at the end of the paragraph, I move to add the following proviso:

*Provided, That of the amount hereby appropriated, the sum of \$25,000, or so much thereof as may be necessary, may be expended in widening the present channel at the elbow at the lower end of Lake George in St. Marys River, Michigan.*

I believe that amendment is accepted by the chairman of the Committee on Appropriations.

Mr. ALLISON. I do not object to it.

The PRESIDING OFFICER. The question is, on agreeing to the amendment of the Senator from Michigan to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 82, line 18, to reduce the appropriation for improving channel connecting the waters of the Great Lakes between Chicago, Duluth, and Buffalo, from \$1,000,000 to \$875,000.

The amendment was agreed to.

The next amendment of the Committee on Appropriations

was, on page 82, line 21, to reduce the appropriation for improving the channel connecting the waters of the Great Lakes between Chicago, Duluth, and Buffalo, from \$1,000,000 to \$875,000.

Mr. ALLEN. I am paired with the Senator from Wyoming [Mr. WARREN]. I have agreed to pair with the Senator from Maryland [Mr. GORMAN] on this vote.

Mr. McPHERSON (when his name was called). I am paired with the Senator from Delaware [Mr. HIGGINS]. If he were here I should vote "yea."

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT].

Mr. DIXON. I have a general pair with the Senator from Mississippi [Mr. WALTHALL]. As he is absent I withhold my vote.

Mr. DAVIS. I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. BERRY. On this question I am paired with the Senator from Pennsylvania [Mr. CAMERON]. If he were here I should vote "yea."

Mr. GEORGE. My colleague [Mr. WALTHALL] is detained from the Senate by indisposition. He has a general pair with the Senator from Rhode Island [Mr. DIXON].

The result was announced—yeas 21, nays 24; as follows:

YEAS—21

ALLISON, Frye, Palmer, Stewart, Van Dusen, Voorhees, Cull, Gibson, Perkins, Powers, Wadsworth, Cumtlen, Harris, Proctor, Snodgrass, Cullom, Hawley, Sherman, Daniel, Jones, Ark, Snodgrass.

NAYS—24

Blodgett, George, Mitchell, Reynolds, Brice, Gray, Morgan, Sawyer, Butler, Hambrough, Peffer, Spaulding, Caffery, Hickock, Pettigrew, Washburn, Coke, McMillan, Phelan, White, Felton, Martinson, Quay.

NOT VOTING—42

Aldrich, Dawes, Hutton, Stanford, Allen, Dixon, Irby, Strombridge, Bate, Dolph, James, Tex., Teller, Berry, Dubois, Kyle, Turpie, Cameron, Faulkner, McPherson, Vicks, Carey, Gallinger, Mills, Walthall, Casey, Gordon, Merrill, Waynen, Chandler, Gorman, Paddock, Wilson, Cockrell, Higgins, Pasco, Wolcott, Colquitt, Hill, Platt, Sanders, Davis, Hoar.

The PRESIDING OFFICER. The Secretary will state the next amendment of the committee which was passed over.

The SECRETARY. On page 82, line 12, the committee report to change the total so as to read "in all \$1,425,000."

Mr. ALLISON. That should be modified by making the amount \$1,525,000, the amendment in line 7 having been agreed to. I move to so amend the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Appropriations was, on page 82, line 15, to reduce the appropriation for continuing improvement of St. Marys River at the falls, Michigan, from \$2,000,000 to \$1,230,000.

Mr. McMILLAN. I understand that this amendment of the committee is approved by Gen. Poe, and therefore I have no objection to it; but I should like to offer an amendment to the amendment of the committee. After the word "dollars," in line 16, at the end of the paragraph, I move to add the following proviso:

*Provided, That of the amount hereby appropriated, the sum of \$25,000, or so much thereof as may be necessary, may be expended in widening the present channel at the elbow at the lower end of Lake George in St. Marys River, Michigan.*

I believe that amendment is accepted by the chairman of the Committee on Appropriations.

Mr. ALLISON. I do not object to it.

The PRESIDING OFFICER. The question is, on agreeing to the amendment of the Senator from Michigan to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 82, line 18, to reduce the appropriation for improving channel connecting the waters of the Great Lakes between Chicago, Duluth, and Buffalo, from \$1,000,000 to \$875,000.

The amendment was agreed to.

The next amendment of the Committee on Appropriations

was, on page 82, line 21, to reduce the appropriation for improving the channel connecting the waters of the Great Lakes between Chicago, Duluth, and Buffalo, from \$1,000,000 to \$875,000.

Mr. ALLEN. I am paired with the Senator from Wyoming [Mr. WARREN]. I have agreed to pair with the Senator from Maryland [Mr. GORMAN] on this vote.

Mr. McPHERSON (when his name was called). I am paired with the Senator from Delaware [Mr. HIGGINS]. If he were here I should vote "yea."

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT].

Mr. DIXON. I have a general pair with the Senator from Mississippi [Mr. WALTHALL]. As he is absent I withhold my vote.

Mr. DAVIS. I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. BERRY. On this question I am paired with the Senator from Pennsylvania [Mr. CAMERON]. If he were here I should vote "yea."

Mr. GEORGE. My colleague [Mr. WALTHALL] is detained from the Senate by indisposition. He has a general pair with the Senator from Rhode Island [Mr. DIXON].

The result was announced—yeas 21, nays 24; as follows:

YEAS—21

ALLISON, Frye, Palmer, Stewart, Van Dusen, Voorhees, Cull, Gibson, Perkins, Powers, Wadsworth, Cumtlen, Harris, Proctor, Snodgrass, Cullom, Hawley, Sherman, Daniel, Jones, Ark, Snodgrass.

NAYS—24

Blodgett, George, Mitchell, Reynolds, Brice, Gray, Morgan, Sawyer, Butler, Hambrough, Peffer, Spaulding, Caffery, Hickock, Pettigrew, Washburn, Coke, McMillan, Phelan, White, Felton, Martinson, Quay.

NOT VOTING—42

Aldrich, Dawes, Hutton, Stanford, Allen, Dixon, Irby, Strombridge, Bate, Dolph, James, Tex., Teller, Berry, Dubois, Kyle, Turpie, Cameron, Faulkner, McPherson, Vicks, Carey, Gallinger, Mills, Walthall, Casey, Gordon, Merrill, Waynen, Chandler, Gorman, Paddock, Wilson, Cockrell, Higgins, Pasco, Wolcott, Colquitt, Hill, Platt, Sanders, Davis, Hoar.

\$1,521,265, the regular estimate of the War Department, and of the Engineer Department generally, is that 5 per cent in addition is required as a general rule to meet the engineer expenses connected with the work.

Mr. DOLPH. And supervision of the work.

Mr. MITCHELL. And supervision of the work while under way. Counting 5 per cent on this contract amount of \$1,521,265, it would be about \$75,000; but as the work has progressed a long way and is to be completed next year, it is not probable that 5 per cent on that amount will be required for engineering supervision from now until the completion of the work. Therefore I take \$50,000 instead of \$75,000 and deduct that from the \$321,612 available on the 1st of January last.

Mr. DOLPH. The amount that my colleague's amendment covers is the amount that is given in the handwriting of the Chief of Engineers this morning as the sum required to complete the work.

Mr. MITCHELL. Certainly. I myself saw the Chief of Engineers this morning.

Mr. DOLPH. The memorandum is in the handwriting of the Chief of Engineers.

Mr. MITCHELL. The data I am quoting from is in the handwriting of Gen. Casey, the Chief of Engineers. Allowing then, if the chairman of the committee pleases, \$50,000, which we think sufficient, and it is perhaps not more than is necessary for the engineering supervision of this work from now until its completion, and deducting that from the amount available on the 1st of January last, we have \$281,612 left. Add \$281,612 to the amount proposed to be appropriated by the committee, which is but \$800,000, and you have but a little more than \$1,100,000, and not enough to enable the contractors to go on with this work until another appropriation is made.

After deducting \$50,000 from the amount available and then adding that to the amount of my amendment, should it be adopted, you have precisely the amount called for by the contract. The amount fixed in the House bill it will be observed is more by \$224,225 than the contract calls for. The amount in the bill as it came from the House is the amount of the estimate of the Department before the contract was let, the contract price, as I have said, being less by \$224,225 than this estimate.

I hope under all the circumstances that the chairman of the Committee on Appropriations will see his way clear to agree to my amendment.

Mr. DOLPH. Will my colleague allow me to interrupt him to make a restatement?

Mr. MITCHELL. Certainly.

Mr. DOLPH. The figures the Senator reads from were made in my presence this morning by the Chief of Engineers as the amount required for this work. The appropriation carried by my colleague's amendment is that amount. The amount already appropriated will be used up by the 1st of July. Nobody disputes that. Then all the amount that will be carried by my colleague's amendment, \$800,000, or one-fourth, will go over until the fiscal year ending July 1, 1895.

Mr. MITCHELL. Under a subsequent provision of the bill.

Mr. DOLPH. That will leave \$900,000, and then \$300,000 of this amount is required for iron gates and other things that have to be brought in, so that it will leave only \$600,000 for the fiscal year from the 1st of July, 1893, to the 1st of July, 1894.

Mr. MITCHELL. Only \$500,000.

Mr. DOLPH. Only \$500,000 is to be expended in the work, that is less than \$50,000 a month, while Maj. Handbury says they have a plant by which they can spend \$80,000 a month. So I think the proposition is reasonable, and if accepted we can insert instead of "continuing," the "completion" of the work, and it will be out of the way.

Mr. MITCHELL. I neglected to state that if 25 per cent is withheld under the subsequent provision in the bill it would amount on my amendment to the sum of \$380,316.25 to be held back, leaving, of course, an amount wholly insufficient to meet the estimates of the engineer in charge.

Mr. ALLISON. The observations of the Senator from Oregon and his amendment furnish a fine illustration of the care and anxiety with which all these provisions have been prepared in the other body, if there is another body that has prepared these provisions, and in the Departments of the Government. Here is a law passed on the 13th day of July, 1892, which brought within the range of the contract system the improvement of the Cascades of the Columbia River. I believe the Senator from Oregon has just stated that about \$2,000,000 had been expended there before this provision was inserted in the law. I did not get the exact amount he stated.

Mr. MITCHELL. The amount appropriated heretofore up to this date is \$2,203,760.

Mr. ALLISON. In other words, before the Cascades were brought within the provisions of the contract law there had been

appropriated \$1,700,000 and more for this improvement. Then on the 13th of last July this provision was made, and among other things inserted was a provision that the present project of the improvement of the Columbia River at that point should be paid for as appropriations might from time to time be made by law. That was only last July. Now, in the month of February, 1893, we find in this bill a proposition for continuing the improvement, and as the bill came to the Senate for "continuing improvement," \$1,419,250, as though that sum would not complete it.

When the Committee on Appropriations undertook to lay its hand gently upon the sacredness of contracts and upon the claim of the immense importance of upholding the bill as it came from the House of Representatives, we were assailed from all points of the Chamber and from nearly all points of the compass. The Senator from Maryland [Mr. GORMAN] very properly said that there seemed to be a community of interest as respects these items which made them somewhat more attractive than they would be if that community of interest did not prevail.

But after the Committee on Appropriations has made some little investigation of this matter the Senator from Oregon nearest me proposes now as a compromise—he calls it a compromise—that we shall appropriate \$50,000 more than the contract price for the completion of the Cascades improvement. I agree that in any event the amendment suggested by the Senator from Oregon should be adopted, because we certainly have not had such a sudden zeal for the improvement of rivers and harbors that we shall appropriate \$200,000 more in the bill than is provided for the absolute completion of the work under the contracts made.

But Mr. President, notwithstanding the efforts of the Committee on Appropriations have been rather discouraging in this regard, I shall ask for a vote of the Senate upon the amendment proposed by the Committee on Appropriations, which gives \$1,200,000 for this improvement, which is an improvement around the cascades of the Columbia, where, when completed, there will be only 40 miles of navigation until you meet The Dalles, with mountain sides thousands of feet high and a fall of 100 feet within a few miles. It will take millions of dollars to complete the work unless it is done by means of a railway. I shall ask for a yeas-and-nays vote upon the amendment proposed by the Committee on Appropriations. From all the testimony the appropriation proposed here will carry on this work until November, 1894.

Mr. DOLPH. Mr. President, I yesterday read from the report of the engineer in 1891, and I could have gone back seventeen years and read similar extracts from the local engineers in charge as to the difficulty of this work and the great importance of having the money appropriated to complete it speedily. I read an extract from Maj. Handbury's report two years ago, in which he said:

"So much money has already been expended upon this work, for which there can be no return until it is substantially completed, that it would seem wise economy to appropriate what is necessary to finish it in one sum at the earliest practical moment."

That is the cry that will arise on the Columbia River every year. It will put the work back, filling up the pits, the whole of which will have to be cleaned out by laborious process, and the money that has been appropriated for the work will have been squandered. There has been a constant cry from the engineers for a sufficient amount of money to complete that work. They estimated it at the amount the House bill carried, and of course when they sent their estimate under the contract system up to the Chief of Engineers or the Secretary of War they estimated the amount to finish the work, knowing they could complete it in a year.

At that time the contracts had not been made. The engineers stood by their estimates. They could not stand on anything else, because they had estimated that it would take that amount to complete the work. The bill as it came from the House of Representatives carried the amount of the estimate to complete the work as it had been previously made by the engineers, and as it was made by Maj. Handbury last year. Of course when the contract was let it resulted in a saving of something like \$200,000, and the provision of the House bill was properly amendable here when that fact was ascertained. The amendment proposed by my colleague is to make the appropriation conform to the amount required for the completion of the work.

I hold in my hand a memorandum made this morning by the Chief of Engineers himself. I went to him about this matter. In this memorandum he states the usual amount required for supervision. This is a great and an important work, a place where the work is difficult to construct. You must keep men over the contractor and his employees to see that the necessary amount of cement is put into the work, and that the work is properly done, or the first June freshet from the Columbia River will sweep it out. It requires great supervision.

The Chief of Engineers said to me that the usual amount re-

quired for superintendence and for contingent expenses, the expenses of the engineering department and their employes, is about 5 per cent; and I have here a memorandum made by himself of the amount required. Now, would it not be the height of folly that with this important work, commenced in 1856, just for the sake of the benefit to the Government of refusing an appropriation of about \$700,000 to complete the work, to carry it over another year?

The chairman of the committee says there will be only 10 miles of continuous navigation. That is true for the present, until another improvement is made, but there is a private company which it is stated at least has advertised for bids, and it is stated at least that they have contracted for completing a portage road on one side of the river, an ordinary railroad. There is something now before the Legislature of Oregon a provision for the State to expend \$500,000 for a portage road on the other side of the river. The State has already constructed a portage road and put this work at its own expense and is operating a portage road on a State road, not being willing to wait for the completion of this work.

The only question between the Committee on Appropriations and ours here is as to whether the work shall be an increase of about \$500,000 made in this bill or whether it shall be made hereafter, or whether you shall jeopardize the completion of this work in the next fiscal year or whether it shall be provided for now.

As Maj. Hubbard says, the contractors are ready to expend \$80,000 a month of the amount carried by my colleague's amendment; \$300,000 would be under the 25 per cent provision and will go over until the year 1895. Three hundred thousand dollars or about that amount is required for gates and the other ironwork which will have to be constructed and brought there. That will leave only about \$60,000 to be used during the next fiscal year, or \$50,000 a month instead of \$80,000 a month.

Mr. MITCHELL. About \$50,000.

Mr. DOLPH. About \$50,000 as against \$900,000, which they say they could use if they had it. I say it is unfair to criticize the statement of the local engineers to the effect that they can use this money. They have always said that they could use it. They have always said it would be a matter of economy if the Government would appropriate the money at once for the construction of the lock, and the letting of the contract has proved it. Before the contract was let they estimated the amount it would take to complete the lock, and it was proposed to complete it in a year. Of course, after the contract has been let the amount should be reduced to the amount required to complete the work.

Mr. SQUIRE. Mr. President, it is not necessary to go into any extended discussion as to the merits of this great work. It appears by the report of the engineers that there has already been appropriated by the Government of the United States for this purpose the sum of \$2,200,750. These appropriations commenced June 14, 1857, and the appropriations run right through the years up to September 18, 1890. Then the appropriation for the last session was \$225,270.

Mr. President, the Columbia River, as we all know, constitutes the boundary line for several hundred miles between the State of Washington and the State of Oregon, and a large part of the commerce of the State of Washington would naturally proceed along this river. Therefore the people of the State of Washington, particularly of the eastern part of the State, are very much interested in this work, and I feel it to be my duty to rise here and support the amendment proposed by the Senator from Oregon to the amendment of the Committee on Appropriations.

The letter which we have before us from the Chief of Engineers plainly shows that the amount required to complete the work is in accordance with the figures of the amendment proposed by the Senator from Oregon. The legislation at the last session of Congress provided for a continuing contract for the completion of this work, and the contract has been let for this purpose. But it is useful that the appropriation be made to supply the money for payments to be made under that contract.

It seems to me we ought to support the action we have already taken as a Congress and appropriate this money so that the work may be proceeded with continuously. It has been my habit for many years to travel by rail along the banks of this river. Prior to the existence of the railway, I have often gone up and down the river in steamboats. I am familiar with the work on the locks. Many years ago I made a report to the Government in which I took pains to go over the subject of this improvement. As governor of the Territory of Washington, after a careful conference with the officer of United States Engineers, Maj. Jones, who is in charge of the work, I wrote several pages very carefully on the subject. Therefore I am somewhat familiar with it.

I have noticed as I have passed along the banks of this river on the railway that most of the time for the past ten years the work has been in a very bad condition. It has been discontinued

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available, it would seem that there is no great reason for hurry about the Cascades.

Mr. MITCHELL. An estimate has been heretofore made, under direction of Congress, by a board of eminent engineers who visited the location and who had visited the different kinds of work for overcoming obstructions in various parts of the world, and their estimate was \$2,600,000 for overcoming the obstructions at The Dalles.

The VICE-PRESIDENT. The yeas and nays having been ordered the roll will be called on agreeing to the amendment of the Senator from Oregon to the amendment of the committee.

Mr. MITCHELL. I ask that my amendment may be reported.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 82, line 22, before the word "dollars," strike out "eight hundred and sixty-nine thousand" and insert "one million two hundred and thirty-nine thousand six hundred and fifty-three."

Mr. MITCHELL. The effect of that, if adopted, will be to reduce the appropriation as it came from the other House \$175,000.

Mr. DOLPH. I am in favor of the amendment offered by my colleague, and hope it will be adopted.

Mr. ALLISON. I should like to state the effect of the amendment to the amendment. It will be to increase the appropriation by some \$400,000 over and above the amendment recommended by the Committee on Appropriations.

Mr. DOLPH. Oh, no.

Mr. BUTLER. Not over and above the House provisions?

Mr. ALLISON. No.

Mr. GORMAN. Mr. President, I only want to say one word in regard to the amount of appropriation desired by the Senators from Oregon. They are perfectly well aware that I have taken, with them, a great interest in this improvement. I have had opportunity to go there and inspect it, and the contemplated improvements at The Dalles as well, and I have had quite a number of conferences with those Senators in regard to the portage railway around The Dalles. Believing that it is the only improvement possible to produce any result at a reasonable expense, I have favored liberal appropriations for this work at the Cascades which has been on hand for a long time.

But this improvement when completed will amount to very little in the way of benefit to the commerce of the river until the improvement shall be completed at The Dalles. The \$869,000 that the Committee on Appropriations has recommended is all that can be judiciously expended upon the construction of a lock within the sixteen months which the appropriation will cover. The construction of the lock has so far progressed that its delay for one month or six months will not in the slightest degree affect the commerce upon the river. Both chamber walls of the lock are above high water, out of reach of any of the difficulties which are met with in improvements on the shores of the ocean, so that there is nothing in delay which would injuriously affect in any way the interest of Oregon or transportation upon that great river leading up several hundred miles.

That being the fact, Mr. President, notwithstanding the pressure by the Senators from that State, who are so anxious to have all the money that can be possibly appropriated from year to year, in my judgment the amendment proposed by the Senators from Oregon would be an extreme measure, and I think an unwise one, even in their own interest. I say to both the Senators from Oregon that if they are to have this work of any use whatever to their people, there must be expended two or three millions more at The Dalles. I say that so strong an appeal coming to Congress at a time when the Treasury is practically in distress will prejudice hereafter the minds of men who want to be liberal as to the propriety of entering into another contract.

So I again appeal to those Senators, as there is nothing to be accomplished in the interest of commerce or of their people at this time, and when there is no necessity for this large appropriation at the moment, to let it go, and adopt the suggestion of the Committee on Appropriations.

Mr. MITCHELL. I fail to appreciate the point made by the Senator from Maryland. I am grateful, as I am sure my colleague is, for the support we have always received from the Senator from Maryland with reference to these appropriations. But it seems to me that the argument the Senator now makes—that this work can be of no great utility to the people of Oregon—is not applicable at this time. That is an argument that would have been proper at the time we commenced the construction of this work, it seems to me. Besides, the Senator is much mistaken if he believes that the completion of this canal and locks will not of itself be an inestimable benefit to the people of Oregon, Washington, and Idaho.

But Congress has already appropriated over \$2,000,000, and the work is almost completed, so that we can see the end at last

of this great enterprise; and when we are about to reap the benefit of these appropriations that have been made from time to time in the last seventeen years, it seems to me it is unwise to make any reduction, and that the only wise thing to do is to make whatever appropriation may be necessary to enable the work to go on to a finish.

The Senator from Maryland says that this sum is sufficient. That is simply the Senator's statement, and he doubtless believes that it is sufficient. But, as against the statement of the Senator from Maryland, I place the statement of the engineer in charge of the work, who says it is not sufficient; that it is not nearly sufficient. If the engineer in charge tells the truth, and is not mistaken, it is not nearly sufficient. Especially is it not sufficient if this clause in the bill is to remain by which 25 per cent of the appropriation in this bill is to be retained and thrown over until the fiscal year ending June 30, 1895.

I hope, therefore, Mr. President, that my amendment will be adopted. It is a reduction of the amount proposed by the House, as I said before, of nearly \$180,000.

Mr. GORDON. Mr. President, I desire to suggest, simply in the interest of the economy of time, to the chairman of the Appropriations Committee that we might take a vote on the amendment to the amendment as if it were the amendment of the committee amended by the amendment suggested by the Senator from Oregon. A vote on the amendment to the amendment will test the sense of the Senate at any rate, so that the vote upon the amendment as amended, or not amended, as the case may be, will be a formal one.

Mr. ALLISON. I will say to the Senator from Georgia that that is precisely what I want to do in having the yeas and nays on the amendment of the Senator from Oregon to the amendment of the committee.

The VICE-PRESIDENT. The roll will be called on agreeing to the amendment to the amendment.

The Secretary proceeded to call the roll.

Mr. BATE (when his name was called). I am paired with the Senator from Washington [Mr. ALLEN]. I do not know how he would vote. I therefore withhold my vote.

Mr. BERRY (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON], but I transfer the pair to my colleague [Mr. JONES of Arkansas] and vote "nay."

Mr. DIXON (when his name was called). I have a general pair with the Senator from Mississippi [Mr. WALTHALL]. As he is absent, I withhold my vote. I desire to state that my colleague [Mr. ALDRICH] is paired with the Senator from West Virginia [Mr. FAULKNER].

Mr. GORDON (when his name was called). I am paired with the Senator from Wyoming [Mr. WARREN].

Mr. McMILLAN (when his name was called). I am paired with the Senator from North Carolina [Mr. VANCE].

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY]. In his absence I withhold my vote.

The roll call was concluded.

Mr. CULLOM. I am paired with the Senator from California [Mr. STANFORD]. In his absence I withhold my vote.

Mr. BATE. In announcing my pair I stated that I did not know how my pair would vote. I have since learned from his colleague that he would vote "yea." I should vote "nay" if he were present, and therefore shall not change my announcement.

The result was announced—yeas 24, nays 20; as follows:

#### YEAS—24.

Butler,	Hansbrough,	Paddock,	Sawyer,
Chandler,	Hiscock,	Peller,	Shoup,
Coke,	Hoar,	Pettibrew,	Squire,
Davis,	Kyle,	Platt,	Stoddridge,
Dolph,	Manderson,	Pugh,	Teller,
Frye,	Mitchell,	Quay,	Washburn,

#### NAYS—20.

Allison,	Cockrell,	Hawley,	Stewart,
Berry,	Dawes,	Huntton,	Turpie,
Blackburn,	Gorman,	Morrill,	Vest,
Caffery,	Hale,	Proctor,	Vilas,
Cull,	Harris,	Sherman,	Voorhees,

#### NOT VOTING—43.

Aldrich,	Donald,	Hill,	Power,
Allen,	Dixon,	Ivey,	Ransom,
Bate,	Duross,	Jones, Ark,	Sanders,
Blodgett,	Faulkner,	Jones, Nev,	Stanford,
Brice,	Felton,	McMillan,	Vance,
Canfield,	Gallinger,	McPherson,	Walthall,
Cameron,	George,	Mills,	Warren,
Carey,	Gibson,	Morgan,	White,
Cassidy,	Gordon,	Palmer,	Wilson,
Colquhoun,	Gray,	Pasco,	Wolcott,
Cullum,	Higgins,	Perkins,	

So the amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Appropriations was,

which was referred to the Committee on the District of Columbia.

Mr. HISCOCK presented a petition of the H. B. Claiborne Company and sundry merchants and manufacturers of New York, praying for the repeal of the so-called Sherman silver law, which was ordered to lie on the table.

Mr. STEWART presented a petition of the Legislature of Nevada, praying for the construction of the Nicaragua Canal, which was ordered to lie on the table.

#### REPORTS OF COMMITTEES.

Mr. PADDUCK. I am directed by the Committee on Agriculture and Forestry to report an amendment intended to be proposed to the deficiency appropriation bill, the amendment proposing to appropriate \$40,000 for investigations and tests of American timber.

In support of the amendment I present a large number of petitions from railroad companies, experts, workers in wood, etc., praying that the appropriation be made.

I move that the amendment be referred, with the accompanying papers, to the Committee on Appropriations, and that the amendment be printed.

The motion was agreed to.

Mr. VOORHEES, from the Committee on the Library, to whom was referred the joint resolution (S. R. 146) for the restoration of the books of the Beaufort Library Society, of Beaufort, S. C., reported it without amendment, and submitted a report thereon.

#### ARREARAGES OF DISTRICT TAXES.

Mr. HUNTON. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 10189) to amend the act of May 6, 1890, fixing the rate of interest to be charged on arrearages of general and special taxes now due the District of Columbia, and for other purposes, to report it without amendment. I beg to state that the first section of the House bill is identical with a bill the Senate has passed and is now on the Calendar of the other House, but the House passed this bill with a second section, which I will read:

That all drawback certificates outstanding, issued by the Commissioners of the District of Columbia under the act of June 2, 1890, shall be receivable for all arrears of general taxes due and unpaid to June 30, 1892.

The committee instructs me to report the bill back favorably and to ask for its immediate consideration.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill reported by the Senator from Virginia?

Mr. SHERMAN. What is the object of it? Let it be read first so that we may see what it is.

The VICE-PRESIDENT. The bill will be read for information. The Chief Clerk read the bill.

Mr. HUNTON. I beg leave to say to the Senator from Ohio, if he still has any trouble in regard to the second section, that the Senate passed a bill granting to persons who own lands that were formerly owned by miners the privilege of paying the arrearages with remission of penalties and interest at 6 per cent.

Mr. SHERMAN. I remember that such a bill as that was passed by the Senate. This is a House bill?

Mr. HUNTON. This is a House bill, but it embodies in the first section the bill passed by the Senate without objection.

Mr. SHERMAN. But as to the last section, I do not understand the nature of the certificate referred to. Let the last section of the bill be read again.

The VICE-PRESIDENT. The last section will be again read. The Clerk read as follows:

SEC. 2. That all drawback certificates outstanding, issued by the Commissioners of the District of Columbia under the act of June 2, 1890, shall be receivable for all arrears of general taxes due and unpaid to June 30, 1892.

Mr. SHERMAN. What are those drawback certificates. I never heard of them before.

Mr. HUNTON. The drawback certificates are certificates of indebtedness of the District of Columbia growing out of the fact that there were erroneous assessments. These drawback certificates are by the second section authorized to be received only in payment of arrearages of taxes, not upon ordinary taxes.

Mr. SHERMAN. Were they authorized by law?

Mr. HUNTON. They were authorized by law.

Mr. HARRIS. We can not hear either the Senator from Ohio or the Senator from Virginia on this side.

Mr. SHERMAN. I remember the other day a bill was passed that gave to delinquent taxpayers a very great advantage over all the other taxpayers in the District of Columbia, and permitted all back penalties and things of that kind. That is a kind of legislation which is not generally very fair or equitable. This additional clause about drawbacks I cannot understand, because I do not know of any law authorizing the Commissioners of the District of Columbia to issue drawbacks in the shape of promissory notes or something that may be used to pay taxes. I never heard of that having been done.

Mr. McPHERSON. What is the object of this bill, and he is speaking on my side.

Mr. SHERMAN. I have not heard of it. I have not heard of it. The first part of the bill, which passed the Senate, which I doubted very much, the money payers of the taxes, now after the law is passed, although it may be a good thing, were some of the best of the land.

But here is a new section issued by the District of Columbia of a tax. And I want to know whether any action has been taken to issue drawback certificates, and this is a new and different thing about the drawback. It seems to be a new thing, but I am not sure.

Mr. HARRIS. I have not heard of it many years ago in a similar case. It has been imposed, it was a kind of a tax, excessive, and Congress passed a law, and the issuance of what are called drawback certificates of the District of Columbia, and the drawback certificates has of course been issued.

While I am up I want to say another word. I am eminently proper to have right to propose a bill. The Senate passed a bill upon the same subject, and sent it to the House of Representatives. When it came upon the table of the House, the House passed a bill, and the Senate bill took up their own bill, and sent it to the House. If it were not for the fact that it was a mere oversight, but it has been a practical failure. The Senate bill has been a bill of limitation in the House, and it has been infrequently in precisely the same way, and it is for our action upon these bills.

I have no right from my position to say that the committee branch, but so far as I am concerned, the House passed a bill, which is in the possession of the House, and they consider these things, and if they do not like it, they can consider it and send it back to the Senate. At this time henceforward I shall oppose a bill. The Senate, so far as I have known, has been a bill of limitation such as that, to say the least, and the House send us a bill upon the same subject, and the Senate committee has been to report that the House bill is a bill of limitation, and to postpone our own bill, and to consider it as a bill of limitation of our own. I think that the proper course is to pass legislation, and I hope the Senate will do so.

Meritorious as this bill is, believing in its merits, and to have legislation upon this subject, and the House bill provides, I voted in favor of the bill, and against reporting the House bill back to the Senate upon the subject and sent it to the other House.

That is all I desire to say, sir.

Mr. SHERMAN. If the Chairman of the Committee on the District of Columbia will approve this bill I do not make any objection to it.

The VICE-PRESIDENT. Is there objection to the consideration of the bill?

Mr. HALE. What is the bill? I have not heard of it. Committee on Appropriations.

The VICE-PRESIDENT. The bill is on the Calendar of the House.

Mr. McPHERSON. The bill is on the Calendar of the House.

The VICE-PRESIDENT. The bill is on the Calendar of the House.

Mr. McPHERSON. What is the bill? I have not heard of it. Committee on Appropriations.

The VICE-PRESIDENT. The bill is on the Calendar of the House.

Mr. HALE. What is the bill? I have not heard of it. Committee on Appropriations.

The VICE-PRESIDENT. The bill is on the Calendar of the House.

Mr. McPHERSON. What is the bill? I have not heard of it. Committee on Appropriations.

The VICE-PRESIDENT. The bill is on the Calendar of the House.

Mr. HUNTON. The bill is on the Calendar of the House.



Jersey [Mr. McPherson] withdraws his objection to the present consideration of the bill reported by me from the Committee on the District of Columbia.

The VICE-PRESIDENT. The Chair understands the Senator from New Jersey has withdrawn his objection to the consideration of the bill reported by the Senator from Virginia.

Mr. HUNTON. As the Senator from New Jersey withdraws his objection, I ask that the bill be put on its passage.

Mr. ALLISON. If the bill does not lead to debate I shall not object.

Mr. HARRIS. It will not lead to a minute's debate. I beg to assure the Senator from Iowa.

Mr. ALLISON. Very well, then I shall not object. Others wise I shall be constrained to do so.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### PORT OF COUNCIL BLUFFS, IOWA.

Mr. ALLISON. Is the morning business concluded?

The VICE-PRESIDENT. It is not concluded. Are there further reports of committees?

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 10391) to amend an act entitled "An act to provide for the establishment of a port of delivery at Council Bluffs, Iowa," to report it without amendment. It will take one second to pass the bill. The Senator from Iowa desires that it shall be passed.

The VICE-PRESIDENT. The bill will be read for information, if there be no objection.

After reading, the Senate, by unanimous consent, proceeded to consider the bill as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### ASSIGNMENTS BY DEBTORS.

The VICE-PRESIDENT. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. 10236) relative to voluntary assignments by debtors for the benefit of creditors, in the District of Columbia, and to amend section 782 of the Revised Statutes of the United States, relating to the District of Columbia, was read the first time by its title.

Mr. VEST. I ask the Senate to consider that bill. The same bill identically, word for word, has been reported to the Senate favorably and unanimously by the Judiciary Committee, and the bar of the District of Columbia are asking daily for its passage. It is a matter of considerable importance, and unless passed now it will not be enacted into a law at the present session. The same bill identically is now upon the Calendar of the Senate.

By unanimous consent, the bill was read the second time at length, and considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. VEST. I move that Senate bill 3768, relative to voluntary assignments by debtors for the benefit of creditors in the District of Columbia, and to amend section 782 of the Revised Statutes of the United States relating to the District of Columbia, be indefinitely postponed.

The motion was agreed to.

#### EXHIBIT AT WORLD'S FAIR.

Mr. PETTIGREW. I am instructed by the Select Committee on the Quadre-Centennial, to whom was referred the joint resolution (S. R. 148) authorizing the Secretary of the Smithsonian Institution to send articles illustrative of the life and development of the industries of women to the World's Columbian Exposition, to report it with an amendment, and I ask for its present consideration. There are only six lines of the joint resolution.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. McPHERSON, by request, introduced a bill (S. 3875) to extend the patent granted to William Farr Gooldwin for an improvement in railway tracks and trucks; which was read twice by its title, and referred to the Committee on Patents.

Mr. ALST introduced a bill (S. 3876) authorizing the St. Louis and Madison Transfer Company to construct a bridge over the Mississippi River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PALMER introduced a bill (S. 3877) authorizing the construction of a bridge over the Mississippi River to the city of

St. Louis, in the State of Missouri, from some suitable point between the north line of St. Clair County, State of Illinois, and the southwest line of said county; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CHANDLER (by request) introduced a joint resolution (S. R. 156) for the appointment of an immigration commission; which was read twice by its title, and referred to the Committee on Immigration.

#### AMENDMENTS TO BILLS.

Mr. BLACKBURN submitted an amendment intended to be proposed by him to the bill (S. 2326) to authorize the New York and New Jersey Bridge Companies to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. PADDOCK submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

#### WRECKING PRIVILEGES ON THE GREAT LAKES.

Mr. McHILLAN submitted the following resolution; which was referred to the Committee on Foreign Relations:

*Resolved*, That the Secretary of State be requested, if not inconsistent with the public interests, to inform the Senate in regard to the present status of the arrangements to provide for reciprocal wrecking privileges to be enjoyed by the citizens of the United States and on the Dominion of Canada, on the Great Lakes and their connecting waters, under the laws already enacted by the respective governments.

#### REPORT ON ROCK CREEK SEWER.

Mr. McHILLAN submitted the following resolution; which was referred to the Committee on Printing:

*Resolved*, That of the report of the Engineer-Commissioner of the District of Columbia submitting estimates of the cost of converting Rock Creek into a closed sewer, being Senate Miscellaneous Document No. 21, Fifty-second Congress, second session, 500 additional copies be printed, 250 of which shall be for the use of the Senate and 250 for the use of the Commissioners of the District of Columbia.

#### COMMITTEE SERVICE.

On motion of Mr. GORMAN, the Vice-President appointed Mr. WHITE a member of the Select Committee on Indian Depredations in place of Mr. Carlisle, resigned.

#### SUNDRY CIVIL APPROPRIATION BILL.

The VICE-PRESIDENT. Is there further morning business? If not, that order is closed and the Calendar under Rule VIII is in order.

Mr. ALLISON. I move that the Senate proceed to the consideration of the sundry civil appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10238) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes.

The VICE-PRESIDENT. The pending question is on the amendment of the Committee on Appropriations, on page 99, which will be stated.

The CHIEF CLERK. On page 99, lines 14 and 15, the committee report to strike out the words:

Or the members failing to the election of members of Congress.

The VICE-PRESIDENT. The yeas and nays have been ordered up on agreeing to the amendment. Under the agreement of the Senate no further debate is in order. The roll will be called.

The Secretary proceeded to call the roll.

Mr. CHANDLER (when his name was called). On this question I am paired with the junior Senator from New Jersey [Mr. BRADEN]. If he were present I should vote "yea."

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER]. If he were present I should vote "nay."

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASHY]. If he were present I should vote "nay."

Mr. PROCTOR (when his name was called). On this question I am paired with the Senator from New York [Mr. HILL]. If he were here he would vote "nay" and I should vote "yea."

Mr. TILLER (when his name was called). I am paired with the Senator from Arkansas [Mr. BERRY]. If he were present he would vote "nay" and I should vote "yea."

The roll call was concluded.

Mr. SHOUP. My colleague [Mr. DUBOIS] is absent on account of sickness.

Mr. DIXON. I have a general pair with the Senator from

Mississippi [Mr. WALTHALL]. My colleague [Mr. ALDRICH] is paired with the Senator from West Virginia [Mr. FAULKNER].

Mr. BUTLER. I am paired with the Senator from Pennsylvania [Mr. CAMERON]. If he were present he would vote "yea" and I should vote "nay."

Mr. HUNTON. My colleague [Mr. DANIEL] is paired with the Senator from Oregon [Mr. MITCHELL].

Mr. BATE. I am paired with the Senator from Washington [Mr. ALLEN]. I do not know how he would vote on this question. Were he present I should vote "nay."

Mr. PUGH. I wish to announce the pair of the Senator from Georgia [Mr. COLQUITT] with the Senator from Iowa [Mr. WILSON]. If the Senator from Georgia were present he would vote "nay."

Mr. GEORGE. My colleague [Mr. WALTHALL] is absent on reason of indisposition. He has a general pair with the Senator from Rhode Island [Mr. DIXON]. If my colleague were present he would vote "nay."

Mr. MITCHELL. I am paired with the senior Senator from Virginia [Mr. DANIEL]. If he were here I should vote "yea." He would vote "nay" if he were present.

The result was announced—yeas 27, nays 21; as follows:

## YEAS—27

Allison.	Hansbrough.	Moerill.	Sanford.
Cullum.	Hawley.	Palmer.	Sherman.
Davis.	Higgin.	Belmont.	Shoemaker.
Dolph.	Hiscock.	Butler.	Seward.
Felton.	Hoar.	Platt.	Stockbridge.
Frye.	McMillan.	Power.	Washburn.
Hale.	Manderson.	Quay.	

## NAYS—21

Blackburn.	George.	Jones, Ark.	Ransom.
Brice.	Gibson.	Kyle.	Turpie.
Caffery.	Gorman.	McPherson.	Vance.
Call.	Gray.	Palmer.	Vest.
Cammien.	Harris.	Peller.	Wilcox.
Coke.	Hunton.	Pugh.	White.

## NOT VOTING—30

Aldrich.	Chandler.	Gordon.	Samuels.
Allen.	Corkrell.	Hill.	Squire.
Bate.	Colquitt.	Irby.	Stanford.
Berry.	Daniel.	Jones, Nev.	Teller.
Blodgett.	Dawes.	Mills.	Voorhees.
Butler.	Dixon.	Mitchell.	Walthall.
Cameron.	Dubois.	Morgan.	Warren.
Carey.	Faulkner.	Pasco.	Wilson.
Casey.	Gallinger.	Proctor.	Wheeler.

So the amendment was agreed to.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (H. R. 10345) making appropriations for the payment of invalid and other pensions of the United States for the year ending June 30, 1894, and for other purposes.

## ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 10236) relative to voluntary assignments by debtors for the benefit of creditors, in the District of Columbia, and to amend section 782 of the Revised Statutes of the United States relating to the District of Columbia.

A bill (H. R. 10189) to amend the act of May 6, 1890, fixing the rate of interest to be charged on arrearages of general and special taxes now due the District of Columbia, and for other purposes; and

A bill (H. R. 10291) to amend an act entitled "An act to provide for the establishment of a port of delivery at Council Bluffs, Iowa."

## EXECUTIVE SESSION.

Mr. SHERMAN. With the consent of the Senator having charge of the appropriation bill, I move that the Senate proceed to the consideration of executive business for a very brief period.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After fifteen minutes spent in executive session the doors were reopened.

## HOUSE BILL REFERRED.

The bill (H. R. 10345) making appropriations for the payment of invalid and other pensions of the United States for the year ending June 30, 1894, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

## SUNDRY CIVIL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10238) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes.

Mr. ALLISON. On behalf of the Committee on Appropria-

tions, I now have the honor to report to the Senate the bill which I send to you.

The VICE-PRESIDENT. The bill is reported by the Committee on Appropriations.

The bill is reported by the Committee on Appropriations.

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The bill is reported by the Committee on Appropriations.

to offer to the clause relating to the Botanic Garden, on page 103, I will send the amendment to the desk. It is to perfect an amendment already made on the motion of the chairman of the committee.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 103, line 21, after the word "conservatory," it is proposed to insert "gate" and walk on Pennsylvania avenue front, granolithic walk on First street from Pennsylvania avenue to Maryland avenue, and for electric light for police purposes;" so as to read:

Botanic Garden. For repair and alterations at Botanic Garden, including new boiler for main conservatory, gate and walk on Pennsylvania avenue front, granolithic walk on First street from Pennsylvania avenue to Maryland avenue, and for electric light for police purposes, under the direction of the Joint Committee on the Library, \$6,900.

The amendment was agreed to.

Mr. SHERMAN. I desire to offer an amendment to the bill, to come in at the bottom of page 41, which is to insert a new item of appropriation.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 41, after line 24, it is proposed to insert:

To enable the Secretary of the Treasury to provide for and to maintain the redemption of the United States notes according to the provisions of the act approved January 14, 1875, entitled "An act to provide for the resumption of specie payments, \$50,000; and at the discretion of the Secretary, he is authorized to issue, sell, and dispose of, at not less than par in coin, either of the description of bonds authorized in said act, or bonds of the United States bearing not to exceed 3 per cent interest, payable semiannually and redeemable at the pleasure of the United States after five years from their date with like qualities, privileges, and exemptions provided in said act for the bonds therein authorized, to the extent necessary to carry said resumption act into full effect, and to use the proceeds thereof for the purposes provided in said act and none other.

Mr. STEWART. I raise the point of order against that amendment. It is general legislation on an appropriation bill, and against Rule XVI, the third subdivision of which I should like to have read.

Mr. SHERMAN. Mr. President, I have carefully examined the rule. I am quite well satisfied that the point of order is not well taken or I should not have offered the amendment.

The amendment was acted upon by the Committee on Finance, was reported to the Senate, and referred to the Committee on Appropriations. It contains a new item of appropriation to carry into effect the existing law. It is not general legislation in any sense of the word.

The only legislation contained in this provision is to add another form of bonds to the forms of bonds now authorized by law. It is special legislation, relating to a particular matter, and such legislation is contained in almost every appropriation in the bill. It contains a mere reference to a special subject matter, and is not general legislation in itself.

The rule was very properly established that general legislation, that is, new legislation in regard to matters which are not on the statute books, should not be introduced on appropriation bills. This amendment simply provides the sum of \$50,000 to be expended in preparing a particular kind of bond, instead of some other kind of bond already provided for by law; and in no respect can it be considered as general legislation on an appropriation bill. It only relates to the particular matter referred to. That is all there is in the case.

My friend from Nevada [Mr. STEWART] may think that this proposes legislation in some way or the other affecting the silver question. How it does I can not imagine, for the only object of offering the amendment is to enable the Secretary of the Treasury, in case an emergency should arise under the law which already exists in regard to a fund of \$100,000,000 provided for in two or three laws, to issue a 3 per cent bond, redeemable at the pleasure of the United States after five years, instead of a 4 per cent bond running for thirty years, or a 4½ per cent bond running for fifteen years, or a 5 per cent bond running for ten years.

I have said about all I desire to say now, either on the merits of the proposition, because they are very plain and simple, or on the question of order.

To say that this is general legislation is a departure from the meaning of the words "general legislation;" because if this is general legislation, then no legislation can be inserted by the Committee on Appropriations in respect to any item contained in an appropriation bill which changes in the least existing law.

Special legislation relates to a matter which is distinctly pointed out either in the amendment or in the law itself; and this is special legislation providing for an emergency which could not have been foreseen ten or fifteen years ago when the refunding act was passed. When the refunding act was passed, which prescribed the kind of bonds that might be issued, no one dreamed that it was possible for the United States to borrow money at a less rate than 4 per cent.

Now, it can be done, as I believe, at 3 per cent, and I am desirous of giving to the new Administration coming into power

all the facilities which can possibly be given them to enable them to sustain the public credit, and instead of selling 4 per cent bonds to sell 3 per cent bonds.

Mr. GORMAN. I should like to ask the Senator from Ohio a question, as the point of order has been raised. Do I understand that the present law authorizes the Secretary of the Treasury to issue coin bonds at 4 and 4½ per cent?

Mr. SHERMAN. Certainly.

Mr. GORMAN. And that this proposition limits the authority of the Secretary of the Treasury to a 3 per cent bond?

Mr. SHERMAN. It simply adds to his authority by allowing him to issue a 3 per cent bond, instead of either of the other forms of bonds. It is not my intention to repeal the old law at all. I simply intend to give the Secretary of the Treasury the discretion, and I feel bound to say that I have already seen, and indeed the committee have seen, the honorable gentleman who is soon to become Secretary of the Treasury.

While he hopes and expects that no contingency will arise in which he will be called upon to sell bonds to maintain the reserve now required by law, he thinks the very fact of having the power to sell a 3 per cent five-year bond would probably enable him to avoid the necessity of selling these bonds. Under existing law he could not, in order to maintain the reserve, sell any other kind of bonds except those I have named, the 4 per cent bonds, the 4½ per cent bonds, and the 5 per cent bonds. But no Secretary of the Treasury ought to be required to issue that kind of bond when the credit of the Government of the United States would enable him to sell a 3 per cent bond.

Mr. GORMAN. I should like to ask the Senator from Ohio a further question. If the emergency to which he refers should arise, under this proposition of his, should it be enacted into a law, I ask whether it is not the fact that authority exists now with the Secretary of the Treasury to issue a 4 or a 4½ per cent bond?

Mr. SHERMAN. Undoubtedly.

Mr. GORMAN. So that the adoption of this proposition would be simply to save the interest between a 3 per cent bond and a 4 or a 4½ per cent bond.

Mr. SHERMAN. The Senator has stated it correctly.

Mr. STEWART. Mr. President.

Mr. COCKRELL. I hope the Senator from Nevada will let me ask a question. I want to respond to what the Senator from Maryland has said.

Mr. STEWART. I want to respond, too.

Mr. COCKRELL. I want to ask the Senator from Ohio if the 4 per cent bonds are not now commanding such a premium in the market that the rate of interest is less than 3 per cent.

Mr. SHERMAN. I can not now answer precisely.

Mr. COCKRELL. Does not the Senator know that the rate of premium now paid upon the 4 per cent bonds makes the investment yield less than 3 per cent?

Mr. SHERMAN. Well, Mr. President, it may be so as to the outstanding bonds, but I do not know what the effect would be upon the market when we come to issue new bonds.

Let me answer the Senator in this way: Is the Senator from Missouri desirous that we should issue now a thirty-year bond payable at 4 per cent even at any discount? My idea is—and I think it is the idea of the Senator, because I believe he and I concur in this—that no bond of the Government of the United States ought to be issued to run for any considerable period of time.

I should be perfectly willing, instead of five years to make the period three years, or to make the bonds redeemable at the pleasure of the Government of the United States. There is this objection. We can not issue bonds now and maintain the reserve except by issuing a bond running thirty years, fifteen years, or ten years, bearing 4, 4½, or 5 per cent interest. Therefore, whatever may be the rate at which we can sell, it would be far better to sell a bond running a short period, which may be paid off at any time, and thus stop the payment of all interest.

Mr. COCKRELL. The only point I was making was that there was no economy so far as the amount of money realized from a 3 per cent bond over the existing bonds is concerned. On the contrary, the 4 per cent bonds would bring more in the money market and the investment would be at a less rate of interest than 3 per cent. I have in my hand from the Treasury Department the rates of interest yielded upon these bonds month by month.

Mr. SHERMAN. I will answer in another way, conclusively. As a matter of course, if the Secretary of the Treasury finds the market so good that he can sell a bond at the lowest possible rate of interest, he is not precluded by the amendment which I have offered from issuing a bond that would bear 2 per cent or 2½ per cent interest or selling it at any rate of interest that he possibly can so as to get the largest sum of money at the least burden.

That is the object. It is an object which if I were on the other



value of the gold. It is the enhanced value of the gold that enriches the money-lender, and he does not require large interest. The fact that we can borrow money for less than 3 per cent shows that investments in property are bad, because property is depreciated, and investments in money are made because money is advancing. What I object to is legislation to advance the value of money, and that is what this legislation means.

When the Treasury is plenteous with coin why authorize the Secretary to sell bonds and involve a debt, and buy coin to redeem the obligations of the Government? Why, I say, do that? You attempt to do indirectly what Congress has refused time and time to do directly. There is no obligation of the Government outstanding payable in gold. If the bankers want to produce a panic let them draw out the gold; but the Government should do as other governments do—protect the Treasury. It is the duty of the Secretary to protect the Treasury. The Bank of France will not pay out gold for shipment, and no foreign government will do it except England, and she stops it by raising the rate of interest. They pay out silver when it is more convenient. If it is to be transported they will not pay it in gold, but give out the silver.

Germany did the same thing in 1891 when she wanted to accumulate gold. She would not pay it out for shipment to persons who wanted large quantities of gold for exportation.

But here we propose to sell bonds and buy gold for the purpose of allowing the gold to be drawn out and shipped. What would be the operation of this measure? The national debt would be increased without limit. Two billion dollars might be added to the national debt if these operations were carried on. If this amendment should pass all that the bankers would have to do would be to take the greenbacks to the Treasury and draw out the gold. They would draw out the \$100,000,000.

Then the Secretary would sell bonds and buy it back again. Then the Secretary would issue the same amount of greenbacks again, because he must keep the amount good, \$346,000,000. Then the bankers would bring the new greenbacks to the Treasury and take out the gold again that he purchased, and then he would issue new greenbacks to take the place of those that were canceled; and so it would go on. It would be a continual current, and each time bonds would go out and the debt increased. The object of this proposed law is very plain. If 4 per cent bonds were sold they would sell at a premium, and the bankers do not like to buy them at a premium for banking purposes. They can only issue 90 cents on the dollar in currency. They want bonds that will be just at par, 3 per cent bonds, so that they can turn it over. They want to keep their money and to loan their money. They will draw the gold out of the Treasury, and the more bonds will go out for more banking, and they will increase the issue of the national banks, probably let it up to five, six, eight, or ten hundred millions.

They do not object to expanding the currency if you will give them a subsidy for doing it. But when you speak of issuing these Treasury notes on silver, on the money metal which has been recognized through the ages, which costs the Government nothing, no interest to pay on it, then they tell us it will drive gold out of the country. Any kind of money issued will have the same tendency. The value of money depends upon the quantity. Gold can not go until something is put out to take its place. National bank notes answer the demand for money. They will relieve gold so that it can not be sent abroad, just as much as any kind of paper. If you issue two or three hundred million dollars of bank notes, which could be done under this proposed law, your gold will go as a matter of course, and let me tell you it ought to go. Gold ought to go for our good and for the good of mankind.

We have too much gold. We want a better money than gold. We want silver. Silver is more regular in production and was recognized during all the controversy of eighteen or nineteen years from 1852 to 1870 by every writer of political economy on the continent of Europe as the better money, and they were disposed to demonetize gold, because silver was the better money. Chevalier, Mr. Laren, and the whole concourse of writers upon this subject undertook to demonstrate and did demonstrate that silver was the reliable metal, and they wanted to discard gold when California and Australia were producing that metal. But new silver mines were discovered. England, having demonetized silver in 1816 because it was the plentier metal, would not consent. When silver mines were discovered, Continental Europe consented to adopt England's policy to get rid of one of the metals. It was nothing else. That is what it was adopted for.

I say, what we want is good money, money that is not the caprice of legislation, money that does not depend upon the caprice of bankers. This amendment places the whole financial system at the will of the bankers, and they can get any amount of bank circulation they please. They can retire it when they please. When they want to make property dear and create a boom, so that the combination of bankers can sell, they can put

out national bank notes without limit. When they want to make property cheap they can control the currency. The power to expand and control the currency ought not to be in private corporations, as this amendment proposes.

Now, we not only have our money, if we pass this proposed law, subject to the caprice of legislation, but we legislate that the volume of money shall be subject to the caprice of the national banks. The country is not prepared for that. Do Senators say that this is not general legislation when it changes the whole financial system? The only thing we have now between the omnipotent will of these bankers is the fact that the bond that has to be sold in case of emergency would be sold at a premium. It is not profitable to buy it for banking purposes. But you put the bond down so that it is profitable to buy for banking purposes and they can expand and contract your currency at will. I undertake to say it is not only general legislation, but of the most general kind, the most sweeping. Let the law stand as it is. Let the Secretary of the Treasury obey it. He has got the coin; let him redeem with the coin. He has got abundance of it. He wants to make a discrimination against silver for the purpose of depreciating that.

Eighteen years ago the basis of circulation and credit of the world was gold and silver coin. The whole amount of coin then formed the basis. The bankers said that silver was not good money for reserves and they collected the gold. Of full legal tender and limited legal tender there are \$4,000,000,000 in the world still doing duty as money. But they say it is not good money and it is not fit for reserves. They have narrowed the reserves down to gold alone, which is a shrinkage of at least one-half of the basis of circulation and credit. What has followed? The necessary curtailment of credit has begun. It has been going on for years, until it has reduced the average range of prices 40 per cent and enhanced the value of gold fully 50 per cent.

Now, notwithstanding Congress time and again have decided that it would make no discrimination in the coin of the country that it should be used for the purposes of redemption, that every debt should be payable in either gold or silver coin and adhered to that policy throughout, with an overflowing Treasury of coin, it is proposed to give the Secretary of the Treasury authority to involve this country in an unlimited debt. It is claimed that it is necessary that it should be involved in that debt? Why is it necessary when there is coin enough and bullion enough that can be coined? Why is it necessary, I ask, to involve the country in debt? Why this emergency unless you want to change the whole policy, change the financial legislation, and say that the silver shall not be used for reserves at all? If it is not used as reserves you have in the United States over \$550,000,000 of it that you must throw away.

When you have destroyed the price of silver and got it down to 20 or 30 cents an ounce, as you propose to do by repealing the act of 1890, then the silver of the world will have to be discarded. It is still doing duty. It is supplying the demand for money; but every time you have by legislation degraded it you have depreciated the market price of the bullion, and then we have heard the argument that it was not good money because it was depreciated in the market. After legislation has taken away the market, then they say the market price has declined and silver is not good money. We have to meet the question squarely and decide whether the \$550,000,000 of silver is good money, or whether we will discard it and let the people lose it.

The bankers need not bring on any crash unless they want to do so. If the bankers want to draw this money out to sell to Austria, to enable her to get a gold reserve, let the New York bankers take the chances. If they can not get gold they have got to take silver, and it will supply every want. They do not make any run upon France. She keeps it because she has got her silver there and will pay out silver if they demand large quantities. She preserves her gold and keeps both on hand.

The Secretary of the Treasury has the same power and has the same duty under the law. But this scheme of selling a 3 per cent bond is to make a bond for the national banks, because so far as any emergency is concerned, as shown by the Senator from Missouri [Mr. COCKRELL], they can sell the 4 per cent bonds as cheaply for the Government as they can the 3 per cent bonds and save the same to the Government. But it is not so suitable to carry out the scheme of banking as the proposed law, and if this scheme of banking is carried out the national banks will own the country.

I insist upon my point of order.

Mr. VOORHEES. What is the shape of the question before the Senate?

Mr. SHERMAN. It is a mere point of order.

The VICE-PRESIDENT. A point of order has been made by the Senator from Nevada [Mr. STEWART] against the amendment of the Senator from Ohio [Mr. SHERMAN].

Mr. SHERMAN. I think that ought to be decided now.

Mr. VOORHEES. Yes; I was going to say that I do not wish to address the Senate on the point of order.

The VICE-PRESIDENT. The amendment reported by the Committee on Finance makes an appropriation to carry out existing law. It proposes to limit the authority of the Secretary of the Treasury under existing law, and does not, in the opinion of the Chair, propose new legislation. The Chair therefore holds that the amendment is in order.

Mr. STEWART. I appeal from the decision of the Chair and call for the yeas and nays.

Mr. HOAR. I move to lay the appeal on the table.

Mr. STEWART. On that I call for the yeas and nays.

The VICE-PRESIDENT. The question is on the motion made by the Senator from Massachusetts to lay the appeal made by the Senator from Nevada on the table, on which the Senator from Nevada demands the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. QUAY (when Mr. BERRY's name was called). The Senator from Arkansas [Mr. BERRY] is paired with me on this question. If he were present he would vote "yea" and I should vote "yea."

Mr. BUTLER (when his name was called). I understand from the Senator from Pennsylvania [Mr. QUAY] that his colleague [Mr. CAMERON] would vote "yea" on this question.

Mr. QUAY. I think my colleague if present would vote "yea."

Mr. BUTLER. Then I will vote "yea."

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. DAVES (when his name was called). The Senator from Alabama [Mr. MORGAN] being absent, not knowing how he would vote, I withhold my vote.

Mr. DIXON (when his name was called). I am paired with the Senator from Mississippi [Mr. WALTHALL].

Mr. FAULKNER (when his name was called). I am paired with the Senator from Rhode Island [Mr. ALDRICH].

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER].

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY]. I am informed that he would vote "yea" upon this proposition, and I vote "yea."

Mr. QUAY (when his name was called). On this question I am paired with the Senator from Arkansas [Mr. BERRY]. If he were present I should vote "yea" and he would vote "nay."

Mr. POWER (when Mr. SANDERS's name was called). My colleague [Mr. SANDERS] is paired with the Senator from New Hampshire [Mr. CHANDLER] on this question.

Mr. WHITE (when his name was called). I am paired with the Senator from Nevada [Mr. JONES]. If he were present I should vote "yea."

The roll call was concluded.

Mr. PLATT. Has the Senator from Virginia [Mr. HUNTON] voted?

The VICE-PRESIDENT. He is not recorded.

Mr. PLATT. I am paired with that Senator. I should vote "yea" if he were present.

Mr. HANSBROUGH. I understand that the Senator from Idaho [Mr. DUPONT] would vote "nay" if he were present. He is detained from the Chamber by sickness. I have consented to pair with him, and I therefore withhold my vote.

The result was announced—yeas 28, nays 19; as follows:

YEAS—28.			
Allison.	Frye.	Jones, Ark.	Ransom.
Brice.	Gorman.	McCallan.	Sawyer.
Butler.	Hale.	McPherson.	Sherrin.
Caflery.	Hawley.	Monrille.	Stewart.
Cameron.	Hughes.	Palmer.	Waller.
Cullen.	Hiss.	Pascoe.	Washburn.
Felton.	Hoar.		
NAYS—19.			
Bate.	Dolph.	Bellevue.	Teller.
Blackburn.	George.	Power.	Vance.
Call.	Kyle.	Bach.	Wheeler.
Cockrell.	Mitchell.	Shoup.	
Colie.	Peffer.	Stewart.	
NOT VOTING—11.			
Aldrich.	Dawes.	Hunton.	Spurne.
Allen.	Dixon.	Irby.	Stanford.
Berry.	Dubois.	Jones, Nev.	Turpie.
Blodgett.	Faulkner.	Munderson.	Vest.
Cameron.	Gallinger.	Mills.	Walthall.
Carey.	Gibson.	Morgan.	Warren.
Casady.	Gordon.	Perkins.	White.
Chandler.	Gray.	Platt.	Wilson.
Colquitt.	Hansbrough.	Proctor.	
Daniel.	Harris.	Quay.	
Davis.	Hill.	Sanders.	

So the appeal was laid on the table.  
The VICE-PRESIDENT. The question is on the motion made by the Senator from Massachusetts to lay the appeal made by the Senator from Nevada on the table, on which the Senator from Nevada demands the yeas and nays.

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Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER].

The VICE-PRESIDENT. The question is on the motion made by the Senator from Massachusetts to lay the appeal made by the Senator from Nevada on the table, on which the Senator from Nevada demands the yeas and nays.

The Senator from Nevada [Mr. JONES] is paired with me on this question. If he were present he would vote "yea" and I should vote "yea."

Mr. STEWART. I think my colleague if present would vote "yea."

The VICE-PRESIDENT. The question is on the motion made by the Senator from Massachusetts to lay the appeal made by the Senator from Nevada on the table, on which the Senator from Nevada demands the yeas and nays.

Mr. STEWART. On that I call for the yeas and nays.

The VICE-PRESIDENT. The question is on the motion made by the Senator from Massachusetts to lay the appeal made by the Senator from Nevada on the table, on which the Senator from Nevada demands the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I understand from the Senator from Pennsylvania [Mr. QUAY] that his colleague [Mr. CAMERON] would vote "yea" on this question.

Mr. QUAY. I think my colleague if present would vote "yea."

Mr. BUTLER. Then I will vote "yea."

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. DAVES (when his name was called). The Senator from Alabama [Mr. MORGAN] being absent, not knowing how he would vote, I withhold my vote.

Mr. DIXON (when his name was called). I am paired with the Senator from Mississippi [Mr. WALTHALL].

Mr. FAULKNER (when his name was called). I am paired with the Senator from Rhode Island [Mr. ALDRICH].

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER].

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY]. I am informed that he would vote "yea" upon this proposition, and I vote "yea."

Mr. QUAY (when his name was called). On this question I am paired with the Senator from Arkansas [Mr. BERRY]. If he were present I should vote "yea" and he would vote "nay."

Mr. POWER (when Mr. SANDERS's name was called). My colleague [Mr. SANDERS] is paired with the Senator from New Hampshire [Mr. CHANDLER] on this question.

Mr. WHITE (when his name was called). I am paired with the Senator from Nevada [Mr. JONES]. If he were present I should vote "yea."

The roll call was concluded.

Mr. PLATT. Has the Senator from Virginia [Mr. HUNTON] voted?

The VICE-PRESIDENT. He is not recorded.

Mr. PLATT. I am paired with that Senator. I should vote "yea" if he were present.

Mr. HANSBROUGH. I understand that the Senator from Idaho [Mr. DUPONT] would vote "nay" if he were present. He is detained from the Chamber by sickness. I have consented to pair with him, and I therefore withhold my vote.

The result was announced—yeas 28, nays 19; as follows:

YEAS—28.			
Allison.	Frye.	Jones, Ark.	Ransom.
Brice.	Gorman.	McCallan.	Sawyer.
Butler.	Hale.	McPherson.	Sherrin.
Caflery.	Hawley.	Monrille.	Stewart.
Cameron.	Hughes.	Palmer.	Waller.
Cullen.	Hiss.	Pascoe.	Washburn.
Felton.	Hoar.		
NAYS—19.			
Bate.	Dolph.	Bellevue.	Teller.
Blackburn.	George.	Power.	Vance.
Call.	Kyle.	Bach.	Wheeler.
Cockrell.	Mitchell.	Shoup.	
Colie.	Peffer.	Stewart.	
NOT VOTING—11.			
Aldrich.	Dawes.	Hunton.	Spurne.
Allen.	Dixon.	Irby.	Stanford.
Berry.	Dubois.	Jones, Nev.	Turpie.
Blodgett.	Faulkner.	Munderson.	Vest.
Cameron.	Gallinger.	Mills.	Walthall.
Carey.	Gibson.	Morgan.	Warren.
Casady.	Gordon.	Perkins.	White.
Chandler.	Gray.	Platt.	Wilson.
Colquitt.	Hansbrough.	Proctor.	
Daniel.	Harris.	Quay.	
Davis.	Hill.	Sanders.	

I think it is a sad showing of our country's financial condition. The Treasury of this country has been so badly managed that it is now in a state of bankruptcy. It is unable to pay its debts, and it is unable to pay its obligations to the people. It is unable to pay its obligations to the people, and it is unable to pay its obligations to the people.

It will be remembered that the Government has been struggling between the two parties, the Republicans and the Democrats, for many years. The Government has been struggling between the two parties, the Republicans and the Democrats, for many years.

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States to buy these bonds when it has surplus money in its Treasury.

If we should be in the condition we were two years ago and have a surplus of forty or fifty million dollars in our vaults, and have our bonds out for forty or fifty million dollars, we would simply have to pay the premium on the bonds before we could extinguish them. That is not sound financial policy. The present is a mere temporary condition of our Treasury which will soon correct itself, and there is no reason why we should again go back to the old policy of selling bonds to be redeemed by the Government at five or ten or twenty years in the future.

I hope that we shall return to the sound policy laid down by Secretary Chase, and I hope that the Government will never again find itself in a condition where it will be compelled to sell a bond payable at a future time, and a bond that it will not have the option to recall and pay off whenever it has surplus funds in its Treasury.

The PRESIDING OFFICER (Mr. PLATT in the chair). The amendment proposed by the Senator from Texas to the amendment of the Senator from Ohio will be stated.

The SECRETARY. In line 11, after the words "United States," strike out "after five years from their date;" so as to make the amendment read:

To enable the Secretary of the Treasury to provide for and to maintain the redemption of United States notes according to the provisions of the act approved January 14, 1875, entitled "An act to provide for the resumption of specie payments," \$50,000, and at the discretion of the Secretary, he is authorized to issue, sell, and dispose of, at not less than par in coin, either of the description of bonds authorized in said act, or bonds of the United States bearing not to exceed 3 per cent interest, payable semi-annually and redeemable at the pleasure of the United States, with like qualities, privileges, and exemptions provided in said act for the bonds therein authorized, to the extent necessary to carry said resumption act into full effect, and to use the proceeds thereof for the purposes provided in said act and none other.

Mr. SHERMAN. Mr. President, if this was not a new experiment and if this was not merely to provide for an emergency I should feel disposed to assent to the proposition of the Senator from Texas, but for these reasons I think it ought not to be ventured on this bill.

England and some other countries do issue bills, exchequer bills especially, payable at the pleasure of the Government, and I am not sure but that as a permanent policy we might adopt the same rule and issue an annuity of 3 per cent or whatever the rate may be; but it is sufficient to say that this would be an experiment.

The amendment of the Finance Committee is merely to provide for an exigency. It is merely to provide for a possibility. I trust that it will never arise. I do not believe that any considerable sum of these bonds will ever be issued. At the same time we must provide for the contingency, because the present law contemplates that there shall be a maintenance of a fund of \$100,000,000 in gold. That is provided for, and the law further provides that whenever the \$100,000,000 is reduced below the amount, then the Government shall refuse to receive either gold or silver on deposit; it will not issue any more notes. So the \$100,000,000 must be maintained.

It seems to me it is a great deal better to adopt some reasonable term. When I spoke a while ago I said I would be willing to say five or three years, but I do not think that is the opinion of others. We think we had better make it five years. A person would not care to make an investment that might be called in in three months. At three months or six months or a year it is a call loan. A man might not desire to invest money at the low rate of 3 per cent unless he can get five years for the bond to run.

Therefore, I appeal to the Senators on the other side whether on the whole this experiment had better not be tried and let us give it a term. Something was said about Governor Chase. If the Senator from Texas says he did, I will take his word for it, but I do not think that Secretary Chase ever recommended to have no minimum year. The five-twenties was one of the best devices of the war made by Governor Chase, as we called him, Secretary Chase. He reserved to the United States the right to redeem these bonds after five years; and if that principle had been inserted in the railroad bonds that were issued at the time, as the record will show I desired to have done, millions upon millions of dollars would have been saved to the Government.

But I think Secretary Chase always contemplated one short period during which the bonds might run, redeemable at the pleasure of the United States after that time. The five-twenties, the ten-forties, and every bond that was issued during the war, even including the 7.5 per cent certificates ran for five years. Without some period to run I do not think they would have the command of the market so well.

However, that is a matter of detail. I leave it entirely to the Senate. A five-year 3 per cent bond, in my judgment, can be now sold in the market, but to reduce the time or make no time during which the bonds can run, and allow them to be called

within six months or a year, may defeat the investment of vast sums of money if the bonds were offered or needed.

I doubt very much whether, under this proposed law, any considerable sum will ever be issued, because I believe the power to issue these bonds will enable the Secretary of the Treasury to maintain the reserve in the Treasury Department without the issue of the bonds. But if they are sold, they ought to be put so that they would bear the least burden upon the United States, and at the same time be most acceptable to common investors. I think the bonds now provided for by the Committee on Finance are nearer right as to time than any others which could be proposed.

Mr. PEPPER. Mr. President, I am opposed to the amendment offered by the Senator from Ohio, and also to the amendment to the amendment proposed by the Senator from Texas [Mr. MILLS], for the reason that I do not believe there is any necessity for the Government to issue bonds at this time, and that, therefore, there is no necessity for making any appropriation for that purpose.

While I am not surprised at this proceeding, I feel a sense of amazement that at the close of the rule, if I may use the term, of the great party in this country which has been in power, with but a single exception, since 1861, we are confronted not only with an empty Treasury, but with a proposition to vote bonds upon the people, to tax the property of the citizens of this country for a new issue of bonds, when there are from \$500,000,000 to \$600,000,000 of specie in the Treasury of the United States at this hour.

Mr. BUTLER. Would it interrupt the Senator to ask him a question?

Mr. PEPPER. Not in the least.

Mr. BUTLER. If I am correctly informed on this subject the Secretary of the Treasury already has authority to issue bonds to sustain the reserve in the Treasury, and the practical effect of this measure would be to reduce those bonds from 4 and 4½ per cent to 3 per cent.

Mr. FELTON. Or less.

Mr. BUTLER. Or less. That is all. There is no proposition here to issue new bonds, but simply to arm the Secretary of the Treasury with authority to put out a 3 per cent bond instead of a 4 or 4½ per cent bond. I ask the Senator from Ohio if I am not correct in that statement.

Mr. SHERMAN. That is the only effect of the amendment I know of.

Mr. PEPPER. This is only a preparatory measure to accommodate the bankers, in my opinion. For the last sixty days there has been a slowly increasing volume of current from that direction to this Chamber, and it culminated a few days ago by a motion made by the Senator from New York [Mr. HILL] who is not now in his seat to take up the bill for the purpose of repealing the only silver legislation we now have. The reason alleged for that was, as we all remember, that gold was flowing out of the country, and that the first step toward a resumption of bimetallic coinage, to use the language of the Senator from New York, was the repeal of the silver coinage law, commonly known as the Sherman act, all preparatory to the proceeding which we are now asked to add to by this amendment. Immediately after the defeat of that proposition of the Senator from New York, and of a similar proposition in the House of Representatives, it was discovered that there was an abundance of money in the banks of New York City to accommodate the Treasury.

Mr. President, I believe that there is an abundance of both gold and silver to-day in the bank vaults and in the Treasury vaults without the issue of another dollar of bonds. It has been only a little more than two years, sir, since the Secretary of the Treasury, under and by virtue of the authority vested in him by law, visited the city of New York some six different times, and, if my memory serves me, within a period of about one hundred days he actually donated to the bankers of that region some \$29,000,000 of the people's money.

What I mean by that is that while purchasing some \$70,000,000 worth of bonds at a high premium he advanced nine months' interest at all events upon bonds not yet due, and which would not become due until 1907, amounting to something over \$12,000,000, amounting in all to nearly \$29,000,000, when there was no necessity for it, no demand coming from the people. Nor is there any demand now. Mr. President, coming up from the people of this country. It is all from that little center in New York City. There is where this appeal comes from.

In the name of the people whom I have the honor in part to represent I appeal to the Senate to vote down this proposed amendment and every other proposition looking in the direction of bonding the people of this country to the extent of another dollar.

Mr. FELTON. I understood the Senator from Kansas to say that in his opinion there was no necessity for this proposed legislation because no emergency would arise. I simply desire to



The VICE-PRESIDENT. The roll will be called on agreeing to the amendment to the amendment.

The Secretary proceeded to call the roll.

Mr. QUAY (when Mr. BERRY's name was called). The Senator from Arkansas [Mr. BERRY] is paired with me upon this question. If he were present I presume he would vote for the amendment to the amendment.

Mr. GORDON (when Mr. COLQUITT's name was called). My colleague [Mr. COLQUITT] is paired with the Senator from Iowa [Mr. WILSON].

Mr. DIXON (when his name was called). I am paired with the Senator from Mississippi [Mr. WALTHALL]. If he were present I should vote "nay."

Mr. PAULKNER (when his name was called). I am paired on this question with the Senator from Rhode Island [Mr. ALDRICH].

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH]. He is in favor of the amendment offered by the Senator from Ohio. I do not know exactly how he would vote on the amendment to the amendment. If he were present I should vote for it.

Mr. GORDON (when his name was called). I have a general pair with the Senator from Wyoming [Mr. WARREN]. I do not know how he would vote on this question, and therefore withhold my vote.

Mr. PETTIGREW (when his name was called). I am paired with the Senator from West Virginia [Mr. CAMDEN]. If he were present I should vote "yea."

Mr. QUAY (when his name was called). I am paired with the Senator from Arkansas [Mr. BERRY].

Mr. STOCKBRIDGE (when his name was called). I am paired with the Senator from Maryland [Mr. GIBSON], but I am advised by his colleague that he would vote "nay" on this question, and I therefore vote "nay."

Mr. GEORGE (when Mr. WALTHALL's name was called). My colleague [Mr. WALTHALL] is absent from the Senate on account of indisposition. I make that announcement for the day. He is paired generally with the Senator from Rhode Island [Mr. DIXON].

Mr. WHITE (when his name was called). I am paired with the Senator from Nevada [Mr. JONES]. If he were present I should vote "nay."

The roll call was concluded.

Mr. BUTLER. I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. COKE. My colleague [Mr. MILLS] is paired with the Senator from New Hampshire [Mr. GALLINGER].

Mr. PASCO. I am paired with the Senator from North Dakota [Mr. CASEY]. If he were present I should vote "yea."

Mr. JONES of Arkansas. I wish to announce that I am paired on this vote with the Senator from Montana [Mr. SANDERS].

The result was announced—yeas 21, nays 32, as follows:

#### YEAS—21.

Bate,	Huntton,	Perkins,	Vance,
Blackburn,	Kyle,	Power,	Vest,
Call,	Mitchell,	Pugh,	Wolcott,
Cockrell,	Morgan,	Ransom,	
Coke,	Paddock,	Stewart,	
Daniel,	Peffer,	Teller,	

#### NAYS—32.

Allison,	Frye,	Hiscock,	Proctor,
Brice,	Gibson,	Hoar,	Sawyer,
Carey,	Gorman,	McMillan,	Sherman,
Chandler,	Gray,	McPherson,	Squire,
Cullom,	Hale,	Manderson,	Stockbridge,
Davis,	Hansbrough,	Morrill,	Vilas,
Dawes,	Hawley,	Palmer,	Voorhees,
Felton,	Higgins,	Platt,	Washburn,

#### NOT VOTING—31.

Aldrich,	Colquitt,	Hill,	Shoup,
Allen,	Dixon,	Irby,	Stanford,
Berry,	Dwight,	Jones, Ark.	Turner,
Blodgett,	Dwight,	Jones, Nev.	Walthall,
Butler,	Paulkner,	Mills,	Warren,
Cafery,	Gallinger,	Pasco,	White,
Camden,	George,	Pettigrew,	Wilson,
Cameron,	Gordon,	Quay,	
Casey,	Harris,	Sanders,	

So the amendment to the amendment was rejected.

The VICE-PRESIDENT. The question recurs on the amendment of the Senator from Ohio [Mr. SHERMAN].

Mr. GORDON. I ask that the amendment be read.

The VICE-PRESIDENT. The amendment of the Senator from Ohio will be read.

The CHIEF CLERK. On page 41, after line 24, insert:

To enable the Secretary of the Treasury to provide for and to maintain the redemption of United States notes according to the provisions of the act approved January 11, 1875, entitled "An act to provide for the resumption of specie payments, \$50,000; and at the discretion of the Secretary he is authorized to issue, sell, and dispose of, at not less than par in coin, either of the description of bonds authorized in said act, or bonds of the United States bearing not to exceed 3 per cent interest, payable semiannually and redeemable at the pleasure of the United States after five years from their

date, with like qualities, privileges, and exemptions provided in said act for the bonds therein authorized, to the extent necessary to carry said resumption act into full effect, and to use the proceeds thereof for the purposes provided in said act and none other.

Mr. PUGH. Is an amendment to the amendment now in order?

The VICE-PRESIDENT. An amendment to the amendment is in order.

Mr. PUGH. I have no desire to consume the time of the Senate in adding anything to what has already been said upon this question. It has been fully discussed and I have no doubt is well understood. I content myself with offering an amendment to the amendment, upon which I ask for the yeas and nays.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The CHIEF CLERK. Add the following proviso to the amendment:

*Provided*, That no bond is authorized to be issued and sold under this act shall be issued and sold by the Secretary of the Treasury until the amount of the coin redemption fund reserved in the Treasury under existing law shall be reduced to \$500,000 by the actual redemption of the Treasury notes authorized to be redeemed under the act hereby amended; and in the event of such reduction to \$500,000 in coin, no greater amount of said bonds shall be issued and sold under this act than is necessary to keep said redemption fund equal to \$500,000 in coin.

The VICE-PRESIDENT. Is the demand for the yeas and nays seconded on the amendment of the Senator from Alabama to the amendment of the Senator from Ohio?

The yeas and nays were ordered.

Mr. PUGH. I will add that the policy declared in my amendment is the policy for which the lamented Beck contended in the Senate for many years, and in that purpose of his he had the concurrence and hearty support of nearly every Democratic Senator.

The VICE-PRESIDENT. The roll will be called on agreeing to the amendment of the Senator from Alabama [Mr. PUGH] to the amendment of the Senator from Ohio [Mr. SHERMAN].

The Secretary proceeded to call the roll.

Mr. QUAY (when Mr. BERRY's name was called). The Senator from Arkansas [Mr. BERRY] is paired with myself on this question. If he were present I presume he would vote "yea." I should vote "nay."

Mr. BUTLER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. DIXON (when his name was called). I am paired with the Senator from Mississippi [Mr. WALTHALL]. If he were present I should vote "nay."

Mr. PAULKNER (when his name was called). I am paired with the Senator from Rhode Island [Mr. ALDRICH].

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH]. I should vote "yea" if he were here.

Mr. GORDON (when his name was called). I am paired with the Senator from Wyoming [Mr. WARREN].

Mr. COKE (when Mr. MILLS's name was called). My colleague [Mr. MILLS] is paired with the Senator from New Hampshire [Mr. GALLINGER].

Mr. QUAY (when his name was called). Upon this question I am paired with the Senator from Arkansas [Mr. BERRY]. If he were present I should vote "nay."

Mr. WHITE (when his name was called). I am paired with the Senator from Nevada [Mr. JONES]. If he were present I should vote "nay."

The roll call was ordered.

Mr. PETTIGREW (after having voted in the affirmative). I am paired with the Senator from West Virginia [Mr. CAMDEN]. I understand that if he were present he would vote "nay," and I withdraw my vote.

Mr. CAREY (after having voted in the negative). I desire to withdraw my vote, as this may be construed to be a party question. I am paired with the Senator from South Carolina [Mr. IRBY]. I do not know how he would vote on this question, but I withdraw my vote.

The result was announced—yeas 21, nays 31, as follows:

#### YEAS—21.

Bate,	Harris,	Power,	Vest,
Blackburn,	Huntton,	Pugh,	Voorhees,
Call,	Kyle,	Stewart,	Wolcott,
Cockrell,	Mitchell,	Turner,	
Coke,	Morgan,	Teller,	
Daniel,	Peffer,	Vance,	

#### NAYS—31.

Allison,	Gorman,	McPherson,	Ransom,
Brice,	Gray,	Manderson,	Sawyer,
Cafery,	Hale,	Morrill,	Sherman,
Chandler,	Hansbrough,	Paddock,	Squire,
Cullom,	Hawley,	Palmer,	Stockbridge,
Davis,	Hiscock,	Perkins,	Vilas,
Dawes,	Hoar,	Platt,	Washburn,
Felton,	McMillan,	Proctor,	

Mr. BLACKBURN. I then withhold my vote, as I am joined with that Senator. Were he here I should vote "nay."

Mr. BRUCE. No; that is not the point. I am not going to

Mr. SHERMAN. I not only have no objection to the amendment of my colleague, but I believe that is now in what is known as the act of 1890, sometimes called the Sherman law; that it is now the law of the land, a declaration of public policy that all forms of the money of this country shall be maintained at a parity with each other. I believe the declaration in the amendment of my colleague is substantially that declaration, and I shall vote for it with great pleasure.

Mr. TELLER. I should like to inquire of the Senator who moved this amendment, if he intends by it to include silver certificates?

Mr. BRICE. Silver certificates, gold certificates, Treasury notes, not issued under the act of July, 1890, and all other paper money issued by the authority of the United States.

Mr. TELLER. Does the Senator propose, now, that to the \$346,000,000 of greenbacks payable in gold, and the Treasury notes of about \$139,000,000 more, we shall add \$327,000,000 of silver certificates in circulation? If so, it seems to me that this legislation will eventuate in putting up in the Treasury Department a very great burden, which has not heretofore been put upon it. The silver certificates are now circulating as money and are not redeemable in gold either by law or in practice, and I do not myself think that there is any necessity for redeeming them in gold.

Mr. VANCE. Mr. President—

Mr. McPHERSON. I desire to say a single word.

The VICE-PRESIDENT. The Chair has recognized the Senator from North Carolina [Mr. VANCE].

Mr. VANCE. Mr. President, the Senator from Colorado [Mr. TILMAN] anticipated the inquiry which I had endeavored to get the floor in order to make, by asking the Senator from Ohio [Mr. BAKER] if his amendment would include silver certificates, certificates issued to be paid in silver at the Treasury, payable on demand to the bearer.

If that be so, sir, then it seems to me that the amendment can only be offered in the interest of those who desire to increase the embarrassment of this country in regard to gold; because if it is impossible, or if we are finding it difficult to maintain sufficient gold in the Treasury, in the face of the great demand for it from Europe, to redeem the \$346,000,000 of greenbacks, as a matter of course, when there is added to that the task of redeeming some four hundred or five hundred millions of silver certificates, the question becomes one too plain to a limit of any doubt as to its impossibility.

I ask the Senator from Colorado, what is the amount of silver certificates outstanding? I have no Treasury statement before me.

Mr. TELLER. About \$327,000,000.

Mr. VANCE. Three hundred and twenty-seven million dollars. That, added to the \$346,000,000 of greenbacks, would make in the neighborhood of \$700,000,000 that we are to provide for, and we are to borrow gold in order to redeem those silver certificates, which are *on demand* payable in silver, we are to borrow gold to redeem them.

Why, Mr. President, if that becomes the law, as a matter of course we shall not be able to maintain the gold standard in this country. It will be utterly impossible to do so with all the gold we have and with all the bonds we can issue.

I trust, sir, that the Senate will vote down that proposition.

Mr. McPHERSON. If the amendment offered by the Senator from Ohio on my left [Mr. BRICE], shall be added by the vote of the Senate to the amendment of the senior Senator from Ohio on my right [Mr. SHERMAN], I shall be under the necessity of voting against Mr. SHERMAN's amendment.

The natural effect of it will be instead of simply supporting the greenbacks, as we propose to do under the SHERMAN amendment at a parity with gold and continuing as good as gold the \$346,000,000 of them, which we have the pledge of the Government now to do, and have had this pledge since the passage of the resumption act, to maintain as good as gold, to add the further load of three hundred and odd millions of silver certificates and all the Treasury notes which have been issued, and all which may be issued, under the operation of the SHERMAN law.

The Treasury notes issued on deposits of bullion do not go into general circulation as the customs reports every day show. These notes are massed in New York and they come back every day and are redeemed through the custom-house by the Government. The banks do not hold them as a reserve. In some of the States you can scarcely find one of these Treasury notes held by the banks as a part of their reserve. Look at the daily customs receipts and you will find about 1 per cent of gold and about 9 to 10 per cent of the Treasury notes issued on the deposit of bullion coming back into the Treasury.

Mr. President, if you consider the great mass of these Treasury notes which are in the banks of New York, Philadelphia and Boston, and which may be sent back to the Treasury any day and gold demanded for them under the amendment offered by the Senator from Ohio [Mr. BRICE], you will see that if a hun-

dred million of bonds were to be issued the parity might not be sustained.

We do not intend to allow the parity to be destroyed. The silver certificates are redeemable in silver coin. The Secretary of the Treasury is authorized by law to pay the Treasury notes issued on deposits of bullion in silver coin. That naturally prevents them from coming into the Treasury for redemption, for the silver coin is of no greater value than the certificates. It operates as a stay. The parties holding them would say, "Well, we can pass these Treasury notes; they are accepted in payment of debts the same as gold is accepted, and if we send them into the Treasury we might get nothing but silver coin in exchange for them, and therefore we might as well keep our Treasury notes in circulation." The only safety we have is that the Treasury is authorized to pay Treasury notes and silver certificates in silver, and provision is made in the Sherman law of 1890 to coin silver and thus for this purpose.

But what more does the Treasury do? Whenever the notes come to the Treasury and gold is asked for they are redeemed in gold if we have gold and if the holder of the note demands it. Let the Treasury continue in this way and parity is effected.

Mr. TELLER. Does the Senator say that is done with silver certificates?

Mr. McPHERSON. I suppose it is done with them.

Mr. TELLER. Not at all.

Mr. McPHERSON. I think the Senator will find that the Secretary of the Treasury would do it with the silver certificates under normal conditions.

Mr. VEST. If the Senator will allow me, I have been informed that they have not been paying silver certificates in gold in New York. For six weeks the Treasury has not been paying out gold for silver certificates.

Mr. McPHERSON. That may be because there is an insufficiency of gold at present. That may be the reason why it has not been done; but at the same time all these different kinds of money are circulating to-day in harmonious relationship with each other, and no creditor refuses to accept any of this money; and I tell you, Mr. President, our safety consists in the fact that the Treasury may redeem these notes in silver dollars, and yet up to now the Treasury has given gold when gold was demanded. The terms of the law and the wisdom of the Treasury acting in concert has settled the question of parity.

The Senator from Ohio on my left [Mr. BRICE] proposes to throw wide open the door; and I say it will be inevitable, if you put this amendment on the bill, that instead of issuing a few millions of bonds to assist the \$100,000,000 of reserve we now have, you will be required to issue just so many bonds and purchase just so much gold as the holders of the silver certificates and the holders of bullion certificates shall demand of the Treasury. They may call in certificates at one end of the Treasury, and you will have to pay gold out in exchange for them at the other end of the Treasury in a steady stream.

To my mind the whole object of the legislation proposed by the Senator from Ohio on my left [Mr. SHERMAN] will be defeated by the adoption of this amendment. I am in favor of maintaining all the money we have in circulation on a parity, and the Treasury can do that without any such legislation as this.

Mr. SHERMAN. Will the Senator from New Jersey allow me to call his attention to the amendment? Perhaps there may be some misapprehension as to it.

Mr. McPHERSON. Certainly.

Mr. SHERMAN. Upon examining the amendment of my colleague, which is very clear and which perhaps I had better read, the Senator will see that certificates are not included. My colleague's amendment is as follows:

And also to maintain at a parity and interchangeable at their nominal par all and every series of notes of the United States issued as an circulating as money.

That does not change in the slightest degree the form or character or the responsibility of the certificates. Here is a silver certificate. It is not a note. The distinction between a note and a certificate is very marked and known to every Senator.

Mr. McPHERSON. Does not the amendment include the Treasury notes?

Mr. SHERMAN. The certificate reads "that there has been deposited in the Treasury of the United States one silver dollar payable to bearer on demand." That is a certificate of deposit. It is not a note in any sense. Therefore, I think the amendment of my colleague is right.

The Treasury notes which are issued under the existing law are backed, as a matter of course, dollar for dollar with gold and with silver. I do not think there is any trouble about those notes. Whether they are in or out does not make any difference.

This amendment is nothing more than a declaration of public





requested by the Senator from Kentucky [Mr. BLACKBURN] to state that he is paired with the Senator from Vermont [Mr. PROCTOR]. If the Senator from Kentucky were present he would vote "yea" and the Senator from Vermont would vote "yea."

Mr. BUTLER (when his name was called). I have a general pair with the Senator from Pennsylvania [Mr. CAMERON]; but I understand he would vote "yea," as I would vote on this proposition. I therefore announce my pair with the junior Senator from Colorado [Mr. WOLCOTT], who would vote "yea."

Mr. GORDON (when Mr. COLQUITT'S name was called). My colleague [Mr. COLQUITT] is paired with the Senator from Iowa [Mr. WILSON]. If they were both here my colleague would vote nay.

Mr. DAWES (when his name was called). The Senator from Alabama [Mr. MORGAN] does not appear to be in his seat. I do not know how he would vote.

Mr. PUGH. My colleague [Mr. MORGAN] would vote nay.

Mr. DAWES. I would vote "yea." Therefore I will withhold my vote.

Mr. DIXON (when his name was called). I have a general pair with the Senator from Mississippi [Mr. WALTHALL]. That pair has been, by an arrangement with his colleague [Mr. GEORGE], transferred to the Senator from Oregon [Mr. DOLPH]. I vote "yea."

Mr. GEORGE (when his name was called). The pair which I had with the Senator from Oregon [Mr. DOLPH] has been transferred to my colleague [Mr. WALTHALL], who is absent. I will therefore vote. I vote "nay."

Mr. GORDON (when his name was called). On this question and all others I am paired with the Senator from Wyoming [Mr. WARREN]. I do not know how he would vote.

Mr. HANSBROUGH (when his name was called). I am paired generally with the Senator from Illinois [Mr. PALMER]. I am informed by his colleague [Mr. CULLOM] that the Senator from Illinois would vote "yea" on this question.

Mr. CULLOM. I think there is no doubt about that, as he has spoken on the question.

Mr. HANSBROUGH. I would also vote "yea." I therefore transfer my pair to the Senator from Idaho [Mr. DEBOIS], who is absent owing to illness. I withhold my vote for the present.

Mr. JONES of Arkansas (when his name was called). I am paired with the Senator from Montana [Mr. SANDERS].

Mr. McMILLAN (when his name was called). I have a general pair with the Senator from North Carolina [Mr. VANCE], who I understand is paired with the Senator from Illinois [Mr. PALMER].

Mr. JONES of Arkansas. The pair of the Senator from Illinois [Mr. PALMER] with the Senator from Idaho [Mr. DEBOIS] has been announced.

Mr. McMILLAN. Then I will transfer my pair to the Senator from Wyoming [Mr. WARREN], and the Senator from Georgia [Mr. GORDON] and myself can vote. I vote "yea."

Mr. PADDOCK (when Mr. MANDERSON'S name was called). My colleague [Mr. MANDERSON] was compelled to leave the Chamber a short time since, and is paired with the Senator from Kentucky [Mr. BLACKBURN]. I do not know how my colleague would vote if here. I think probably he would vote "yea."

Mr. MILLS (when his name was called). I am paired with the Senator from New Hampshire [Mr. GALLINGER].

Mr. PETTIGREW (when his name was called). I am paired with the Senator from West Virginia [Mr. CAMDEN]. If he were present I should vote "nay."

Mr. PLATT (when his name was called). I am paired with the Senator from Virginia [Mr. HUNTON], who has been called from the Chamber this afternoon. If he were present I should vote "yea."

Mr. PUGH (when Mr. PROCTOR'S name was called). The Senator from Vermont [Mr. PROCTOR] is paired with the Senator from Kentucky [Mr. BLACKBURN]. The Senator from Vermont would vote "yea" if present.

Mr. QUAY (when his name was called). I am paired on this question with the Senator from Arkansas [Mr. BERRY]. If he were present I should vote "yea" and the Senator from Arkansas would vote "nay."

Mr. STOCKBRIDGE (when his name was called). I am paired with the Senator from Maryland [Mr. GIBSON], but I understand that if he were present he would vote "yea." I therefore vote "yea."

The roll call was concluded.

Mr. DANIEL (after having voted in the negative). I supposed the Senator from Washington [Mr. SQUIRE] was in the Chamber when I voted. I have a general pair with him. I withdraw my vote.

Mr. PADDOCK (after having voted in the negative). My colleague [Mr. MANDERSON] is paired regularly with the Senator from Kentucky [Mr. BLACKBURN], but I understand that a temporary pair was made between the Senator from Kentucky

and the Senator from Vermont [Mr. PROCTOR]. That leaves my colleague unpaired. I will pair with the Senator from Vermont [Mr. PROCTOR]. I withdraw my vote.

Mr. HANSBROUGH. I transfer my pair with the Senator from Illinois [Mr. PALMER] to the Senator from Idaho [Mr. DEBOIS] and vote. I vote "yea."

Mr. ALDRICH (after having voted in the affirmative). I am paired with the Senator from West Virginia [Mr. FAULKNER], but being assured that he would vote "yea" if present, I have voted "yea."

Mr. KYLE. I was requested by the Senator from South Carolina [Mr. IRBY] to state that he is paired with the Senator from Wyoming [Mr. CAREY], and if present would vote "nay."

Mr. GORDON. I have a general pair with the Senator from Wyoming [Mr. WARREN]. I understand there is a temporary pair made between the Senator from Wyoming and the Senator from North Carolina [Mr. VANCE], so that I am relieved, if there is no mistake about the Senator from North Carolina not being paired with any one else.

Mr. GORMAN. That is right.

Mr. GORDON. Then I will vote. I vote "nay."

Mr. MITCHELL. My colleague [Mr. DOLPH] is detained from the Chamber by illness. He is paired with the Senator from Mississippi [Mr. WALTHALL]. I am authorized to state that if my colleague were here he would vote for this amendment.

The result was announced—yeas 30, nays 16; as follows:

## YEAS—30.

Aldrich,	Felton,	Higgins,	Sherman,
Allison,	Frye,	Hiscock,	Stockbridge,
Brice,	Gorman,	Hoar,	Vilas,
Cary,	Gray,	McMillan,	Voorhees,
Chandler,	Hale,	McPherson,	Washburn,
Cushman,	Hansbrough,	Morrill,	White,
Davis,	Harris,	Perkins,	
Dixon,	Hawley,	Sawyer,	

## NAYS—16.

Bate,	George,	Mitchell,	Shoup,
Call,	Gordon,	Pfeffer,	Stewart,
Cockrell,	Jones, Nev.,	Power,	Teller,
Coke,	Kyle,	Pugh,	Vest,

## NOT VOTING—41.

Allen,	Dowds,	Mills,	Squire,
Berry,	Dolph,	Morgan,	Stanford,
Blackburn,	Debois,	Padlock,	Turpie,
Blodgett,	Faulkner,	Palmer,	Vance,
Butler,	Gallinger,	Parker,	Walthall,
Cameron,	Gibson,	Pettigrew,	Warren,
Canlon,	Hill,	Platt,	Wilson,
Cassidy,	Hinton,	Proctor,	Wolcott,
Cassidy,	Irby,	Quay,	
Colquitt,	Jones, Ark.,	Ransom,	
Daniel,	Manderson,	Sanders,	

So the amendment was agreed to.

Mr. ALLISON. On Monday I hope the Senate will convene at 11 o'clock, making no change in the hour, and that we shall take up this bill and proceed with it until it is completed. I think that can be done on Monday. There are only two or three amendments remaining that will likely lead to debate. I desire very much to finish the bill on Monday. I do not propose to attempt any further progress to-night. I have promised the Senator from Missouri [Mr. VEST] that I would yield sufficient time to enable him to call up a bill which he states is of pressing importance. I will move to adjourn when that is disposed of.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWERS, its Chief Clerk, announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

A bill (H. R. 1075) for the benefit of Logan, Simpson, Harding, and Hacket Counties, and of the city of Louisville, Ky., and of Sumner and Davidson Counties, Tenn.; and

A bill (H. R. 925) to create the California debris commission and regulate hydraulic mining in the State of California.

## KANSAS CITY, PITTSBURG AND GULF RAILROAD.

Mr. VEST. I wish the Senate to consider a bill in regard to a railroad in the Indian Territory, which must be passed at once if at all. I ask the Senate to proceed to the consideration of the bill S. 3873 to authorize the Kansas City, Pittsburg and Gulf Railroad Company to construct and operate a railroad, telegraph, and telephone line through the Indian Territory, and for other purposes.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Indian Affairs with amendments.

The first amendment was, in section 3, line 39, after the word "by," to strike out "the," so as to read:

To appeal by original petition to the United States court held at Fort Smith.

The amendment was agreed to.

to report back adversely the bill (H. R. 456) to limit the jurisdiction of the district and circuit courts of the United States. I was requested to state that the Senator from Alabama [Mr. PUGH], the Senator from Texas [Mr. COKE], and the Senator from Mississippi [Mr. GEORGE], dissent from this report. I desire that the bill be placed on the Calendar with the adverse report.

Mr. VEST. I simply wish to remark that I was detained from the committee meeting this morning by public business, but if present I should have joined with the Senators whose names have been given by the Senator from Massachusetts in a minority report upon the bill.

The VICE-PRESIDENT. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. SAWYER, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 2439) for the relief of J. M. Lyon, submitted an adverse report thereon which was agreed to, and the bill was postponed indefinitely.

#### PRINTING OF EULOGIES ON DECEASED REPRESENTATIVES.

Mr. MANDERSON. I am directed by the Committee on Printing to report favorably two concurrent resolutions of the House of Representatives, and I ask for their present consideration.

The following concurrent resolution was read, considered by unanimous consent, and agreed to:

*Resolved by the House of Representatives (the Senate concurring), That there be printed of the eulogies delivered in Congress upon the Hon. Melbourne H. Ford, late a Representative from the State of Michigan, 800 copies, of which 2,000 copies shall be delivered to the Representatives and Senators of that State, and of the remaining number, 2,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House, and of the quota of the House of Representatives the Public Printer shall set aside 50 copies, which he shall have bound in full morocco with gilt edges, the same to be delivered, when completed, to the family of the deceased. And the Secretary of the Treasury is hereby directed to have engraved and printed, at the earliest day possible, a portrait of the above to accompany said eulogies.*

The following concurrent resolution was read, considered by unanimous consent, and agreed to:

*Resolved by the House of Representatives (the Senate concurring), That there be printed of the eulogies delivered in Congress upon the Hon. John W. Kendall, late a Representative from the State of Kentucky, 800 copies, of which 2,000 copies shall be given to the Senators and Representatives of that State, and of the remaining number 2,000 copies shall be for the use of the Senate and 4,000 copies for the use of the House, and of the quota of the House the Public Printer shall set aside 50 copies, which he shall have bound in full morocco with gilt edges, the same to be delivered, when completed, to the family of the deceased. And the Secretary of the Treasury is hereby directed to have engraved and printed, at the earliest day practicable, a portrait of the deceased to accompany said eulogies.*

Mr. MANDERSON. I desire to state as to both these concurrent resolutions that they conform in their terms to the provision of the general printing bill, which has passed both Houses and is in conference.

Mr. COCKRELL. So I understand.

#### PUBLICATION OF CENSUS REPORTS.

Mr. MANDERSON. I ask unanimous consent that the Senate consider the bill (H. R. 8582) to provide for the publication of the Eleventh Census. The bill was passed over to enable the Senator from Missouri [Mr. COCKRELL] to make a little investigation concerning it. I feel that it is important it should be considered and passed before we close the consideration of the sundry civil appropriation bill. I therefore ask for its present consideration.

Mr. COCKRELL. The bill ought to be considered now.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. COCKRELL. Does the Senator from Nebraska know what will be the cost of the Statistical Atlas independent of the other volumes or whether it will be more expensive than the others?

Mr. MANDERSON. The estimated cost of the Statistical Atlas, for 1,734 copies, is \$31,680. The additional 10,000 copies will make the total cost \$234,680. That is the most expensive part of the publication. The report accompanying the bill, Report No. 1281, gives a full statement concerning the entire subject-matter.

Mr. COCKRELL. That is one of the volumes which will be called for very largely. I do not know whether that particular publication is a valuable one or not, but a great many people always want to see the atlas.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### JAMES MORRISON.

Mr. CHANDLER. I am directed by the Committee on Naval Affairs, to whom was referred the bill (H. R. 1479) to remove the charge of desertion from the record of James Morrison, alias James C. McIntosh, to report it favorably without amendment, and I ask for its immediate consideration.

The VICE-PRESIDENT. The bill will be taken up for consideration.

The bill was read.

Mr. COCKRELL. I should like to see some explanation of the bill, proposing as it does to take the name away from and bounty after the lapse of forty years.

Mr. CHANDLER. There is a bill pending in the other House on the same point.

Mr. COCKRELL. I think it is a very important matter, and I want to see it.

Mr. HOAR. The bill went to the committee, and the Senator will allow me to make a statement. I am not sure if anybody wants to be bothered with it.

Mr. COCKRELL. I am not sure if anybody wants to be bothered with it.

Mr. HOAR. This person, I think, was a sailor, and I forgot the exact date, but about 1847, I think, he was assumed name. I think he was a sailor, and he was in the Navy and was on the California. I think he was a sailor, and he was in the Navy and was on the California. I think he was a sailor, and he was in the Navy and was on the California.

Mr. COCKRELL. I am not sure if anybody wants to be bothered with it.

The VICE-PRESIDENT. If the Senator will, he may state before the Senate a Committee of the Whole.

Mr. HOAR. Let me state the facts. I think he was a sailor, and he was in the Navy and was on the California. I think he was a sailor, and he was in the Navy and was on the California. I think he was a sailor, and he was in the Navy and was on the California.

Now, the question is whether or not that is a man who has been in the service of the Government, and who served through the war, and who was a sailor, and who was in the Navy and was on the California. I think he was a sailor, and he was in the Navy and was on the California.

Mr. COCKRELL. When the Senator is through with the facts, I remembered hearing of this case, and I think the facts in it. I think the charge ought to be removed from him, but the only question is in regard to the bounty.

Mr. HOAR. If the Senator will pardon me, I made a statement the other day, asking to put the bill on its passage when it came from the other House, and a Senator very properly asked that it be considered by a committee here. The committee have considered the bill and report it back favorably.

Mr. COCKRELL. What about the bounty?

Mr. HOAR. He is to have the benefit of the bounty, I think, under his own name without any effect whatever owing to his desertion when he was a boy.

Mr. CHANDLER. He deserted from the store ship Lexington in 1847. He served all through the war and was wounded at the battle of Mobile Bay. The Senator from Missouri asks the facts. It is a very meritorious case.

Mr. HOAR. The bill gives him pay, only up to the time of his desertion. There is no objection to that.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MATERIAL IN LIBRARY BUILDING.

Mr. VOORHEES. From the Select Committee on National Accommodations for the Library of Congress, I submit a report to which the resolution introduced by the Senator from Tennessee [Mr. HARRIS] on the 30th of January last in regard to the purchase of building material from foreign countries to be used in the construction of the Library building. I ask that the report be printed for the use of the Senate.

The report was ordered to lie on the table, and be printed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. TOWLES, its Chief Clerk, announced that the House had passed concurrent resolutions providing for the publication of the eulogies delivered in Congress upon the Hon. John W. Kendall, late a Representative from the State of Kentucky, and Hon. Edward F. McDonald, late a Representative from the State of New Jersey, and who were killed in the war.

The message also announced that the House had passed a concurrent resolution providing for the publication of the report of the Commissioner of Education, and I asked that the report be printed for the use of the Senate.

The message further communicated to the Senate resolutions commemorative of the life and services of Hon. John G. Warwick, late a Representative from the State of Ohio.

The message also announced that the House had passed the bill S. B. for the relief of the personal representatives of Adelia Cheatham, deceased, with an amendment, in which it requested the concurrence of the Senate.

#### ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed a bill H. R. 1036 for the benefit of the State of Kentucky, Logan and Shannon Counties, and of Louisville, Ky., and of Sumner and Davidson Counties, Tenn., and it was thereupon signed by the Vice-President.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. HALE submitted an amendment intended to be proposed by him to the deficiency appropriation bill, which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MITCHELL submitted two amendments intended to be proposed by him to the deficiency appropriation bill, which were referred to the Committee on Claims, and ordered to be printed.

#### INDEX OF GOVERNMENT PUBLICATIONS.

Mr. MANDERSON submitted the following concurrent resolution, which, with the accompanying paper, was referred to the Committee on Printing:

*Resolved*, That the records of the House of Representatives, containing: That there be printed and bound in the Government Printing Office, 1,000 copies of a comprehensive index of the publication of the Fifty-first and Fifty-second Congresses, prepared by John G. Ames, such amendment of amendments as may be made by the Senate and House of Representatives, and 1,500 for distribution by the said Senate, of the following:

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PREDER, one of his secretaries, announced that the President had on the 18th instant approved and signed the following acts and joint resolutions:

An act S. 741 to incorporate the Eclectic Medical Society of the District of Columbia;

An act S. 1683 for the relief of Mrs. Fannie N. Belzer;

An act S. 2852 to change the name of the Capital, North O Street and South Washington Railway Company;

An act S. 3336 to authorize the Union Railroad Company to construct and maintain a bridge across the Monongahela River; and

A joint resolution S. R. 136 to amend an act entitled "An act making Saturday a half-holiday for banking and trust companies in the District of Columbia," approved December 22, 1892.

The message also announced that the President of the United States had, on this day, approved and signed the act S. 2946 to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia," approved March 3, 1890.

#### ESTATE OF ADELICIA CHEATHAM.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill S. B. for the relief of the personal representatives of Adelia Cheatham, deceased, which was in line 5, to strike out the words "with interest" from October 20, 1868.

Mr. HARRIS. The effect of the amendment is merely to strike off the interest. The Senate passed the bill allowing interest, as I think ought to have been done; but I now move that the Senate concur in the amendment of the House of Representatives. The motion was agreed to.

#### SENATE CIVIL APPROPRIATION BILL.

The VICE-PRESIDENT. If there be no further morning business that order is closed, and the Calendar under Rule VIII is in order.

Mr. ALLISON. I move that the Senate proceed to the consideration of the bill H. R. 10238, making appropriation for sundry civil expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. PLATT. I wish to call the attention of the chairman of the committee to the general provision on pages 2 and 3 about the payment of fees of commissioners and justices of the peace acting as United States commissioners. I suppose it is claimed that in some sections of the country there is an abuse of the authority of commissioners that costs the Government a good deal of money, and, if so, it ought to be rectified; but I think this provision would work great injustice and inconvenience in a good many of the States.

I therefore want to propose some amendments to it, which I should be glad to have the committee agree to, so that the mat-

ter may go into conference and be carefully considered in conference as to what is best to be done.

In the first place, in line 14, on page 99, after the words "revenue laws," I move to insert:

"Unless said fees have been taxed against and collected from the defendant or."

Mr. ALLISON. I have examined, so far as I could, the suggestion made by the Senator from Connecticut, and I think the amendments proposed—there are two or three of them—are an improvement. I should be glad if he would have printed in the Record, for the use of the conference, so that the other House may see the reason for these amendments, a letter which he was kind enough to show me.

Mr. PLATT. I shall be very glad to do so.

Mr. ALLISON. With that understanding I shall not object to the insertion of the amendments suggested by the Senator from Connecticut.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 99, line 14, after the word "laws," insert "unless said fees have been taxed against and collected from the defendant, or," so as to read:

And hereafter no part of any money appropriated to pay any fees to the United States commissioners, marshals, or clerks shall be used for any warrant, attachment, or other fees in proceedings under the internal-revenue laws, unless said fees have been taxed against and collected from the defendant, or unless the prosecution has been commenced upon a sworn complaint of.

Mr. GORMAN. That is all right.

The amendment was agreed to.

Mr. PLATT. At the end of line 18, on page 99, I move to insert "United States district attorney," so as to read:

Or upon a sworn complaint by a United States district attorney, collector or deputy collector of internal revenue or revenue agent.

The amendment was agreed to.

Mr. PLATT. Now, in order that the whole matter may go into conference, I move to strike out the proviso on the bottom of page 99 and running over to page 100. The letter which I will send up suggests what I think is a better provision. If that amendment is agreed to I will ask to have the letter which I present from the clerk of the court in Connecticut printed in the Record.

The VICE-PRESIDENT. Does the Senator from Connecticut desire to have the letter read?

Mr. PLATT. No; I do not ask to have it read. I desire to have it go into the Record for the benefit of the conference committee.

Mr. FAULKNER. I should like to have some reason stated why the Senator from Connecticut desires to strike out the proviso. It strikes me that that is a very important provision, one that is humane in its character, and should be enforced.

Mr. PLATT. In Connecticut there are practically but two commissioners who do any business in the State. They are at Hartford and New Haven. They transact all the business of trials before United States commissioners with less inconvenience to the State and more for the interest of the Government than would be the case if there was a commissioner in every county. The clerk of the court in Connecticut suggests a substitute for that provision which I think is better. My only idea is that the matter may go into conference and may be examined when it gets into conference.

Mr. ALLISON. I suggest to the Senator from Connecticut that he have the substitute read. I think it will perhaps meet the suggestion of the Senator from West Virginia.

Mr. GORMAN. Let the proposed amendment be read.

Mr. FAULKNER. I ask that it be read.

Mr. PLATT. The Clerk says:

"That downy would be good substitute for the whole business, commencing with the dollar, in line 10, of page 99."

If a prosecution shall be commenced under the internal-revenue laws or fees of any kind paid out upon proceedings commenced upon the complaint of the United States attorney for the district where the offense is committed, and it shall be his duty to present his complaint and carry on his prosecution before such proper magistrate residing convenient to the place of arrest where the attendance of the United States attorney, marshal, and witnesses and of the accused can be had at least possible expense to the Government.

Mr. HALE. Does that limit the prosecution to proceedings by the district attorney?

Mr. PLATT. The idea is that all complaints shall be commenced by the United States district attorney, and practically that is the case in Connecticut.

Mr. HALE. I thought the language commencing after "dollars," as it was read, confined prosecutions entirely to those initiated by the district attorney.

Mr. PLATT. It does.

Mr. FAULKNER. That I understand is the meaning of the substitute, but as the bill has been amended by the Senate it does not limit it to the district attorney.

Mr. GORDON asked the President of the Senate to call the roll.

Mr. GORDON asked the President of the Senate to call the roll.

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY]. If he were present I should vote "nay."

Mr. GEORGE (when Mr. WALTHALL'S name was called). My colleague [Mr. WALTHALL] is still detained from the Senate by indisposition. He has a general pair with the Senator from Rhode Island [Mr. DIXON].

The roll call was concluded.

Mr. PETTIGREW (after having voted in the affirmative). I am paired with the Senator from West Virginia [Mr. CAMDEN], and therefore withdraw my vote.

Mr. DIXON. I am paired with the Senator from Mississippi [Mr. WALTHALL]. My colleague [Mr. ALDRICH] is paired with the Senator from West Virginia [Mr. FAULKNER].

Mr. CULLOM. I inquire if the Senator from Delaware [Mr. GRAY] was voted.

The VICE-PRESIDENT. He is not recorded as voting.

Mr. CULLOM. Then I withhold my vote, as I am paired with that Senator.

Mr. BUTLER. I am paired with the Senator from Pennsylvania [Mr. CAMERON]. If he were present, I should vote "nay," and he would vote "yea."

Mr. HUNTON. My colleague [Mr. DANIEL] is paired with the Senator from Washington [Mr. SQUIRE].

Mr. FAULKNER. I am paired with the Senator from Rhode Island [Mr. ALDRICH].

Mr. GORDON. I wish to announce the pair of my colleague [Mr. COLQUITT] with the Senator from Iowa [Mr. WILSON].

Mr. GEORGE (after having voted in the negative). I did not notice the absence of the Senator from Oregon [Mr. DOLPH] and voted. I have a general pair with him, and therefore withdraw my vote.

Mr. MITCHELL. I desire to state that my colleague [Mr. DOLPH] is detained from the Senate by illness.

Mr. HISCOCK (after having voted in the affirmative). Is the Senator from Arkansas [Mr. JONES] recorded as voting?

The VICE-PRESIDENT. He is not recorded.

Mr. HISCOCK. Then I withdraw my vote, as I am paired with that Senator.

The result was announced—yeas 27, nays 20; as follows:

## YEAS—27.

Allison,	Hawley,	Peffer,	Stewart,
Chandler,	Hoar,	Perkins,	Stockbridge,
Davis,	McMillan,	Platt,	Teller,
Felton,	Manderson,	Power,	Vest,
Frye,	Mitchell,	Proctor,	Washburn,
Gallinger,	Morrill,	Quay,	Wolcott,
Hansbrough,	Paddock,	Sawyer,	

## NAYS—20.

Bate,	Cockrell,	Hunton,	Sherman,
Berry,	Coke,	Kyle,	Turpie,
Blackburn,	Gibson,	Morgan,	Vance,
Brice,	Gorman,	Palmer,	Vilas,
Call,	Harris,	Pugh,	Voorhees,

## NOT VOTING—10.

Aldrich,	Cullom,	Hale,	Pettigrew,
Allen,	Daniel,	Higgins,	Ransom,
Blodgett,	Dawes,	Hill,	Sanders,
Butler,	Dixon,	Hiscock,	Shoup,
Cañon,	Dolph,	Irby,	Squire,
Camden,	Dubois,	Jones, Ark.,	Stanford,
Cameron,	Faulkner,	Jones, Nev.,	Walthall,
Carey,	George,	McPherson,	Warren,
Cassidy,	Gordon,	Mills,	White,
Colquitt,	Gray,	Pasco,	Wilson,

So the amendment was agreed to.

Mr. WOLCOTT. I offer an amendment, and ask to have it read.

The VICE-PRESIDENT. The amendment of the Senator from Colorado will be stated.

The CHIEF CLERK. On page 60, line 9, before the word "thousand," strike out "two hundred" and insert "one hundred;" so as to read:

For topographic surveys in various portions of the United States, \$100,000.

Mr. WOLCOTT. I desire to have the whole amendment reported.

The CHIEF CLERK. In line 9, page 60, before the word "thousand" strike out "sixty" and insert "forty;" in line 16, page 60, before the word "thousand," strike out "seventy" and insert "one hundred;" and in line 9, page 61, before the word "thousand," strike out "four hundred and fifty-three" and insert "three hundred and eighty-three."

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Colorado.

Mr. WOLCOTT. Mr. President, the Senate Committee on Appropriations has added \$64,000 to the appropriations for the Geological Survey as the bill came from the other House. The additions which have been made cover additional publications

and the employment of two additional geologists. The amendments which have been made are in my opinion of the wisest character and add greatly to the usefulness and scope of the Geological Survey. When the appropriations were cut down last year the cuts were made by the Director of the Survey out of geology, the purpose, and the sole purpose, for which this whole institution was founded, yet the geological survey was the branch of the Department which bore the loss caused by the diminution of the appropriation.

The appropriation for this year as submitted by the House of Representatives is \$389,000. The Senate committee has added to it, as I have stated, \$64,000, making the total appropriation \$453,000. However, the appropriation last year was in fact a good deal more. This was apparently about the appropriation of last year, but the appropriation is in fact a great deal more than appears in the particular items named. The appropriation last year for the Geological Survey, including its printing, its engraving, etc., was really \$460,000; and with the appropriations of \$389,000 as the appropriation bill came from the other House the additions made here will bring up the amount to nearly that sum.

The amendments which I have offered can be stated in a moment. The bill as it stands gives topography \$200,000 and makes \$60,000 of this amendment to be expended in North Dakota, South Dakota, Nebraska, Kansas, Texas, and the Territory of Oklahoma, one-half the remainder west of the one hundred and third meridian.

Mr. PLATT. What is the particular object of that work.

Mr. WOLCOTT. I will come to that. The proposed amendment strikes out one-half the amount appropriated and gives to those States which under this appropriation would be entitled to three-tenths a little more than that amount, leaving \$40,000 instead of \$60,000 to be expended in those States and making one-half the remainder to be expended as provided by the bill.

My amendment, then, raises the sum appropriated for the Geological Survey from \$70,000 to \$100,000. Some of that amount I understand should be expended and an amendment may possibly be offered requiring that it shall be expended in the Territory of Alaska, but whether it be expended there or not I think I can satisfy the Senate in a few moments that the appropriation should be at least one-half of the amount appropriated for topography.

This whole subject was discussed at some length, as many Senators will remember, about eight months ago. At that time, upon the motion of the Senator from Wyoming [Mr. WARREN], there were material cuts made in the sums which had theretofore been annually appropriated for the Geological Survey. It was then suggested, and a resolution was offered to the effect, that an investigating committee should be appointed as to the whole Geological Survey, to investigate its needs, its methods, the probable sum required for its continuance, the amount that would probably be required for its completion, and the number of years its completion would take. The Senate acted favorably upon that resolution and a special committee was appointed of which I was made the chairman. That committee has not reported. That committee comes before the Senate at this time without official information to give the Senate.

The special committee was appointed in the summer. At that time I had hoped and believed that we might in vacation institute these inquiries and take some testimony. I found that the other members of the committee as well as myself were more or less engrossed with political matters. The summer and fall were consumed in the Presidential election and there was no opportunity to bring the committee together during the vacation. When we met on the 1st of December, I had hoped that there would be still ample time and we might institute and proceed at least to some extent with the investigation. It first occurred that a member of the committee, the Senator from Wyoming [Mr. CAREY], was required to proceed to the State of Wyoming. We put off the meetings of the committee for him. Upon his return I was unfortunate enough to be confined to my house for a fortnight or more by illness, and we again postponed the investigation. The net result of the appointment of that committee, I regret to say, has been absolutely nothing, except that I have signed vouchers for a clerk who was appointed in the summer for three or four months; and outside of that I must say to the Senate that there has been no result accomplished.

But, Mr. President, this Survey needs investigation as much as it needed it a year ago. It is as much the duty of the Senate to look as carefully as it can, with the inadequate information at its command, into the affairs of the Geological Survey as it was six or eight months ago. I have been overwhelmed with letters and information and literature upon the subject. I have given it very much careful study. I am more convinced than I have ever been before that the great sums which we are expending year after year are unprofitably expended unless they shall





code the geological, or you could never find the designation on the map. There must a surface map of the country before there is a map of the sub-structure of the earth. That is a manifest proposition. The topographic survey must precede the other.

The VICE-PRESIDENT. The question is on the amendment.

Mr. WOLCOTT. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GORMAN. Mr. President, I only wish to say that I am in favor of the reduction of the expenditures of this particular branch of the Government. I had hoped that we should have been in a condition, after an examination of the entire affairs of this particular branch, to have intelligently determined upon the reduction that should be made in the different items of appropriation for it; but that examination has not been completed, and, therefore, we have been compelled to rely upon the information which comes to the Appropriations Committee from the two sides.

I believe, from all I have been able to learn on this subject, that the amount of appropriation and the distribution of it as reported from the committee are correct, if we retain the present organization of that branch of the service. If the Bureau is to continue and if the work is to go on to final completion under the present system, then I think we ought not to make the change proposed by the Senator from Colorado.

In voting against the decrease of this item I do so distinctly upon the ground that this is not the time nor have we sufficient information to make so radical an innovation as is proposed. I think it ought to go over until we can complete the thorough examination, which I trust will be made next year, and if it be in the interest of the Government to abolish the whole system I shall be very glad to so vote.

Mr. WOLCOTT. Will it interrupt the Senator if I make an inquiry of him?

Mr. GORMAN. Not at all.

Mr. WOLCOTT. I am reliably informed that work which has cost \$2,000,000, which is ten years old, is still lying on the shelves of the Geological Survey unprinted. Does not the Senator from Maryland think we had better catch up with the work we have paid for in the past, rather than to appropriate new sums for the future to have more maps made, which will likewise lie eight or ten years before they are printed?

Mr. GORMAN. It is quite true that a large amount of work, which has already been practically finished, has not been printed. We have attempted to some extent to make provision for printing a portion of the work here. If the Senator would read the clear statement of Maj. Powell before the committee, and examine the maps which he has produced, finished work, he would, I think, be convinced that we must do one of two things, either stop this work or give the Director of the Geological Survey money enough to complete the work which is on hand. I think, however, we have not done more than that. The Senator's amendment I understand makes, in the aggregate, a total reduction of \$160,000.

Mr. WOLCOTT. Oh, no, \$70,000. It takes \$100,000 from the topographical surveys and adds \$30,000 to the geological surveys.

Mr. GORMAN. I happen to remember that the Senator moved to strike out "two hundred and sixty" and insert "one hundred and forty."

Mr. WOLCOTT. Oh, no; I have been very moderate. It simply leaves for topography and geology \$100,000 each. That is all my amendment proposes to do.

Mr. HUNTON. One more cut like that would destroy the Bureau.

Mr. GORMAN. Possibly, but at the same time I state to the Senator, while I should be very glad to reduce this appropriation upon proper information, I am compelled to vote against the amendment for the large decrease of \$100,000 in this item, because I think it might impair the efficiency of the Bureau and stop all its work. If it is thought best, and the Senate is willing to take the responsibility of stopping this work, I shall be very glad to vote for such a proposition, but if it is to continue we ought not to impair its efficiency. I shall therefore vote against the amendment.

Mr. STEWART. Mr. President, I shall be very glad to vote to stop all its work until the Bureau is properly organized and we know exactly what we intend to do. I do not propose to elaborate upon this subject, but I think it is the loosest and most unbusiness-like establishment which was ever organized in any government. I have said so much about it heretofore that I am not going to weary the Senate further, but the amendment of the Senator from Colorado is certainly in the right direction. I shall vote for the amendment. I shall not talk about the matter, because I think it is a disgrace to the Government that we have not examined it and organized it so that Senators voting for an appropriation may know exactly what they are doing.

The Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY], and therefore withhold my vote.

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE]. If he were present I would vote "nay."

Mr. FAULKNER (when his name was called). I am paired with the Senator from Rhode Island [Mr. ALDRICH]. If he were here I should vote "nay."

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH]. If he were here I should vote "nay."

Mr. PETTIGREW (when his name was called). I am paired with the Senator from West Virginia [Mr. CAMDEN].

The roll call was concluded.

Mr. DAWES. I inquire if the Senator from Alabama [Mr. MORGAN] has voted?

The VICE-PRESIDENT. He is not recorded.

Mr. DAWES. I shall be glad if any Senator can inform me how the Senator from Alabama would vote. If he were present I should vote "nay."

Mr. BLACKBURN. The Senator from Alabama would vote "nay" if present.

Mr. HUNTON. I feel confident that the Senator from Alabama would vote "nay" on this amendment.

Mr. DAWES. Then I vote "nay."

Mr. HUNTON. I beg to say that my colleague [Mr. DANIEL] is paired with the Senator from Washington [Mr. SQUIRE].

Mr. FAULKNER. I understand that the colleague of the Senator with whom I am paired is present. I should like to know from him how his colleague, if present, would vote on this question.

Mr. DIXON. I think my colleague [Mr. ALDRICH] if present would vote "nay."

Mr. FAULKNER. Under those circumstances I vote "nay."

Mr. BUTLER. I have a general pair with the Senator from Pennsylvania [Mr. CAMERON]. I do not know how he would vote on this question and therefore withhold my vote.

Mr. DIXON. I have a general pair with the Senator from Mississippi [Mr. WALTHALL]. If he were present I should vote "nay."

Mr. CULLOM. I withheld my vote a moment ago on account of my pair with the Senator from Delaware [Mr. GRAY], but I am informed by a friend of the Senator that he would vote "nay" if he were present. I therefore cast my vote "nay."

Mr. WOLCOTT. I do not believe that the Senator from Delaware, if present, would vote "nay" on this amendment; not that I have the slightest interest in it, for there are lots of years ahead of us yet, but at the last session the Senator from Delaware voted uniformly in favor of the reduction of this appropriation. If, however, the Senator from Illinois has other information, I shall not raise any question about it. It is on account of the Senator from Delaware, not myself, that I speak.

Mr. CULLOM. I simply asked the Senator from Maryland [Mr. GORMAN] whether he knew how the Senator from Delaware would vote, and he said he would vote "nay," on which statement I voted.

Mr. FAULKNER. If there is any trouble about the pair in that case, I will arrange to pair the Senator from Delaware [Mr. GRAY] with the Senator from Rhode Island [Mr. ALDRICH], and let them stand paired on that question. That will allow the Senator from Illinois [Mr. CULLOM] to vote.

Mr. GORMAN. There are several Senators on this side who are authorized to vote on this question notwithstanding their pairs.

Mr. CULLOM. I withheld my vote until I made the inquiry and was assured that the Senator from Delaware, if present, would vote "nay." If there is any possible doubt about it I will transfer my pair to the Senator from Rhode Island [Mr. ALDRICH] and allow my vote to stand.

Mr. DIXON. I suggest to the Senator from Mississippi [Mr. GEORGE] that we transfer our pairs, so that his colleague [Mr. WALTHALL], with whom I am paired, may stand paired with the Senator from Oregon [Mr. DOLPH], which will allow the Senator from Mississippi [Mr. GEORGE] and myself to vote.

Mr. GEORGE. Very well.

Mr. DIXON. I vote "nay."

Mr. GEORGE. I vote "nay."

The result was announced—yeas 18, nays 37; as follows:

#### YEAS—18.

Bent,	Hansbrough,	Pender,	Teller,
Blodgett,	Hiscock,	Power,	Vest,
Chandler,	Kyle,	Quay,	Walcott,
Coke,	McMillan,	Sawyer,	
Felton,	Mitchell,	Stewart	

## NAYS—37.

Allison,	Dubois,	Hoar,	Ransom,
Bate,	Faulkner,	Huntton,	Shoup,
Blackburn,	Frye,	Jones, Ark,	Squire,
Brice,	Gallinger,	Maudersan,	Stockbridge,
Caffery,	George,	Mills,	Vance,
Call,	Gorman,	Pallock,	Voithes,
Cockrell,	Hale,	Palmer,	Washburn,
Cullom,	Harris,	Parkins,	
Dawes,	Hawley,	Platt,	
Dixon,	Higgins,	Proctor,	

## NOT VOTING—32.

Aldrich,	Daniel,	Jones, Nev,	Stearns,
Allen,	Davis,	McPherson,	Stamford,
Butler,	Dolph,	Morgan,	Turner,
Camden,	Gibson,	Morrill,	Turner,
Cameroon,	Gordon,	Pasco,	Walthall,
Carey,	Gray,	Pettigrew,	Warren,
Cassidy,	Hill,	Pura,	Whit,
Colquitt,	Irby,	Sanders,	Wilson,

So the amendment was rejected.

Mr. HOAR. I move an amendment, which I send to the desk.

Mr. WOLCOTT. I rise to a question of order. I believe the amendment which I offered was divided, and I desire to divide it properly. I withdraw the remainder of the amendment which would add to the appropriation.

Mr. HALE. The state of the last vote leads me to venture a suggestion to the Senate about the evil which is constantly showing itself here on the question of pairs. There is a very full Senate present, perhaps 70 members, and yet the vote discloses no such number. It is the habit, and a very good habit, for general pairs to be made almost always between Senators on the two sides of the Chamber, the foundation of the practice being that it shall apply to large and political questions.

In that way it is a great convenience, and a Senator's record is preserved by his pair being announced. But where, as is the case here, these pairs are considered as applying to every minor matter, every small vote on small things, which do not touch politics in any way whatever, where it is not known how a Senator upon either side would vote, pairs are constantly being announced. This practice hinders business, prevents us from getting a quorum, and sometimes keeps us suspended for the chance of getting two or three votes, when there are sixty Senators in the Chamber.

It seems to me that that is an abuse which each Senator who is paired can easily correct. I was paired for years with the former Senator from Kentucky, Mr. Beck, whom we all lament, and our pair was based upon the proposition that we each understood that the other might vote at any time when, in his judgment, it was not a question calling for the announcement of the pair. I do not think the pair was announced between us once in a month. I have now the same kind of a pair with the Senator from North Carolina [Mr. RANSOM].

Only on large questions, where I am confident what his position would be, do I announce the pair or does he announce the pair. I do not think since the pair has been existing between us, it has been announced three times. Each of us votes on all ordinary questions whether the other is present or not to help to make a quorum.

We are near the end of the session, with but eleven working days left, and the time consumed by this daily announcement of pairs is a very material loss, and obstructs business. It seems to me that Senators can help this very much by liberalizing the arrangements about pairs.

Mr. HOAR. I move, on page 48, at the end of line 17, to insert what I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 48, after line 17, it is proposed to insert:

The Attorney-General is hereby authorized to appropriate, he shall so fit, the rooms in the City Hall now occupied by the Civil Service Commission for the use of the court of appeals of the District of Columbia, or so much of them as shall be necessary. If said rooms, or any part thereof, shall be appropriated, it shall be the duty of the Secretary of the Interior to provide suitable quarters for the Civil Service Commission, and the sum of \$500, or so much thereof as shall be necessary, is hereby appropriated for the rent and fitting up of the same, to be expended at the discretion of the Secretary of the Interior.

Mr. ALLISON. If the Senator from Massachusetts will yield to me for a moment, I will say that this whole matter is provided for in the legislative, executive, and judicial appropriation bill. Apartments in the City Hall are assigned to this new court, and the authorization for the rent of a building for the Civil Service Commission is provided for in the bill.

Mr. HOAR. I was not aware that the committee had taken such action. I withdraw the amendment, and move another to come in at the same place.

The VICE-PRESIDENT. The amendment proposed by the Senator from Massachusetts will be stated.

The CHIEF CLERK. On page 48, after line 17, it is proposed to insert:

The sum of \$500, or so much thereof as shall be necessary, is hereby appropriated for the rent and fitting up of the same, to be expended at the discretion of the Secretary of the Interior.

Mr. ALLISON. I have no objection to the amendment, but I think the committee should have provided for the rent of a building for the Civil Service Commission in the bill.

Mr. HOAR. I have no objection.

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port, in compliance with request, to the Senate Committee on Public Buildings and Grounds, upon Senate bill 3696, introduced January 4, 1893, by Hon. M. S. QUAY, entitled "A bill enlarging the limit for the construction of a post-office building at Allegheny, Pa.," which explains itself.

Respectfully yours,

JAMES R. LOW,  
*Acting Supervising Architect,  
House of Representatives.*

The Hon. COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS,

*House of Representatives.*

Mr. QUAY. In deference to the views of the chairman of the Committee on Appropriations, I do not desire to ask for an immediate appropriation, but will modify the amendment so as to involve merely the increase of the limit of cost, leaving the appropriation to stand as it stood in the bill as it came from the House of Representatives. That will be to strike out, in line 9, the words "for completion" and insert in lieu thereof "for continuation," and then after the word "dollars," in the same line, to insert the increased limit of cost.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. In line 9, after the word "for," it is proposed to strike out "completion" and insert "continuation;" and in the same line, after the word "dollars," to insert "and the limit of cost of said building is hereby increased to \$535,849.92;" so as to read:

For post-office at Allegheny, Pa.: For continuation of building under present limit, \$15,000, and the limit of cost of said building is hereby increased to \$535,849.92.

Mr. ALLISON. The words "under present limit" should be stricken out.

Mr. QUAY. Yes; strike out the words "under present limit," in line 9.

The VICE-PRESIDENT. The amendment will be read as modified.

The CHIEF CLERK. It is proposed to modify the amendment so as to read:

For post-office at Allegheny, Pa.: For continuation of building, \$15,000, and the limit of cost of said building is hereby increased to \$535,849.92.

Mr. ALLISON. One word before the vote is taken on the amendment. This is one of the buildings to which I alluded when we had under discussion the amendment for the erection of a public building at St. Albans, Vt. There is no additional appropriation here provided for, as the Senator from Pennsylvania has modified his amendment, though there will be, of course, in the future an additional appropriation required.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Pennsylvania.

The amendment was agreed to.

Mr. GORMAN. How much is the increase there, I ask the chairman of the Committee on Appropriations? I did not exactly catch the amendment.

Mr. ALLISON. Three hundred thousand dollars.

Mr. QUAY. The present appropriation, as appears in the letter just read by the Secretary, is \$250,000, and the limit proposed here is \$535,849.92.

Mr. ALLISON. The increase is about \$280,000.

Mr. QUAY. On a hundred and seventy-five thousand dollars of the money appropriated there has already been applied to the purchase of a site. There are \$74,000 still applicable to the erection of a building, including the \$15,000 provided for in this bill.

The Treasury Department reports that there is sufficient money on hand unexpended, to construct a one-story building sufficient for the present needs of the post-office only; but that a building commensurate with the importance of a city of 105,000 inhabitants, which with the increased prosperity and the increase of the population in that section of Pennsylvania, will probably number 200,000 at the next census, will cost some \$350,000. It is for Senators to determine whether Allegheny City shall be provided with a small building for temporary purposes for a post-office, or one worthy of the United States and the city.

The amendment was agreed to.

Mr. QUAY. I offer a further amendment to come in on page 2, after line 13, which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

Mr. QUAY. I call the attention of the Senator from California [Mr. FELTON] to this amendment.

The CHIEF CLERK. On page 2, after line 13, it is proposed to insert:

For post-office at San Francisco, Cal.: That the limit of cost for construction of the post-office building at San Francisco, Cal., is hereby fixed at \$25,000,000.

Mr. GORMAN. Have we voted on the amendment making appropriation for a public building at Allegheny?

The VICE-PRESIDENT. The amendment has been agreed to.

Mr. GORMAN. I simply wish to enter my dissent to it. I did not know the vote had been taken.

Mr. ALLISON. If the Senator from Maryland desires to have

a division upon the amendment, I do not object. I hope it will be understood that the vote may be again taken.

Mr. QUAY. I trust the yeas and nays will not be called.

The VICE-PRESIDENT. Does the Senator from Maryland desire the yeas and nays on the amendment referred to?

Mr. GORMAN. No, I only desire to enter my protest against the amendment.

Mr. FELTON. I made a statement in regard to the pending amendment in the morning hour, and I have no desire to add anything to it, unless some Senator should wish to know more about it, in which case I shall be pleased to answer him.

I simply say that this amendment makes no appropriation, but enables us to use the balance of the appropriation of \$240,000. The expenditure for the building has already been under consideration by the Treasury Department, where it is believed that this amount of money will be required in order to erect a building with sufficient superficial feet in it to accommodate the business of the Government at San Francisco, which includes the post-office, three United States courts, the internal revenue offices, and the Army headquarters, for which I have been told, but for which statement I can not vouch, some \$25,000 each year is paid for rent.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. QUAY. I move to insert after line 5, on page 3, what I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 3, line 5, after the amendment already agreed to, it is proposed to insert:

For the purchase of a site for the construction of a public building in Portland, Oregon, the sum of \$25,000 in addition to the sum heretofore appropriated, and the limit of cost of said building is hereby increased to \$1,000,000.

Mr. MITCHELL. I desire to say in reference to that amendment, that the Senate on the 23d of June last passed a bill fixing the limit of cost of the building at Portland, Oregon, at the amount stated in the amendment, and already the sum of \$200,000 has been expended.

The amendment was agreed to.

Mr. QUAY. I also wish to follow the amendment just adopted with one other, which I send to the desk.

The VICE-PRESIDENT. The amendment will be reported.

The CHIEF CLERK. After the amendment already agreed to, in line 5, on page 3, it is proposed to insert:

For the construction of an additional story to the public building at Sheboygan, Wis.: \$5,000.

The amendment was agreed to.

Mr. ALLISON. While upon the amendments with reference to public buildings, I wish to offer two amendments, which were omitted by the committee and which are proper. One is for the post-office at Clarksville, Tenn. I desire that the amendment be stated.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 2, after line 16, it is proposed to insert:

For post-office at Clarksville, Tenn.: For completion of building under present limit, \$25,000.

Mr. BATE. That provision was omitted by an oversight in the House of Representatives. Twenty-five thousand dollars is required for the purposes of that building. Ten thousand dollars was expended for the land, and the building has just been begun. If it had not been overlooked in the other House there would have been made an appropriation for that purpose.

The VICE-PRESIDENT. The question is on the amendment.

The amendment was agreed to.

Mr. ALLISON. I also offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 2, after the amendments already agreed to, beginning in line 13, it is proposed to insert:

For court house and post-office at Sioux Falls, S. Dak.: For completion and present limit, \$35,000.

The amendment was agreed to.

Mr. MANDERSON. I offer an amendment to come in at the end of the bill, which I send to the desk.

Mr. HISCOCK. It seems to me we ought to have considered now all the amendments to this part of the bill in relation to public buildings.

The VICE-PRESIDENT. The amendment proposed by the Senator from Nebraska [Mr. MANDERSON] will be stated.

The CHIEF CLERK. It is proposed to add at the end of the bill:

That the sum of \$250,000 to provide accommodation for the Government Printing Office and the construction of the needed storage and distribution warehouses in connection therewith in the act making appropriations for sundry civil expenses of the Government, approved August 30, 1890 and sus-



Finally Congress made an appropriation of \$250,000 for the selection of a site and to begin the erection of a building. A commission was appointed which has been described by the Senator from Nebraska, the chairman of the committee. That committee made a report selecting what is known as the baseball lot. Then began a controversy as to whether that was a proper selection. Upon the matter being brought to the attention of this body, wisely as I thought, we, by an amendment to an appropriation bill, suspended the appropriation and practically reversed the action of the commission.

I was in thorough accord with the movement to reverse their action, because I believed that they had in their advertisements asking proposals so drawn the line that it was impossible for the gentlemen who owned the two lots which are now in controversy, or any except two or three, to offer an eligible lot within the rules laid down by the commission. So the matter was suspended by a joint resolution of Congress; the whole subject was re-committed to the Joint Committee on Printing, which was instructed to examine all the sites in the city which were offered, and to report its conclusions to this session of Congress in December last.

In the performance of this duty the Committee on Printing have given the matter very great attention. They threw open the doors to every lot-owner in the city of Washington to make his offer, and every man who had a piece of property and desired to offer it came before the committee and had an opportunity to present his case, to show the advantages of the location of his lot, and to state the price which he would take for his property.

Mr. President, I desire to state frankly to the Senate that at that and at all stages of the investigation of this question I personally believed that the wise thing for the Government to do was to condemn a sufficient amount of property immediately adjoining the present structure, and then to enlarge the building there. I thought it was ample for the needs of the Government. I believe it would save thousands of dollars in the matter of construction; but two-thirds of the Joint Committee on Printing believed that the intention of Congress was that an entirely new structure should be made and that a new lot should be purchased.

Under that state of the case my impression was that the lot known as the Mahone lot was the most advantageous for the Government, but I was forced to the conclusion, in view of the price asked for it and the price asked for the adjoining lots, that there was but one result which the committee could reach, which was to report in favor of the one which cost the smaller sum of money, it containing a sufficient number of square feet. I believed that lot was sufficiently large to accommodate the building, and would do so not only now but probably for the next fifty or sixty years or more.

Mr. President, the Joint Committee on Printing having had this matter placed in their hands by a resolution of Congress, and having discharged that duty as faithfully as any committee of this body ever discharged a duty, recognizing and knowing perfectly well the controversy which had grown up about this matter, if not personal feeling (in which, however, I do not share), could not, with the light before them, with the propositions which were submitted, in justice to all interested, in my judgment, do anything else than report in favor of this particular lot. I believe both of these squares are good squares for the purpose; but one is offered to us for \$1.35 a foot—I understand it has been reduced by the amendment of the Senator from Missouri [Mr. VEST] now in price to \$1.17 a foot—and the other is offered at \$1 a foot.

As I said before, my own judgment has always been that the wise thing to do was to extend the present site and condemn the property of the small holders which is immediately adjoining. I have never changed my opinion. The joint resolution left it to the Committee on Printing the right to report whatever they saw proper. That committee agreed that the will of Congress was that we should have an entirely new lot, and we reported in favor of the Johnson lot. There is no division of opinion in the committee as to the propriety of taking the lot offered at the smaller cost, the Johnson lot.

I know the feeling among the members of the Committee on Public Buildings and Grounds, who have always claimed that this matter was entirely within their jurisdiction, that the Committee on Printing ought not to discharge such a duty, and that it properly belonged to the Committee on Public Buildings and Grounds; and that claim comes with great force, as presented by my friend from Missouri on my right [Mr. VEST]. So far, however, as the members of the Committee on Printing were concerned, we only wished that the matter had been placed with the Senator's committee, but Congress saw proper to take the question by joint resolution from the Committee on Public Buildings and Grounds, if they had jurisdiction, and place it in the hands of the Joint Committee on Printing.

I submit to the Senate whether this body will deliberately reverse the action of Congress, and will reject the report of the Committee on Printing, when there can not be any question as to the propriety of taking this lot because of the cost, and there can not be any question that the committee have dealt fairly with every interest and with every property-holder who has presented his claims to the committee. I confess my astonishment and amazement that when that is the case, and when it is known to be the case, another honorable committee of this body should attempt to take jurisdiction of the matter, and come in and report another proposition immediately after the Committee on Printing had reported.

I believe that we have by a miracle, as it were, escaped great disaster at the present Printing Office building. It is in such a condition, and has been for four or five years, that it is likely to collapse at any time. The condition within that building of the people who are employed there is a stigma on the Government. It is an outrage which ought not to be longer tolerated. It is most unfortunate that there should be any controversy as to the selection of a site, and thus delay and postpone the time when this relief ought to be given.

I know—and that controls my judgment very largely in this matter—that speedy relief could have been secured by adding another wing to the present building. I know, as a matter of course, that in purchasing a new square and in erecting a new building we are entering upon an expenditure of a million dollars; but I was limited in my power to act in that matter, as I have before stated, by the action of Congress. We understood by the resolution adopted that Congress desired a report upon a new square.

I submit to the Senate that, if the action of the Committee on Printing is overruled, it will probably be the first time in its history when it has given to a standing committee of this body power to deal with a question that it has rejected its report, and adopted another when there can not be any question as to the capacity of the lot in favor of which it has reported, which, to say the least of it, is equal to the one proposed to be substituted by another committee.

The Senate must decide this question. I have said all I desire to say.

Mr. HARRIS. Before the Senator from Maryland takes his seat, belonging as he does to the Committee on Printing, I should like to ask him if the Johnson lot, including the parking which the Government would have a perfect right to appropriate if it chose to do so, does not amount to 147,000 square feet?

Mr. GORMAN. I think the Senator is correct. I have not the figures before me, but I want to say to the Senator from Tennessee that the Johnson lot, without the parking, in my judgment has sufficient space for the Printing Office to-day and for fifty years to come.

Mr. HARRIS. I quite agree with the Senator. If we acquire the title and right to us 147,000 square feet, then when we undertake to ascertain what we are paying per foot, my impression is that the cost of the Johnson lot does not exceed 72½ cents a foot.

Mr. GORMAN. Those are about the figures.

Mr. HARRIS. While the cost of the other lot, one square further off, is a little over \$1.17 a foot. I think those are the facts with regard to the two lots, one being one square nearer to the Capitol than the other, and equally eligible and equally practical for the purposes for which a lot is to be selected.

Mr. GORMAN. That is my deliberate judgment, Mr. President.

Mr. VEST. Will the Senator from Maryland permit me?

Mr. GORMAN. Of course.

Mr. VEST. The Senator from Tennessee [Mr. HARRIS] is mistaken. The estimate he fixed as to the amount of the parking is based upon the report of the Committee on Printing.

Mr. HARRIS. It is.

Mr. VEST. Which the Senator from Nebraska [Mr. MANDELSON] corrected yesterday and admitted that he had made a mistake as to the parking. I called attention to that also in my remarks.

Mr. HARRIS. What is the extent of the mistake?

Mr. VEST. Thirty-two thousand four hundred square feet in the park instead of 37,800. Adding that, and taking out the alley, that lot would contain 133,015.

Mr. HARRIS. Very well. No matter whether the view which the Senator from Missouri takes of the question or the view as reported by the Committee on Printing be correct, there is certainly a large difference put in the cost of the two lots. The fact appears that the Mahone lot, as it is called, is on the north side of L street, and the Johnson lot is on the south side of L street, each lot having exactly the same transportation facilities, the Johnson lot being one square nearer to the Capitol than the other, and if the topographic conditions of the two





reach it by an elevated railway, just as you must reach the Johnson lot by an elevated railway.

Now, what is the condition as to Delaware avenue, which joins the Johnson tract or lot on the east? It is 160 feet wide. On the elevated track, which would pass the building on that lot up on the east, you will have the same sort of side track for switch room that is desired by everybody in the manufacturing business. If a manufacturing establishment can place its building by the side of a railroad so that there can enter the building from that side by surface railway or elevated road material to be placed within the building from cars upon the public highway it considers it a great advantage. So here with the tracks running alongside on this parking, if you please, 40 feet—

Mr. HOAR. Is it equally true of a printing office? The Senator speaks of a manufacturing establishment.

Mr. MANDERSON. I should think so most decidedly, for what is the Government Printing Office but a great manufacturing establishment, in which there must go the thousands of tons of coal, the immense amount of paper that is consumed upon the presses, the weight of which is enormous, and the cartage of which is most expensive? All that could enter from the elevated track into the second story of the building by the processes I described at greater length yesterday (and I do not desire to repeat myself in that regard), to the very great advantage and to the very great economy of the Government in its use.

Mr. VEST. May I ask the Senator a question before he concludes? As a matter of course, the Senator from Nebraska wishes to state this case as it really is. I understand him to say that there are 115,405.98 square feet available for building purposes in the Johnson lot. I tried to take down his language. There are 115,000 square feet?

Mr. MANDERSON. Yes; a little over 115,000 square feet.

Mr. VEST. Now, is it not a fact that if the building is erected in a square form, including the alleys which are donated, there will be only 91,497.67 square feet?

Mr. MANDERSON. Why should the building be erected in a square form?

Mr. VEST. I assume that the fourteen thousand four hundred and odd square feet in the shape of a triangle would be utilized.

Mr. MANDERSON. But it is not a triangle separate and apart from the lot itself. It is simply that change from a square form that is incident to Delaware avenue, which assumes that shape.

Mr. VEST. Then one portion of the building would violate all architectural rules. According to the dimensions—and I have before me the official map from the surveyor's office of the District of Columbia—this Johnson lot on L street has 310.11 lineal feet.

Mr. MANDERSON. On L street?

Mr. VEST. That is, if we adhere to the square form.

Mr. MANDERSON. Oh, to adhere to the square; but that is not the dimensions of the lot.

Mr. VEST. Very good. Then if we do not adhere to that form, it is on that side 401.10 feet. On the other side, on North K street, it is 310.11 feet, making a difference of 90.11 feet between the two sides, leaving in this triangle, as I term it, 14,720.96 feet. That is the actual proportion of the Johnson lot.

Mr. MANDERSON. The difference between the Senator from Missouri and myself is that I think when you consider the fact that what he calls the triangle abuts Delaware avenue, one of the main avenues of the city—

Mr. VEST. Which is not open.

Mr. MANDERSON. With a projected railroad there, it is of very great advantage that it should have that form.

Mr. VEST. It has been repeatedly asserted here that Delaware avenue gave a direct route to the Capitol. That avenue is not practically open. It has to be opened in order to bring about the state of things which has been used here as an argument.

Now, one single remark, and I am done with this matter. The Senator speaks of the number of square feet in the sites of the State, War and Navy building and the Treasury building. I undertake to say that neither building is large enough. The Senate of the United States has at three recurring sessions passed a bill providing for a hall of records at the instance of Departmental officers in order to give space for the material and the books and papers which are stored to-day in those buildings, the debris of past business which can not be destroyed and should be stored elsewhere.

I assert, as a member of the Committee on Public Buildings and Grounds, that no fact has been brought before us so prominently and repeatedly as the fact that the Department buildings now in the city of Washington are too small. They were built as if the Government would never increase. We are asked now to perpetrate the same folly and to take ground amounting even on the Senator's estimate to 115,000 square feet, as if there were always to be 65,000,000 people in this country.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Missouri [Mr. VEST] to the amendment of

Senator from Nebraska [Mr. MANDERSON] on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BLACKBURN (when his name was called). On this question I am paired with the Senator from New York [Mr. HILL], who is absent. I withhold my vote.

Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR]. I do not know how he would vote.

Mr. GORMAN. I ask that the roll call be suspended and that the Chair state the question before the Senate. It is not well understood.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Missouri [Mr. VEST] to the amendment of the Senator from Nebraska [Mr. MANDERSON].

Mr. GORMAN. The amendment of the Senator from Missouri proposes to purchase the Mahone lot, I understand.

Mr. HARRIS. To vote "yea" is for the Mahone lot and to vote "nay" is against it, I understand.

The VICE-PRESIDENT. The Senators are correct. The roll call will proceed.

The Secretary resumed the calling of the roll.

Mr. FAULKNER (when Mr. CAMDEN's name was called). My colleague [Mr. CAMDEN] is necessarily detained from the Senate this morning, and is paired with the Senator from South Dakota [Mr. PETTIBREW].

Mr. QUAY (when Mr. CAMERON's name was called). My colleague [Mr. CAMERON] is paired with the Senator from Vermont [Mr. MORRILL].

Mr. CULLOM (when his name was called). I have a general pair with the Senator from Delaware [Mr. GRAY]. By an arrangement with the Senator from West Virginia [Mr. FAULKNER] I transfer that pair to the Senator from Rhode Island [Mr. ALDRICH] and vote. I vote "yea."

Mr. DIXON (when his name was called). I have a general pair with the Senator from Mississippi [Mr. WALTHALL]. In his absence I withhold my vote.

Mr. FAULKNER (when his name was called). The pair which I have with the Senator from Rhode Island [Mr. ALDRICH] has been transferred to the Senator from Delaware [Mr. GRAY]. I vote "nay."

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH]. If he were here he would vote "yea" and I should vote "nay."

Mr. GIBSON (when his name was called). I am paired with the Senator from Michigan [Mr. STOCKBRIDGE]. If he were present he would vote "yea" and I should vote "nay."

Mr. IRBY (when his name was called). I am paired with the Senator from California [Mr. STANFORD]. If he were present I should vote "nay."

Mr. MORRILL (when his name was called). I promised the Senator from Pennsylvania [Mr. QUAY] that I would pair with his colleague [Mr. CAMERON], and I withhold my vote.

Mr. PETTIBREW (when his name was called). I am paired with the Senator from West Virginia [Mr. CAMDEN]. I transfer my pair to the Senator from Montana [Mr. SANDERS], and vote "yea."

Mr. PLATT (when his name was called). My colleague [Mr. HAWLEY] is necessarily absent from the Senate to-day and I have paired with him on this question. If he were present he would vote "nay" and I should vote "yea."

Mr. RANSOM (when his name was called). I am paired with the Senator from Maine [Mr. HALE]. If he were present I should vote "yea."

Mr. WHITE (when his name was called). I am paired with the Senator from California [Mr. FELTON]. If he were present I should vote "nay."

Mr. WILSON (when his name was called). I have a general pair with the Senator from Georgia [Mr. COLQUITT], but I transfer that pair to the Senator from Wyoming [Mr. WARREN], and vote "yea."

The roll call was concluded.

Mr. DAWES. The Senator from Alabama [Mr. MORGAN] being absent, and not knowing how he would vote I withheld my vote, being paired with him.

Mr. WILSON (after having voted in the affirmative). On further information with respect to this question, I desire to withdraw the pair I announced between the Senator from Wyoming [Mr. WARREN] and the Senator from Georgia [Mr. COLQUITT], and let my pair stand with the Senator from Georgia [Mr. COLQUITT]. I withdraw my vote.

Mr. BERRY. I desire to ask if the Senator from Rhode Island [Mr. DIXON] announced a pair with the Senator from Mississippi [Mr. WALTHALL]. I will state that the Senator from Mississippi [Mr. WALTHALL] is paired with the Senator from Rhode Island [Mr. DIXON].



Mr. GALLINGER. I have been informed—the information may have been incorrect—that those alleys are owned by the Government. The Senator from Nebraska seems to state to the contrary.

Mr. MANDERSON. I stated nothing of that kind, nothing that could be construed that way.

Mr. GALLINGER. I appeal to the RECORD to show that the Senator said the Government owns 62,000 feet. If the Government owns the alleys, the Senator stated incorrectly the number of feet the Government owns. If the Government does own 83,000 feet, as I asserted a little while ago, it will cost \$3 a foot for additional property \$39,000 to get as much ground as there is in the Johnson lot.

Mr. MANDERSON. Let me repeat what I said. I said that the present Government Printing Office and warehouse owned by the Government occupy 62,000 square feet; that to buy the whole block the Government would have to purchase from private owners 155,000 square feet, and there are contained in the alleys, which of course belong to the Government, 18,584 square feet, making 235,000 square feet in the block. I do not see how the Senator from New Hampshire could have misunderstood me, for I read it exactly from the paper from which I read now.

Mr. BUTLER. Mr. President—

Mr. GALLINGER. If the Senator from South Carolina will yield just one moment, I rise simply to make a statement that I had no purpose to misrepresent the chairman of the Committee on Printing, and I think when the RECORD is read to-morrow morning it will be found I did not misrepresent him. I merely want to make the additional remark that it should be borne in mind the warehouses which are now on the present site, which are commodious, which are fire-proof, which are comparatively new, will save the Government \$100,000 in addition.

Mr. BUTLER. I was just going to state that if economy is what we are after, and I presume everybody is after economy in these days, the Senator from New Hampshire [Mr. GALLINGER] has demonstrated to the satisfaction of my mind that it would be very much cheaper for the Government to buy the additional ground near the present site of the Public Printing Office than to buy the Johnson lot.

The Committee on Printing have complained that some of us have not agreed with their report. The difficulty has been that they do not appear to be entirely consistent about it. At the last session of Congress that committee came in and, I believe, with practical unanimity recommended the purchase of what is known as the baseball lot. Now they come in and recommend the purchase of the Johnson lot. It turns out that in the baseball lot, which had the recommendation of the committee, there was not a foot of it that was not made ground, the Tiber Creek running through it.

Mr. MANDERSON. That is a great mistake. Far less of it was made ground than there is made ground on the Malone tract.

Mr. BUTLER. Of the baseball lot?

Mr. MANDERSON. Of the baseball lot, which I described yesterday, and I can not understand how the Senator can have any different impression. I showed by the map yesterday exactly the course of Tiber Creek from one side of the Malone tract to the other, and on the baseball lot Tiber Creek ran through by a small corner and did not pass from side to side.

Mr. BUTLER. But what are the facts about how much of the ground is made ground? I understood all of it is.

Mr. MANDERSON. Of the baseball lot?

Mr. BUTLER. Of the baseball lot.

Mr. MANDERSON. Oh, no, the Senator is mistaken about that.

Mr. BUTLER. How much of it is made ground?

Mr. MANDERSON. Probably one-third of it is made ground. That is filled from the depth of 1 foot to about 10 feet.

Mr. BUTLER. I am informed by the Senator from Missouri that one-half of it is made ground.

Mr. MANDERSON. That is a mistake.

Mr. BUTLER. However, that is not before the Senate. What I wish to call the attention of the Senate to is the fact that the Senator from New Hampshire [Mr. GALLINGER] has demonstrated that it would be cheaper to buy the additional ground near the present site than to buy the Johnson lot, which is in between two railroads and which is inaccessible except at great peril to life and limb on the part of those who have to pass to and from it. I shall vote for the amendment of the Senator from New Hampshire.

The VICE-PRESIDENT. The roll will be called on agreeing to the amendment to the amendment.

The Secretary proceeded to call the roll and Mr. ALLISON responded in the negative.

Mr. GEORGE. I do not understand the question.

The VICE-PRESIDENT. The question is on the amendment of the Senator from New Hampshire [Mr. GALLINGER] to the amendment of the Senator from Nebraska [Mr. MANDERSON].

Mr. BATE. Let the amendment to the amendment be read.

The VICE-PRESIDENT. It will be again read.

Mr. GALLINGER. I will state that my amendment simply contemplates an enlargement of the present site. That will satisfy Senators without having the amendment read.

Mr. VEST. There is no use to read it.

Mr. MANDERSON. Let the amendment be read.

The CHIEF CLERK. Strike out all after the word "ninety," in line 12 of the amendment proposed by Mr. MANDERSON, and insert:

And that the Secretary of the Treasury, the Secretary of the Interior, and the Architect of the Capitol Extension, acting as a board, be, and they are hereby, empowered and instructed to acquire, as hereinafter provided, such additional part of square No. 624, in the city of Washington, D. C., as may be deemed necessary for the needs of the Government Printing Office, which said square is bounded as follows: On the east by North Capitol Street, on the north by H Street North, on the west by First Street West, and on the south by G Street North; and the Secretary of the Treasury is hereby directed to pay out of the sum heretofore mentioned such amount as may be found necessary, when duly approved by the Attorney-General of the United States, conveying to the United States said property heretofore mentioned, shall be delivered to him: *Provided*, That such sum does not exceed the amount of said \$250,000.

That for the purpose of acquiring said real estate the said board may purchase the same, or any part thereof, from the owner or owners; and if the said board shall be unable so to purchase the same, or any part or parts thereof, at a price that, in their opinion, is reasonable, they may institute legal proceedings for the condemnation thereof.

Mr. MITCHELL. I wish to know whether if this amendment is adopted it is intended to take the place of that which is recommended by the committee?

Mr. MANDERSON. It is a substitute, I understand.

Mr. JONES of Arkansas. I rise to a parliamentary inquiry. Is this interruption of the roll call in order?

The VICE-PRESIDENT. It is not in order except by unanimous consent.

Mr. JONES of Arkansas. I insist that the roll shall be called.

The VICE-PRESIDENT. The roll call was interrupted by Senators desiring to have the question stated.

Mr. WASHBURN. I call for the regular order.

The VICE-PRESIDENT. The roll will be called.

The Secretary resumed the calling of the roll.

Mr. BLACKBURN (when his name was called). I again announce my pair on this question with the junior Senator from New York [Mr. HILL].

Mr. CALL (when his name was called). I announce my pair with the Senator from Vermont [Mr. PROCTOR]. I do not know how he would vote, and therefore withhold my vote.

Mr. DAWES (when his name was called). I announce my pair with the Senator from Alabama [Mr. MORGAN].

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. GIBSON (when his name was called). I again announce my pair with the Senator from Michigan [Mr. STOCKBRIDGE]. If he were present he would vote "yea" and I should vote "nay."

Mr. GORDON (when his name was called). I am paired with the Senator from Wyoming [Mr. WARREN].

Mr. PETTIGREW (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. CAMPEN] to the Senator from Montana [Mr. SANDERS], and vote "yea."

Mr. PLATT (when his name was called). My colleague [Mr. HAWLEY] is absent to-day. He would vote against this proposition and I vote against it. I vote "nay."

Mr. GEORGE (when Mr. WALTHALL's name was called). My colleague [Mr. WALTHALL] is paired with the Senator from Rhode Island [Mr. DIXON]. If my colleague were present he would vote "nay."

Mr. WASHBURN (when his name was called). I am paired with the Senator from Connecticut [Mr. HAWLEY]. If he were present I should vote "yea."

Mr. WILSON (when his name was called). I again announce my pair with the Senator from Georgia [Mr. COLQUITT], and withhold my vote, not knowing how he would vote.

The roll call was concluded.

Mr. FAULKNER. Under the transfer of pairs, so that the Senator from Rhode Island [Mr. ALDRICH] stands paired with the Senator from Delaware [Mr. GRAY], I vote "nay."

The result was announced—yeas 14, nays 34; as follows:

YEAS 14			
Blodgett,	Gallinger,	Power,	Teller,
Butler,	Jones, Nev.,	Sawyer,	Vest,
Carey,	Perkins,	Shoup,	
Davis,	Pettigrew,	Stewart,	
NAYS 34			
Allison,	Caffery,	Cole,	Faulkner,
Bate,	Chandler,	Callahan,	Frye,
Berry,	Cockrell,	Dubois,	Hansbrough,



Mr. GALLINGER. I have been informed—the information may have been incorrect—that those alleys are owned by the Government. The Senator from Nebraska seems to state to the contrary.

Mr. MANDERSON. I stated nothing of that kind, nothing that could be construed that way.

Mr. GALLINGER. I appeal to the RECORD to show that the Senator said the Government owns 62,000 feet. If the Government owns the alleys, the Senator stated incorrectly the number of feet the Government owns. If the Government does own 83,000 feet, as I asserted a little while ago, it will cost \$3 a foot for additional property \$60,000 to get as much ground as there is in the Johnson lot.

Mr. MANDERSON. Let me repeat what I said. I said that the present Government Printing Office and warehouse owned by the Government occupy 62,000 square feet; that to buy the whole block the Government would have to purchase from private owners 155,000 square feet, and there are contained in the alleys, which of course belong to the Government, 18,584 square feet, making 235,000 square feet in the block. I do not see how the Senator from New Hampshire could have misunderstood me, for I read it exactly from the paper from which I read now.

Mr. BUTLER. Mr. President—

Mr. GALLINGER. If the Senator from South Carolina will yield just one moment, I rose simply to make a statement that I had no purpose to misrepresent the chairman of the Committee on Printing, and I think when the RECORD is read to-morrow morning it will be found I did not misrepresent him. I merely want to make the additional remark that it should be borne in mind the warehouses which are now on the present site, which are commodious, which are fireproof, which are comparatively new, will save the Government \$100,000 in addition.

Mr. BUTLER. I was just going to state that if economy is what we are after, and I presume everybody is after economy in these days, the Senator from New Hampshire [Mr. GALLINGER] has demonstrated to the satisfaction of my mind that it would be very much cheaper for the Government to buy the additional ground near the present site of the Public Printing Office than to buy the Johnson lot.

The Committee on Printing have complained that some of us have not agreed with their report. The difficulty has been that they do not appear to be entirely consistent about it. At the last session of Congress that committee came in and, I believe, with practical unanimity recommended the purchase of what is known as the baseball lot. Now they come in and recommend the purchase of the Johnson lot. It turns out that in the baseball lot, which had the recommendation of the committee, there was not a foot of it that was not made ground, the Tiber Creek running through it.

Mr. MANDERSON. That is a great mistake. Far less of it was made ground than there is made ground on the Mahone tract.

Mr. BUTLER. Of the baseball lot?

Mr. MANDERSON. Of the baseball lot, which I described yesterday, and I can not understand how the Senator can have any different impression. I showed by the map yesterday exactly the course of Tiber Creek from one side of the Mahone tract to the other, and on the baseball lot Tiber Creek ran through but a small corner and did not pass from side to side.

Mr. BUTLER. But what are the facts about how much of the ground is made ground? I understand all of it is.

Mr. MANDERSON. Of the baseball lot?

Mr. BUTLER. Of the baseball lot.

Mr. MANDERSON. Oh, no, the Senator is mistaken about that.

Mr. BUTLER. How much of it is made ground?

Mr. MANDERSON. Probably one-third of it is made ground. That is filled from the depth of 1 foot to about 10 feet.

Mr. BUTLER. I am informed by the Senator from Missouri that one-half of it is made ground.

Mr. MANDERSON. That is a mistake.

Mr. BUTLER. However, that is not before the Senate. What I wish to call the attention of the Senate to is the fact that the Senator from New Hampshire [Mr. GALLINGER] has demonstrated that it would be cheaper to buy the additional ground near the present site than to buy the Johnson lot, which is in between two railroads and which is inaccessible except at great peril to life and limb on the part of those who have to pass to and from it. I shall vote for the amendment of the Senator from New Hampshire.

The VICE-PRESIDENT. The roll will be called on agreeing to the amendment to the amendment.

The Secretary proceeded to call the roll and Mr. ALLISON responded in the negative.

Mr. GEORGE. I do not understand the question.

The VICE-PRESIDENT. The question is on the amendment of the Senator from New Hampshire [Mr. GALLINGER] to the amendment of the Senator from Nebraska [Mr. MANDERSON].

Mr. BATE. Let the amendment to the amendment be read.

The VICE-PRESIDENT. It will be again read.

Mr. GALLINGER. I will state that my amendment simply contemplates an enlargement of the present site. That will satisfy Senators without having the amendment read.

Mr. VEST. There is no use to read it.

Mr. MANDERSON. Let the amendment be read.

The CHIEF CLERK. Strike out all after the word "ninety," in line 12 of the amendment proposed by Mr. MANDERSON, and insert:

And that the Secretary of the Treasury, the Secretary of the Interior, and the Architect of the Capitol Extension, acting as a board, i. e., and they are hereby empowered and instructed to acquire, as hereinafter provided, such additional part of square No. 624, in the city of Washington, D. C., as may be deemed necessary for the needs of the Government Printing Office, which said square is bounded as follows: On the east by North Capitol street, on the north by H street north, on the west by First street west, and on the south by G street north; and the Secretary of the Treasury is hereby directed to pay out of the sum heretofore mentioned such amount as may be found necessary, when deeds duly approved by the Attorney-General of the United States, conveying to the United States said property heretofore mentioned, shall be delivered to him: *Provided*, That such sum does not exceed the amount of said \$250,000.

That for the purpose of acquiring said real estate the said board may purchase the same, or any part thereof, from the owner or owners; and if the said board shall be unable so to purchase the same, or any part or parts thereof, at a price that, in their opinion, is reasonable, they may institute legal proceedings for the condemnation thereof.

Mr. MITCHELL. I wish to know whether if this amendment is adopted it is intended to take the place of that which is recommended by the committee?

Mr. MANDERSON. It is a substitute, I understand.

Mr. JONES of Arkansas. I rise to a parliamentary inquiry. Is this interruption of the roll call in order?

The VICE-PRESIDENT. It is not in order except by unanimous consent.

Mr. JONES of Arkansas. I insist that the roll shall be called.

The VICE-PRESIDENT. The roll call was interrupted by Senators desiring to have the question stated.

Mr. WASHBURN. I call for the regular order.

The VICE-PRESIDENT. The roll will be called.

The Secretary resumed the calling of the roll.

Mr. BLACKBURN (when his name was called). I again announce my pair on this question with the junior Senator from New York [Mr. HILL].

Mr. CALL (when his name was called). I announce my pair with the Senator from Vermont [Mr. PROCTOR]. I do not know how he would vote, and therefore withhold my vote.

Mr. DAWES (when his name was called). I announce my pair with the Senator from Alabama [Mr. MORGAN].

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. POLK].

Mr. GIBSON (when his name was called). I again announce my pair with the Senator from Michigan [Mr. STOCKBRIDGE]. If he were present he would vote "yea" and I should vote "nay."

Mr. GORDON (when his name was called). I am paired with the Senator from Wyoming [Mr. WARREN].

Mr. PETTIGREW (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. CAMDEN] to the Senator from Montana [Mr. SANDERS], and vote "yea."

Mr. PLATT (when his name was called). My colleague [Mr. HAWLEY] is absent to-day. He would vote against this proposition and I vote against it. I vote "nay."

Mr. GEORGE (when Mr. WATBALL's name was called). My colleague [Mr. WATBALL] is paired with the Senator from Rhode Island [Mr. DIXON]. If my colleague were present he would vote "nay."

Mr. WASHBURN (when his name was called). I am paired with the Senator from Connecticut [Mr. HAWLEY]. If he were present I should vote "yea."

Mr. WILSON (when his name was called). I again announce my pair with the Senator from Georgia [Mr. COLQUITT], and withhold my vote, not knowing how he would vote.

The roll call was concluded.

Mr. FAULKNER. Under the transfer of pairs, so that the Senator from Rhode Island [Mr. ALDRICH] stands paired with the Senator from Delaware [Mr. GRAY], I vote "nay."

The result was announced—yeas 14, nays 34; as follows:

YEAS—14			
Blodgett,	Gallinger,	Power,	Teller,
Kutler,	Jones, Nev.,	Sawyer,	Vest,
Carry,	Perkins,	Shoup,	
Davis,	Pettigrew,	Stewart,	
NAYS—34			
Allison,	Callery,	Coke,	Faulkner,
Bate,	Chandler,	Callon,	Frye,
Berry,	Cockrell,	Dubois,	Hansbrough,

Harris,  
Huntton,  
Jones, Ark.  
Kyle,  
Lindsay,  
McMillan.

Mandersen,  
Mills,  
Mitchell,  
Morrill,  
Paddock,  
Palmer.

Pfeffer,  
Platt,  
Pugh,  
Quay,  
Sherman,  
Turpie.

Vanoy,  
Vilas,  
Voorhees,  
White.

## NOT VOTING—49

Aldrich,  
Allen,  
Blackburn,  
Brice,  
Call,  
Cameron,  
Cameron,  
Casey,  
Colquitt,  
Daniel.

Dawes,  
Dixon,  
Doyle,  
Felton,  
Gibbs,  
Gordon,  
Gorman,  
Gray,  
Hale.

Hawley,  
Higgins,  
Hill,  
Hiscock,  
Hoar,  
Hobbs,  
McPherson,  
Morgan,  
Pasco,  
Proctor.

Ransom,  
Sanborn,  
Sargent,  
Stanford,  
Stearns,  
Wadsworth,  
Warren,  
Washburn,  
Wilson,  
Woolcott.

So the amendment to the amendment was rejected.

**THE VICE-PRESIDENT.** The question recurs on agreeing to the amendment of the Senator from Nebraska [Mr. MANDERSON].

Mr. VEST. I should like to know whether the Committee on Appropriations favor this amendment. I will ask the chairman of the committee what is the attitude of his committee on the question. We have heard so much to-day about the paramount authority of the committee that reports a bill, I want to know now, between the Committee on Appropriations, which has charge of the sundry civil appropriation bill, and the Committee on Printing, which offers this amendment against the report of the Committee on Appropriations, how the latter committee stands.

Mr. ALLISON. I do not know that the Committee on Appropriations is especially called upon to decide as respects this subject. I will state that the Committee on Appropriations, when this matter was under discussion in the committee, was divided. We had seen in former days the gentle and friendly struggles between the Committee on Public Printing and the Committee on Public Buildings and Grounds, and we concluded it was wise on the part of the Committee on Appropriations to keep a situation of quiet neutrality—

Mr. VEST. Mr. President—

Mr. ALLISON. If the Senator will allow me to proceed—as we did not feel that it was necessary for us to indulge in any fights upon this floor upon these subjects, which were sufficiently taken care of by the Senator from Missouri and the Senator from Nebraska. That was our attitude.

Mr. VEST. Will the Senator allow me?

Mr. ALLISON. Occupying myself a midway position between the two Senators, I felt especially in a condition not to mingle very much in the struggle.

Mr. VEST. Will the Senator—

Mr. ALLISON. I decline to yield for a moment, because I wish to finish the line of thought I have in mind.

**THE VICE-PRESIDENT.** The Senator from Iowa has the floor and will proceed.

Mr. ALLISON. Two or three years ago I myself endeavored to follow the Committee on Public Printing in its support of the purchase of what is known as the baseball lot, and I struggled here for some time in support of the Committee on Public Printing in favor of that plan. We were told on this floor that it was artificial ground, and that it was unfit for the purposes of a Public Printing Office, because you could not get a secure foundation. I went to the trouble of inquiring of the Architect of the Capitol whether it was a practical thing to secure a good foundation for a building at that point, and I was informed that there was no difficulty about it; that it is true a portion of it was artificially made ground, but by a little excavation, etc., perhaps piling a little, an absolutely good foundation could be secured. So the matter went on. The struggle we have seen here to-day is in some respects the struggle of two or three years ago.

Then the Committee on Printing took further jurisdiction of this subject, and after some investigation report to us that as compared between the Mahone lot and the Johnson lot I believe those are the designations now, the Johnson lot is the best, because it is on the whole the cheapest, and that it can be purchased for \$1 a foot and the Mahone lot would cost \$1.35 a foot.

I was rather inclined to support the Committee on Public Printing in that view, because I believed and still believe that \$1.35 a foot is too much for ground in the neighborhood of the Mahone lot or for that particular ground, being 800 feet long and some two or three hundred feet in width; but I found as the debate progressed that the Mahone lot could be purchased for \$1.10 a foot, by the consent of the Senator from Missouri, who modified his amendment.

As for myself, and I have no worriment about this matter, I shall be content to yield to the judgment of a majority of the Senate as respects this question, whatever it may think about it; but according to my view, at \$1.10 a foot for what is known as the Mahone lot as compared with \$1 for the other, the Mahone

lot is the most desirable. That is only my own opinion. Therefore I so vote. I think, however, that both lots are higher than they are used for, and ought to be.

Now we turn to the bill reported by the Senator from Mississippi. The Committee on Appropriations have taken no action in regard to it. I am not sure that it is a very important bill, but I think it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered.

I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered.

Mr. VEST. Mr. President, I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered.

Now we turn to the bill reported by the Senator from Mississippi. The Committee on Appropriations have taken no action in regard to it.

The record of the Senate shows that the Committee on Appropriations rejected the proposed bill. The amendment was offered by the Committee on Appropriations, and under the rules of the Senate, it is the duty of the Committee on Appropriations to report the bill to the Senate. The Senate has not yet acted on the bill.

I do not care to discuss again the question of the bill. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered.

Mr. ALLISON. Mr. President, I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered.

Mr. VEST. As a matter of course, I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered.

Mr. ALLISON. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered.

Mr. DAVIS. In his seat. And so the bill is passed.

Mr. ALLISON. And so the bill is passed. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered.

Mr. MANDERSON. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered.

Mr. ALLISON. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered.

Mr. VEST. Not a bill.

Mr. MANDERSON. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered.

Mr. VEST. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered.

Mr. ALLISON. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered.

Now, we found the bill reported by the Senator from Mississippi. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered. I am not sure that it is a bill that should be considered.



is voted up or voted down, personally it makes very little difference, I think, to the members of the Committee on Appropriations. We made such investigation as we could with the brief time we had, and we decided that we would not recommend to the Senate the amendment of the Committee on Public Printing.

Mr. MANDERSON. Did you recommend the other amendment?

Mr. ALLISON. We decided also that we would not recommend the amendment proposed by the Committee on Public Buildings and Grounds, but like other Senators we thought we would hear these belligerent forces in this Chamber discuss the question and vote as we thought it wise to vote when the time came.

Mr. CULLOM. Individually.

Mr. ALLISON. Each member of the committee for himself. I so voted. The Senator from Missouri does not seem to be satisfied with my vote. He not only wants me to vote in favor of his amendment, but he wants me to take on my shoulders the fight he has with the Senator from Nebraska and become belligerent as to the Senator from Nebraska in place of himself.

Mr. VEST. Oh, no.

Mr. ALLISON. I am perfectly willing to do the best I can for the Senator in voting for his amendment, but when he asks me or the Committee on Appropriations to get into this ring where there is a sharp and active battle, I must respectfully decline, because I have an opinion that it would be wiser for me to keep in the shade under such circumstances. [Laughter.]

The VICE-PRESIDENT. The question is upon agreeing to the amendment of the Senator from Nebraska [Mr. MANDERSON].

Mr. MANDERSON and Mr. VEST called for the yeas and nays, and they were ordered.

The VICE-PRESIDENT. The roll will be called.

The Secretary proceeded to call the roll.

Mr. BLACKBURN (when his name was called). I am paired with the Senator from New York [Mr. HILL] on this subject.

Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR].

Mr. DAWES (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN].

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH]. I do not know how he would vote. If he were present I should vote "yea."

Mr. GIBSON (when his name was called). As I before announced, I am paired with the Senator from Michigan [Mr. STOCKBRIDGE]. If he were present he would vote "nay" and I should vote "yea."

Mr. GORDON (when his name was called). I am paired with the Senator from Wyoming [Mr. WARREN].

Mr. IRBY (when his name was called). I am paired with the Senator from California [Mr. STANFORD]. If he were present I should vote "yea."

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY]. If he were present I should vote "nay."

Mr. PETTIGREW (when his name was called). I again announce that I transfer my pair with the Senator from West Virginia [Mr. CAMPEN] to the Senator from Montana [Mr. SANDERS], and vote "nay."

Mr. PLATT (when his name was called). On this amendment I am paired with my colleague [Mr. HAWLEY]. If he were present he would vote "yea" and I should vote "nay."

Mr. RANSOM (when his name was called). I see that the junior Senator from Maine [Mr. FRYE] votes "nay," and I understand that I am at liberty to vote. I vote "nay."

Mr. WHITE (when his name was called). I am paired with the Senator from California [Mr. FELTON].

Mr. WILSON (when his name was called). I wish to announce my pair with the Senator from Georgia [Mr. COLQUITT]. Not knowing how he would vote I withhold my vote.

The roll call was concluded.

Mr. McMILLAN (after having voted in the affirmative). I voted thinking that the Senator from North Carolina [Mr. VANCE] was in the Chamber. As he is not present I withdraw my vote.

Mr. PLATT. I understand that a pair has been arranged between my colleague [Mr. HAWLEY] and the Senator from Pennsylvania [Mr. CAMERON].

Mr. QUAY. I had just risen to announce that pair.

Mr. PLATT. Therefore I am at liberty to vote. I vote nay.

Mr. QUAY. I desire to announce the pair of my colleague [Mr. CAMERON] with the Senator from Connecticut [Mr. HAWLEY].

Mr. PASCO. I am informed by the Senator from North Dakota [Mr. HANSBROUGH] that his colleague [Mr. CASEY] if pres-

ent would vote nay. I therefore feel at liberty to vote, and vote nay.

Mr. DIXON. I have a general pair with the Senator from Mississippi [Mr. WALTHALL]. In his absence I withhold my vote. My colleague [Mr. ALDRICH], who is absent, is paired with the Senator from Delaware [Mr. GRAY].

Mr. RANSOM. At the suggestion of the Senator from Nebraska [Mr. MANDERSON], I withdraw my vote.

Mr. MANDERSON. Being paired with the Senator from Maine [Mr. HALE].

Mr. RANSOM. Being paired with the Senator from Maine [Mr. HALE].

Mr. HUNTTON. My colleague [Mr. DANIEL] is paired with the Senator from Washington [Mr. SQUIRE] for the day.

Mr. McPHERSON. I am paired with the Senator from Delaware [Mr. HIGGINS]. If he were present I should vote "nay."

The result was announced—yeas 21, nays 28; as follows:

YEAS—21.			
Bate,	Faulkner,	Kyle,	Peffer,
Caffery,	Gorman,	Lindsay,	Turpie,
Chandler,	Hansbrough,	Manderson,	Vilas,
Cockrell,	Harris,	Mills,	
Coke,	Hiscock,	Morrill,	
Dickols,	Jones, Ark.,	Paddock,	
NAYS—28.			
Allison,	Davis,	Pasco,	Sawyer,
Berry,	Frye,	Perkins,	Sherman,
Blodgett,	Gallinger,	Pettigrew,	Stewart,
Brown,	Huntton,	Platt,	Teller,
Butler,	Jones, Nev.,	Power,	Vest,
Carey,	Mitchell,	Pugh,	Washington,
Cullom,	Palmer,	Quay,	Wolcott,
NOT VOTING—39.			
Aldrich,	Dixon,	Hill,	Squire,
Allen,	Dolph,	Hoar,	Stanford,
Blackburn,	Felton,	Irby,	Stockbridge,
Call,	George,	McMillan,	Vance,
Campden,	Gibson,	McPherson,	Voorhees,
Cameron,	Gordon,	Morgan,	Walthall,
Cassidy,	Gray,	Proctor,	Warren,
Colquitt,	Hale,	Ransom,	White,
Daniel,	Hawley,	Sanders,	Wilson,
Dawes,	Higgins,	Shoup,	

So the amendment was rejected.

Mr. QUAY. In the absence of the Senator from Connecticut [Mr. HAWLEY], and at his request, I offer an amendment to come in at the close. It is a proposition to mark the line of battle or position occupied by the Army of Northern Virginia at Gettysburg. The measure has passed the Senate twice and is on the Calendar of the House of Representatives, but it can not pass there unless it shall be attached to this bill. I sincerely trust the chairman of the Committee on Appropriations will not make the point of order.

Mr. ALLISON. I merely wish to make a suggestion. That is a long amendment, and there is considerable legislation connected with it. I think it has not been reported from any committee; I have no recollection that it has been.

Mr. QUAY. It has not been reported as an amendment from any committee, but it has as a bill twice passed the Senate. I sincerely trust the Senator from Iowa will allow it to be attached to this bill.

Mr. ALLISON. I suggest to the Senator from Pennsylvania that he withhold it for a time until I can make some further examination of it, when I may withhold further objection.

Mr. QUAY. Then I withdraw the amendment and will offer it again at another time.

I desire to offer another amendment to come in on page 3, line 5. I will state to the chairman of the Committee on Appropriations that this amendment has not been reported from a committee, and therefore is, I believe, subject to a point of order.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The amendment will be stated.

The CHIEF CLERK. On page 3, line 5, after the amendment already agreed to, insert:

That the Secretary of the Interior be, and he hereby is, authorized and directed to purchase all of lot 19, in square 683, situated in the city of Washington, D. C., as laid out and recorded in the original plat of the city and district aforesaid, lying on the west side of Delaware avenue, between C and D streets northeast, and adjoining lot 11 in same square, now the property of the United States, and containing 1,208 square feet, at a price not exceeding \$250, which sum is hereby appropriated for said purpose, upon proof of a perfect title and the execution of the United States of a deed good and sufficient in law, and on final approval by the Attorney-General; said ground to be used for the erection of a suitable building for general storage purposes connected with the United States Capitol.

Mr. ALLISON. I make the point of order on that amendment.

The PRESIDING OFFICER. The Chair rules that the point of order is well taken.

Mr. QUAY. I offer another amendment, to come in at the end of the bill.



us what the current expenses are, but I will save him the trouble:

Pay of on-duty and non-commissioned officers of the home, with such exceptions as the Senator noted; and their clerks and orderlies; also payment for chaplains and religious instruction, printers, bookbinders, telegraph and telephone operators, guards, policemen, watchmen, and the country, for all property and materials purchased for their use, including room rent, food by the home; for necessary expenditures for articles of apparel, books, library books, magazines, papers, pictures, and musical instruments, invariants and miscellaneas, and for repairs not done by the home; also for stationery, advertising, legal advice, and postage, and for such other expenditures as can not properly be included under other heads of expenditures.

The other House appropriated \$15,000.

Mr. ALLISON. What page is the Senator reading from?

Mr. HAWLEY. On page 84. On page 91, lines 13 to 17 inclusive is the first item for the Pacific Branch. I will not move to increase that item, though it is wretchedly insufficient, knowing how difficult it is to get anything. I go on to page 92, lines 3 and 4, "for the transportation of members of the home, \$3,000." The estimate is \$5,000. There are 600 old soldiers in California waiting for an opportunity to get into that home. I do not know but the chairman of the committee knows all this already, but it is my duty to wait until he shall hear me.

I say there are 600 old soldiers in California waiting to get into the Santa Monica Home. The estimate was \$5,000 for indispensable transportation. The appropriation in the bill as it came from the other House was \$3,000. There are 882 men now in that home. There were 681 last year, and during the next fiscal year, for which the estimate is made, there will be a still larger number. Yet the other House seems to think and the Senate committee did not interfere that a reduction of 30 per cent in the appropriation for transportation can be made. The gentlemen who are managers of these homes are men whom nearly all Senators know. They are among the best men of the several States. They know all about their business. They are perfectly aware of the extraordinary pressure for reduction of expenses in every department, and they tell you distinctly that they can not comply with existing laws under those figures.

There is another point. I will go back to page 91. In the appropriations for the same home, the Santa Monica Home, the estimate for subsistence based upon the almost absolute certainty of an increase in the numbers is \$82,125. I will throw off the \$125. With a certainty of an increase, the bill, as passed by the other House, says \$70,000 instead of \$82,000. As I told the Senate, last year the number was 683. Now, there are 882 members of the home, and during the fiscal year for which we are appropriating it is certain to be a thousand and over.

What is the logic of such an appropriation? If you had ten men to feed last year and had no money left over, and have twenty men to feed the next year, it is quite useless to appropriate 50 per cent more than you did last year because the appropriations for fifteen men will not feed twenty men. The result of the passage of this bill will be simply to say to the 600 soldiers in California, the whole of them, you can not get your railway tickets to the home, and if you get there you can not be fed. That is to say, you will have to live on about 20 per cent less than the ordinary fare. I will first move to increase the appropriation for subsistence; that is to say, on page 91, in line 19, before the word "thousand," I move to strike out "seventy" and insert "eighty-two."

Mr. GORMAN. Let the amendment be stated.

The VICE-PRESIDENT. The amendment will be reported.

The SECRETARY. In line 19, page 91, it is proposed to strike out "seventy" and insert "eighty-two," so as to read:

For subsistence, including the same object specified under this head for the Central branch, \$82,000.

The VICE-PRESIDENT. The question is concurring to the amendment of the Senator from Connecticut.

Mr. GORMAN. Mr. President, I have been quite in sympathy with the Senator from Connecticut and all others who want to make ample provision for these homes. This is a small increase if it is true, but I submit to the Senator and to the Senate that we have made ample provision for the soldiers in the homes. If the Senate does not, the country does realize where we are going to in this matter. Contained in this bill for the various homes under the control of the board there is an appropriation, as the bill came here, of two million six hundred and seventeen thousand and odd dollars, which has been increased somewhat by the recommendation of the committee.

In addition to that, for the Territorial homes there is an appropriation of \$750,000, making over \$3,000,000 contained in this one bill for the various homes, and nearly every inmate of the homes is drawing a pension from the Government of from \$8 to \$20 a month and no deductions are made from those pensions. Notwithstanding this very liberal, this very extraordinary appropriation for their support in these homes, here comes a bill which I have now before me, which we shall consider in a day or two,

and the main appropriation contained in it for pensions is \$165,000,000. One hundred and sixty-five million dollars, Mr. President, for pensions, and almost every one of the inmates of these homes is drawing a portion of it. One hundred and sixty-five million dollars for pensions and to support the homes \$3,000,000, making a total of \$168,000,000.

As certain as the sun will rise on the 1st day of July next there will be a deficiency of from thirteen to fifteen million dollars. No man can tell how much. I submit that it is time to halt and to say that this matter shall terminate at some point short of absolute bankruptcy to the Treasury.

I have never by any vote of mine or by my voice advocated a proposition to deprive these gallant men of proper compensation, nor have I voted against the proposition to give them fair and comfortable treatment in these homes, but I submit to the Senator that there is a limit to all of these things, and the excess to which we are going now by amendments such as the one proposed by the Senator from Connecticut will react.

The pendulum will swing on the other side, just as it did in the revenue measures. One excess will produce another, one extreme beget another.

I hope the Senator from Connecticut, who was a gallant soldier in the Union army himself, who has a soft spot naturally for these gallant old men, will not press us to make additional appropriations. We have been liberal beyond the liberality of any other people in the world. Why force additional appropriations when there is no necessity for them?

Mr. HAWLEY. Mr. President, I shall force it with all my power on this particular matter. I have no soft spot. I have simply the law before me. If the Senator or the new Administration, the new Congress, the new party, the compound party that is coming into power, desire to cut down the pensions, that is quite another question. I hope they will give a thorough inspection to the list of pensioners and drive out the frauds. If there shall not happen to be some found among two or three hundred thousand pensioners, I shall be very much surprised indeed.

But that is wholly foreign to this question. The Senator is appealing to a distrust, a distaste, a dissatisfaction in the public mind about the vast amount of pensions. He is appealing to that as against my little motion here, which is a wholly different affair. He says some of these old soldiers in the homes have pensions already. That is not the question at all. The proposition that a soldier with no wife, no children, no dependent person, shall surrender a part of his pension, leaving him enough for tobacco, etc., while the Government feeds and clothes him, is entirely a different proposition. The Senator is open to make that. I shall not raise a point of order if he proposes something of that kind in this bill or on an independent bill that shall be discussed upon its merits.

If John Smith, 65 years old, is getting a pension of \$20 a month and then goes to the home to live, I think there is an equity in saying he might surrender a part of his pension. But that is not this question. Some of these men may have pensions and some may not have pensions. They desire to go to that home. Six hundred of them are waiting for an opportunity in California, according to the statement made before the committee by Gen. Franklin, the head of the board, and he says they will not have money enough to bring as many to the home as they had last year instead of money enough to bring more to the home. They are entitled to only their transportation when they first come. That is all.

The general says there will be an increase in the California home, unquestionably, the next year. He shows the increase this year over the last. That increase is not going on forever. There is a cut down of the appropriation for subsistence from \$82,000, the estimate. It is a matter of an absolute calculation as the measure of a board by a carpenter. The other House cuts it down. It agrees to a cut from \$82,000 to \$70,000 with a certainty that \$20,000 will be required. I do not object to any discussion of the question whether a pensioner might not surrender a part of his pension when he is in the home, but that is not the question here.

Mr. ALLISON. The amendment proposed by the Senator from Connecticut is to increase by \$12,000 the appropriation for subsistence at the home at Santa Monica. Gen. Franklin appeared before the Committee on Appropriations, as also another member of the board, Gen. Sewell, who is well known to us all, and they agreed to every provision in the bill excepting the provisions respecting the home at Santa Monica and the home in the State of Indiana.

Mr. HAWLEY. That is what I said, substantially.

Mr. ALLISON. I understood the Senator to say that there were a great many things about this bill that did not meet his approval as respects these homes, and then he called especial attention to the Santa Monica home.

following bills, in which it requested the concurrence of the Senate:

A bill (H. R. 3626) to grant to the Gainesville, McCallister and St. Louis Railway Company a right of way through the Indian Territory, and for other purposes;

A bill (H. R. 8518) to authorize the Commissioner of the General Land Office to issue a patent for Mark Clement's survey, No. 386, in the Virginia military district of Ohio; and

A bill (H. R. 8677) to remove the cloud from the title to certain real estate in the city of Crawfordsville, Ind.

#### EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting an estimate of deficiency in the appropriation for burial expenses of indigent soldiers for the fiscal year ending June 30, 1893, of \$1,000, which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting the claim of Charles Gallagher for the return to him of \$9,876.39 alleged to have been unlawfully exacted of him in fees under commercial intercourse regulations; which was read.

Mr. CHANDLER. The recommendation is that the case be sent to the Court of Claims. I move that the communication and accompanying papers be referred to the Committee on Claims and printed.

The motion was agreed to.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting an estimate of deficiency in the appropriation for salaries and expenses of pension agents and rents for the fiscal year ending June 30, 1892, of \$287.50; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

#### PETITIONS AND MEMORIALS.

Mr. FRYE presented a petition of the Single Tax League of Lewiston and Auburn, Maine, praying for the establishment of a permanent census bureau, which shall show the distribution as well as the production of wealth; which was referred to the Committee on the Census.

Mr. CULLOM presented petitions of citizens of Monroe County, Ill., and of sundry citizens of the State of Illinois, praying for the appointment of a committee to investigate the combine formed to depreciate the price of grain; which were referred to the Committee on Agriculture and Forestry.

Mr. PADDOCK presented petitions of Fisher & Lawrie, architects, of Omaha, Neb.; of Henry Plan, civil engineer, of St. Louis, Mo.; and of Shepley, Rutan & Coolidge, architects, of Boston, Mass., praying for the passage of the bill proposing to appropriate \$40,000 for continuing tests of American timber; which were referred to the Committee on Appropriations.

He also presented the petition of J. J. Evans, postmaster at Waco, Neb., praying that the rate on letter postage be reduced from 2 cents to 1 cent an ounce; that the rate on newspapers and magazines and all second-class matter be increased to 5 cents per pound, and to place all classes of business enterprise upon the same footing in the way of postal privileges; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. McPHERSON. I present a petition which I think is more numerous signed and represents more capital engaged in industries than any petition I have ever seen brought before the Senate. The petitioners call attention to the fact that by the law passed in October, 1890, and known as the McKinley act, pig fin is subject to a duty of 4 cents per pound, to take effect on and after July 1, 1893, and that in all probability, in the absence of legislation at the present session of Congress, that provision will very seriously affect manufacturing industries. The petition is signed by nearly all the manufacturers and also those engaged in foundry work of all kinds. Something like 100 different companies have signed the petition. It represents an almost unknown amount of capital. I should like to have the statement of fact only, which is contained on less than one page of coarsely written matter, printed in the RECORD in order that the attention of Senators may be called to those who have petitioned in this matter, and I ask that the petition be referred to the Committee on Finance.

Mr. ALLISON. What is the petition?

Mr. McPHERSON. It is a petition calling the attention of the Congress of the United States to the fact that under the McKinley law after the 1st day of July, 1893, a tax of 4 cents a pound will be imposed upon raw tin, and asking the interference of Congress at the present session.

Mr. ALLISON. I am quite sure that Congress well understands the question. I object to the petition going into the

RECORD. I am quite willing that it shall be printed as a document.

Mr. McPHERSON. Does the Senator object to having the fact which is given in the petition stated in the RECORD so as to call the attention of Congress to the fact?

Mr. ALLISON. It does not seem to me that it would do any good to print it as a document.

The PRESIDENT *pro tempore* asked Mr. McPHERSON if he would ask unanimous consent that the petition be printed in the RECORD.

Mr. ALLISON. I do not think it is necessary.

The PRESIDENT *pro tempore* asked Mr. McPHERSON if he would ask unanimous consent that the petition be printed in the RECORD.

Mr. ALLISON. I do not think it is necessary.

Mr. COCKRELL. In connection with the bill to amend the act of Congress, approved March 3, 1882, to authorize the construction of a canal to connect the River at the most accessible point between the mouth of the river and the town of Shelby, in the State of Missouri, and the town of Shelby, in the State of Missouri, now pending before the Senate, I present resolutions adopted by a convention of the citizens of Clay County, Mo., stating that the citizens of that county as a people, and in justice to them, have adopted and proposed to, and protest against the passage of any act, and of any act which would amend or repeal any act of Congress; and we would ask the Senators and their representatives in Congress to sustain us in our position and to vote "no."

In this connection I also present resolutions of the council of the city of Kansas City, opposing the proposed change contemplated by the bill and also resolutions of the Kansas City Live Stock Exchange, and a telegram from the Commercial Club of Kansas City, dated June 15, 1893, to oppose the proposed change. I move that the resolutions be referred to the Committee on Commerce for consideration in connection with the bill.

The motion was agreed to.

Mr. PETTIGREW. I present a joint resolution of the Legislature of South Dakota, requesting and asking the repeal of any portion of the act "granting pensions to retired sailors who are incapacitated for the performance of manual labor and providing for pensions to widows, minor children, and dependent parents," approved June 27, 1890. I move that the memorial be referred to the Committee on Pensions.

The motion was agreed to.

#### REPORTS OF COMMITTEES.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (H. R. 8017) granting a pension to Joseph Voss, reported it without amendment, and recommended its passage thereon.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 261) for the relief of William R. Morgan, submitted an adverse report thereon, which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 3733) to empower Robert Adger and others to sue in the Court of Claims for rent alleged to be due to the Government, reported it without amendment, and submitted a report thereon.

Mr. JONES of Arkansas, from the Committee on Internal Affairs, to whom was referred the bill (S. 3411) authorizing the Inter-oceanic Railway Company to construct and operate a railway, telegraph, and telephone lines through the State of Kentucky, reported it with an amendment, and recommended its passage thereon.

Mr. MORRILL. I am directed by the Committee on Finance, to whom was referred the joint resolution (S. R. 14) authorizing the Commissioner of Internal Revenue to receive and certify the amount of taxes erroneously paid by corporations, if any, to report it without recommendation.

I wish to state that the joint resolution referred to relates to companies which have claims against the United States, and which have been reported against by two committees of the Senate. I desire to add to the statement that I think it would be much better that the law which binds the United States against the United States can be passed, and that the law which acts which conflict with that have not been passed, and that not be passed, as any such act would be a violation of the Constitution, and an innumerable number of claims to be made against the United States.

I suppose there are hundreds upon hundreds of the same twenty and thirty years of age, and I wish to say that I am

portion of them, if they are like those mentioned in this resolution, would not restore the amount that is claimed to the original stockholders who paid the taxes, many of whom are dead, and many changes have been made, of course, in the stockholders of the various companies.

There is another fact in relation to the matter, that one-half of the sum is universally agreed to be paid to the claim agents or attorneys of these outlawed claimants. I think that the Senator from Virginia [Mr. HUNTON] who introduced the joint resolution had better modify it, if he desires to have it passed, so that it will be fair to the banks, insurance companies, and railroads of the proper States.

The PRESIDENT *pro tempore*. The joint resolution, being reported without recommendation, will be placed on the Calendar.

#### REPORT ON IMMIGRATION.

Mr. CHANDLER. I submit a report from the Committee on Immigration to accompany the bill (S. 3786) establishing additional regulations concerning immigration to the United States, which is now on the Calendar. I ask that the report be printed with the testimony and accompanying documents.

I also ask that 2,000 additional copies of the report without the testimony and documents be printed for the use of the Senate. There is annexed to the report a history of immigration investigation and legislation, which will be useful for Senators of whom inquiries are made on the subject. I ask an order for the printing of 2,000 additional copies of the report without the testimony and documents.

The PRESIDENT *pro tempore*. The Senator from New Hampshire submits a written report upon a bill now upon the Calendar, which report with the accompanying papers will be printed as a report. He moves that 2,000 additional copies of the report be printed without the testimony. The motion under the rules will have to be referred to the Committee on Printing unless by unanimous consent it is otherwise ordered.

Mr. CHANDLER. I ask unanimous consent that the order be made.

The PRESIDENT *pro tempore*. Is there objection to the request that 2,000 additional copies of the report without the testimony be printed? It is so ordered in the absence of objection.

#### LANDS IN LOUISIANA.

Mr. WHITE. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 3292) reconveying to the original grantors the title to certain lands in the State of Louisiana conveyed by them to the United States, to report it without amendment. I ask leave to put the bill on its passage at this time. It can not possibly provoke any discussion. If it does, I will withdraw the request.

The PRESIDENT *pro tempore*. The Senator from Louisiana asks unanimous consent that the bill reported by him from the Committee on Public Lands be now considered. Is there objection?

Mr. ALLISON rose.

Mr. BLACKBURN. The Senator from Louisiana says he will withdraw it if it provokes debate.

Mr. WHITE. I will withdraw it if there is the slightest objection. It can not possibly lead to debate.

Mr. ALLISON. Very well.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. ALLISON. Mr. President, I give notice that I shall object to the consideration of any further bills this morning.

#### BILL INTRODUCED.

Mr. DUBOIS introduced a bill (S. 3879) granting a pension to Charlotte M. Bryson, widow of Andrew Bryson, late rear-admiral in the United States Navy, which was read twice by its title, and referred to the Committee on Pensions.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. SAWYER submitted an amendment intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee of Post-Offices and Post-Roads, and ordered to be printed.

Mr. BLACKBURN submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Claims, and ordered to be printed.

Mr. MITCHELL submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on the Judiciary, and ordered to be printed.

#### WITHDRAWAL OF PAPERS.

Mr. PERKINS. I ask the permission of the Senate to withdraw the final discharge papers, and some other private papers, which were filed in support of a bill introduced by me in the interest of Patrick Montgomery. There has been no adverse report, and I ask permission to withdraw the papers.

The PRESIDENT *pro tempore*. The papers will be withdrawn, subject to the rules of the Senate.

#### HOUSE BILLS REFERRED.

The following bills were severally read twice by their title, and referred to the Committee on Public Lands:

A bill (H. R. 8518) to authorize the Commissioner of the General Land Office to issue a patent for Mace Clement's survey, No. 386, in the Virginia military district of Ohio; and

A bill (H. R. 8577) to remove the cloud from the title to certain real estate in the city of Crawfordsville, Ind.

The bill (H. R. 3626) to grant to the Gainesville, McCallister and St. Louis Railway Company a right of way through the Indian Territory, and for other purposes, was read twice by its title, and referred to the Committee on Indian Affairs.

#### INAUGURATION ARRANGEMENTS.

Mr. HALE. I submit a resolution and ask for its immediate consideration.

The resolution was read, as follows:

*Resolved*, That the Commissioners of the District of Columbia are directed to send forthwith to the Senate a statement of all places on the public grounds and streets where permits have been given to erect stands for seats to be used on inauguration day, and whether in any case such stands have been erected in front of any of the public buildings.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. HALE. Mr. President, I have offered this resolution in order that information may be gained as to the extent which it is contemplated the practice of erecting seats upon public grounds is to be carried out. Day after day, in going along the line where the procession will move, we have all seen the encroachment of stands for seats constantly progressing; one reservation after another is closed up and occupied and covered by them. The line of march to be taken by the procession, thousands of our fellow-citizens from States outside coming here, will be not much more than a display of plank seats, and, if the day is bad, half filled or less.

This morning I discovered, in addition to what had been put up before, that the north front of the Treasury building, a very fine front which ought to be seen from the procession, has been encroached upon; that wooden stands are to be erected there, and that that will be cut off from view. Almost the entire lot where the Executive Mansion is situated has been taken up in the same way, so that that can not be seen.

Mr. HAWLEY. And the south end of the Treasury building.

Mr. HALE. As the Senator from Connecticut suggests to me, the south end of the Treasury building, a public building which is a singularly beautiful and imposing feature in Washington, is to be shut off from the spectators.

Now, who has done this? By what authority or upon what theory I do not know, but it seems to me that it has become an evil when it is found that almost everything in the line of the procession worth seeing is disfigured and obscured and the view entirely or almost obscured.

Mr. MORRILL. If the Senator will allow me, I will state that I have heard one person has put up these structures and then sold tickets, so that he will be able to pick up \$100,000. I do not know whether that is true or not.

Mr. HALE. If that is true, it is time that we should look into the matter. It has been suggested by another Senator while I am speaking that the fine statue which was recently erected in Lafayette Square, the statue of the great Frenchman whom we delight to honor, the Marquis de Lafayette, is entirely cut off from view and no one can see it.

Mr. MITCHELL. It is absolutely obstructed from sight.

Mr. HALE. Now, if this avenue and all the public streets are to be given up to the kind of speculation the Senator from Vermont has just alluded to, the Congress of the United States ought to do something about it. I think the great trouble has been that this body, in connection with the other House, did not weeks ago take some action and provide at least, from the disfiguring stands that have been made all over the city, some of the things are worth seeing by our visitors who will come here.

Mr. CULLOM. The statue referred to is made a part of the base of the board structure upon which it is expected to rest seats.

Mr. HALE. That they have utilized?

Mr. CULLOM. They have utilized it for that purpose, and





be allowed to erect stands for seats to be used on inauguration day, and whether or not any such stands have been erected in front of any of the public buildings, and what if any conditions have been imposed as to the character of the stands, and the use of the seats on such stands.

Mr. MILLIS. Why not insert "either public or private?" There is no right to obstruct private property.

Mr. HALE. I have no objection to that.

The PRESIDENT *pro tempore*. The question is on the adoption of the amendments modified.

Mr. CHAMPLAIN. I trust the resolution may go over until tomorrow morning. It may be that I shall then have a statement from the gentleman in charge of this matter to submit to the Senate. Nothing can come from action now, I think, except as a matter of delay and to prevent the abuse hereafter. It has gone too far to be applied to the coming inauguration. I ask the Senator from Maine to let the resolution go over until tomorrow.

Mr. HALE. All right, let it go over.

The PRESIDENT *pro tempore*. The consideration of the resolution will be passed over until tomorrow morning.

#### CHAMPLAIN AND ST. LAWRENCE RAILROAD.

Mr. PROCTOR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill, H. R. 1475, to grant to the Champlain and St. Lawrence Railroad Company a right of way across the Fort Mifflin military reservation kept general after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment and the House agree to the same with an amendment as follows:

In line 4 strike out after "New York" "down to and including the word 'company'" in line 7 and insert in lieu thereof the following: "Subject, however, to the provisions of an act entitled 'An act authorizing the Secretary of War to lease public property in certain cases,' approved July 28, 1902, and in continuation," and the Senate agree to the same.

REDFIELD PROCTOR,

C. K. DAVIS,

E. M. COCKRELL,

*Members of the joint committee of the Senate*

JOHN L. MITCHELL,

D. H. PATTON,

C. E. BELKNAP,

*Members of the joint committee of the House*

The report was concurred in.

#### SUNDRY CIVIL APPROPRIATION BILL.

The PRESIDENT *pro tempore*. Is there further morning business?

Mr. ALLISON. If there is no further morning business, I move that the Senate proceed to the consideration of the sundry civil appropriation bill.

The motion was agreed to; and the Senate resumed the consideration of the bill, H. R. 19238, making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes.

The PRESIDENT *pro tempore*. In order that the position of the bill may be fairly understood, the Chair will direct the reading of an extract from the RECORD of yesterday's proceedings.

The Chief Clerk read as follows:

Mr. ALLISON. I ask that the amendments not reserved be concurred in, and I ask that the bill pass over until tomorrow morning, and that new amendments be offered. On the Senate the amendments suggested by the Senator from Maryland and any others where a decision is reached, and I ask that the bill be reported as amended, and that the amendments be concurred in, for the purpose of the bill so that we may have the bill without amendments when it goes to the House.

The PRESIDENT *pro tempore*. Is there objection to the report of the Senator from Iowa?

The PRESIDENT *pro tempore*. The Chair will ask again, Is the report of the Senator from Iowa agreed to? Is there objection to it? The Chair hears none, and it is so ordered.

The PRESIDENT *pro tempore*. The Chair understands that all the amendments agreed to in Committee of the Whole have been concurred in the Senate except an amendment reserved by the Senator from Florida [Mr. CALL]. The question is upon concurring in the amendment excepted from the general rule, which will be stated.

The CHIEF CLERK. On page 53, line 29, in an amendment already agreed to before the word "thousand" the Senate, at its Committee of the Whole, struck out "eighty" and inserted "forty," so as to reduce the appropriation under the head of "Dispositions on public timber, protecting public lands, and settlement of claims for swamp lands and swamp-land indemnity," to \$400,000.

The PRESIDENT *pro tempore*. The question is on concurring in the amendment made in Committee of the Whole.

Mr. CALL. At the request of the Senator from Maryland, I will withdraw my request and allow the amendment to be concurred in and let it go into conference. I desire simply to observe that I regard the agencies for the investigation of these frauds as matters of great importance.

The PRESIDENT *pro tempore*. Then the reserved amendment, made as in Committee of the Whole, will be concurred in in the Senate. All the amendments made in Committee of the Whole have been concurred in in the Senate.

Mr. DAVIS. Pursuant to notice given yesterday, I renew my amendment to strike out the first ten lines on page 58.

The PRESIDENT *pro tempore*. The Senator from Minnesota proposes an amendment which will be stated.

The CHIEF CLERK. On page 58 strike out the first ten lines, the words to be stricken out being as follows:

*Be it enacted* That there be added to section seven of "An act to repeal the naturalization laws and for other purposes," approved March 3, 1903, the following proviso: *Provided*, That nothing in this section shall be construed to apply in its provisions to or affect any case where a contest was pending in the Land Department prior to the date of the passage of said act, or to in any manner impair rights which had been acquired under the preemption, desert land, or other private laws prior to March 3, 1903.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment.

Mr. CALL. On that I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BUTLER, when his name was called. I have a general pair with the Senator from Pennsylvania [Mr. CAMERON]. Not knowing how he would vote, I withhold my vote.

Mr. CULLOM, when his name was called. I am paired with the Senator from Delaware [Mr. GRAY]. I do not see him present and therefore for the time being I withhold my vote.

Mr. DAVIS, when his name was called. I am paired with the Senator from Indiana [Mr. TURPIE] and therefore withhold my vote.

Mr. HUNTON, when his name was called. I am paired with the Senator from Connecticut [Mr. PLATT]. If he were present I should vote "nay."

Mr. McMILLAN, when his name was called. I have a general pair with the Senator from North Carolina [Mr. VANCE].

Mr. MITCHELL, when his name was called. I am paired with the junior Senator from Louisiana [Mr. CAFFERY]. If he were here he would vote "nay" and I should vote "yea."

Mr. PASCO, when his name was called. I am paired with the Senator from North Dakota [Mr. CASEY]. Having learned that he would vote against the amendment, I vote "nay."

Mr. PETTIGREW, when his name was called. I am paired with the Senator from West Virginia [Mr. CAMPDEN]. I transfer my pair to the Senator from Montana [Mr. SANDERS] and vote "yea."

Mr. McMILLAN, when Mr. STOCKBRIDGE's name was called. My colleague [Mr. STOCKBRIDGE] is unavoidably absent. He is paired with the Senator from Maryland [Mr. GIBSON].

Mr. BERRY, when Mr. WALTHALL's name was called. The Senator from Mississippi, Mr. WALTHALL, is paired with the Senator from Illinois [Mr. DIXON]. If the Senator from Mississippi were present he would vote "nay."

Mr. VILAS, when Mr. WHITE's name was called. The Senator from Louisiana [Mr. WHITE], being temporarily detained from the Chamber, desired me to announce that he is paired with the Senator from Minnesota [Mr. WASHBURN], and that if present he would vote "nay."

The roll call was concluded.

Mr. FAULKNER. I am paired with the Senator from Rhode Island [Mr. ALDRICH]. If he were present I should vote "nay."

Mr. McPHERSON, after having voted in the negative. I wish to inquire if the Senator from Delaware [Mr. HIGGINS] has voted?

The PRESIDENT *pro tempore*. He has not voted.

Mr. McPHERSON. I am paired with that Senator and therefore withdraw my vote.

Mr. BLACKBURN. I desire to state that my colleague [Mr. LINDSAY] was paired with the Senator from Maine [Mr. FRYE], who asked to have the pair transferred to the Senator from Massachusetts [Mr. HOAR]. Now, I transfer that pair to the Senator from Rhode Island [Mr. ALDRICH]. That will enable the Senator from West Virginia [Mr. FAULKNER] to vote. The Senator from Rhode Island is absent, and so is my colleague.

Mr. FAULKNER. Then I will vote. I will vote "nay."

Mr. DIXON. I have a general pair with the Senator from Mississippi [Mr. WALTHALL], who is absent. I transfer that pair to the Senator from Massachusetts [Mr. HOAR], and I will vote.

Mr. BLACKBURN. That is fair.

Mr. DIXON. I vote "yea."

Mr. McPHERSON. At the suggestion of the Senator from Michigan [Mr. McMILLAN], I will transfer my pair with the Senator from Delaware [Mr. HIGGINS], to the Senator from North Carolina [Mr. VANCE], who is absent, and that will allow



Mr. JONES of Arkansas. Of course the gentlemen who desire to pass the amendment think it needs no debate at all; but

The amendments were ordered to be engrossed and the bill to be read a third time.

free public schools thereof, and for other purposes, reported it with amendments, and submitted a report thereon.

#### MONONGAHELA RIVER BRIDGE.

Mr. QUAY. I am instructed by the Committee on Commerce, to whom was referred the bill S. 3874 authorizing the construction of a bridge over the Monongahela River at the Twenty-third ward, city of Pittsburgh, State of Pennsylvania, to report it with an amendment and leave for its consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Commerce was, in section 3, line 24, to strike out "changes" and insert "changes."

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, and read the third time, and passed.

#### BILLS INTRODUCED.

Mr. CHANDLER introduced a bill S. 3883 for the relief of certain officers of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. MITCHELL introduced a bill S. 3884 to amend an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1882, which was read twice by its title, and referred to the Committee on Claims.

Mr. FRYE introduced a bill S. 3885 to authorize the Secretary of the Treasury to fix and limit the compensation of collectors of customs and surveyors of customs, and for other purposes; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

Mr. VEST introduced a bill (S. 3886) to authorize the Montgomery Bridge Company to construct and maintain a bridge across the Alabama River near the city of Montgomery, Ala.; which was read twice by its title, and referred to the Committee on Commerce.

#### ADMIRAL S. B. LUCE.

Mr. SHERMAN. I introduce a joint resolution, and ask for its present consideration, if there be no objection.

Mr. COCKRELL. Let it be read for information.

The joint resolution (S. R. 158) authorizing Rear-Admiral S. B. Luce, retired, to accept a medal from the Government of Spain, was read the first time by its title and the second time at length, as follows:

*Resolved by the Senate of the United States, with the concurrence of the Congress assembled, That Rear-Admiral S. B. Luce, retired, be and is authorized to accept from the Government of Spain the Grand Cross of Merit, presented in appreciation of his services as Commissioner and head of the United States for the Columbian Exposition at Madrid.*

Mr. SHERMAN. As this is a compliment to a well-known naval officer, is in the line of procedure, is recommended by the Secretary of the Navy and also by the Secretary of State, and involves only a compliment to a distinguished officer, I hope the joint resolution will be put on its passage, although it is introduced rather late in the session to go through the ordinary form.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was concurred in, as in Committee of the Whole.

The joint resolution was reported to the Senate, without amendment, ordered to a third reading, read the third time, and passed.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. COCKRELL. In connection with an amendment offered by the senior Senator from Kentucky [Mr. BLANCHARD] to the bill 10258 making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1893, and for other years, and for other purposes, I desire to offer the following to be inserted at the close of that amendment:

To Mrs. Belle Osborne, of Alexandria, La., assistance of John Osborne, &c. 1885.

I hope the Senator from Kentucky will accept the amendment and let it be referred as a part of his amendment to the Committee on Claims.

Mr. BLANCHARD. With great pleasure, Mr. President.

The PRESIDENT *pro tempore*. It is so ordered in the absence of objection.

Mr. PADDOCK submitted two amendments intended to be proposed by him to the deficiency appropriation bill; which were referred to the Committee on Claims.

Mr. CALL submitted an amendment intended to be proposed by him to the deficiency appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. CHANDLER. I have the honor to acknowledge the receipt of your letter of the 10th inst.

relative to the bill S. 3883, for the relief of certain officers of the Navy.

I am, Sir, very respectfully, Sir, your obedient servant,

Wm. Chandler.

Washington, D. C., January 11, 1893.

Mr. Chandler.

Dear Sir:

I have the honor to acknowledge the receipt of your letter of the 10th inst.

relative to the bill S. 3883, for the relief of certain officers of the Navy.

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Washington, D. C., January 11, 1893.

Mr. Chandler.

Dear Sir:

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relative to the bill S. 3883, for the relief of certain officers of the Navy.

and had appointed Mr. WHEELER of Alabama, Mr. NEWBERRY, and Mr. BOWEN managers at the conference on the part of the House.

WILLIAM MCGARRAHAN.

Mr. TELLER. I wish to give notice that to-morrow morning, after the routine business, I shall call up Senate bill 3741, known as the McGarrahan bill.

Mr. FAULKNER. If the Senator from Colorado will permit me, I will state that I think the Norfolk and Western Railroad bill comes ahead of the McGarrahan bill.

Mr. TELLER. I will state that I shall call up the McGarrahan bill as soon as the Norfolk and Western Railroad bill is disposed of. I do not want to interfere with that measure. I did not know that it was proposed to call it up to-morrow morning.

#### DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. VEST. Mr. President, I desire to withdraw the motion, which I entered yesterday, to reconsider the vote by which the Senate passed the diplomatic and consular appropriation bill.

The PRESIDENT *pro tempore*. The motion to reconsider is withdrawn, and the bill stands passed.

#### MILITARY ACADEMY APPROPRIATION BILL.

Mr. CULLOM. I ask that the action of the House of Representatives on the Military Academy appropriation bill may be laid before the Senate that I make a motion in reference to it.

The PRESIDENT *pro tempore*. Laid before the Senate the action of the House of Representatives, disagreeing to the amendments of the Senate to the bill H. R. 12990 making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1894, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CULLOM. I move that the Senate insist upon its amendments, and agree to the conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. CULLOM, Mr. STEWART, and Mr. CALL were appointed.

#### CALUMET RIVER BRIDGE.

Mr. PALMER. I ask leave to call up for present consideration Senate bill 3871.

The PRESIDENT *pro tempore*. The Chair will first ask whether there is further morning business?

Mr. DAWES. I rose to move that the Senate proceed to the consideration of the legislative, executive, and judicial appropriation bill.

Mr. CULLOM. I hope the Senator from Massachusetts will allow my colleague to call up a bridge bill. It will not take any time.

Mr. DAWES. If it does not cause any debate I shall not object.

The PRESIDENT *pro tempore*. The Senator from Illinois asks unanimous consent to proceed to the consideration of the bill (S. 3871) to authorize the construction of a bridge across the Calumet River.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Commerce with an amendment, in section 4, line 5, to strike out "projected" and insert "protected."

Several Senators addressed the Chair.

Mr. DAWES. I will yield until 12 o'clock for business that does not cause debate.

Mr. HANSBROUGH. I ask the Senator from Massachusetts to yield that I may call up a bill.

Mr. DAWES. I yield the floor entirely until 12 o'clock.

The PRESIDENT *pro tempore*. The consideration of the bill before the Senate will first be closed. The question is on agreeing to the amendment of the Committee on Commerce.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### STOKESBROOK AND MUNSEE INDIANS.

Mr. JONES of Arkansas. I ask the Senate to proceed to the consideration of the bill (H. R. 5764) for the relief of the Stockbridge and Munsee tribes of Indians in the State of Wisconsin.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. SAWYER. I am not going to object. I do not think the bill ought to pass, but still I am not going to make any opposi-

tion except to vote against it. So far as its consideration is concerned, I shall not object.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

#### PORT OF BONNERS FERRY, IDAHO.

Mr. DUBOIS. I ask the Senate to proceed to the consideration of the bill (S. 3811) to establish a port of delivery at Bonners Ferry, Idaho.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. FOWLER, its Chief Clerk, announced that the House had passed the bill (H. R. 176) authorizing the St. Louis and Madison Transfer Company to construct a bridge over the Mississippi River.

The message also announced that the House insisted upon its amendment to the bill (S. 3317) extending the time for the construction of the Big Horn Southern Railroad through the Crow Indian Reservation, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PEARCE, Mr. TRIMAN, and Mr. WILSON of Washington managers at the conference on the part of the House.

#### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the President *pro tempore*:

A bill (S. 1578) for the relief of the heirs of James S. Ham.

A bill (S. 1539) for the relief of the heirs of John W. Vose.

A bill (S. 3725) authorizing the construction of a free bridge across the Arkansas River, connecting Little Rock and Argenta.

A bill (H. R. 459) to remove the charge of desertion from the record of Charles G. Pyer.

A bill (H. R. 9939) for the further continuance of the publication of the supplement to the Revised Statutes of the United States.

A bill (H. R. 9862) for the relief of George W. Jones and

A joint resolution (S. R. 167) authorizing the Secretary of War to receive for instruction, at the Military Academy at West Point, Alberto Gairola, of Salvador.

#### LIQUOR TRAFFIC IN THE DISTRICT OF COLUMBIA.

Mr. HANSBROUGH. I desire at this time to call up the bill (H. R. 10236) regulating the sale of intoxicating liquors in the District of Columbia.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. GALLINGER. I shall reserve the right to object after the bill has been read. I have not examined the bill.

The PRESIDENT *pro tempore*. The bill will be read, as in Committee of the Whole, if there be no objection.

Mr. TRIMAN. I object to the present consideration of the bill.

The PRESIDENT *pro tempore*. The Senator from Indiana objects to the consideration of the bill.

Mr. HANSBROUGH. I move that the Senate proceed to the consideration of the bill at this time.

The PRESIDENT *pro tempore*. The Senator from North Dakota moves that the Senate proceed to the consideration of the bill (H. R. 10236) regulating the sale of intoxicating liquors in the District of Columbia.

Mr. GALLINGER. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CULLOM, when his name was called. I am paired with the Senator from Delaware [Mr. GRAY]. I do not see him present and withhold my vote.

Mr. FAULKNER, when his name was called. I am paired with the Senator from Rhode Island [Mr. ALDRICH].

Mr. QUAY, when his name was called. I have a general pair with the Senator from Alabama [Mr. McLAN] covering the entire term of his absence in Europe.

The roll call was concluded.

Mr. DIXON. I have a general pair with the Senator from Mississippi [Mr. WALTHALL]. In his absence I withhold my vote.

The result was announced—yeas 42, nays 13 as follows:

#### YEAS—12.

Bate.	Cookrell.	Faye.	Hansbrough.
Brice.	Davis.	George.	Harris.
Bulger.	Dawes.	Gorman.	Hawley.
Chandler.	Polton.	Hale.	Hiscock.





Mr. CHANDLER. I understand the Senator's proposition with reference to the bill, but I am now speaking about the amendment. Does the Senator mean to say that this bill can not pass at this session unless we amend it by providing that the clubs of the city shall have their licenses in their corporate names?

Mr. HANSBROOK. No, I do not mean to say that, but I mean to say that the Committee on the District of Columbia have considered this question and have concluded that it was proper that the amendment which I have submitted should be offered.

The PRESIDENT *pro tempore*. The question is on the amendment submitted by the Senator from North Dakota.

Mr. PLATT. I call for a division.

Mr. WOLCOTT. Before a division is had, I wish to say a word of explanation in answer to the Senator from New Hampshire [Mr. CHANDLER], if it is in order.

The PRESIDENT *pro tempore*. The Senator is in order.

Mr. WOLCOTT. I should like to say that there are in the District of Columbia some six or seven incorporated clubs duly organized, acting under charter. They include the Metropolitan Club, the Cosmos Club, the Press Club, the Columbia Athletic Club, the University Club, and the Army and Navy Club.

Under the provisions of this bill it will be necessary for some individual to take out a license, treating the club as if it were a barroom. Some of these clubs have sleeping rooms, but most of them have not. Therefore, if any application for a license should be made it must necessarily be made in the name of the incorporated body, and in a manner not provided for in the bill, unless by the portion of the bill which is to be stricken out and the amendment of the Senator from North Dakota substituted, if it shall be adopted.

The officer of the club who applies for a license and in whose name it would issue would be undoubtedly criminally responsible in the District if its provisions should be violated; but if that were not so, the license issued to a club could be revoked by the board of excise.

The majority of the members of the Press Club of Washington, a duly incorporated and reputable body, do not finish their work until 1 or 2 o'clock in the morning, when their dispatches go over the wires and their business for the day is done. The club is their home, as are the other clubs the homes of many of their members. They know no other home. The club throws around its members the safeguards of a home, and the right of intrusion should be no more in a club than into the home of any citizen of this District. This matter is left wholly with the board of excise. If the club shall be disappointed; if, in the opinion of the board, the morals of the District will be impaired by the granting of a license, it will not be issued.

The effect of the amendment is that simply upon application of the proper officer of a duly authorized club incorporated under the laws of the District, the board of excise may issue to that body a permit, covering such hours as the board of excise may see fit.

The board of excise is composed of the Commissioners of the District. I think we can afford to trust their judgment in this matter, with the assurance that the morals of the District will be maintained, and that their power will not be abused.

Mr. CHANDLER. The difficulty with the Senator's argument is that it does not show how the penalties of this proposed statute are to be enforced against an incorporated company. The Senator's argument is that clubs should be licensed. Of course, if the policy of Congress is to have license laws in the District, and hotels and barrooms are to be licensed, then the clubs should be licensed. But why should the clubs be licensed in the name of the corporation, while every hotel corporation, if there be one, has to take out a license in the name of some individual?

Mr. WOLCOTT. No corporation can take out a license under the present provisions of this bill.

Mr. CHANDLER. I do not understand; but why should a hotel corporation not be allowed to take out a license in the name of that corporation, as much as a club corporation should be allowed to take out a license in the name of a club? The reason, I suppose, is that it is the policy of all license laws to grant licenses only to individuals. Now, if these clubs are to be licensed in their corporate names, how shall section 13 apply. I ask the Senator? That section reads:

§ 13. That any person having obtained a license under this act, who shall violate any of its provisions, shall upon conviction of such violation be fined not less than \$500 nor more than \$2,000 and upon every subsequent conviction of such violation during the year for which such license is issued shall be fined not less than \$1,000 and in addition to such shall pay a sum equal to 2 per cent of the amount of the fine imposed for the offense immediately preceding, and have his license revoked, and in case of nonpayment of the fines and penalties above named shall be imprisoned in the jail of the District or workhouse for a period of time not exceeding six months, or till the same are paid.

How will that provision be enforced as against the club?

Mr. WOLCOTT. May I answer the Senator for a moment?

Mr. CHANDLER. Certainly.

Mr. WOLCOTT. The theory of the bill is that people applying for license to keep bar-rooms or hotels must act in their individual capacity, and that the law will punish them for a violation of the ordinance by a revocation of their license, and by fine and upon a subsequent offense, by imprisonment. The license period of clubs of the District by the pending bill are placed upon an entirely different footing, and they are placed upon a different footing for the very excellent reason that bar-rooms and hotels sell liquor for profit and to make money, whereas the incorporated clubs of the District furnish to members, who themselves contribute the expense, the liquor at their cost. The theory of the bill is that the revocation of the license would be a sufficient punishment.

Mr. CHANDLER. The bill provides that every place where intoxicating liquors are sold to be drunk on the premises shall, for the purposes of this act be regarded and considered a bar-room.

Mr. WOLCOTT. But look at the provision in section 6 and the amendment pending.

Mr. CHANDLER. I do not wish to prolong the argument. It does not seem to me that we should make one rule for hotels and another rule for clubs; that we should require individual responsibility in every case of a hotel corporation and allow a club to escape from individual responsibility and its officers to escape from individual punishment simply because it is a incorporated club.

Mr. PLATT. I confess that I am somewhat doubtful as to what the real purpose of the amendment is. I find on page 6 that the language to be stricken out reads this way:

*It is provided, &c. That any duly incorporated club having a license under this act may sell intoxicating liquor to its members at any time till the hour of 1 o'clock antemeridian.*

Now, will the Secretary read the proposed substitute?

The Chief Clerk read as follows:

*That the said exercise board may, in its discretion, issue a license to any duly incorporated club on the petition of the officers of the club, and that the said exercise board may in its discretion grant a permit to such club to sell intoxicating liquors to members and guests between such hours as the board may see fit may designate in said permit.*

Mr. PLATT. It would seem as if the object of that was to put in a specific provision allowing a license to be issued to an incorporated club. But that is already in the bill. There would be no difficulty about an incorporated club getting a license under the bill as it stands now. The proviso that any duly incorporated club having a license may sell so and so is upon the theory that the incorporated club may be licensed. Now it is suggested that incorporated clubs ought to have the power to sell liquor under the license until after 1 o'clock, but it is not suggested that the language of the amendment is so carefully framed as that it will allow liquor to be sold in incorporated clubs on Sundays. I can not vote for it.

Mr. PELTON. I simply desire to observe that in the sense the word "sold" is used, intoxicating liquors are not sold in the club any more than meals are sold in a club. Liquor that is sold in a club is the property of and belongs to the club. It is paid for by the club in quantity, and it is simply an arrangement by which a division can be made in the club, each member having his special portion. It is very true that there are many guests in a club. I understand the rule of most clubs is that each member may have the privilege of inviting one gentleman, and only one. The club is not essential, so far as the sale of liquor is concerned, or a par with a hotel, in furnishing liquor in his own house. They contain no monopoly. No one knows anything about it any more than he knows about the liquor that is drunk in a private house.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from North Dakota [Mr. HANSBROOK].

Mr. PEPPER. I ask that the vote may be taken by yeas and nays.

The yeas and nays were ordered.

Mr. GORMAN. Let the amendment be read again.

The PRESIDENT *pro tempore*. The amendment will be again read.

The CHIEF CLERK. On page 6, line 15, strike out all down to and including the word "antemeridian" in line 18, and insert in lieu thereof the following:

*That the said exercise board may, in its discretion, issue a license to any duly incorporated club on the petition of the officers of the club, and that the said exercise board may in its discretion grant a permit to such club to sell intoxicating liquors to members and guests between such hours as the board may see fit may designate in said permit.*

The PRESIDENT *pro tempore*. The roll will be called on agreeing to the amendment of the Senator from North Dakota.

The Secretary proceeded to call the roll.

Mr. PAULKNER (when Mr. CAMDEN's name was called). My colleague [Mr. CAMDEN] is necessarily absent from the Sen-

ate, and is paired with the Senator from South Dakota [Mr. PETTIGREW].

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY]. He is not present, and I withhold my vote.

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. STOCKBRIDGE (when his name was called). I am paired with the Senator from Maryland [Mr. GIBSON].

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT], but I understand if he were present he would vote "nay," and I will therefore vote "I vote 'nay.'"

The roll call was concluded.

Mr. QUAY. I am paired with the Senator from Alabama [Mr. MORGAN].

Mr. DIXON. I am paired with the Senator from Missouri [Mr. WALSH]. In his absence I withhold my vote.

The result was announced—yeas 47, nays 30, as follows:

YEAS 47

Bate,	Faulkner,	Kyle,	Stump,
Berry,	Fellows,	McMillan,	Squires,
Blackburn,	Gerrard,	Moffattson,	Talbot,
Brice,	Harris,ough,	Murphy,	Wagner,
Bulder,	Harris,	Mitchell,	Wells,
Call,	Hawley,	Pollock,	Wheeler,
Carry,	Higgins,	Reid,	Wheeler,
Coffey,	Hill,	Reid,	Wheeler,
Coke,	Hitchcock,	Power,	Wheeler,
Daniel,	Hunt,	Reid,	Wheeler,
Davis,	Irby,	Ransom,	Wheeler,
Dubois,	Jones, Ark.,	Sawyer,	Wheeler,

NAYS 30

Chandler,	Merrill,	Platt,	Tele,
Frye,	Peffer,	Sherman,	Wilson,
Gallinger,			

NOT VOTING 32

Aldrich,	Colquitt,	Gray,	Putnam,
Allen,	Cullom,	Hale,	Proctor,
Almon,	Dawes,	Holmes,	Quay,
Blodgett,	Dixon,	Jones, Nev.,	Samuels,
Cameron,	Dolph,	Lewis,	Stanford,
Cameron,	George,	Mills,	Stewart,
Cameron,	Hill,	Morgan,	Stockbridge,
Casey,	Gordon,	Perkins,	Waltham,

So the amendment was agreed to.

Mr. HUNTON. In lines 5 and 6, of section 21, page 13, I move to strike out the words:

Except such laws as are applicable to the sale of liquor within 1 mile of the Soldiers' Home.

The effect of the amendment if adopted will be to abolish the distinction in the District of Columbia between the 1-mile limit of the Soldiers' Home and the rest of the District of Columbia. The law prohibiting the sale of liquors within 1 mile of the Soldiers' Home was adopted a year or two ago at the instance of the governor of the Soldiers' Home, as he supposed for the benefit of the inmates of the home. That experiment has been tried and has proved an utter failure. As the best argument that I can make on the subject, I desire to have read by the Secretary a letter from the governor of the Soldiers' Home, in which he earnestly asks that this distinction be abolished.

The PRESIDENT *pro tempore*. The letter will be read.

The Chief Clerk read as follows:

GOVERNOR'S OFFICE, UNITED STATES SOLDIERS' HOME,  
Washington, D. C., July 18, 1893.

SIR: Last I may be prevented by disability from appearing before your committee on Thursday according to your invitation. I desire to say as governor of the Soldiers' Home I am deeply interested in and concerned about the matter of regulating sales of intoxicating liquors in this part of the District of Columbia.

The one-mile limit law, passed I believe with the best intention of benefiting the home, by preventing the members from having easy access to intoxicating liquors, has not only lamentably failed in restraining those living within the mile limit from selling them liquor, but has doubled the number of inmates who return drunk from the city and the number of those who sell liquor to them.

It is reported this last class is so great that by competition the price of whiskey has fallen to 60 cents a gallon, and is so bad that the number of inmates who fall by the wayside in returning from the city and who die from its effects has doubled during the year the law has been in force, as compared to the year immediately preceding, as the accompanying reports show.

No law that Congress could pass could do more harm to the home and to the reputation of the people within the mile limit, and to their property than the mile limit law, so benevolently intended, has effected.

The inmates, who are discharged soldiers and full citizens of the United States, feel grieved and in conflict with this statute in force. They are grieved that their neighbors within a mile of the beautiful park which the law made possible to the citizens of Washington, should be denied the privilege enjoyed by their fellow-citizens everywhere else in the District.

They feel insulted that after serving their country in its wars, and saving of them for twenty years, and age now disabled old men, should be denied the paltry gratification of a glass of beer without having to go a mile for it.

In the interest of the hundreds of worthy inmates and citizens, I ask your most favorable consideration of the Meredith high license bill, and that the mile limit be repealed. Some of the men at the home will always drink too much with this prohibitory law in force, for the reason that when they take the class that is helpful, not harmful, a mile or two from home, they remember that they will have to take the same long walk to get another, it occurs to them it will be a long time "between drinks," and then add to what is al-

ready to do, and the result is that they drink too much. This is the case with all the men at the home, and the result is that they are drunk when they return home.

The result is that the home is a place of disorder and dissipation, and the inmates are a disgrace to the community. The law is a failure, and it should be repealed.

I am, Sir, very respectfully,  
Your obedient servant,  
J. H. HUNTON,  
Governor of the Soldiers' Home.

The PRESIDENT. The letter has been read. The amendment is agreed to.

Mr. FAULKNER. I am paired with the Senator from Virginia [Mr. HUNTER].

Mr. HUNTER. I am paired with the Senator from Virginia [Mr. FAULKNER].

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The CHIEF CLERK. In section 21, line 6, after the word "Home," insert:

Which law is hereby declared to be amended by reducing the limit prescribed in said act to one-half of a mile from the Soldiers' Home.

Mr. HUNTON. I can not agree to accept that amendment.

Mr. HANSBROUGH. Will the Senator from Virginia yield to me for a moment?

Mr. HUNTON. I will yield in a few minutes. I have no doubt in the world every word my friend from West Virginia has said is perfectly true, that when the 1-mile limit was established, although he says it was intended for half a mile, it was adopted for the benefit of the government of the Soldiers' Home.

That is perfectly true; it was adopted at the instance of the governor of the Soldiers' Home; but it has proved a dead failure, and instead of being a benefit to the discipline of the home, it has proved very disastrous to the discipline of that home. The governor of the Home writes a strong letter, which has just been read at the desk, asking that the one-mile limit be abolished. He says it is absolutely necessary for the good of the inmates of the Soldiers' Home, and it is making a discrimination between one portion of the District of Columbia and the rest of it about the sale of liquor. The provision of law is useless and more than useless, because it is injurious where a benefit was intended. For that reason I am not able to consent to the amendment proposed by the Senator from West Virginia to my amendment. I yield now to the Senator from South Carolina.

Mr. BUTLER. I was merely going to call attention to what Gen. Kelton has said in regard to this matter, and which is absolutely conclusive as far as I am concerned. I desire to call the attention of the Senate to one paragraph of Gen. Kelton's letter, the present governor of the home, who was Adjutant General of the Army for a number of years:

The one-mile limit law passed I believe with the best intention of benefiting the home by preventing the members from having easy access to intoxicating liquor, has not only lamentably failed in restraining those living within the mile limit from selling them liquor, but has doubled the number of inmates who return drunk from the city and the number of those who sell liquor to them.

I submit that the opinion of Gen. Kelton, the governor of the home, who knows all about it, I presume—he lives there—ought to have great weight with the Senate in settling this matter; and it seems to me that his objection to the mile limit would apply just as forcibly to the half-mile limit. I see no reason why there should be any distinction made whatever in the neighborhood of the Soldiers' Home from any other part of the District, and I think the amendment proposed by the Senator from Virginia [Mr. HUNTON] is eminently proper.

Mr. FAULKNER. I did not understand when the communication was read, as I was then preparing my amendment, the point made by the officer in charge of the Soldiers' Home, and have only appreciated now the views which he expressed in the letter, and which I think I can show to the Senate are easily answered.

It is true, as he states, that since the mile limit has been established there have been more liquor saloons and more drunkenness in the city of Washington than before, and why? Simply because you have to-day in the city of Washington no license law.

You have to-day in the city of Washington no law which will authorize the Commissioners to designate and prescribe who shall be entitled to sell liquor within the limits of this District. You have to-day no penalties prescribed by which you can enforce any liquor law whatever; and the passage of such a measure is the absolute and imperative necessity devolved upon the Senate here, even to set aside for the time being important appropriation bills in order to give to the subject a proper and deliberate consideration and vote upon it one way or the other.

Now, Mr. President, what has been the result of the law prescribing a mile limit?

Mr. HUNTON. Will the Senator allow me to interrupt him?

Mr. FAULKNER. Of course.

Mr. HUNTON. My friend is mistaken in saying that there was no law in the District of Columbia prohibiting the sale of liquor without license. He will recollect that I called his attention to the fact that up to the decision of the case of *The United States vs. Noah* there was supposed to be a very stringent law against selling liquor without license in all parts of the District of Columbia. That decision of the supreme court of the District of Columbia took place last fall. So for a year or two this traffic went on under the laws of the District of Columbia, which were enforced against all men who sold liquors without license. It was not until the decision of *The United States vs. Noah* that it was supposed people had a right to sell liquor without license in the District of Columbia. The ill-effects of the one-mile limit law were apparent to the governor of the Soldiers' Home long before it was dreamed of that a man could sell liquor in the District of Columbia without a license.

Mr. FAULKNER. I will state to the Senator from Virginia that the question as to whether a man was compelled to obtain a license from the Commissioners commenced to be agitated this spring a year ago. Although the decision was not rendered until last fall, in which it was judicially decided that persons could sell liquor without obtaining the consent of the Commissioners, parties acting upon the construction of the law given to them by counsel whom they advised with did go on Seventh street and in this particular locality did open bar rooms in absolute defiance of what was then assumed to be the license law of the District of the Columbia.

As a result of that advice from counsel almost every house became a liquor saloon upon that line; and Gen. Kelton well says, coming there after the operation of the law had been absolutely nullified, under this view of the old statute, he found that as the old soldiers came back from the town they could stop at every house and take a drink of liquor, and the result was that they suffered a great deal more than they would under a regularly and properly regulated license system.

Mr. BUTLER. I understand Gen. Kelton to say exactly the opposite; that one of the evils resulting from the one-mile limit is the fact that there is such a long time between drinks that the old fellow would be very likely to take too much; that he would have a mile to walk, and very likely would go back from his leave in a very unfortunate condition, whereas if he had gone out 400 feet, or whatever the limit prescribed, and taken a glass of beer the chances are he would have gone back feeling refreshed without being drunk. I think the argument of Gen. Kelton is very potential. He states the fact. He says that they regard it as a reflection upon that community that they should be exempted from the general operation of the law which applies to all the District. I take it that Gen. Kelton knows what he is talking about and knows what the old soldiers want. A good many of them will take a drink and I expect they drink too much sometimes, and when they have to walk a mile to get a drink they are very likely to take more than one before they start back.

Mr. HUNTON. He says expressly that they do that.

Mr. BUTLER. Yes.

Mr. FAULKNER. I think I am correct in the assertion I made upon the letter of the general. He says:

The one-mile limit law passed I believe with the best intention of benefiting the home by preventing the members from having easy access to intoxicating liquors, has not only lamentably failed in restraining those living within the mile limit from selling them liquor, but has doubled the number of inmates who return drunk from the city, and the number of those who sell liquor to them.

Within the limits. That is exactly the proposition which I asserted was the statement of the general.

Mr. BUTLER. Now, if we put a \$100 license fee upon those fellows who have been selling liquor illicitly I think it will likely result in diminishing that number.

Mr. GALLINGER. Will the Senator from West Virginia yield for a question?

Mr. FAULKNER. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I desire simply to ask my friend, the Senator from West Virginia, if it is not an entirely novel proposition that the nearer intoxicating liquors are to men the more temperate they are? Was it ever before promulgated by any individual or by any legislative body?

Mr. FAULKNER. I do not think it has been announced by anyone at all except the Senator from South Carolina. I have not attributed any such doctrine to the general in command at the Soldiers' Home.

Mr. GALLINGER. Has not Gen. Kelton said the same thing?

Mr. FAULKNER. In his communication which has been read?

Mr. GALLINGER. Yes, sir.

Mr. FAULKNER. I think not. He has simply said that by reason of the condition of the present law the liquor saloons have doubled in number to what they were prior to its enactment, within the limits, and the reason for that I have given to the Senate.

Mr. HUNTON. I do not think Gen. Kelton alludes to the present law. The Senator from West Virginia is mistaken.

Mr. GALLINGER. Let me ask the Senator from West Virginia a further question.

Mr. FAULKNER. I yield to the Senator from New Hampshire.

Mr. GALLINGER. Suppose the mile limit is eliminated from the law will it not result in bringing liquor saloons nearer to the Soldiers' Home than 1 mile, and hence is it not an extraordinary argument that the nearer we get them the more temperate men will be?

Mr. FAULKNER. Of course if you destroy the mile limit they can obtain license to sell liquor anywhere in the District of Columbia.

Mr. COCKRELL. Have I the floor? I thought I was recognized.

The VICE-PRESIDENT. The Senator from Missouri is entitled to the floor.

Mr. COCKRELL. I will take but a minute. I understand there is not in this list of claims one solitary judgment of the Court of Claims rendered in a case where the court had authority to enter a judgment.

Mr. MITCHELL. I said there might be a few, but probably there may be none. I have not had time to examine them. I know the great mass are simply findings of the court under the Bowman act.

Mr. PLATT. Then it is all right.

Mr. COCKRELL. They are not judgments. The judgments of the Court of Claims come to us under an entirely different certification. These are simply claims about which findings have been made by the Court of Claims.

Mr. MITCHELL. Under the Bowman act.

Mr. COCKRELL. Under the Bowman act.

Mr. PLATT. That is all right.

Mr. DAWES. I renew my motion to take the legislative, etc., appropriation bill.

The VICE-PRESIDENT. The morning business is not yet concluded.

Mr. DAWES. I yield for morning business.

#### REPORTS ON LABOR IN EUROPE.

Mr. CHANDLER, from the Committee on Immigration, reported the following concurrent resolution: which was referred to the Committee on Printing:

*Resolved by the Senate, the House of Representatives concurring: That there shall be printed and bound 50,000 copies of the report on the condition of labor in Europe by Mr. Walter T. Griffin, commercial agent at Limoges, France, and 5,000 copies of the report of Mr. W. H. Edwards, consul-general at Berlin on the labor statistics of the German trades unions for the year 1892, 1,000 copies of each report to be for the use of the Senate, 2,000 copies for the use of the House, and 2,000 copies to be distributed by the Secretary of State; that said reports shall be edited and prepared for publication by the Commissioner of Labor, who shall also insert in said reports the equity debts in American money of all statements of prices or other sums now given in foreign money; and that only such photographs, maps and other plates shall be reproduced as the Commissioner of Labor may deem essential to a fair illustration of the text of the reports.*

Mr. CHANDLER. From the Committee on Immigration I report a resolution and ask for its immediate consideration.

The resolution was read, as follows:

*Resolved: That the report on the condition of labor on the continent of Europe made to the Secretary of State by Mr. Walter T. Griffin, commercial agent at Limoges, France, dated April 25, 1892, and the report of Mr. W. H. Edwards, consul-general at Berlin, dated November 29, 1892, being a translation of the work entitled "Labor statistics of the German trades unions for the year 1892," transmitted to the Senate by the President in response to the resolutions of December 29, 1892, and January 5, 1893, be returned to the Secretary of State.*

Mr. COCKRELL. Why is that necessary?

Mr. CHANDLER. The other resolution provides for printing the reports and it has gone to the Committee on Printing, but in the mean time the custody of the reports should be with the Secretary of State.

The resolution was considered by unanimous consent and agreed to.

#### BILLS INTRODUCED.

Mr. PROCTOR introduced a bill (S. 3887) for the relief of L. A. Noyes: which was read twice by its title, and referred to the Committee on Claims.

Mr. GEORGE by request introduced a bill (S. 3888) for the relief of Julia A. Nutt, widow and executrix of Haller Nutt, deceased, late of Natchez, State of Mississippi: which was read twice by its title, and referred to the Committee on Claims.

Mr. CAFFERY introduced a bill (S. 3889) for the relief of the heirs of Hilary B. Cemas: which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. CULLUM introduced a bill (S. 3890) to authorize the Lake Shore and Michigan Southern Railroad Company to renew its bridge across the Calumet River: which was read twice by its title, and referred to the Committee on Commerce.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. PEPPER submitted an amendment intended to be proposed by him to the Indian appropriation bill: which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. HARRIS submitted an amendment intended to be proposed by him to the deficiency appropriation bill: which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. VOORHEES submitted an amendment intended to be

proposed by him to the deficiency appropriation bill: which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. BLACKBURN submitted an amendment intended to be proposed by him to the deficiency appropriation bill: which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. BATTLES submitted an amendment intended to be proposed by him to the deficiency appropriation bill: which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. M. M. BLANT submitted an amendment intended to be proposed by him to the deficiency appropriation bill: which was referred to the Committee on Appropriations, and ordered to be printed.

On motion of Mr. PRATT, the Senate adjourned until the following day at 10 o'clock.

On motion of Mr. PRATT, the Senate adjourned until the following day at 10 o'clock.

Mr. HILL. Mr. President, I have a communication from the House of Representatives, which I will read.

He proposes that the House of Representatives should be authorized to send a committee to the State of California to investigate the condition of the laboring classes.

The VICE-PRESIDENT. The resolution was read.

*Resolved: That the Secretary of State be authorized to send a committee to the State of California to investigate the condition of the laboring classes.*

Mr. HILL. At this stage of the proceedings, I will change the notice to the House of Representatives.

Mr. ALLISON. I hope the Senate will not pass this resolution.

The VICE-PRESIDENT. The resolution will be agreed to.

Mr. HALE submitted the following resolution: which was read twice by its title, and referred to the Committee on Printing.

*Resolved: That the Secretary of State be authorized to send a committee to the State of California to investigate the condition of the laboring classes.*

The VICE-PRESIDENT. The resolution will be agreed to.

Mr. GORMAN submitted the following resolution: which was read twice by its title, and referred to the Committee on Printing.

*Resolved: That the Secretary of State be authorized to send a committee to the State of California to investigate the condition of the laboring classes.*

The VICE-PRESIDENT. The resolution will be agreed to.

Mr. HAWLEY submitted the following resolution: which was read twice by its title, and referred to the Committee on Printing.

*Resolved: That the Secretary of State be authorized to send a committee to the State of California to investigate the condition of the laboring classes.*

The VICE-PRESIDENT. The resolution will be agreed to.

Mr. HARRIS submitted the following resolution: which was read twice by its title, and referred to the Committee on Printing.

*Resolved: That the Secretary of State be authorized to send a committee to the State of California to investigate the condition of the laboring classes.*

The VICE-PRESIDENT. The resolution will be agreed to.

Mr. HAWLEY submitted the following resolution: which was read twice by its title, and referred to the Committee on Printing.

*Resolved: That the Secretary of State be authorized to send a committee to the State of California to investigate the condition of the laboring classes.*

The VICE-PRESIDENT. The resolution will be agreed to.

Mr. HARRIS submitted the following resolution: which was read twice by its title, and referred to the Committee on Printing.

and of those remaining 2,000 copies shall be for the use of the Senate and 4,000 for the House of Representatives; and the Secretary of the Treasury be, and he is hereby, directed to have printed a portrait of the said John G. Warwick, to accompany said engravings. That of the quota of the House of Representatives the Public Printer shall set apart 50 copies, which he shall have bound in full morocco with gilt edges, the same to be delivered, when completed, to the family of the deceased.

#### PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PUGHEN, one of his secretaries, announced that the President had on the 24th instant approved and signed the following acts:

An act (S. 1232) removing charge of desertion against Lucius W. Hayford, Worcester, Vt.:

An act (S. 3857) authorizing the construction of a bridge over the Monongahela River, at the foot of Main street, in the borough of Belle Vernon, in the State of Pennsylvania:

An act (S. 3819) granting a pension to Mary Doubleday, widow of Bvt. Maj. Gen. Abner Doubleday; and

An act (S. 1303) to increase the pension of Mrs. S. A. Farquharson.

The message also announced that the President of the United States had on this day approved and signed the joint resolution (S. R. 102) to provide for the construction of a wharf as a means of approach to the monument to be erected at Wakefield, Va., to mark the birthplace of George Washington.

#### SWAMP LAND GRANT PATENTS.

Mr. CALL. I ask leave to call up the joint resolution (S. R. 125) to suspend approval of lists of public lands to States or corporations until the further action of Congress.

The VICE-PRESIDENT. The joint resolution will be read.

The Chief Clerk read the joint resolution introduced by Mr. CALL December 21, 1892, as follows:

*Resolved, etc.* That the Secretary of the Interior be, and he is hereby, directed to suspend the approval or the issuing of patents to land under acts of Congress granting swamp and overflowed land and under the act of May 17, 1856, granting land to the States of Alabama and Florida in aid of the construction of certain lines of railway, and under any other acts of Congress granting lands to States or corporations to aid in the construction of lines of railway until Congress shall hereafter authorize the approval of lists of such lands.

Mr. PERKINS. I should like to ask if the joint resolution has been reported favorably by the Committee on Public Lands.

The VICE-PRESIDENT. It has never been referred to a committee, the Chair is informed.

Mr. PERKINS. It seems to me that it is a very important measure.

Mr. DAWES. I renew my motion.

Mr. CALL. If the Senator will wait one moment, I will state that the joint resolution is nothing more than the law.

Mr. PLATT. Mr. President, we can not hear the Senator from Florida on this side.

The VICE-PRESIDENT. Senators will resume their seats and cease audible conversation.

Mr. CALL. I think there will be no objection to the passage of the joint resolution when the Senate understands it. In the last appropriation act for sundry civil expenses of the Government it was provided "that no part of this sum of money shall be used for any land embraced in any grant to the State of Florida." That was in reference to the expenditure of the appropriation for the adjustment of the land grants which were provided for in that act of Congress, embracing all State and railroad grants. The act provided that no part of the money therein appropriated should be applied for any lands embraced in any grants to the State of Florida.

I am informed that there has been taken some action upon the subject, perhaps inadvertently, perhaps not, in violation of the express terms of the law. Therefore, I desire that the resolution, which is nothing but a reaffirmation of the law as enacted at the last session of Congress, shall be passed in order that it may be brought to the consideration of the authorities.

Mr. MITCHELL. Will the Senator yield to me a moment?

Mr. CALL. Yes, sir.

Mr. MITCHELL. I inquire if the joint resolution of the Senator applies to any other railroad land grants than those in the State of Florida?

Mr. CALL. To none whatever, and the joint resolution is in the terms of the act passed at the last session of Congress, referring only to the lands embraced in grants to the State of Florida because of certain peculiar facts relating to them. That is the law, as will be found now in the statute book.

Mr. PERKINS. If the language is clear and specific, so that the joint resolution only applies to lands in the State of Florida, so far as I am concerned I have no objection to its passage, but I somewhat doubt whether by the phraseology it is confined to the lands of that State.

Mr. MITCHELL. I ask that the joint resolution go over until to-morrow. I should like to look at it.

The VICE-PRESIDENT. The joint resolution will lie over.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3327) extending the time for the construction of the Big Horn Southern Railroad through the Crow Indian Reservation.

The message also announced that the House had passed a bill (H. R. 9741) to increase the pension of Capt. E. R. Chase from \$20 to \$72 a month, in which it requested the concurrence of the Senate.

#### ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 3876) authorizing the St. Louis and Madison Transfer Company to construct a bridge over the Mississippi River; and it was thereupon signed by the Vice-President.

#### BIG HORN SOUTHERN RAILROAD.

Mr. JONES of Arkansas submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3327) extending the time for the construction of the Big Horn Southern Railroad through the Crow Indian Reservation, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House of Representatives and agree to the same with an amendment, page 2, line 10, after "Reservation" insert "said grant of a right of way through the military reservation to be subject to the consent and approval of the Secretary of War;" and the House agree to the same.

JAMES K. JONES,

H. L. DAWES,

CHARLES F. MANDERSON,

*Managers on the part of the Senate.*

S. W. PEEL,

L. M. TURPIN,

JOHN L. WILSON,

*Managers on the part of the House.*

The report was concurred in.

#### HOUSE BILL REFERRED.

The bill (H. R. 9741) to increase the pension of Capt. E. R. Chase from \$20 to \$72 a month was read twice by its title, and referred to the Committee on Pensions.

#### LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. DAWES. I renew my motion that the Senate proceed to the consideration of the legislative, etc., appropriation bill.

The VICE-PRESIDENT. The question is on the motion made by the Senator from Massachusetts.

Mr. TURPIE. I wish to ask unanimous consent for the consideration of a private pension bill.

Mr. DAWES. The Senator will first allow me to get the appropriation bill before the Senate. Then I have promised to yield to the Senator from Illinois [Mr. PALMER], and of course I shall be glad to extend the same courtesy to the Senator from Indiana.

The VICE-PRESIDENT. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10331) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes, the pending question being on the amendment submitted by Mr. ALLISON.

Mr. DAWES. Now I yield to the Senator from Illinois.

The VICE-PRESIDENT. The appropriation bill will be informally laid aside if there be no objection. The Chair hears none.

#### LEGAL REPRESENTATIVES OF ORSENIUS B. BOYD.

Mr. PALMER. I ask unanimous consent of the Senate for the present consideration of Senate bill 1920, which has been reported favorably by the Committee on Military Affairs, and which, I think, will lead to no debate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1920) for the relief of the legal representatives of Orsenius B. Boyd. It proposes that the claims of the widow and children of the late Orsenius B. Boyd, formerly a private and lieutenant of volunteers and captain in the Eighth United States Cavalry, for commutation of rations and pay while said deceased soldier was in the volunteer and regular armies of the United States, be referred to the Court of Claims for adjudication.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### REBECCA H. CHAMBERS.

Mr. DAWES. I now yield to the Senator from Indiana, if no other Senator objects.

## MOBILE AND DAUPHIN ISLAND TRESTLE.

Mr. VEST. Upon consultation with the Senator from Tennessee [Mr. HARRIS] and the Secretary of the Senate, I am satisfied that the action taken by the Senate in regard to the bill which was returned by the President, is not correct. I therefore ask the Senate to pass the concurrent resolution, which I send to the desk, in order that it may go to the House of Representatives at once.

The PRESIDING OFFICER. The concurrent resolution will be read.

The Secretary read as follows:

*Resolved by the Senate, the House of Representatives concurring:* That the Committee on Enrolled Bills be, and they are hereby, authorized to correct the enrolled bill (S. 3511) to amend an act entitled "An act to grant to the Mobile and Dauphin Island Railroad and Harbor Company the right to trestle across the shoal water between Cedar Point and Dauphin Island," approved September 26, 1890, by striking out the word "six" in the second line and inserting the word "four;" and the figure "6" in the sixth line and inserting the figure "4."

The resolution was considered by unanimous consent, and agreed to.

Mr. VEST. I ask unanimous consent that the action of the Senate this morning in reference to this matter be reconsidered.

The PRESIDING OFFICER. If there be no objection it will be so ordered. The Chair hears none.

## ORDER OF BUSINESS.

Mr. HANSBROUGH. Mr. President—

Mr. STEWART. I desire to call up an appropriation bill. I do not think it will take more than a few minutes.

Mr. HANSBROUGH. I think we had better get the liquor-license bill out of the way first.

Mr. STEWART and others addressed the Chair.

The PRESIDING OFFICER. The Chair has recognized the Senator from North Dakota [Mr. HANSBROUGH].

Mr. HANSBROUGH. I move that the Senate proceed to the consideration of the bill (H. R. 10266) regulating the sale of intoxicating liquors in the District of Columbia.

The motion was agreed to.

Mr. SHERMAN. Now, as that bill has been taken up and will be the unfinished business to-morrow, I move that the Senate proceed to the consideration of executive business.

Mr. HARRIS. I wish to suggest to the Senator from Ohio that the Senator from New York [Mr. HILL] gave notice this morning that at 5 o'clock he would ask the Senate to give attention to a matter which is never postponed.

In that connection, I wish to suggest to the Senator from North Dakota, that if he expects to get the bill which he has in charge considered, there are hardly minutes enough between now and 5 o'clock for him to get it through.

Mr. SHERMAN. The Senator gave way for the reason that it will be the unfinished business and can not be considered to-day.

Mr. HANSBROUGH. I understand that this bill stands now as the unfinished business, so as to come up the first thing on Monday morning. As the Senator from Ohio is very anxious for an executive session, I yield to him.

Mr. BLACKBURN. No; this bill does not come up the first thing on Monday morning.

Mr. ALLISON. It will come up at 2 o'clock.

Mr. SHERMAN. It will come up at 1 o'clock when the Senate meets at 11. I insist on my motion, which is not debatable.

Mr. GORMAN. I understand that the bill now before the Senate is the bill reported from the Committee on the District of Columbia and that it is absolutely necessary that it should be disposed of before we can get through with the District of Columbia appropriation bill. It is upon that statement that Senators upon this side of the Chamber have voted to take up the bill.

Mr. SHERMAN. I wish to state to the Senator from Maryland that I do not think the executive session will last more than a short time, and there is a necessity for it. I do not intend at all to interfere with the notice given by the Senator from New York [Mr. HILL]. I therefore insist on my motion.

Mr. GORMAN. I should like to finish my statement. As I understand, the passage of the liquor-license bill is absolutely necessary so as to enable us to dispose of the District of Columbia appropriation bill; in other words, the license system is part of the revenue system which must be adjusted before appropriations can be intelligently made. Following this bill is the pension appropriation bill, appropriating \$165,000,000, which the Senator from Nevada [Mr. STEWART] has just given notice that he will call up on Monday morning.

Mr. SHERMAN. I think the pending question is not debatable.

The PRESIDING OFFICER. The question is not debatable. Mr. GORMAN. What is not debatable?

The PRESIDING OFFICER. The motion to proceed to the consideration of executive business.

Mr. GORMAN. I do not make a motion of that kind as pending.

Mr. SHERMAN. That is the question before us.

The PRESIDING OFFICER. The question is on the motion of the Senator from Ohio [Mr. HARRIS] to suspend the consideration of executive business until to-morrow. In the opinion of the Chair, the motion is not in order.

Mr. SHERMAN. I have no objection.

The yeas and nays were ordered. The yeas were 19, and the nays were 11. Mr. HILL. I wish to give notice for the District of Columbia.

The PRESIDING OFFICER. The Chair hears none.

The Secretary placed a bill on the desk. Mr. GEORGE. When will a bill be taken up?

The Senator from Oregon [Mr. HILL] gave notice. Mr. SAWYER. When is a bill to be taken up?

My colleague [Mr. VILAS], who has a bill in the Chamber. Mr. GEORGE. When Mr. VILAS's bill is taken up?

My colleague [Mr. WALTHAM] has a bill in the Chamber. Mr. DIXON. He is paired with the Senator from Ohio [Mr. HARRIS].

Mr. WARREN. When will a bill be taken up?

The roll call was commenced. Mr. CULLOM. After having voted on the liquor bill, I am paired with the Senator from Delaware [Mr. GRAV].

Mr. WILSON. I am paired with the Senator from Ohio [Mr. HARRIS].

Mr. DIXON. I am paired with the Senator from Ohio [Mr. HARRIS].

Mr. CALL. After having voted on the liquor bill, I am paired with the Senator from Vermont [Mr. FORT].

Mr. HANSBROUGH. I am paired with the Senator from Illinois [Mr. PALMER].

Mr. CAREY. After having voted on the liquor bill, I am paired with the Senator from North Carolina [Mr. HENRY].

Mr. HISCOCK. After having voted on the liquor bill, I am paired with the Senator from Arkansas [Mr. JOHNSON].

The PRESIDING OFFICER. He is not paired.

Mr. HISCOCK. I withdraw my vote on the liquor bill.

Mr. CHANDLER. After having voted on the liquor bill, I am paired on this question with the Senator from New Jersey [Mr. BLODGETT].

Mr. BLACKBURN. By a suggestion on my part, I am paired with my colleague [Mr. LINDSAY], who is the Senator from Maine.

Mr. CHANDLER. I transfer my pairing to the Senator from New Jersey [Mr. BLODGETT].

Mr. BLODGETT. I vote "nay."

Mr. CALL. I vote "nay."

Mr. CULLOM. I have a general pairing with the Senator from Delaware [Mr. GRAV].

Mr. GRAV. I have a general pairing with the Senator from Florida [Mr. PASCAL].

Mr. PASCAL. I have a general pairing with the Senator from North Dakota [Mr. CASSIDY].

Mr. CASSIDY. I have a general pairing with the Senator from North Dakota [Mr. CASSIDY].

Mr. BATE. After having voted on the liquor bill, I am paired with the Senator from North Dakota [Mr. CASSIDY].

Mr. CASSIDY. I vote "nay."

The result was a tie—yeas 21, nays 21.

YEAS.		NAYS.	
Candler	21	Allen	21
Cullom	21	Alben	21
Davis	21	Alben	21
Dawes	21	Bate	21
Felton	21	Bate	21
Gallinger	21	Bate	21

YEAS.		NAYS.	
Berry	21	Allen	21
Blackburn	21	Alben	21
Bloджетт	21	Bate	21
Cassidy	21	Bate	21
Cassidy	21	Bate	21
Cassidy	21	Bate	21

YEAS.		NAYS.	
Allen	21	Allen	21
Alben	21	Alben	21
Alben	21	Alben	21
Bate	21	Bate	21
Bloджетт	21	Bate	21
Bloджетт	21	Bate	21

YEAS.		NAYS.	
Allen	21	Allen	21
Alben	21	Alben	21
Alben	21	Alben	21
Bate	21	Bate	21
Bloджетт	21	Bate	21
Bloджетт	21	Bate	21



Lindsay,  
Morgan,  
Palmer,  
Perkins,  
Pettigrew,

Proctor,  
Quay,  
Snyder,  
Sawyer,  
Santeloch,

Stewart,  
Vilas,  
Wadthall,  
Warren,  
White,

Wilson,  
Wolcott.

So the motion was not agreed to.

CRANK & HOFFMAN.

Mr. PEPPER. I wish to call the attention of the Senate to an error in our records. On the 15th day of February I reported with an amendment from the Committee on Claims the bill (S. 2799) for the relief of Crank & Hoffman, which is now on the Calendar, Order of Business 1313. I observe that in the Record and on the Calendar the bill appears to have been reported without amendment. The amendment is a very important matter, and I desire to call attention to it, so that the correction may be made.

The VICE-PRESIDENT. The Calendar will be corrected.

LIQUOR TRAFFIC IN THE DISTRICT OF COLUMBIA.

Mr. HANSBROUGH. I ask the Senate to proceed to the consideration of the bill (H. R. 1025) regulating the sale of intoxicating liquors in the District of Columbia.

The Senate, as in Committee of the Whole, resumed consideration of the bill.

Mr. HUNTON. Will the Chair state the question before the Senate?

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from West Virginia [Mr. FAULKNER] to the amendment of the Senator from Virginia [Mr. HUNTON].

Mr. HANSBROUGH. Let the amendment be read.

The VICE-PRESIDENT. The amendment will be read.

The CHIEF CLERK. On page 13, section 21, line 5, after the word "act," strike out the following words:

Except such laws as are applicable to the sale of liquor within 1 mile of the Soldiers' Home.

The VICE-PRESIDENT. The amendment to the amendment will be read.

The CHIEF CLERK. After the word "Home," in line 6 of the same section, insert the following:

Which law is hereby declared to be amended by reducing the limit prescribed in said act to one-half of a mile from the Soldiers' Home.

The VICE-PRESIDENT. The question is on agreeing to the amendment to the amendment.

Mr. HANSBROUGH. Do I understand that it is the purpose of the Senator from Virginia to strike out the words "except such laws as are applicable to the sale of liquor within one mile of the Soldiers' Home" and to insert the amendment offered by the Senator from West Virginia [Mr. FAULKNER]? Is that the proposition of the Senator from Virginia?

Mr. HUNTON. I did not agree to accept the amendment of the Senator from West Virginia to my amendment. I understand from the Senator from Maryland [Mr. GORMAN] that the amendment offered by the Senator from West Virginia is satisfactory all around, and if he will so state, I shall not object.

Mr. GORMAN. I have no hesitation in saying that from what I learn here and I have given this matter a good deal of attention and I have talked about it to people all around who are interested in the District the amendment offered by the Senator from West Virginia limiting the sale of liquor to half a mile from the Soldiers' Home will be satisfactory to everybody. I understand, and will enable the law to remain in force and be executed properly.

Mr. McHILLAN. I will state that I have given this matter a good deal of attention; I have examined the maps very closely; and the amendment suggested by the Senator from West Virginia would be entirely satisfactory to me. The half-mile limit would cover the ground that is generally objected to by those who desire the 1-mile limit; and then the passage of this bill will deal with such irregularities, such as existed therefore the 1-mile limit was passed. I think there will be no objection to it by the people who live in that neighborhood.

Mr. HUNTON. I have no objection to the amendment, may be to the Senator from Michigan and to the Senator from Maryland, and to certain people to whom they refer; it certainly is not satisfactory to the governor of the Soldiers' Home. He distinctly states to us that that limitation has worked evil and only evil to the discipline of the home.

Mr. GORMAN. The mile limit.

Mr. HUNTON. The mile limit. If the Senator wants to emphasize that fact I suppose he would assume that the provision proposed would work only half the evil a mile limit would do it being a half-mile limit. Exactly why we should apply a different rule of law to that little spot and part of the District of Columbia which is applied to this city and every other part of the District is what I have never been able to see.

It is what I do not see now, and what I never expect to be able to see. The legislation was unwise in the beginning; it was im-

proper in the beginning, in my opinion, and I am heartily in favor of repealing it and subjecting every square foot of the territory within the District to exactly the same rules of law, be they what they may.

Mr. HUNTON. I heartily concur in what is said by the Senator from Tennessee, but I have always been taught to believe that "half a loaf is better than no bread." I believe that a one-mile limit or half a mile limit is wrong in itself. I believe further that it is injurious to the home.

When this matter was up yesterday the Senator from West Virginia said that the governor of the Soldiers' Home had reported duly that the one-mile limitation in the former law had been a disadvantage to the home, in multiplying liquor shops and places where liquor is sold, on Seventh street particularly; that that was due to the fact that there was no law in the city of Washington prohibiting the sale of liquor anywhere; and by reason of the failure of law to prohibit the sale of liquor the grogshop multiplied in the neighborhood of the Soldiers' Home and had destroyed the beneficial effect of the one-mile limit, which was intended to benefit the Soldiers' Home.

I voted in what I had to say yesterday a decision of the supreme court of the District of Columbia in The United States vs. Neri, in which the court decided that the legislative District law was a law for revenue, and where the parties paid or offered to pay the revenue, that being done they had the license to sell. That was the necessity for the measure which passed through the Senate a little while ago. But, sir, while that is true as to the rest of the District of Columbia, and there is no law now according to this decision of the supreme court by which persons can be punished for selling liquor provided they pay or tender the amount of assessment for that purpose, yet in the one-mile limit there is a law expressly prohibiting the granting of licenses.

I wish to call the attention of the Senate to that law, and to show that the Senator from West Virginia was entirely mistaken when he said that there was no law requiring a license within the mile limit, and hence the failure of the one-mile-limit law. When the one-mile limit law was passed, it was in these words:

That on and after the passage of this act no license for the sale of intoxicating liquor at any place within one mile of the Soldiers' Home property in the District of Columbia shall be granted.

This law applied only to the district 1 mile from the Soldiers' Home. So far as the territory was concerned within 1 mile of the Soldiers' Home there was this new law, which prohibited a license within 1 mile of the Soldiers' Home. So while the supreme court decision applied to the rest of the District of Columbia it did not apply to that one-mile limit, because the law establishing a one-mile limit expressly prohibited a license for that territory. Therefore it took it out of the general law under which the supreme court said where a person paid his assessment or tendered it to the proper officer, that of itself was a license to sell liquor. But when we come to consider the law establishing the one-mile limit we find the Congress of the United States said that within that one-mile limit no license should be granted to sell liquor.

So the argument of the Senator from West Virginia, that the one-mile limitation had failed of its purpose because there was no punishment for selling liquor, does not apply to that one-mile limit. Therefore, the letter of the governor of the Soldiers' Home, asking the Congress of the United States to repeal the one-mile limitation, is not due to the fact that there was no punishment for selling liquor in that mile limit without a license. Notwithstanding that, the governor of the Soldiers' Home writes a letter which was read to the Senate yesterday, implying that the one-mile limitation be repealed, because it broke up the discipline of the home, and had ruined some seventy or eighty members of the home.

With this evidence before me and before the Senate, it seems to me that it is our bounden duty to the home and to the old soldiers who are still under the obligation to pay the one-mile limit and let the governor, who is the best judge of all these things, have the best chance of enforcing his discipline attending the administration of the home. I think it is only a matter of opinion that the one-mile limitation is a bad thing, and the governor of the home says the same thing. But I do say that if we can not get the mile limit repealed we had better have it reduced to half a mile.

Mr. McPHERSON. I presume the Senator from Virginia has been explaining the very thing I want to bring up; but address himself to the other side of the Chamber, as though they were the only parties in debate, and therefore I shall have to ask him a question for information if he will bear with me. This proposed law, I am now told, will be really the first license law we shall have had in the city of Washington; at least none exists here. With it is possible under the pending bill for the excise commission to prevent the sale of liquor within that one-mile limit from the Soldiers' Home?

Mr. HUNTON. I will answer the Senator from New Jersey

The A.C. Mills Co., N.Y., has been awarded a contract from Virginia for Mr. Huxley.

The CHIEF CLERK. On page 13, section 21, line 5, after the word "act," strike out the words:

Except such laws as are applicable to the sale of liquor within 1 mile of the Soldiers' Home.

The VICE-PRESIDENT. The amendment submitted by the Senator from West Virginia [Mr. FAULKNER] to the amendment will be read.

The CHIEF CLERK. After the word "Home," in line 6 of section 21, insert:

Which law is hereby declared to be amended by reducing the limit prescribed in said act to one-half of a mile from the Soldiers' Home.

Mr. SHERMAN. The doubt I have is whether that half mile is to be measured from the grounds of the Soldiers' Home or from the house in which the soldiers live.

Mr. VEST. From the grounds.

Mr. PLATT. The original act measures the mile limit from "the Soldiers' Home property."

Mr. HARRIS. It should certainly be measured from the boundary.

Mr. SHERMAN. I think it ought to be done, but as the amendment now reads a literal construction of the language would make the half mile measure from the house in which the soldiers live.

Mr. HUNTON. Oh, no.

Mr. SHERMAN. It ought to be made clear.

Mr. VEST. It is to be measured from the grounds.

Mr. PLATT. The original language is from the "Soldiers' Home property." The same language had better be used in this proposed statute.

Mr. SHERMAN. I think that should be inserted. I suggest to make it read "from the grounds of the Soldiers' Home."

Mr. HUNTON. I will state to the Senator from Ohio that the original law says "within 1 mile of the Soldiers' Home property."

Mr. SHERMAN. That is a good suggestion.

Mr. HUNTON. The amendment would, of course, embrace the Soldiers' Home property and the limit would be measured from the property of the home.

Mr. SHERMAN. I move, if in order, to add the word "property."

The VICE-PRESIDENT. Is there objection to adding the word "property"? The Secretary will read the amendment to the amendment as it is proposed to be modified.

The CHIEF CLERK. So that the amendment to the amendment would read:

Which law is hereby declared to be amended by reducing the limit prescribed in said act to one-half of a mile from the Soldiers' Home property.

Mr. PLATT. That is right.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. VEST. Is that the amendment of the Senator from Virginia [Mr. HUNTON]?

The VICE-PRESIDENT. The amendment of the Senator from West Virginia [Mr. FAULKNER].

Mr. GORMAN. That is the half-mile limit proposed by the Senator from West Virginia [Mr. FAULKNER]?

The VICE-PRESIDENT. It is.

Mr. HARRIS. The first question is on the amendment of the Senator from Ohio to the amendment of the Senator from West Virginia?

The VICE-PRESIDENT. That has been accepted, the Chair understands. The amendment to the amendment will be so modified in the absence of objection.

Mr. HARRIS. Then the question, of course, is on the amendment of the Senator from West Virginia.

Mr. GALLINGER. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY]. I transfer that pair to the Senator from North Dakota [Mr. CASEY] and vote "yea."

Mr. DAWES (when Mr. FAULKNER's name was called). I was requested to pair with the Senator from West Virginia [Mr. FAULKNER]. If he were present I should vote "nay." I understand that he would vote "yea."

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH].

Mr. GORMAN (when his name was called). I am usually paired with the Senator from Maine [Mr. FRYE], but that pair has been transferred to the Senator from Kentucky [Mr. LINDSAY] for the day. I therefore vote "yea."

The roll call was concluded.

Mr. WILSON. I have a general pair with the Senator from Georgia [Mr. COLQUITT], but I am satisfied that if he were present he would vote "nay," and I therefore vote "nay."

Mr. DIXON. I have a general pair with the Senator from

Mississippi [Mr. WALTHALL]. In his absence I withhold my vote.

Mr. BLACKBURN. My colleague [Mr. LINDSAY] is paired with the Senator from Maine [Mr. FRYE].

Mr. HISCOCK. I am paired with the Senator from Arkansas [Mr. JONES].

The result was announced—yeas 28, nays 23; as follows:

#### YEAS—28.

Berry,	Gibson,	McMillan,	Shoup,
Blackburn,	Gorman,	Manderson,	Stewart,
Call,	Hansbrough,	Mills,	Turpie,
Cockrell,	Harris,	Paddock,	Vance,
Coke,	Higgins,	Pugh,	Vest,
Daniel,	Hill,	Ransom,	Voorhees,
Davis,	Hunton,	Sherman,	Washburn,

#### NAYS—23.

Allison,	Gallinger,	McPherson,	Power,
Carey,	Gordon,	Mitchell,	Proctor,
Chandler,	Hawley,	Passo,	Teller,
Cullom,	Hoar,	Peffer,	Warren,
Fulda,	Irby,	Perkins,	Wilson,
Felton,	Kyle,	Platt,	

#### NOT VOTING—37.

Aldrich,	Colquitt,	Jones, Ark.	Squire,
Allen,	Dawes,	Jones, Nev.	Stanford,
Bate,	Dixon,	Lindsay,	Stockbridge,
Blodgett,	Dolph,	Morgan,	Vilas,
Brier,	Faulkner,	Morrill,	Walthall,
Butler,	Frye,	Palmer,	White,
Caffery,	George,	Pettigrew,	Wolcott,
Camden,	Gray,	Quay,	
Cameron,	Hale,	Sanders,	
Casey,	Hiseock,	Sawyer,	

So Mr. FAULKNER's amendment was agreed to.

The VICE-PRESIDENT. The question recurs on the amendment as amended, which will be stated.

The CHIEF CLERK. On page 13, section 21, line 5, after the word "act," strike out the following:

Except such laws as are applicable to the sale of liquor within 1 mile of the Soldiers' Home, which law is hereby declared to be amended by reducing the limit prescribed in said act to one-half of a mile from the Soldiers' Home property.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

Mr. GALLINGER. I ask for the yeas and nays on the amendment.

Mr. McPHERSON. Let the amendment be read again.

The VICE-PRESIDENT. The amendment as amended will be again read.

The Chief Clerk again read the words proposed to be stricken out.

The VICE-PRESIDENT. The roll will be called on agreeing to the amendment as amended.

Mr. GALLINGER. Before the roll is called, the inquiry has been made of me what result an adverse vote will have. I will state that, as I understand it, if the amendment is now rejected it would leave the limit, as it is under the existing law, 1 mile. The Secretary proceeded to call the roll.

Mr. CALL (when his name was called). Under the arrangement of the transfer of pairs between myself and the Senator from Vermont [Mr. PROCTOR], I vote "yea."

Mr. WARREN (when his name was called). I ask if the Senator from Georgia [Mr. GORDON] has voted?

The VICE-PRESIDENT. He is not recorded.

Mr. WARREN. I am paired with that Senator and withhold my vote.

Mr. WILSON (when his name was called). I am paired generally with the Senator from Georgia [Mr. COLQUITT], but being informed that he would vote "nay" on this proposition, I vote "nay."

The roll call was concluded.

Mr. GORMAN. Before the result is announced I ask permission to make a statement. We on this side understood the Chair to announce the question to be upon the amendment offered by the Senator from West Virginia [Mr. FAULKNER], which made a half-mile limit. The question was asked directly whether that was the case, and the answer came "yes." The fact is that the question pending now is to strike out all the words after the word "act," in line 5 of section 21, including the amendment of the Senator from West Virginia, which we have adopted, so that a "yea" vote would be against a one-mile limit and a "nay" vote would be for the half-mile limit, or for the amendment of the Senator from West Virginia. I ask that under the circumstances the question may be stated again and that we may have the roll again called. I ask the Chair to state the question.

Mr. MANDERSON. I ask the unanimous consent of the Senate that the pending roll call be held for naught, and that the question be again stated and that a new roll call be had.

Mr. HARRIS. Let the amendment be read again. It was

Mr. VOORHEES. Allow me to ask the Senator from Tennessee a question. I understand the amendment offered by the Senator from West Virginia [Mr. FAULKNER] establishing the half-mile limit was adopted.

The roll call having been concluded, the President called for yeas and nays. Yeas 7, nays 11, as follows:

[illegible]

Mr. PEPPER. Mr. President, I desire to offer an amendment. Am I in order?

The VICE-PRESIDENT. The Senator is in order.

Mr. PEPPER. Before doing so, perhaps the amendment will be better understood if I am permitted to make a statement.

Mr. HANSBROUGH. Let the amendment be first stated.

Mr. PEPPER. In the first place, Mr. President—

Mr. HOAR. Before we pass from the matter which has been just announced from the desk, some Senators would like to understand what the vote was which inserted in the text the half-mile limit. Some Senators understand that that was adopted as an amendment to the amendment; and if so adopted, I inquire whether the amendment to the text stands unchanged?

The VICE-PRESIDENT. The last vote was on the amendment to strike out certain language.

Mr. HOAR. That was disagreed to by what vote?

The VICE-PRESIDENT. That was disagreed to by a vote of 7 yeas to 4 nays.

Mr. HOAR. By what vote did the language "the limit is hereby reduced to one-half mile" get into the bill? Was that proposed as a separate amendment to the bill, or only as an amendment to an amendment?

Mr. HARRIS. An amendment to the text of the bill in the nature of perfecting it before the vote was taken to strike out.

Mr. HOAR. That is what I desire to find out. I was absent for a short time.

Mr. PEPPER. Before having the amendment which I desire to propose read at the desk, I ask the indulgence of the Senate for a very brief period, indeed, while I state its general purport, and offer suggestions by way of general legislation, not in the nature of a speech.

Mr. HANSBROUGH. I hope the Senator will permit us to have a vote on the bill to-night. There is a special order which comes up at 5 o'clock.

Mr. PEPPER. I shall not detain the Senate more than a few minutes, if Senators will be patient with me.

Mr. GALLINGER. While I should like, myself, to be very courteous to the Senator from North Dakota, I wish to say to him that I have eight or ten amendments myself which I wish to offer, and I may wish to say a word on some of them.

The VICE-PRESIDENT. A special request has been made by the Senator from New York (Mr. HILL) that certain resolutions from the House of Representatives shall be laid before the Senate at this time.

Mr. PEPPER. I would ask, however, if I am in order, that when the bill is taken up again I shall have the floor.

Mr. STEWART. I should like to give notice that on Monday morning, in the morning hour, I shall call up the proposed appropriation bill. I presume it will pass in the morning hour before we reach the regular order.

Mr. KYLE. Mr. President, I rise to a question of privilege.

The VICE-PRESIDENT. The Senator from South Dakota will state his question of privilege.

Mr. PEPPER. Will the Senator from South Dakota allow me to offer an amendment which I wish to propose and let it go over and be printed?

Mr. KYLE. Certainly.

The VICE-PRESIDENT. The order to print will be made in the absence of objection.

Mr. KYLE. Mr. President, I wish to say for myself that my vote upon the last proposition introduced by the Senator from Virginia (Mr. HUNTER) was upon the opposite side from what I intended it to be. In the discussion which took place here, I understood that the amendment offered by the Senator from West Virginia (Mr. FAULKNER) was an amendment to the proposition offered by the Senator from Virginia, and that it was in the way of perfecting the text. Therefore my vote should have been "yea" instead of "nay" upon the last proposition.

#### EULOGIES ON THE LATE REPRESENTATIVE SPINOLA.

Mr. HILL. I now ask that the resolutions from the House of Representatives relative to the death of the late Francis B. Spinola may be laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives which will be read.

The Chief Clerk read as follows:

*Resolved*, That the business of the House be now suspended that opportunity may be given for tributes to the memory of the Hon. Francis B. Spinola, late a Representative from the State of New York.

*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House at the conclusion of these memorial proceedings, shall stand adjourned.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased.

Mr. HILL. I offer the resolutions, which I send to the desk. The VICE-PRESIDENT. The resolution will be read.

The Chief Clerk read as follows:

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of Hon. Francis B. Spinola, late a Representative from the State of New York.

*Resolved*, That the business of the Senate be now suspended in order that fitting tribute be paid to his memory.

*Resolved*, That in the death of Gen. Spinola the country has lost a gallant soldier, an able and faithful Representative in Congress, and an esteemed and patriotic citizen.

Mr. HILL. Mr. President, the resolutions passed by the other House during the last session of the present Congress duly informed us of the death of Francis B. Spinola, of New York, an honored Representative of that body. The delay in taking action thereon in the Senate has been occasioned solely by a misapprehension as to whose province it was to call up the resolutions and institute further action. The death of Gen. Spinola occurred before I took my seat in this Chamber, and he having been of my own political faith my colleague kindly and courteously waited for me to take the initiative in the proceedings to appropriately pay tribute to the memory of the deceased.

The elaborate eulogies upon the character and public services of this distinguished citizen in the other House, which have already been placed upon the records of Congress, render my task a brief one. His immediate associates, with whom he had served in Congress so long and acceptably, have in their able and interesting addresses described the incidents of his early life, the details of his successful business career, his political achievements, the laurels which he won as a soldier, his abilities as a debater, and his many excellent qualities of mind and heart. Not caring to repeat what they have so fully delineated, I content myself with a bare reference to the positions which he filled and honored, the triumphs which he secured, and the general characteristics of the man.

Permit me to remark that few men in Congress have been more frequently or highly honored. He enjoyed a long, varied, and brilliant public career, evidencing the full confidence of his fellow-citizens and the general satisfaction with which he discharged every public trust. He was alderman, supervisor, several times an assemblyman in New York, State senator, brigadier-general of volunteers, and three times elected to Congress. His rise was not sudden. He did not jump from obscurity into exalted position, unprepared for the discharge of great duties. No flock of fortune or of politics brought him to the front; not he was a plodder, a worker, a faithful, industrious, and energetic citizen, and largely the architect of his own deserved success.

He was a partisan in the best sense of the term. He believed in his side. He regarded party organization as essential to permanent political success, and he never despised the ladder which had repeatedly elevated him to power. He was also a patriot and a soldier. He was a fighter by nature and taste; he loved strife. He was quick to resent a wrong, and always ready to forgive. He was impulsive, clear-headed, brave, and generous.

He was not only true to his country—he was true to his party and to his friends. He believed in personal friendships in public life, and he hated his "enemies, persecutors, and slanderers."

Competent military men and critics believe that had the right opportunity occurred, he would have shown himself to be one of the great soldiers of the times. The records of his gallantry are found in the archives of the nation, and in the general orders and reports of his superior officers.

He was audacious, courageous, and firm, and was apparently "born to command." He loved his soldiers, and they in turn loved him.

His record in Congress was most creditable. He was a ready debater, quick at repartee, full of sarcasm, and had a keen appreciation of the humors. It is safe to say that in Congress he was able, alert, patriotic, and zealous in the performance of his high and responsible duties. His friends believed in him—loved, honored, and respected him.

I knew him as a leading citizen of New York, as a prominent and trusted business man. I knew him as an eminent member of the Legislature. I knew him to be a true friend.

Columns of eulogy are not needed to show our appreciation of his public and private services, or to evidence the loss we have sustained in his departure. He has fought the good fight and gone to his reward. A good man has fallen, and the people mourn. More brilliant, more able, more renowned men have adorned seats in the Congress of the nation; but none more patriotic, none more sincere, none more trustworthy than Francis B. Spinola.

Mr. HISCOCK. Mr. President, Gen. Spinola was a marked character in the State of New York where he was born and lived all his life, the State he represented in the other branch of Con-

There are, however, a number of reasons why it is likely to be the case that, notwithstanding the above, there will still be a positive impact on the environment of the introduction of these lands to the public domain. First, the introduction of these lands to the public domain will allow the state to regulate the use of the land in the interests of the public.



In the face of this law—corruptly, no doubt, for it could not have been honestly done—by corrupt methods, in defiance of that provision of the law, there have been approvals of these lands to the detriment of the honest people of Florida as the occupants of the lands. Therefore, I ask the passage of the joint resolution, which simply suspends action until Congress shall adopt some further legislation.

Mr. MANDERSON. I hope the question will be put on the motion to refer.

The VICE-PRESIDENT. The question is on the motion to refer.

Mr. CALL. I hope the motion will not prevail, Mr. President. I call attention of Senators to the fact that a motion to refer means to kill the joint resolution and to protect the frauds to which I allude.

The VICE-PRESIDENT. The question is on the motion to refer the joint resolution to the Committee on Public Lands. [Putting the question.] The yeas appear to have it.

Mr. CALL. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. DIXON (when his name was called). I am paired with the Senator from Mississippi [Mr. WALTHALL].

Mr. FAULKNER (when his name was called). I am paired with the senior Senator from Rhode Island [Mr. ALDRICH].

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH]. If he were present, I should vote "nay."

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN].

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT].

The roll call was concluded.

Mr. CASEY, after having voted in the affirmative. I have a general pair with the Senator from Florida [Mr. PASCO]. As he is not present, I withdraw my vote.

Mr. CULLOM. I am paired with the Senator from Delaware [Mr. GRAY]. Not seeing him present, I withhold my vote.

Mr. GEORGE. I announce for the day, and shall not repeat it, that my colleague [Mr. WALTHALL] is confined to his home by illness, and is detained from the Senate on that account.

The result was announced—yeas 25, nays 31; as follows:

#### YEAS—25.

Brice,	Harris,	Morrill,	Vilas,
Carry,	Hawley,	Platt,	Washburn,
Davis,	Hiscock,	Power,	White,
Eaton,	Hoar,	Sawyer,	Wolcott,
Frye,	McMillin,	Shoup,	
Hale,	Manderson,	Stewart,	
Hambrough,	Mills,	Teller,	

#### NAYS—31.

Bate,	Davis,	Jones, Ark.	Perkins,
Bony,	Dubois,	Kyle,	Phelan,
Blodgett,	Gallinger,	Lindsay,	Squire,
Butler,	Gibson,	McPherson,	Tirpue,
Cull,	Higgins,	Mitchell,	Vance,
Candler,	Hill,	Packard,	Verl,
Chandler,	Hinton,	Palmer,	Voorhees,
Daniel,	Irby,	Peller,	

#### NOT VOTING—32.

Aldrich,	Cockrell,	Gorman,	Ransom,
Alben,	Colquitt,	Gray,	Sanford,
Atison,	Cullom,	Jones, Nev.	Sherman,
Blackburn,	Dixon,	Morgan,	Stanford,
Cahney,	Dolph,	Pasco,	Stoddard,
Cannien,	Faulkner,	Pettigrew,	Walthall,
Carrion,	George,	Proctor,	Warren,
Casey,	Gordon,	Quay,	Wilson,

So the motion to refer was not agreed to.

The VICE-PRESIDENT. The joint resolution is before the Senate, as in Committee of the Whole.

Mr. WOLCOTT. I should like to have the joint resolution reported as amended.

The VICE-PRESIDENT. The joint resolution will be reported as amended.

The Chief Clerk again read the joint resolution as amended.

Mr. WOLCOTT. I have not a very definite idea as to the character or scope of this joint resolution, but I do know that some time ago in the Committee on Private Land Claims, of which I happen to be a member, there came a general discussion concerning these lands.

My impression of the subject is that the Interior Department recognizes the validity of certain appropriations of land, and that year after year the survey of those lands has been prevented by Congressional interference. I understand that there is some local contest in Florida, the extent and nature of which I do not know, that persons connected with some of the railroads were not in favor of certain other people who wanted to come to the Senate, or who wanted to hold other offices; that it is some sort of a local fight, and what we are asked to do is to interfere with the

officers of the Department of the Interior in the clear performance of their functions in carrying out the law, and we seek to interfere with them, not by passing any legislation which declares that law to be invalid, but simply to tie their hands so that they may not be permitted to do what the law directs.

I think, Mr. President, that a matter of this kind, which involves a large acreage of land, ought by every rule of good legislation to go to some committee which is competent to tell this body what its duty is in the premises. We have had nothing but the most vague statements as to what is the state of the case. We are not advised as to the merits of the question. There are certainly rights of somebody here, which are being interfered with in some fashion; and I think we are entitled to have some competent committee pass upon this question, and not have a joint resolution, which involves thousands and hundreds of thousands of acres of land dealt with by the Senate in the morning hour, with nobody to give us an intelligible explanation of what the situation is.

I have no personal knowledge on this subject. I do not know the name of the railroad company, and I do not know the location of the lands. I have never been in Florida but once; and, if the Lord will forgive me, I shall never go there again. I do not know anything about this subject, as I have said, but I do know that we are in the morning hour, interfering with the due and intelligent course of legislation without any sort of explanation as to why we are called upon to vote in favor of requiring the officials of the Interior Department to suspend the very exercises of their duties for which they are installed in their offices.

Mr. STEWART. I move that the Senate proceed to the consideration of the pension appropriation bill.

The VICE-PRESIDENT. The question is on the motion of the Senator from Nevada.

Mr. CALL. Let me say a word before that motion is put.

Mr. STEWART. It will lead to an interminable debate.

Mr. CALL. I ask the Senator to allow me to say a word?

The VICE-PRESIDENT. Does the Senator from Nevada yield to the Senator from Florida?

Mr. STEWART. For what length of time?

Mr. CALL. For five minutes.

Mr. HARRIS. I wish to ask, if the Senator yields to the Senator from Florida, will he not be bound to yield to any other Senator who wants five minutes?

Mr. STEWART. I will not yield to any other Senator. I yield five minutes to the Senator from Florida.

Mr. CALL. Now that the Senator from Nevada [Mr. STEWART] has submitted his motion, he is gracious enough to yield to me for five minutes. I thank him, however, for the five minutes, though I have listened to him a great many times for more than five minutes. [Laughter.]

Mr. President, I regret that the State of Florida has sustained the great loss of not having the Senator from Colorado [Mr. WOLCOTT] in that State but once, and I regret still more the great loss to the people of that State which will result from his never going there again; but we have to bear the ills of life as best we may, and I think the people of Florida will survive without the presence of any Senator, however great he may be, who defends the corporation frauds which have passed the whole of the public lands into the possession of unscrupulous speculators and fraudulent conspirators against republican government and the people who are to cultivate the soil.

There is no excuse for the statement of the Senator. If he had been attentive to his public duties and considered the records of this body he would have known the history of this grant. Four times has this resolution in different forms passed the Senate by a large majority, declaring that those lands should not be approved and asking the other body to concur in this action. The same argument has been made and met and decided by a majority of the votes of the Senate. It is now the existing law of the land, and I have asked that it shall be continued until Congress shall take some further decisive action.

The courts are open to these corporations. They have money. Who is the Senator who undertakes to say that the poor sufferer upon the public lands shall be turned out of his home because he has not money to litigate his case against great corporations?

I say here now that this whole thing is a fraud, a flagrant fraud. The late Mr. Dickerson, who was one of the beneficiaries of this grant, as the records of the United States courts show, stated upon his oath that the principal agent in the selection of these lands had withheld fraudulently from the corporation, of which he was the president, \$6,000 upon the pretense that he had used it to corrupt Senators of the United States to prevent the confirmation of the grant. That stands upon the records of the Attorney-General's office to-day, and has been repeatedly stated by me here, and printed in my speeches and circulated over the country.

There is no excuse for a Senator defending this action; there



The PRESIDING OFFICER. The Chair will call the attention of the Senator from Kansas to the fact that a motion to lay on the table is not debatable.

Mr. PEPPER. I understand, and I do not wish to debate the question. I simply want to appeal to the Senator from North Dakota to permit me to make a very brief statement.

Mr. HANSBROUGH. I withdraw the motion for that purpose.

The PRESIDING OFFICER. The Senator from North Dakota withdraws the motion to lay the amendment on the table.

Mr. HARRIS. Mr. President, we have but five days remaining of this session and very much public business to be disposed of unless we force an extra session. I move to lay the amendment on the table, and I shall not withdraw the motion.

The PRESIDING OFFICER. The Senator from Tennessee moves to lay the amendment submitted by the Senator from Kansas on the table.

Mr. GALLINGER. On that I ask for the yeas and nays. It is an important matter.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY].

Mr. DIXON (when his name was called). I am paired with the gentleman from Mississippi [Mr. WALTHALL].

Mr. QUAY (when his name was called). I have a general pair with the Senator from Alabama [Mr. MORGAN].

Mr. WILSON (when his name was called). I have a general pair with the Senator from Georgia [Mr. COLQUITT]. I am satisfied that if he were present he would vote "nay." I therefore vote "nay."

The roll was concluded.

Mr. CAMDEN. I am paired with the Senator from South Dakota [Mr. PETTIGREW].

Mr. GEORGE. I have a general pair with the Senator from Oregon [Mr. DOLPH]. I make that announcement for the day. He is sick and not able to be present, and I shall not vote, being paired with him.

The result was announced—yeas 39, nays 15, as follows:

## YEAS—39.

Barre,	Faulkner,	Kyle,	Proctor,
Berry,	Felton,	Lindsay,	Ransom,
Blackburn,	Hansbrough,	McMillan,	Sawyer,
Brice,	Harris,	McPherson,	Turpie,
Butler,	Hawley,	Mills,	Vance,
Caffery,	Higgins,	Mitchell,	Vest,
Call,	Hiscock,	Morrill,	Voorhees,
Chandler,	Huntton,	Palmer,	White,
Daniel,	Irby,	Pasco,	Wolcott,
Darbois,	Jones, Ark.,	Power,	

## NAYS—15.

Casey,	Frye,	Parkins,	Stockbridge,
Casey,	Gallinger,	Platt,	Teller,
Chandler,	Hoar,	Shoup,	Whison,
Darbois,	Peffer,	Squire,	

## NOT VOTING—39.

Andrew,	Davis,	Hill,	Sherman,
Allen,	Paxon,	Jones, Nev.,	Stanford,
Almon,	Dolph,	Manderson,	Stewart,
Blozzett,	George,	Morgan,	Vilas,
Chapin,	Gibson,	Parkock,	Wadhall,
Chapman,	Gordon,	Pettigrew,	Warner,
Clark,	Gorman,	Pugh,	Washburn,
Condit,	Gray,	Quay,	
Cullom,	Idaho,	Sanford,	

So Mr. PEPPER's amendment was laid on the table.

Mr. GALLINGER. In line 29, section 5, it is provided that any established hotel or tavern having twenty chambers shall be considered a hotel. I offer an amendment to that line and section.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 5, section 5, line 29, strike out "twenty" and insert "at least fifty;" so as to read:

"Any established hotel or tavern having at least fifty chambers for lodging guests shall always have the right to obtain for itself a license for a house for a saloon, etc."

Mr. HANSBROUGH. I move to lay the amendment on the table.

The VICE-PRESIDENT. The question is on the motion of the Senator from North Dakota to lay the amendment of the Senator from New Hampshire on the table.

Mr. GALLINGER. I ask for the yeas and nays on that motion, and by unanimous consent I will say that I have no disposition to delay the consideration of the bill, and will not do so if the Senator in charge of it exercises the usual courtesy of allowing amendments to be voted upon.

The VICE-PRESIDENT. Is the demand for the yeas and nays seconded?

Mr. McMILLAN. I ask the Senator from North Dakota to withdraw the motion. We want to pass the bill. It is a very important bill for the District.

Mr. HANSBROUGH. I will withdraw the motion if the Senator from New Hampshire will agree not to occupy the remainder of the present session in objecting to the passage of this measure.

Mr. GALLINGER. I will exercise my constitutional right to offer amendments, and, if I think they are sufficiently important, to briefly debate them. Otherwise the Senator can exercise the power he has heretofore of prohibiting me from doing both. I presume, at least of preventing me from debating anything.

Mr. HANSBROUGH. I withdraw the motion to lay the amendment on the table.

The VICE-PRESIDENT. The question is on the amendment of the Senator from New Hampshire [Mr. GALLINGER].

Mr. HARRIS. Let the amendment be read.

The SECRETARY. In line 29, section 5, before the word "chambers," strike out "twenty" and insert "at least fifty;" so as to make the proviso read:

*Provided*, That any established hotel or tavern having at least fifty chambers for lodging guests shall always have the right to obtain for itself a license for a saloon, etc.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. HOAR. I offer, to come in at the end of the bill, the following proviso:

*Provided further*, That it shall be unlawful for any person to sell any intoxicating liquors to any inmate of the Soldiers' Home under penalty of forfeiture of his or her license, if any exists. Any person offending against the foregoing provision shall be liable to a further penalty of \$100 for each offense.

Mr. President, I wish to say only one word on the amendment. The Senate is thoroughly committed to the principle that selling liquor to the inmates of the Soldiers' Home ought not to be encouraged or permitted. You put them under guardianship if you declare they shall not be within half a mile of their home, and they are persons we all know who need guardianship in that respect.

Mr. HANSBROUGH. I accept the amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Massachusetts [Mr. HOAR].

The VICE-PRESIDENT put the question, and declared that the amendment was agreed to.

Mr. GALLINGER. I wish to offer another amendment—

Mr. VEST. Was the amendment of the Senator from Massachusetts adopted?

The VICE-PRESIDENT. The amendment was adopted.

Mr. VEST. I should like to have the yeas and nays up on it, if that is possible.

The VICE-PRESIDENT. Is the demand for the yeas and nays seconded on the amendment submitted by the Senator from Massachusetts?

The yeas and nays were ordered.

Mr. VEST. I wish to say, if the Senate will indulge me, that I deny with great respect the proposition of the Senator from Massachusetts that the Senate has adopted any such principle as that no liquor shall be sold to any inmate of the Soldiers' Home, making an exceptional case in regard to the sales to those persons. It is, I submit, a very different proposition from what the Senator really did in force, that these saloons should not be within a distance of one-half a mile of the limits of the Soldiers' Home. The Senate could very well have adopted that proposition without making an exception as to this particular class of persons.

If we propose here to put these old soldiers on the same footing with minors and habitual drunkards, then this amendment is absolutely proper, but I for one have never intended to put them in any such category. I voted to reduce the limit from half a mile to half a mile, and I believe yet that these deadfalls, the worst description of saloons, selling the most villainous compounds, should not be permitted in the immediate vicinity of that home, right along the fence which marks the limits of the place, but I have never been willing to say that because these old soldiers were inmates of that home they should be treated as confirmed inebriates or as minors. That is exactly what this amendment amounts to, and I want the privilege of recording my vote against it.

Mr. HOAR. Mr. President, one word. I hate very much to interfere with the bill in charge of my honorable friend from North Dakota, but I think we ought to deal with this matter as practical men. The custodian of the Soldiers' Home, the head of that institution, the commandant there has written a letter which was made the ground of an amendment by the Senator from Virginia [Mr. HUNTER], and was read as a part of the remarks of some Senator, in which he said (I do not suppose it was meant to be understood as universally true, but that it was true to an extent enough to affect our legislation) that there was a class of men in the home (I do not mean to say that they comprise the



long been impressed with the views which I have advanced before the Senate. I have seen these old, worn-out soldiers wandering out to get a glass of beer or something of the kind near the Home, and I have always thought that that matter ought to be under the regulation of the commandant, and that they ought not to be required or allowed to go wandering abroad into the town.

Mr. HOAR. If the Senator will pardon me—I dislike to trespass on his courtesy again—

Mr. VOORHEES. Not at all.

Mr. HOAR. I am told, and I have no doubt it is true, that these men are seized upon by a set of harpies, just as the sailors who land from a man-of-war or merchant vessel are seized upon in our ports; that when they get a pension or any money in their pockets they are watched for and taken into places where there is a little den with two or three bunks, and there they are kept until they are stripped, and then they are turned out to wander home in the condition in which we have sometimes seen them. That thing I want to put a stop to; and I think any intelligent, self-respecting, and manly occupant of the Soldiers' Home will be willing to submit to this regulation to save his brethren from that kind of plundering.

Mr. VOORHEES. I have no doubt there is a great deal in what the Senator from Massachusetts says. I have no doubt there are lawless and evil-disposed people who take advantage of these men. That is true the world over.

Mr. HOAR. I have found the law.

Mr. VOORHEES. In one moment I will yield. At the same time it will cost me an effort to vote to place these soldiers upon the same scale with minors, or with habitual drunkards. I know of but two classes to whom it is a penal offense to sell intoxicating liquors. One is a minor, and the other is a habitual drunkard. There ought to be some way devised to meet this question without placing that imputation upon men who deserve so well of their country as this remnant of the old Army does.

Mr. HOAR. I have found the law, and I will read it:

It shall not be lawful for any person in the District to sell, give, or administer to any soldier or volunteer in the service of the United States, or any person wearing the uniform of such soldier or volunteer—

Which these men do—

Any spirituous liquor or intoxicating drink—

Mr. HILL. When was that law passed?

Mr. HOAR. It was passed in 1861.

Mr. VOORHEES. It applies to the Army.

Mr. BUTLER. It evidently applies to soldiers in active service.

Mr. HOAR. Let me finish reading the law:

And any person offending against the provisions of this section shall, upon conviction thereof, pay a fine of \$50, or, in default of such payment, be committed to the District jail for thirty days.

Any person licensed to sell spirituous liquors or intoxicating drinks within the District who shall suffer or permit any soldier or volunteer in the service of the United States, or any person wearing the uniform of such soldier or volunteer, to drink spirituous liquor or intoxicating drink upon his premises shall be deemed guilty of the same offense mentioned in the preceding section, and upon conviction shall be punished accordingly.

Any person convicted under the provisions of the two preceding sections shall forfeit his license to sell spirituous liquor and intoxicating drink.

If the clause "any person wearing the uniform of such soldier or volunteer in the service of the United States"—

Mr. McPHERSON. What is the date of that law?

Mr. HOAR. It was passed in 1861, but it is in the Revised Statutes of the District of Columbia.

Mr. FAULKNER. I will state that that has never been applied to any member of the Soldiers' Home.

Mr. HOAR. I think my friends had better let me finish the sentence. If that language aptly and correctly described the inmates of the Soldiers' Home, who are persons "wearing the uniform of a soldier," then my amendment simply prevents a change in existing law by the operation of the proposed bill.

If, on the other hand, it is to be held to be restricted to soldiers or volunteers, my proposed amendment is entirely within the principle of that law, because if the intelligent and able-bodied soldier requires such special care and provision for him in performing the ordinary duty of a soldier in the regular Army to protect him against this class of harpies, certainly the old, broken-down man in the Soldiers' Home, feeble in body and often feeble in mind, peculiarly demands this protection.

Mr. HAWLEY. Mr. President, I have been supporting this law with such energy and influence as I can give to it. The condition of affairs in the District is discreditable to the country and to Congress. There is practically what is called free rum. There are nominally, I believe, 800 or 1,000 licenses, and it is said by those who have studied and investigated the matter there are a thousand others who are selling without pretense of a license. I can point to a place, in an exceedingly respectable neighborhood (where the whole thing is intensely distasteful to the people), to a man who has defied the law for a series of

years. He may be fined occasionally, as he was obliged to be, but he has continued to sell from day to day and year to year.

I am in favor of high license. Prohibition in this District would mean free rum, in my judgment. I do not think it could be enforced. In saying that I am carried back to the experience of Connecticut about 1851 and 1855. In 1854, I think, we passed a prohibitory law which I, with others, supported. I was perfectly willing that I should be cut off from any chance whatever myself if it was best for the good of the community. The public sentiment that supported it was but feeble and temporary. It resulted practically in free rum. Now for many years we have had a system of license, depending upon an annual vote of the township, license or no license. If the local sentiment is strong it carries license, and there is no selling.

I believe in a system of high license. The bill is not what I myself would have drafted in all particulars, but it is much better than the present condition, when there is no law, when there is a rum shop for about every 115 citizens in this District. I say it is discreditable to us and to the country.

I would put the fewest amendments on the bill possible, so that there may be the least chance in the world for a difference of opinion between the Senate and the other House, and the greatest certainty for the passage of the bill.

The law of 1861, which was read by the Senator from Massachusetts, was for an entirely different state of affairs. This city at that time swarmed with tens and hundreds of thousands of men, sweeping through it, halting for a few hours, wandering into the town, and the shortest way was to prohibit the selling of liquor to any of them. That was a war measure. These men out here now are not soldiers. They are ex-soldiers distinctly.

Mr. BUTLER. May I interrupt the Senator a moment to ask him to state as a matter of fact if the Soldiers' Home here was not established by a fund raised by the regular Army, and that the Government has nothing to do with its support? I understand the Government does not appropriate a dollar for it.

Mr. HAWLEY. The Senator is quite right. The Soldiers' Home here was founded upon the levy made on the City of Mexico by General Scott, and was afterwards sustained by an assessment of a shilling a month reserved from the pay of the soldiers of the regular Army. It is their home and their property.

Mr. BUTLER. The Government does not appropriate anything for it?

Mr. HAWLEY. I do not know whether the Government gives a farthing to help it out or not. I think not.

Mr. BUTLER. I understand not.

Mr. HAWLEY. I think it is supported entirely by its own funds. To say that no member of the Soldiers' Home shall be able to get a glass of beer, I think, is an unnecessary and a futile attempt at restriction. The result would be that the soldier would ask to have it given to him, and if the saloon-keeper was not willing to give it to him, he would find plenty of men around the neighborhood who would be perfectly willing to treat the old man to a drink of some sort or another, or he could send somebody to buy a bottle for him. You can not do it.

As to the mile or half-mile limit, there is some reason in that, in the half-mile limit at least, because if you leave it otherwise you will have clustered right around the chief gates of that splendid park a set of buzzing venomous flies who would take the soldier's last dollar if they could get it and would get him drunk. I know how it has been at the soldiers' home at Dayton, Ohio, for example, where in spite of all their efforts these noisome, mischievous places are as near as they can get to the gates of the grounds. This half a mile limit would scatter the evil. Probably very few of them would take a location with a special view to the soldiers' trade then; and we should at least pay some regard to the public eye in keeping those places away from them.

But I do not want to put a special mark upon these old men as to say that they shall be classed with idiots, insane people, minors, habitual drunkards, and all that, for nine-tenths of them are steady, quiet, and peaceable men, who were orderly, well-disciplined soldiers. In my judgment you can not, in the present state of the world, get a hundred soldiers together without having two or three who would get very drunk at times, and six, eight, or ten out of every hundred who would sometimes get drunk; that is to say, you will not be able to find a hundred teetotallers, without special selections. But as men treat them pretty fairly they are a well-behaved, quiet, orderly, and decent set of old fellows.

While I am strongly in favor of a repression of this evil by high license and a restriction of the number of drinking saloons, I say my conscience would not trouble me at all for giving a glass of beer to a fellow who served his country thirty or forty years.

Mr. McPHERSON. Let the amendment of the Senator from Massachusetts be again read.

The VICE-PRESIDENT. The amendment will be again read. The CHIEF CLERK. Insert at the end of the bill the following additional provision:

*Provided, further,* That it shall be unlawful for any person to sell any intoxicating liquor knowingly to any inmate of the Soldiers' Home, under penalty of forfeiture of his or her license, if any exists. Any person offending against the foregoing provisions shall be liable to a further penalty of \$100 for each offense.

Mr. McPHERSON. Mr. President, I do not see how it is possible for any Senator to resist so proper an amendment to be added to this bill. These old soldiers, weak in body and many of them confessedly weak in mind, go outside of the limits of the Soldiers' Home grounds and are taken in charge, as the Senator from Massachusetts [Mr. Hoar] has described, by the proprietors of the rum mills that are scattered all along the boundaries of the inclosure.

Mr. BUTLER. May I interrupt the Senator from New Jersey for a moment?

Mr. McPHERSON. No, not at present, if the Senator please.

Now, Mr. President, regulations should be made for selling liquors within the inclosure, and who can dispute the fact that good regulations, proper regulations, may be made within the inclosure—so that an old soldier, if he desires it, if he needs it, can have liquors served to him there within the grounds, the same as is done through the War Department to soldiers in the field or in camp.

Mr. HILL. Will the Senator allow me?

Mr. McPHERSON. I can not yield to anybody at present until I shall finish this sentence, but I will yield the floor to the Senator in a moment.

The VICE-PRESIDENT. The Senator from New Jersey declines to yield.

Mr. McPHERSON. As I say, under regulations that may be made by the War Department touching this matter, everything that is necessary to the comfort of these soldiers or that we think should be given to them may be given; but in this bill we ought to restrict the power of anybody to sell them liquor outside of the home.

Mr. BUTLER. The question I wanted to put to the Senator from New Jersey—

The VICE-PRESIDENT. Does the Senator from New Jersey yield?

Mr. McPHERSON. I yield now.

Mr. BUTLER. The question I desired to ask the Senator from New Jersey is whether he would by that amendment prevent the governor of the Soldiers' Home and all the officers from buying any liquor in the city of Washington? The amendment certainly would have that effect, for it prohibits the sale of liquors to all the inmates of the Soldiers' Home. The governor is an inmate and all the officers are inmates.

Mr. HOAR. I do not think any officer of the Soldiers' Home would want to go to these rum shops to buy a glass of rum.

Mr. BUTLER. They are not all rum shops. There are some very respectable places of that kind in the District of Columbia which I hardly think are entitled to be called rum shops.

Mr. McPHERSON. Would there be any necessity for any of the officers to go outside if they were allowed to keep it in the inclosure? Where does the necessity exist for going outside? I presume a very thirsty Senator or officer could find it now in the officers' quarters on the grounds.

Mr. BUTLER. They would have to send outside of the inclosure to buy it.

Mr. McPHERSON. It can be bought to be taken within the inclosure under some well-regulated system by the War Department. It seems to me there is no other security possible now except that offered in the amendment of the Senator from Massachusetts.

Mr. HILL. Mr. President—

The VICE-PRESIDENT. Does the Senator from New Jersey yield to the Senator from New York?

Mr. McPHERSON. I do.

Mr. HILL. It is undoubtedly the desire of every Senator on this floor to enact as strong an excise law as is possible, consistent with the public welfare; but I do not think we should strain a point here in order to make an arbitrary and unnecessary provision. There are excise laws in nearly all the States of the Union. There are soldiers' homes in nearly every State in the Union. I do not know of a provision in a single excise law in any State of the Union which prohibits the selling of alcohol to any soldier.

I assume that there is a soldiers' home in the State of New Jersey; and certainly my friend from New Jersey does not desire to impose any restriction upon the soldiers of the District of Columbia that he would not be willing to impose upon the soldiers of New Jersey. I ask him whether there is anything in the excise law of New Jersey which prohibits the people of New Jersey from selling or giving to old soldiers ale or beer.

Mr. McPHERSON. There is no organized soldiers' home in New Jersey, that I know of, in the sense that this one is organized here, which is under anything except the general laws of the State, and the inmates are treated as a "other people" by the license laws of the State and of the locality. There are no restrictions of that kind as to the soldiers' homes there.

Mr. HILL. The question is that this Soldiers' Home is under the control of the War Department, does not change the situation at all. If there be a soldiers' home in the State of New Jersey, as I supposed there was one, I presume it is so governed by the regular excise laws of the State. We have in our State almost excellent soldiers' homes, and I presume that the same is true neighboring to my own. At the head of that list I mention Henry W. Sleeper, who has been our president for some years.

It was under regulations established by him that a number of that home have a right to sell to the soldiers in the inclosure. They keep it on hand a good deal, and with that regulation I understand the Senator from New Jersey to mean that some such provision should exist here, in our State. The Senator from Massachusetts to state that some such provision ought to prevail here, not to give it to them, but to give it to the people.

Mr. HOAR. A part of the law.

Mr. HILL. For a consideration.

Mr. HOAR. I said as a part of the law, and I do not mean to call that particular thing.

Mr. HILL. Yet under the very law that is cited by the Senator from Massachusetts has cited and which we propose to amend, the amendment of the pending bill that would be laid on the table, and the Senator that it is broad enough to prohibit the selling of liquor, giving it away to a soldier, to under the very law which we now propose to repeal it could not be done.

Mr. President, there is no difference as to the law. The law was undoubtedly passed with reference to the soldiers who were here when the city was sold to them in 1800. It was never intended to apply to the inmates of the Soldiers' Home, which it does in terms. I agree with the Senator that the law, of course, to soldiers, whether in the city or in the District of Columbia, and I think it is one of the purposes of the pending bill that it proposes to repeal it. It is one of the purposes of the War Department to repeal it. It is one of the purposes of this bill. But with this law still in force, the War Department can not do it.

Therefore, I think that we should not be guilty of repeating the law, and I think that the Senator from Massachusetts ought not to persist in his amendment. I would not repeal the excise law, but I would not pass the law which would prohibit the selling of liquor to the inmates of the Soldiers' Home, and I would not add to the bill the provision proposed by the Senator from Massachusetts that it should stigmatize upon them, and I would not add to the bill the provision of the Senator from Massachusetts that it should prohibit the selling of liquor to the inmates of the Soldiers' Home in any other State in the Union. I would not add to the bill the provision of the various States of the country, and I would not add to the bill a more strict law upon the State of New Jersey than we do in our own State.

Why should not the poor soldiers who are in the Soldiers' Home here have the same pleasures that are enjoyed by the soldiers in the same States of the Union?

Mr. HOAR. I wish to say that I do not mean to repeal the law which I cited from the records of the District of Columbia has been held by the courts to be a part of the law of the Soldiers' Home.

Mr. HILL. Then there is something to be done as to it should be repealed.

Mr. FAULKNER. I am not a lawyer, but I think it can be construed as applying to the inmates of the Soldiers' Home. Those inmates are not any more soldiers of the United States Army than are citizens who are in the Army and are in the Army years of the war and whose homes are in the State of New Jersey. If that law applies to the inmates of soldiers' homes, it is as if the expression "soldiers of the United States" could be used to apply to every man who had been in the United States Army at any period of its history, and would make of him a criminal and subject to penalty for any man who had been in the District of Columbia a solitary drink of lager beer, and who was in the Army of the United States or in the volunteer service of the Government. I have never heard that there ever has been a case brought

I say, personally, I am not a lawyer, but I think the law was supposed to be repealed in this District before the decision of the Supreme Court of the District of Columbia last fall, it was never intended and you could see at any time and the gates at the entrance to the Soldiers' Home the soldiers walking into the carrooms and getting their liquor, just as freely as any other citizen of the District of Columbia could do. I venture the assertion that there never has been a case brought



up, even in the light of laws were enforced in this District, in which the great head of the inmates of that home came within the clause referred to by the Senator from Massachusetts.

Mr. McPHERSON. I care not what the law is touching this matter. I am only speaking of what it ought to be. I approve of a law which will give to those old soldiers, many of them weakened in body and mind, be it or spirits, if they have been accustomed to its use. Anything that they seem to need I would give them, but I want to have it done under some well-regulated system within the inclosure itself. I dislike very much to see these poor old soldiers, with more than one foot in the grave, tottering out of the inclosure in the morning and tottering back again in the afternoon, scarcely able to reach the confines of the Home. I think it is a disgrace to this Government.

Mr. President, Congress is the lawmaking power for this District. We are the board of aldermen, so to speak, of this city. We make its laws. We may place any restrictions we please upon the ability to get drink within a mile or within a certain distance of that inclosure, and the War Department in like manner may make such rules and regulations as it may desire touching the interior of that inclosure, and any rule or regulation it makes has all the force and effect that any statute would have which we may pass here. Therefore it is that I favor the amendment or any restrictive legislation of that character for the security of these old soldiers outside the inclosure.

Mr. HARRIS. I should like to ask the Senator from New Jersey if he thinks these old soldiers have forfeited any or all of their rights to citizenship, and if we should legislate with a view of dealing with them on principles other than those on which we deal with other American citizens?

Mr. McPHERSON. If a soldier who is receiving the bounty of his country in a soldiers' home is unable longer to control himself, if he requires a guardian, the guardianship over him is a guardianship provided within the home. Now, I say as to that man that we should throw around him all the protection possible. We are doing him an injustice if we permit him to go outside the home, if that be his propensity, and indulge his appetite there. That is my answer to the Senator from Tennessee.

Mr. HARRIS. Then I should like to know upon what authority the Senator from New Jersey or any other Senator assumes that this particular class of American citizens have propensities they can not control and which require that Congress shall pass a law to take violent hold upon them and control and subject them to leading strings? It is an absurdity and a disgrace, in my opinion.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The question is on the amendment of the Senator from Massachusetts [Mr. HOAR], upon which the yeas and nays have been ordered.

Mr. PASCO. I ask that the amendment be again read.

The PRESIDING OFFICER. The amendment will be again read.

The CHIEF CLERK. Add at the end of the bill the following provision:

*Enacted*, That it shall be unlawful for any person to sell in or about any place known to be frequented by the Soldiers' Home, and in the vicinity of the entrance of his or her license, if any exists. Any person offending against the foregoing provision shall be liable to a further penalty of \$100 for each offense.

The Secretary proceeded to call the roll.

Mr. CAMDEN (when his name was called). I am paired with the Senator from South Dakota [Mr. McPHERSON].

Mr. DIXON (when his name was called). I am paired with the Senator from Mississippi [Mr. WALTHALL].

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN].

Mr. WILSON of Iowa (when his name was called). I am paired generally with the Senator from Georgia [Mr. COLQUITT], but I am satisfied that if he were present he would "yea." I therefore vote "yea."

The roll call was concluded.

Mr. CULLOM after having voted in the negative, I inadvertently voted. I am paired with the Senator from Delaware [Mr. GRAY]. Not knowing how he would vote, I withdraw my vote.

The result was announced—yeas 24, nays 42; as follows:

YEAS—24			
Allison.	Hansbrough.	McPherson.	Proctor.
Chandler.	Higgins.	Merrill.	Sherman.
Harves.	Hiscock.	Peffer.	Stockbridge.
Frye.	Hoar.	Perkins.	Washburn.
Gallinger.	Kyle.	Platt.	Wilson.
NAYS—42			
Bace.	Carey.	Faulkner.	Harris.
Berry.	Casey.	Felton.	Hawley.
Blackburn.	Cochran.	Gibson.	Hill.
Brier.	Daniel.	Gordon.	Huntton.
Butler.	Dabors.	German.	Irby.

Jones, Ne.	Pasco.	Snyder.	Voorhees.
Lindley.	Power.	Stewart.	Warren.
McMillan.	Paugh.	Teller.	White.
Manwaring.	Ransom.	Thurpe.	Wolcott.
Mitchell.	Sawyer.	Van D.	
	Shoup.	Vest.	

#### NOT VOTING—5.

Allen, H.	Colby.	Gray.	Quay.
Allen.	Colquitt.	Hale.	Sanders.
Bingham.	Callahan.	Jones, Ark.	Stanford.
Cabery.	Davis.	Morgan.	Vilas.
Chad.	Dugan.	Palmer.	Walthall.
Chamden.	Dolph.	Palmer.	
Cameron.	Geary.	Perdrew.	

So the amendment was rejected.

Mr. HOAR. I move a further amendment to be added at the end of the bill.

The PRESIDING OFFICER. The amendment of the Senator from Massachusetts its will be reported.

The CHIEF CLERK. It is proposed to add at the end of the bill the following provision:

*Enacted*, That nothing hereby contained shall be construed to repeal sections 1181, 1182, and 1183 of the Revised Statutes relating to the District of Columbia or any part thereof.

Mr. BUTLER. Will the Senator from Massachusetts be kind enough to read those provisions or have them read?

Mr. HOAR. I will send the volume to the desk.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

Sec. 1181. It shall not be lawful for any person in the District to sell, give, or distribute to any soldier or volunteer in the service of the United States, or any person wearing the uniform of such soldier or volunteer, any spirituous liquor or intoxicating drink; and any person offending against the provisions of this section shall, on a conviction thereof, pay a fine of \$20, or in default of such payment, be committed to the District jail for thirty days.

Sec. 1182. Any person licensed to sell spirituous liquors or intoxicating drink within the District, who shall suffer or permit any soldier or volunteer in the service of the United States, or any person wearing the uniform of such soldier or volunteer, to drink any spirituous liquor or intoxicating drink upon his premises, shall be deemed guilty of the same offense mentioned in the preceding section, and upon conviction, shall be punished accordingly.

Sec. 1183. Any person convicted under the provisions of the two preceding sections shall forfeit his license to sell spirituous liquor and intoxicating drink.

Mr. HILL. Mr. President, so far as the first section is concerned, which the amendment contemplates shall not be repealed, I think that question has virtually just been passed upon by a vote of the Senate. I think the Senate perfectly understood the question, namely, that that provision is repealed by this proposed act, because it was conceded upon all sides that it did apply, especially under the decision of the court, to soldiers in the Soldiers' Home. So far as the second provision is concerned, I understand it applies more especially to soldiers in the actual service of the United States. I do not know that there is any objection to that.

Mr. BUTLER. If the Senator will allow me, I think it goes very far beyond that. It says anybody "wearing the uniform of the United States."

Mr. HILL. Yes, that part of it.

Mr. BUTLER. It applies to volunteers from Pennsylvania and every other State who wear the uniform of the United States, as I understand the meaning of it.

Mr. HILL. In addition to being a volunteer, it also contains language, if I recollect it aright, pertaining to those wearing the uniform of the United States. I think the safest way is to debate the pending amendment. I vote today it upon the table.

The PRESIDING OFFICER. It is moved by the Senator from New York that the amendment proposed by the Senator from Massachusetts be laid on the table.

The motion was agreed to.

Mr. HANSBROUGH. In section 11, line 5, I move to strike out the word "regular" and to insert in lieu thereof the word "reputable" so as to read:

That upon the written prescription of a reputable physician

The amendment was agreed to.

Mr. GALLINGER. I sent to the desk an amendment a short time ago, after the amendment of the Senator from Massachusetts was declared carried, which I ask to be now read.

Mr. PLATT. Where is the last amendment of the Senator in charge of the bill to come in?

The PRESIDING OFFICER. On page 6, line 5, of section 11, the third word in the line.

Mr. PLATT. Is the court going to determine who is a reputable physician?

The PRESIDING OFFICER. The amendment has been adopted, inserting the word "reputable" instead of the word "regular."

Mr. PLATT. I think it might be a little difficult for a court always to determine who is a reputable physician.

Mr. HANSBROUGH. I offered that amendment in deference



Mr. HARRIS. The only question is whether I took the floor immediately after the Senator from North Dakota.

Mr. GALLINGER. The Senator did not take the floor immediately after him.

Mr. HARRIS. I tried my best to do it, and spoke before the Senator from New Hampshire.

Mr. GALLINGER. I had the floor.

Mr. HARRIS. I was recognized by the Chair, and my rights to the floor were absolute after my guidance.

Mr. GALLINGER. Let the Chair decide it.

The VICE-PRESIDENT. That is rather an embarrassing question. If the Senator from New Hampshire had not yielded the floor he is entitled to it.

Mr. GALLINGER. I had not yielded the floor.

Mr. President, the amendment I have submitted is an amendment in exact accord with a bill which was agreed upon unanimously by the Committee on the District of Columbia, the Senator from Tennessee [Mr. HARRIS] being a member of the committee, and the Senator from North Dakota [Mr. HANSBROUGH] another member of it, on the 13th day of May, 1892, nearly one year ago, and it was reported to the Senate on that day. It has been buried on the Calendar for nearly one year. It is a high-license bill. I do not know why the Senator from North Dakota has allowed nearly a year to elapse without calling up the bill, which he was instructed to report by a unanimous vote of the committee, and which he did report.

When that bill was reported on the 13th day of May, the Senator from North Dakota made an elaborate written report. In that report he commends and quotes Mr. Julian Ralph, in Harper's Magazine for April, 1892, as commending the high-license law of the city of Minneapolis. If I were not so good-natured as not to desire to consume the time of the Senate, and desiring that action shall be had upon this bill at the proper time, I should read what Mr. Julian Ralph has said about the Minneapolis high-license law, which the Senator from North Dakota incorporated in his report nine months ago, and which remains unacted upon to the present time. He says the Minneapolis high-license law is the best law in the world, that it has resulted in driving intoxicating liquors from the residence portion of that beautiful city.

I have the assurance of one of the Senators from Minnesota that what Mr. Ralph says in that argument, which the Committee on the District of Columbia indorse through the Senator who is pressing this low-license bill to-day, is absolutely true.

Now, I offer an amendment in exact accord, or nearly in exact accord, with the report which was made by the committee on the 13th of May last, which proposes to compel the men who are to sell rum in this city, who are ruining our boys and destroying our homes, to pay for the privilege as much as is paid in Minneapolis and some other cities of the country.

It is said that our laws are inadequate. Why are they inadequate? Congress is responsible for the inadequacy of law in this District. There is not a State in the Union which has such an abominable code of laws as the District of Columbia made up of the English common law, of the obsolete statutes of the State of Maryland, and some modern legislation; yet it is proposed to put on the statute books another law, and the Senator who is pressing this bill declares that we can do no better at this time.

I say we have had enough of patchwork and tracery in the way of legislation in the District of Columbia. If we are going to have a law in this District licensing the rum traffic, let it be a law which will protect the homes and families of this District as against the men who sell and the men who traffic in rum.

That is all I care to say. I simply ask that a yeas and nays vote shall be taken upon the amendment which, in my judgment, the Senator from North Dakota ought to be foremost in advocating and supporting.

Mr. HANSBROUGH. I desire to say in answer to the Senator from New Hampshire—

The VICE-PRESIDENT. Does the Senator from New Hampshire yield the floor to the Senator from North Dakota?

Mr. GALLINGER. I yield the floor to the Senator from North Dakota for a question.

Mr. HANSBROUGH. I agree entirely with everything which is in the report made from the Committee on the District of Columbia to the Senate to which the Senator refers, and am in favor of a high license.

I desire to correct the statement made by the Senator from New Hampshire to the effect that the Committee on the District of Columbia of the Senate have reported a bill here in favor of a license of \$1,000 for retail and \$500 for wholesale dealers. I desire to call the attention of the Senator to the fact that we had quite a little contest in the committee on the day we considered the measure, and it was finally voted that the retail license should be \$500 and the wholesale license \$250, and I so reported the bill to the Senate.

Mr. GALLINGER. That is correct, and I stand corrected to that extent; but what I stated was substantially the fact that the Senator from North Dakota indorsed the Minneapolis high-license law and indorsed what the Philadelphia Press said of high license in that city where it is \$1,000.

Mr. HANSBROUGH. And I indorse it now heartily.

Mr. GALLINGER. And yet the Senator reported a bill reducing the license in the District of Columbia. If the Senator will be kind enough to tell the Senate of the United States why rum-sellers in the capital city should not pay as much for licenses as in Minneapolis and Philadelphia he will confer a great favor upon me and the country.

Mr. HANSBROUGH. I should be heartily in favor of making liquor-sellers pay a license of \$2,500 if it were possible to do so. I simply submit that this measure is a step in the right direction and the best in my judgment that we can get at this time.

Mr. GALLINGER. I have said all I care to say at present.

Mr. HARRIS. This bill was carefully considered by the District Committee, and is the result of that consideration. The Senator from New Hampshire [Mr. GALLINGER] is a member of that committee, and I think it would have been respectful to the committee if he had intended to offer these various amendments, with which he is consuming the expiring hours of this Congress, to have offered them in committee and have allowed them to be considered there.

I do not know exactly what the rate of license ought to be for retail or wholesale dealers, but I accepted the judgment of the majority of the committee and agreed to the reporting of this bill. I hardly think it is an excusable thing in the Senator to annoy at this late day the Congress and the Senate in offering these varied amendments, which ought to have been considered and decided by the committee of which he is a member.

I shall vote against his amendment to the bill.

Mr. GALLINGER. In answer to the distinguished Senator from Tennessee, who, I presume, intends to be fair, I will say that on the 13th day of May, 1892, the bill to which I have called attention was reported. I was absent from the city at my home, having left here on the 13th day of February. I find by reference to the bill now under consideration that it was read twice and referred to the Committee on the District of Columbia on the 14th day of February, Tuesday, and reported back here on Thursday, the 16th. The committee did not even wait until the day for the regular meeting of the committee. I should be pleased if the Senator from Tennessee would tell me how under these circumstances I could have conferred with that committee. I do not know that I could have done so very well even if I had been in the city.

Mr. HARRIS. If the Senator will allow me, if he had been here, where his official duties required him to be, he would have had notice of the meeting of the committee and could have attended.

Mr. GALLINGER. That is cheap talk. Any Senator can say such nonsense as that on the floor of the Senate, and nobody knows better than the Senator—

Mr. HARRIS. It may be nonsense to a mind like the Senator's, but it is the logic of fact and of duty.

Mr. GALLINGER. Well, it is nonsense.

Mr. VEST. I wish to ask a question of the Senator in charge of the bill. Before we vote upon this amendment I should like to know what increase of license is proposed by the amendment over the provisions of the bill?

Mr. HANSBROUGH. The provision of the bill, as the Senator will see on page 11, is that the wholesale liquor license shall be \$250 a year. The present law is \$25 a year.

Mr. VEST. What is the retail license?

Mr. HANSBROUGH. And the bill provides that the retail license shall be \$400 a year. The license under the present law is \$100 a year.

Mr. VEST. What is the amendment of the Senator from New Hampshire?

Mr. HANSBROUGH. To increase the wholesale license to \$500 and the retail license to \$1,000.

Mr. GALLINGER. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DIXON (when his name was called). I am paired with the Senator from Mississippi [Mr. WALTHALL].

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN].

The roll call was concluded.

Mr. HUNTON. I am paired with the Senator from Georgia [Mr. COLQUHOUN] on this question.

Mr. MILLAN. I have a general pair with the Senator from North Carolina [Mr. VANCE]; but knowing that he would vote in the negative on this question, I have voted "nay."

The result was announced—yeas 21, nays 31; as follows:

## YEAS—21.

Carey,	Gallinger,	Power,	Warren,
Casey,	Higgins,	Proctor,	Washburn,
Chandler,	Hour,	Sherman,	Wilson,
Cullom,	Irby,	Squire,	
Dubois,	Peffer,	Stockbridge,	
Frye,	Platt,	Teller,	

## NAYS—31.

Bate,	Gibson,	McPherson,	Shoup,
Berry,	Gorman,	Mills,	Stewart,
Blackburn,	Gray,	Mitchell,	Turpie,
Butler,	Hansbrough,	Morrill,	Vest,
Call,	Harris,	Pasco,	Voorhees,
Coke,	Hawley,	Pugh,	White,
Daniel,	Hill,	Ransom,	Walcott,
Faulkner,	McMillan,	Sawyer,	

## NOT VOTING—35.

Aldrich,	Colquitt,	Hiscock,	Palmer,
Allen,	Davis,	Hunton,	Perkins,
Allison,	Dawes,	Jones, Ark.	Pettigrew,
Blodgett,	Dixon,	Jones, Nev.	Quay,
Brist,	Dolph,	Kyle,	Sanders,
Caffery,	Felton,	Kinsley,	Stanford,
Camden,	George,	Manderson,	Vance,
Cameron,	Gordon,	Morgan,	Vilas,
Cockrell,	Hale,	Padlock,	Walthall,

So the amendment was rejected.

Mr. GALLINGER. I offer an amendment, which I am happy to say, the Senator having the bill in charge thinks should be adopted, and I trust it will be.

Mr. HANSBROUGH. There is no objection to the amendment.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed to add to section 2, the following:

An I said board shall make an annual report to Congress, setting forth the number of applications for licenses both favorably and unfavorably acted on, the number of persons convicted for violation of this statute, and the amount of fines collected and uncollected.

The amendment was agreed to.

Mr. GALLINGER. I have another amendment to offer. The Senator in charge of the bill thinks it is in the bill, but I can not find it. It is in the bill, however, reported on the 13th of May last. I think it ought to be adopted.

Mr. HANSBROUGH. I think it is in the bill, but at this late hour we have not time to find it. There is a special order for 1 o'clock.

Mr. HARRIS. Let the amendment be reported.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 3 it is proposed to add to section 4 the following subdivisions:

Sixth. That he is not the owner of or licensee named in any such license then in force.

Seventh. That he intends to carry on such business for himself, and not as an agent of any other person, and that, if so licensed, he will carry on such business for himself and not as the agent of any other person.

Eighth. That he intends to superintend in person the management of the business licensed, and that, if so licensed, he will so superintend in person the management of the business so licensed.

Mr. HARRIS. How will the text then read?

The VICE-PRESIDENT. The proposed amendment is an entirety. It consists of additional subdivisions.

Mr. HANSBROUGH. I accept the amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GALLINGER. I find on my desk one further amendment, which I hope the committee will accept.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. In section 19, line 2, after the word "female," it is proposed to insert the words "minor under sixteen years of age, or person convicted of crime;" so as to read:

That no licensee under a barroom license shall employ, or permit to be employed, or allow any female minor under 16 years of age, or person convicted of crime to sell, furnish, or distribute any intoxicating drinks, etc.

Mr. HANSBROUGH. That amendment I also accept.

The VICE-PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HANSBROUGH. I hope we may now have a vote on the bill.

Mr. CAREY. I wish to ask the Senator having charge of the bill whether the persons who take out a license under it have not also to take out a license under the United States internal-revenue law?

Mr. HANSBROUGH. Most assuredly they have.

Mr. PEPPER. I wish to speak on the bill a moment before it is passed upon.

Mr. TURPIE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Kansas yield to the Senator from Indiana?

Mr. PEPPER. I have a few words to say on the bill.

Mr. TURPIE. I have a few words to say on the bill.

Mr. PEPPER. I have a few words to say on the bill.

The VICE-PRESIDENT. I have a few words to say on the bill.

Mr. PEPPER. I have a few words to say on the bill.

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Mr. PEPPER. I have a few words to say on the bill.

The VICE-PRESIDENT. I have a few words to say on the bill.

two years, saying nothing about wines, would fill a canal 5 feet deep, 30 feet wide, and 164 miles long, or, if you bring it into a lake, it would make a lake half a mile long, one-eighth of a mile wide, and 17 feet deep, affording space enough and fluid enough to float sixty-five of the largest war ships in existence.

The statistics which I have secured have been taken from internal-revenue reports and printed in the *Register* in the Philadelphia Record, showing the extent of the distilling in a few of our large cities. If I may be permitted by the Senate to pass the score over to the Reporter and to include them in my remarks, I shall say nothing more.

**THE VICE-PRESIDENT.** If there be no objection, the statistics referred to will be inserted in the Record. The Chair hears none, and it is so ordered.

The statistics referred to are as follows:

Since 1875 up to the present time the consumption of beer and malt liquors in the United States has increased from 3,120 barrels in that year to 11,000 barrels in 1891, a net increase of 21,770,000 barrels.

It is no more readily increased than it is marked the progress of the trade in the United States is more abundant. Since 1875 and the only one of our annual and yearly increase was during the first year of high prices in the State when the sales fell off only 10,000 barrels from the previous year.

Since then high prices seem to have had little or no effect on the increase, since then being a constant and steady one, and the year 1890 being no exception, as the high water mark in the trade in Pennsylvania as well as the entire country. In that year the sales amounted to 11,215,000 barrels, an increase over the previous year of 100,000 barrels, and over the first year of high prices of 753,211 barrels. The following table will show the sales in some of the principal cities for 1890 and 1891, and the increase:

	1890.	1891.	In-crease.
Phila. & Delphia	1,706,245	1,458,816	247,429
New York	4,418,214	4,587,978	169,764
Chicago	2,031,396	1,678,685	352,711
Milwaukee	1,877,157	1,521,602	355,555
Baltimore	1,704,106	1,498,111	206,000
Cincinnati	1,254,818	1,115,653	139,165
St. Louis	1,824,260	1,655,215	169,045

The magnitude of the liquor trade in the United States is enormous. The quantity of spirits not wine or beer produced and deposited in distillery warehouses during the fiscal year ending June 30, 1892, was 118,436,564 gallons. Since 1882 the quantity has increased from 71,237,255 gallons in that year to the figures above for 1892.

The quantity of beer produced in 1875 was 8,383,720 barrels, and it increased regularly to 30,021,679 barrels in 1891, nearly 400 per cent increase in seventeen years.

The number of distilleries operating in the United States in the year 1892 was 1,357; the number registered was 1,603. The number of persons and firms paying special retail liquor taxes during the year 1892 was 215,174. This does not include the wine and beer list. The number of breweries paying special taxes the same year was 1,967.

Distillers enjoy special privileges in the matters of bonding, leakage, and exportation. Taxes need not be paid until the liquor is removed from the warehouse, and not then if it is to be exported. And in all cases leakage and exportation are counted out. The amount of liquors deducted for leakage during the year 1892 was 3,522,119 gallons, and the quantity exported during the same time was 3,218,787 gallons.

A large number of our distilleries are owned in whole or in part by aliens; and I have the authority of the Powers to send for the statement that upward of \$10,000,000 of foreign capital is now invested in American breweries.

#### MEMORIAL ADDRESSES ON THE LATE SENATOR KENNA.

**MR. FAULKNER.** Mr. President, pursuant to notice heretofore given, I submit the resolutions which I send to your desk, and ask that they be now read and considered.

**THE VICE-PRESIDENT.** The resolutions will be read.

The Chief Clerk read as follows:

*Resolved*, That the Senate do honor with profound sorrow to the death of Hon. John P. Kenna, late a Senator from the State of West Virginia, and extends to his widow, family, and friends sympathy and condolence in their bereavement.

*Resolved*, That as an additional mark of respect to the memory of Mr. Kenna, the legislative business of the Senate be now suspended in order that his former associates in this body may pay fitting tribute to his memory.

*Resolved*, That the Secretary of the Senate be directed to transmit a copy of the resolutions, and also to the governor of West Virginia, a certified copy of these resolutions, with a statement of the action of the Senate thereon.

*Resolved*, That the Secretary of the Senate do communicate these resolutions to the House of Representatives.

*Resolved*, That as a further testimonial of respect to the memory of the deceased Senator that the Senate do now adjourn.

**MR. FAULKNER.** Mr. President, in the name of the people of a State who in life respected, admired, and loved John Edward Kenna, and who, now that death has claimed him as his own, without distinction of party, section, creed, or faction, sincerely

mourn the loss of a gifted son, I ask that the legislative business be temporarily suspended, that the representatives of the State may unite in a last sad tribute to the memory of an associate whom all admired for his high intellectual gifts, and many, many, loved for those bright, social, and genial traits of character that fascinated and charmed, and who, as—

*Long live the Republic!*

*And the Republic live long!*

Mr. President, no public man has ever been in closer touch with the people of our State, and I doubt whether, in the future, any one will so faithfully adhere to them by his personality and public services as Mr. Kenna. His track and many good things his genial companionship, his hand of unrelenting illustration, his unique and striking expression of his love of hunting, fishing, and all the manly sports, his unimpaired courage, his serving integrity, his liberality and unselfishness, his respect for and honoring eloquence, all united in a personality making the most perfect specimen of physical manhood, made him the idol of many and caused him to be respected, admired, and beloved by all.

His death was not only a public calamity, but a personal bereavement to the people he so long and so well represented. Nothing was left undone by the State or the citizens that could give emphasis to the sentiment of public and private misfortune. The Legislature, by resolutions, gave expression to the sentiment of our people. The press, without distinction of party, laid upon his casket the garlands of its highest tribute. A joint committee of the two houses was appointed to proceed to this city and with the committee of Congress to escort his remains to the capital of the State, where, surrounded by all the evidences and emblems of a grateful people's profound sorrow, thousands gazed upon that calm, strong, brave face never to be seen again—

*"Till my cognate with Jehovah's blast,*

*Graves among them, and at His menace dread*

*In the smoke of planets melting fast,*

*Once again to them give up their dead.*

Mr. Kenna was born in Kanawha County, Va., now West Virginia, April 19, 1848, and died in the city of Washington on the 11th day of January, 1893.

Philosophy but confirms the teachings of experience, that man's character, to a great extent, is molded and fashioned by the circumstances which surrounded his growth and development. The youth and manhood of Mr. McKenna were but an illustration of this truth. His magnificent physique, his vigorous intellect, his courageous and independent spirit, were not the result of a condition of luxury and ease, but the development of the characteristics, which were so marked in our deceased friend, was stimulated by the necessities by which he was confronted.

Left fatherless by one of those inscrutable dispensations of Providence at the early age of 8 years, he realized even then that on this world soon devolve the care and support of a loving mother and two younger sisters. In 1858, Mrs. Kenna and her two children removed to the State of Missouri, residing on the farm of Mr. Lewis, a brother of Mrs. Kenna, where they remained until after the breaking out of the civil war. It was then that his farm, and at the early age of 11 years, that he commenced to contribute to the support of the family.

Frequently have his associates in this Chamber heard him, with that boyish gravity, of his competence in reclaiming the "barren and cold" portions of Missouri's finest plantations, where his uncle held the handle of the plow and he controlled the yoke of oxen attached to it.

Although at this period of his life he had the advantage of the tutelage of a governess, yet war did not prevent him from becoming an expert teamster.

He was passionately devoted to his mother, and being an only boy and the eldest child, he soon assumed the position of her only adviser, counselor, and companion. This responsibility rapidly developed his character, and fitted him at an early age to grapple successfully with the stern duties of practical life.

At the age of 16 years he enlisted in the Confederate Army, and served bravely with his company and at Sharpsport, La., in June, 1865.

From that time, as in many other of his most striking characteristics, was his firmness and unconquerable determination of purpose, which was illustrated at this period of his life when, though severely wounded, he refused to retire from active service, choosing to endure the hardships and privations of a disastrous campaign rather than seek the rest and safety of a hospital couch. At the close of the war Mr. Kenna returned to Kanawha County, W. Va., where the rest of his family had preceded him.

At the age of 18 years he found himself without an occupation and with but a meagre education, but these disadvantages did not deter his brave and ambitious spirit from seeking a

The previous question was answered by the Commission, and the report was adopted.







## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. JAMES KEENE, its Clerk, announced that the House had agreed to the reports of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

A bill (H. R. 1275) to grant to the Champlain and St. Lawrence Railroad Company a right of way across the Fort Montgomery military reservation.

A bill (H. R. 10290) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1894; and

A bill (H. R. 10267) making appropriations for the diplomatic and consular service of the United States for the fiscal year ending June 30, 1894.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1307) to provide a permanent system of highways in that part of the District of Columbia lying outside cities.

The message further announced that the House had passed a bill (H. R. 10351) to continue the duties on certain manufactures of wax at the rate now provided by law; in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution providing for the printing of 1,000 copies of the official report of the American delegates to the International Monetary Conference convened at Brussels, November 22, 1892, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution providing for the printing of 8,000 copies of the eulogies delivered upon Hon. Alexander K. Craig, late a Representative from the State of Pennsylvania; in which it requested the concurrence of the Senate.

## ENROLLED BILLS REPEATED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 1275) to grant to the Champlain and St. Lawrence Railroad Company a right of way across the Fort Montgomery military reservation.

A bill (H. R. 9750) to promote the safety of employes and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes.

A bill (H. R. 10290) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1894; and

A bill (H. R. 10184) to amend an act approved July 25, 1892, entitled "An act to provide for the improvement of the entrance of Brunswick, Ga."

## PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Second Legislative Assembly of Oklahoma Territory, praying for the approval by Congress of the act recently passed by that Assembly, and declared unconstitutional by the supreme court of the Territory, providing for the employment of additional employes other than those provided for by the organic act of that Territory; which was referred to the Committee on Territories.

He also presented a petition of the Second Legislative Assembly of Oklahoma Territory, praying for the passage of a law creating a cabinet office of Secretary of Labor, which was referred to the Committee on Education and Labor.

He also presented a petition of the Second Legislative Assembly of Oklahoma Territory, praying for the granting of a charter to the Lexington and Pure R. Railway Company; which was referred to the Committee on Indian Affairs.

Mr. SHERMAN presented a memorial of sundry printing firms of Cincinnati, Ohio, is protesting against the passage of legislation authorizing the Post-Office Department to furnish stamped envelopes to purchasers at the face value of the stamps placed thereon; which was referred to the Committee on Post-Office and Post-Roads.

Mr. COCKRELL presented a petition signed by the ministers of the respective congregations in Clinton, Henry County, Mo., praying for the repeal of the obnoxious features of the act of Congress approved May 5, 1892, entitled "An act to prohibit the coming of Chinese persons into the United States" with the attendant regulations of the Secretary of the Treasury of July 7, 1892, and giving their reasons therefor. I move that the petition be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. HAWLEY presented the petition of Bishop William H. Hare, of South Dakota, and 45 leading citizens of Philadelphia, Pa., and other citizens, including some heads of universities and distinguished clergymen, urging the repeal of the so-called

Geary Chinese exclusion act. I move that the petition be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. MITCHELL presented a petition of the Portland (Oregon) Chamber of Commerce, praying for the immediate repeal of the so-called silver purchase act of 1890; which was referred to the Committee on Finance.

Mr. CHILDS presented petitions of citizens of Monroe, Hardin, and Marion Counties, in the State of Illinois, praying for the appointment of a committee to investigate the combine formed to depreciate the price of grain, which were referred to the Committee on Agriculture and Forestry.

Mr. SMITH presented a petition of the Chamber of Commerce of Port Townsend, Wash., praying that a fog-signal vessel be placed at Umaticla Reef, Flattery Rocks, on the coast of Washington; and that the northerly inshore current along the coast be more accurately determined and described; which was referred to the Committee on Commerce.

## REPORTS OF COMMITTEES.

Mr. VILAS, from the Committee on Indian Affairs, to whom was referred an amendment submitted by himself on the 27th instant, intended to be proposed to the Indian appropriation bill, reported it favorably, and moved that it be referred to the Committee on Appropriations, and be printed; which was agreed to.

Mr. PLATT. I am directed by the Committee on Indian Affairs, to whom was referred an amendment submitted by myself yesterday relating to the Cherokee Outlet, intended to be proposed to the Indian appropriation bill, to report it favorably with amendments. I move that it be referred to the Committee on Appropriations, and be printed.

The motion was agreed to.

Mr. PLATT subsequently said: This morning from the Committee on Indian Affairs I reported favorably an amendment to the Indian appropriation bill. I am now authorized by the committee to report favorably a modification of that amendment; and I move that the same be printed and referred to the Committee on Appropriations.

The motion was agreed to.

Mr. PLATT, from the Committee on Indian Affairs, to whom were referred the amendment submitted by Mr. POWER, the amendment submitted by Mr. JONES of Arkansas, and the amendment submitted by Mr. DAWES, on the 25th instant, intended to be proposed by them respectively to the Indian appropriation bill, reported them favorably, and moved that they be referred to the Committee on Appropriations, and be printed; which was agreed to.

Mr. JONES of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (S. 3789) to authorize the loyal Creek Indians, Indian Territory, to bring suit in the Court of Claims for damages committed upon their property, reported it without amendment.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (H. R. 9741) to increase the pension of Capt. E. R. Clegg from \$2 to \$72 a month, reported it without amendment, and submitted a report thereon.

Mr. PETTICREW, from the Committee on Indian Affairs, to whom was referred an amendment submitted by himself on the 9th instant, intended to be proposed to the Indian appropriation bill, reported it favorably, and moved that it be referred to the Committee on Appropriations, and be printed; which was agreed to.

Mr. VILAS moved that the Committee on Indian Affairs, to whom was referred the letter of the Secretary of the Interior, in response to a resolution of the Senate of the 21st instant relating to claims of 100,000 millions of dollars paid and paid out during the 18th and 19th centuries, be discharged from the further consideration of the same, and that it be referred to the Senate; which was agreed to.

Mr. HITCHCOCK, from the Committee on Indian Affairs, to whom was referred the bill (S. 3891) extending the time for the completion of its railroad by the Cheyenne Coal and Railway Company, and for other purposes, reported it without amendment.

Mr. MILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 3776) to amend the charter of the District of Columbia Railroad Company, reported it with amendments.

Mr. HAY, from the same committee, to whom was referred an amendment submitted by Mr. HAY on the 28th instant, intended to be proposed to the efficiency appropriation bill, reported it favorably, and moved that it be referred to the Committee on Appropriations, and be printed; which was agreed to.

Mr. HIGGINS, from the Committee on the District of Columbia, to whom was referred the bill (S. 3591) to confirm title to lots 13 and 14, in square 959, in Washington, D. C., reported it with an amendment, and submitted a report thereon.



mean time the new Secretary will have an opportunity to look the field over and see whether he can not get along without any inconvenience in the service with the present number.

Then, as the Senator from Maine has well said, and I am glad to hear him repeat it, for it is not a new statement for him to make, when the time comes at the next session of Congress and more ships have been put in commission and the new Secretary comes to Congress with a demonstration that it is absolutely necessary to increase the cost of the service, I have no doubt we shall have the earnest support of the Senators on the other side, as they have had ours during the past four years, for whatever is necessary to make this great arm of the Government, now becoming more important, as efficient as the needs of the country will require. But I do not think it wise in this or any other case, as I have more than once stated to the Senate, to fix an increased expenditure hereafter.

Mr. WOLCOTT. I should like to ask the Senator a question, if I may?

Mr. GORMAN. I yield with great pleasure.

Mr. WOLCOTT. Are there any ships unable to go into commission now by reason of scarcity of employes in the Navy?

Mr. GORMAN. I do not understand that there are. I think that probably the officers would have a better time if we gave them more men. I think that they would probably clean the brasses on the ships and rub up the engines a little better than they do at present; that all the paraphernalia and all the facilities and comforts which can be added to these great ships would be increased and improved. We should probably have an opportunity to entertain our foreign visitors a little better, and we could have more men on the decks and make a better display; but as to the navigation of the ships and their proper management in times of peace, I do not understand that it is an absolute necessity. It is desirable on the part of the officers and on the part of the Navy Department, but it does seem to me that we can afford to wait. I agree with the Senator from Maine that the appropriation for the entertainment and display is fixed and unavoidable and we can not get away from it. It would be discreditable if we did; but I think we had better stop there. Hence my motion to strike out this provision.

I ask the Senator from New Hampshire [Mr. CHANDLER], who has had familiarity with this subject, whether there would be any question about the proposition made by the Senator from Wisconsin and myself that this is a permanent increase of the Navy, and these men would be enlisted for four years or three years, whatever is the regular term of enlistment?

Mr. HALE. Nobody has disputed it.

Mr. GORMAN. There has been some question here in the debate on that point; there has been some confusion on the subject at all events. I ask the Senator from New Hampshire for his opinion.

Mr. CHANDLER. I had not examined this clause before I came into the Senate this morning. I then asked the Senator from Maine the meaning of it, and he stated to me exactly what he has stated to the Senate. Therefore I assume that a permanent increase to 9,000 men was intended by the clause as it stands, and I do not myself see any objection to it. Senators must understand that with the new ships and a large increase of the Navy at no distant day there must be an increase in the number of seamen in the Navy. I was sorry the Senator from Maryland seemed to suggest that a larger number of seamen was wanted for any frivolous or improper purpose. The Senator knows—

Mr. GORMAN. The Senator—

Mr. CHANDLER. If the Senator will allow me, he knows that the complement of seamen for the ships of different classes is fixed by a certain rule. The Secretary of the Navy does not undertake to exceed that rule, and it is very easy to be ascertained when the ships are in commission how many seamen are needed for that purpose. The Senator expects after that to make the necessary increase when it is called for?

Mr. GORMAN. I may have possibly in answer to the Senator from Colorado [Mr. WOLCOTT] used too strong an expression. I did not intend to do it. I did say that I believe for the next year the Navy can get along just as well as it is doing now, and I did say that the increase for the time being would give the officers the additional facilities and comforts which I described.

I meant to say that in my judgment this increase proposed is not absolutely necessary now; that there would not a ship go out of commission, or be tied up, or kept in the navy-yards if we fail to make this increase; that they can get along with some discomfort; that probably they will not have the number required by the regulations; but in time of peace we can get along without this proposed increase. I did not intend to reflect upon the officers of the Navy. I do not feel so. I think that in that branch of the service like the Army they have fixed rules, and they want to keep up their establishment in time of peace practically as they do in war. There is strict discipline in their

service, and it is perfectly natural that they want to have the men around them. I do not say that in any offensive way or for the purpose of criticising them.

Mr. CHANDLER. I knew the Senator did not intend to make any unfriendly criticism of the officers of the Navy.

Mr. GORMAN. Not at all.

Mr. CHANDLER. He has always voted liberally for the support of the Navy. If the Senate does not wish to increase the number of men permanently in the Navy upon this bill of course that part of the amendment of the committee can be voted down. The provision for a temporary increase of the Navy seems to me to give a full and ample and appropriate discretion to the Secretary of the Navy, and I think that a reasonable amount of confidence certainly ought to be shown in that officer.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Maryland [Mr. GORMAN] to the amendment of the committee.

Mr. VILAS. I understand the amendment of the Senator from Maryland was withdrawn temporarily in order to allow the Senator from Missouri to submit a proposed amendment.

The PRESIDING OFFICER. The pending question is on the amendment of the Senator from Maryland [Mr. GORMAN] to the amendment of the committee.

Mr. PALMER. I ask that the amendment to the amendment be reported.

The PRESIDING OFFICER. The amendment to the amendment will be again read.

The CHIEF CLERK. On page 42 strike out from line 20 down to and including the word "thousand," in line 25, in the following words:

And the number of persons who may at one time be enlisted into the Navy of the United States, including seamen, ordinary seamen, landsmen, mechanics, firemen, and coal heavers, and including 1,500 apprentices and boys, hereby authorized to be enlisted annually, shall not exceed 9,000.

Mr. GORMAN. I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BATE. Mr. President, I do not understand the question. I should like to have the question stated again.

Mr. GORMAN. To vote "yea" keeps the number of enlisted men in the Navy as it is to-day; and to vote "nay" will increase the number 750. That is all there is of it.

Mr. BATE. I understand it now. I vote "yea."

The PRESIDING OFFICER (when Mr. FAULKNER's name was called). The present occupant of the chair is paired with the Senator from Rhode Island [Mr. ALDRICH].

Mr. GEORGE (when his name was called). I have a general pair with the Senator from Oregon [Mr. DOLPH] who is absent sick. I make the announcement for the day.

Mr. MORRILL (when his name was called). I have a general pair with the Senator from Tennessee [Mr. HARRIS]. I do not see him present. I therefore withhold my vote. If he were present I should vote "nay."

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were present I should vote "nay."

The roll call was concluded.

Mr. DIXON. I am paired with the Senator from Mississippi [Mr. WALTHALL].

Mr. CULLOM. I inquire if the senior Senator from Delaware [Mr. GRAY] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. CULLOM. I withhold my vote. I am paired with that Senator.

Mr. CAREY (after having voted in the negative). I thought that the Senator from South Carolina [Mr. IRBY] had voted. I find that he has not done so. I withdraw my vote as I am paired with him.

Mr. QUAY. I am paired with the Senator from Alabama [Mr. MORGAN] on this and all other questions except two, I believe.

The result was announced—yeas 23, nays 26; as follows:

## YEAS—23.

Bate,	Gibson,	Mills,	Turpie,
Blackburn,	Gorman,	Palmer,	Vance,
Cabery,	Hill,	Pasco,	Vest,
Carl,	Jones, Ark.	Pfeffer,	Vilas,
Cauden,	Kyle,	Ransom,	Voorhees,
Cockrell,	Lindsay,	Sherman,	

## NAYS—26.

Casey,	Hale,	Jones, Nev.	Sawyer,
Chandler,	Hambrough,	McMillan,	Squire,
Davis,	Hawley,	McParson,	Stewart,
Dubois,	Higgins,	Manderson,	Stockbridge,
Felton,	Hiscock,	Platt,	Teller,
Frye,	Hoar,	Power,	
Gallinger,	Hunton,	Proctor,	

Aldrich,	Colquhitt,	Harris,	Sanders,
Allen,	Cullum,	Irby,	Shoup,
Allison,	Daniel,	Mitchell,	Stearns,
Berry,	Dawes,	Morgan,	Ward,
Blolgett,	Dixon,	Morrill,	Warren,
Brice,	Dodge,	Pacheco,	Washburn,
Butler,	Faulkner,	Perkins,	White,
Cameron,	Greene,	Pettigrew,	Whison,
Carey,	Gordon,	Puga,	Widett,
Coke,	Gray,	Quay,	

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mise by saying that at present there is, as I understand, only one dry dock belonging to the Government on the Pacific coast—that at the Mare Island navy-yard. The United States has a large number of war vessels on that coast, I think five or six at present, and there is a strong probability of increasing our naval forces in those waters.

The bottoms of these vessels become foul to such a degree that their speed is very largely decreased, and, as I said, in this connection I desire to call attention to this article which I will send to the desk and ask to have read.

The VICE-PRESIDENT. The article will be read.

The Secretary read as follows:

It is reported in naval circles that the cruiser Boston, now at Hawaii, will be compelled shortly to proceed to San Francisco in order to have her hull under water cleaned. The condition of the vessel's bottom is said to be more than ordinarily foul, and it is reported that the Boston, from being a 15-knot per hour cruiser, has had her speed reduced to something like 10 knots per hour. All this is due to the vegetable growth on the vessel's under-water hull.

The Boston's plight is emphasizing, it is said, particularly at this time, when the Government needs its best ships at the Sandwich Islands, the necessity for scouring the bottoms of all the new vessels. The Navy regulations prescribe that the cruisers shall be docked at least once in every six months. The proper preservation of the under-water hull plates demands this attention, and in foreign waters United States war vessels are permitted to use and pay for docking in foreign docks. The right to use Government docks has always been extended in recent years to United States ships by European powers. The same courtesy is shown in American waters to the war ships of foreign countries.

The Boston has been at Honolulu for the past three months. Prior to her sailing for the Sandwich Islands she did considerable cruising in the tropical waters of the Pacific. She has received one docking since she reached the Pacific, at the Mare Island California dock, but this attention was bestowed as long ago as last summer.

Since reaching Honolulu the Boston has remained almost wholly idle, lying the major portion of her time quietly at anchor. Vessels actively cruising do not appear to take on as much vegetable growth as those lying still.

Honolulu Harbor, it is reported, is one of the worst sections of the Pacific in which to foul a ship's bottom.

The sloop of war Mohican is now on her way to Honolulu from San Francisco. As soon as the latter ship arrives under the Navy Department will in all probability order the Boston to San Francisco for an overhauling.

Mr. SQUIRE. I have another article published in the New York Times of February 27, 1893, and other newspaper excerpts of the same purport, which, however, it will not be necessary to read to the Senate to-day. But I submit that it is a fact, first, that a dry dock is necessary at this point on the Pacific coast. The evidence is conclusive on this point. The speed of vessels on the Pacific Ocean is reduced in some cases over 50 per cent by fouling of ship's bottoms. Secondly, Congress has already legislated on that subject, having provided by law for a dry dock there to cost not exceeding \$700,000. It has already appropriated \$200,000. The work is going on. The contract has been let, as I stated, at a less sum than it was originally supposed the work could be done for. Now we may just as well provide the sum of money that will enable this dry dock to be completed, and that sum of money will only be about \$75,000, all told, more than has been provided for in the bill as it came from the House of Representatives.

Mr. President, the interests of the Government on the Pacific coast are such that it seems to me the Senate ought to appropriate all the money necessary to complete this dry dock. It can be done at very little extra expense. Here to-day we have been voting away \$300,000 for a naval review or for a great commemorative naval pageant, and I am not unwilling—I voted for that appropriation, and I believe it is right—but how much more important to complete this great public work on the Pacific coast, where we now have only one United States Government dry dock.

I trust that the member of the Committee on Appropriations having the bill in charge will kindly accept this amendment and let the Pacific coast have the benefit of the appropriation for the completion of this work now.

Mr. COCKRELL. Let the amendment of the Senator from Washington be read.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 29, line 14, before the word "thousand" strike out "two hundred and twenty-five" and insert "three hundred;" so as to read:

To continue the construction with durable materials of the dry dock at Puget Sound, authorized by the act approved March 2, 1891, including approaches to dry dock, rent of quarters for civil engineer and inspector, pay of superintendents, inspectors, and draftsman, necessary dredging, and incidental expenses, \$300,000.

Mr. COCKRELL. Is that estimated for?

Mr. SQUIRE. Yes, sir. I understand that it is estimated for.

Mr. BLACKBURN. That is for the completion of the work.

Mr. SQUIRE. That is for the completion of it. I will state that I consulted with Commodore Farquhar, in charge of the United States Bureau of Docks, and I understand him to say that this work as at present designed can be completed for the sum of \$300,000. I think the entire sum may as well be appropriated. It will only cost a little more. Why should this important work

be dragging along for three or four years when we can get it all done within at least two years, perhaps in one year and a half, or even one year?

Mr. COCKRELL. The question is with regard to the two years. Why appropriate \$300,000 now if that amount can not be expended for at least two years?

Mr. SQUIRE. It can. That is the very point I make, that it can be expended now advantageously to the Government.

Mr. COCKRELL. Do I understand that \$300,000 can all be used within the coming fiscal year?

Mr. SQUIRE. Yes. That is my understanding if the work can go rapidly ahead upon the original design.

Mr. COCKRELL. And complete this dry dock?

Mr. SQUIRE. Yes; and that is the very reason why I ask that the amount be changed. The ships of the Navy need this dock, and the commerce of the Pacific coast needs it, and the contractors can complete it if they can draw the money. So I am informed and believe.

The amendment was agreed to.

Mr. GALLINGER. On the 25th day of January I proposed an amendment to the appropriation bill now under consideration which I hoped to see reported and included in the bill, but unfortunately I do not find it. I send the amendment in substance to the desk and offer it at this time.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed to insert after line 15 on page 29:

Dry dock, Portsmouth, N. H.: To commence the construction of a dry dock at Portsmouth navy-yard, of such size, design, and material as may be determined by the Secretary of the Navy, \$100,000, under a limit of \$500,000 as the total cost of said dock.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from New Hampshire [Mr. GALLINGER].

Mr. GALLINGER. I am aware of the fact that very likely the amendment I have proposed is subject to a point of order, but I trust it may not be made against it.

I will say, concerning this proposed dry dock at Portsmouth, that the present dock is a very old and rickety affair, having been built more than forty years ago; and that in the very nature of things it will soon have to be abandoned or a new dry dock built. The harbor of Portsmouth is one of the best, if not the best, on the Atlantic coast. During the recent cold weather Portsmouth Harbor was the only harbor on the entire Atlantic coast that every day during the winter was entirely free from ice.

I do not care to discuss this matter at length, but I feel very sure that the Senator having in charge the bill, who is entirely familiar with the Portsmouth navy-yard and the necessities of the case, will frankly state to the Senate that in his judgment this appropriation ought to be made and that a dry dock ought to be constructed at that yard.

As I said in the beginning, while I apprehend that the amendment is subject to the point of order, I trust that in the interest of economy and of good administration of our naval affairs the point will not be made against it, and that it will be allowed to be incorporated in the bill.

Mr. COCKRELL. I heartily and warmly sympathize with the distinguished Senator from New Hampshire in his desire to see this appropriation made, and I regret that the distinguished Senator from Maine feels such an active interest in the matter that he cannot make the point of order.

Mr. HALE. I certainly shall not do so.

Mr. COCKRELL. I know it is an important matter, and that Portsmouth is a most excellent port—probably the best on the New England coast—but there must be an end to the amount that Congress can and ought to appropriate in this bill. We cannot afford, with the objects that we have under contract, under consideration, and under construction, to begin a new one, and especially one not estimated for by the Department. I am compelled, therefore, to make the point of order that the amendment is not estimated for and is not in order on the bill.

The VICE-PRESIDENT. The Chair is of opinion that the point of order is well taken.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

PROPOSED EXECUTIVE SESSION.

Mr. SHERMAN. I desire to have a brief executive session. I therefore make that motion.

Mr. COCKRELL. I hope that the important bill in regard to regulating the sale of intoxicating liquors in the District of Columbia, which is the unfinished business, will not be laid aside

after having been pending so long. It is one that will save to the taxpayers of this District from \$300,000 to \$400,000 if it becomes a law.

Mr. HANSBROUGH. I trust the Senator from Ohio will withdraw his motion. We can get through with the bill in fifteen or twenty minutes.

Mr. SHERMAN. I can not give the reasons for my motion, but after a brief executive session the license bill will be the regular order of business. I hope we shall have an executive session while the Senate is full, and in a brief time I hope we shall be able to resume legislative business.

The VICE-PRESIDENT. The Senator from Ohio moves that the Senate proceed to the consideration of executive business.

Mr. SHERMAN. I call for the yeas and nays on the motion. The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUHITT]. I therefore withhold my vote.

The roll call was concluded.

Mr. HIGGINS. I desire to inquire whether the Senator from New Jersey [Mr. McPHERSON] is recorded as having voted.

The VICE-PRESIDENT. He is not recorded.

Mr. HIGGINS. I withhold my vote, being paired with that Senator.

Mr. DIXON. I am paired with the Senator from Mississippi [Mr. WALTHALL].

Mr. CULLOM. I am paired with the Senator from Delaware [Mr. GRAY], and therefore withhold my vote.

Mr. VILAS. I wish to announce that the Senator from Louisiana [Mr. WHITE] is unavoidably absent from the Chamber, and is paired with the Senator from Montana [Mr. POWER].

The result was announced—yeas 27, nays 29; as follows:

#### YEAS—27.

Carey,	Frye,	McMillan,	Sawyer,
Casey,	Gallinger,	Manderson,	Sherman,
Chandler,	Hale,	Morrill,	Squire,
Davis,	Hansbrough,	Peter,	Stewart,
Dawes,	Hawley,	Perkins,	Stoddard,
Dubois,	Hiscock,	Platt,	Warren,
Felton,	Hoar,	Prentiss,	

#### NAYS—29.

Bate,	Coke,	Huntton,	Turpie,
Berry,	Daniel,	Irby,	Vance,
Blackburn,	Faulkner,	Jones Ark.	Vest,
Blodgett,	Gibson,	Kyle,	Vilas,
Brier,	Gordon,	Lindsay,	Voorhees,
Call,	Gorman,	Palmer,	
Camden,	Harris,	Pasco,	
Cockrell,	Hill,	Pugh,	

#### NOT VOTING—32.

Aldrich,	Dixon,	McMill,	Shoup,
Allen,	Dolph,	Morgan,	Stanford,
Almon,	George,	Padlock,	Tier,
Butler,	Gray,	Perkins,	Wadsworth,
Caffery,	Higgins,	Power,	Washburn,
Cameron,	Jones, Nev.	Quay,	White,
Colquitt,	McPhereson,	Ransom,	Wilson,
Culbourn,	Mills,	Sanford,	Wolcott,

So the motion was not agreed to.

#### LIQUOR TRAFFIC IN THE DISTRICT OF COLUMBIA.

Mr. HANSBROUGH. I ask that the unfinished business be now proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10296) regulating the sale of intoxicating liquors in the District of Columbia.

Mr. PUGH. I ask unanimous consent to proceed to the consideration of House bill 10280. It will take but a minute.

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Alabama?

Mr. HANSBROUGH. I can not yield. It will not take more than five minutes probably to finish the consideration of this bill, and after that the Senate will, I have no doubt, accede to the request of the Senator from Alabama. I must decline at present to yield. We have been engaged on this bill for four days.

The VICE-PRESIDENT. The bill is as in Committee of the Whole and open to amendment.

Mr. HANSBROUGH. I desire to move a slight amendment. On page 5, line 37, after the word "licensee" I move to insert a comma; in line 38, after the word "issued" to insert a comma; and in line 41, on the same page, after the word "aforesaid" to strike out the comma.

The amendment was agreed to.

Mr. TURPIE. Mr. President, I offer an amendment, and wish to be heard in support of the same.

The VICE-PRESIDENT. The amendment of the Senator from Indiana will be stated.

The CHIEF CLERK. The amendment of the Senator from Indiana is as follows:

That the word "licensee" be changed to "licensee" and the word "issued" be changed to "issued".

The VICE-PRESIDENT.

Mr. TURPIE.

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the defense and justification of it to those who depend upon it as an argument in support of the policy of this bill.

The Senator from New Hampshire was unwilling to derive revenue from such a source. Whence is the revenue of the Government now derived? Hundreds of millions are derived from the excise tax upon spirits, many thousands of dollars from the special tax paid by wholesalers for their licenses, and many other millions from the tariff tax levied upon spirits and upon fermented and malt liquors imported. Are these unlawful? Have they no connection with the wretchedness, misery, and tears which the Senator from New Hampshire alluded to as being related to the license system.

Again, sir, whence is a large amount of the revenue of the States as well as of the United States derived? From the imposition of pecuniary fines and forfeitures for offenses against the criminal law. Even the price of blood in the form of a forfeited bond may go into the Treasury. It is too late for any lawgiver to take the stand that the folly, the weakness, or the wickedness of mankind, if you please to call it such, is not to be made the object and subject of revenue. There is no civilized nation—there has been none in the past and there is none now—which has not derived a very large portion of its revenue from a levy of this character. A reformer who would be willing to strike out such a local and comparatively small fee for license in relation to this particular traffic, and at the same time make no objection to the millions which are collected from the same source otherwise, is straining at a gnat—visible only under the microscope—and is swallowing a camel with two humps of the largest size.

We have all heard the phrases as chargeable to liberal sentiments on this subject-matter, that we are participants in the evil which their transgressions bring upon offenders. There is nothing new in any of the phrases used by the Senator from New Hampshire, denunciatory as they were of the license system. They belong to the vernacular of that fanaticism which discards the actual and the practical, the ordinary every-day good in legislation, and demands a standard of superhuman virtue and excellence to suit the ethereal views and visions of the purist and the pietist.

I understood the Senator to say that this was a license bill, and therefore he would vote against it. I shall vote against the bill because it is not a license measure.

I understood the very learned and honorable Senator from Maryland [Mr. GORMAN] to say that this was a bill for revenue, and therefore it ought to be expedited; it ought to be advanced; it ought to be taken up and considered. The Senator from Maryland is mistaken. This is not a measure for revenue. It is very seldom the honorable Senator makes such a grievous lapse, if he will allow me to call it by the mildest term. This is not a measure for license primarily; it is not a measure for revenue primarily. The chief, principal, cardinal point in the bill is that of prohibitory legislation, depending upon the will of the majority, to be taken upon this question by petition.

The three amendments I have offered at once go to this point. I have moved to strike out the words "a majority" wherever they occur, and to insert a reasonable number of householders and freeholders as signers to the petition, just as we do in our State, just as they do in the majority of the States, just as is done in the case of a ditch, in the case of a highway, in the case of getting a license to keep an inn or a tavern. This number of signatures will be sufficient to act as sponsors for the person who undertakes the business, to fully identify him and localize him as a dealer and resident in that section of the District; and that is the only legitimate object of these signatures.

Why, sir, this bill provides that in certain sections of the District, that is, in the city sections, the applicant for license shall have a majority of the residents keeping house, and a majority of the persons owning real estate, and the applicant for a license in a rural place shall have a majority of both such classes of persons. There may be a count of the opposers and the friends of the license system in a certain section of this city which shall approach to within one of an even number on both sides. What would be the consequence? Would this then be a license law?

It might depend upon one man who was opposed to this system, who had an adverse opinion, and upon the act of that single man, owning real estate perhaps in different sections of the city and the District, might depend the question whether in the first place a license should be issued. Is this then a license measure? In the next place, whether revenue should accrue. In this then a measure for revenue? And lastly, whether the sale and use of these commodities should obtain in that neighborhood.

There is no doubt but that sales, with or without license, will occur, and with or without revenue will also occur. Senators may be surprised to hear that this dominant policy in some sections of the country, of legislative prohibition, although it may not have adorned the English language, has really added a new

word to the already large number in that tongue, or rather a combination of two old ones in a new significance. I allude to that haunt of bibulous prostitution I refer to that den of tailoring hypocrisy, I allude to that house of fraud and of a literature in which is commonly called the "speak-easy."

This bill would not prevent the speak-easy, but it would prevent licenses; it would prevent revenue. The signature of one man may be needed to make a majority. Of course the same thing might occur in any election. Certainly it might; but why should this matter be submitted to an election? What has the majority to do with such a question?

It is said that the will of the majority in this country governs. The will of the majority expressed under the form of law governs in this country in respect to those matters which pertain to government. But there are certain rights over which the Government has no control whatever, which are beyond the reach of law, beyond the reach of the power of the majority. Those rights are called natural, sometimes inalienable. They are enumerated in the constitutions of forty-four States; some of them are enumerated in the Constitution of the United States. They are enumerated, but they are not granted; they are not conferred by any government, State or national; they are a part of the birthright of every freeman. These rights are not only free, but they are equal, they are sovereign. They acknowledge no superior, that is the attribute of sovereignty. This Government has never conferred and can not confer them.

The foundation of this Government was brought about by the free conditions which preceded it. This republican form of government and this democratic policy are the effect, not the cause, of human liberty. It is true the State constitutions and the national Constitution guarantee all these rights as rights inalienable. A man can not be deprived of them, and he can not himself abdicate them any more than he can sell himself into slavery. Yes, sir; they are guaranteed by these constitutional ordinances, but they were not created by such ordinances, and their sovereignty shows that the individual, the unit, is, with respect to these rights, superior to and above the reach of legislation. The man is greater than the state.

The man, considered with respect to his responsibility as a free agent, political and civil, and considered with respect to the relations which he bears to the distant scene of the future beyond this life which certainly awaits him, is infinitely greater than the state under any form of development, and the state under any form is infinitely less than the man. It is transient, it is transitory, it is ephemeral as compared with the man.

Now, sir, one of these rights is the right of life, liberty, and the pursuit of happiness, alluded to in the Declaration of Independence, the greatest American state paper, the greatest state paper of the world. Some of these rights are alluded to in the State constitutions, are enumerated, but the fact that some of them may not be enumerated does not disparage their existence or their exercise.

There is the right of freedom of the press, there is the right of free speech, there is the right of freedom of worship and conscience, a sovereign right, one which can not be interfered with by legislation, the right of every man to worship God according to the dictates of his own conscience.

But, say these advocates of fanaticism, temperance is a good thing, always using the word in the sense of total abstinence. I shall use it in the same sense. Temperance is a good thing, they say, a noble thing, an excellent thing, a pure thing. Is it better than the Christian religion? I ask that. If the majority of a certain section, a city, a county, can establish a mode of life by law, why may they not establish a mode of worship by their will? It does not depend upon what mode of worship they establish, for the exercise of legitimate power in government is not to be questioned at all by its operation. They may establish Catholicism in one neighborhood if that be the will of the majority; they may teach Protestantism in another. That is one of the reasons why these high doctrines and principles of religion are not subjected to the will of the majority, because truth is one and indivisible, and can not be changed by a year-and-day vote of this assembly, or by any majority acting either by the ballot or by petition.

Why may we not have a law compelling every man and woman of adult age to join some church? Senators in favor of this policy of prohibition might talk until sundown, showing the beneficence of such a measure. Why may we not have a law compelling every man to join at least some of the benevolent societies, some of the mutual aid societies, the Masons or the Odd Fellows? Because the oldest and best members of such organizations and the churches themselves would flinch from such an accession. The church would not be benefited by such an accession, the individual joiner would not be benefited thereby. I steadfastly believe in all the articles of the Christian faith, but I would not vote for a law which would enable the will of the



vision of the then Christian church. He said none of these things. What he said was this: "Wherefore, if meat make my brother to offend, I will eat no flesh while the world standeth, lest I make my brother to offend."

There is a sublime word and act of self-renunciation, a voluntary pledge, a promise having no taint of human statutes engraved on the fleshy tablets of the heart. That was an act of great self-renunciation for a Roman citizen to make, one who would otherwise have broken no restriction upon his liberties or even upon his personal rights.

We have no quarrel with that great work of voluntary association which has within the last fifty years assumed gigantic proportions in all parts of the world, inclosing within its limits men, women, and children engaged in the good task of a willing self-annihilation, of building up the weak, of massing the moral forces of mankind, as the steam engine and the electric light and line have massed the physical forces of nature upon a single point and purpose—doing the work of truth, of peace, of that perfect law of liberty, the highest type of legislation. We have no quarrel with the Sons of Temperance, with the Daughters of Temperance, with the Order of the White, or the Order of the Blue Ribbon, with any of these voluntary societies which have unmeted, and will yet accomplish, this labor of moral reformation in the world. We believe in that mode, in that method, and especially we do not believe in the method of this bill.

The dogma of legislative prohibition is in direct conflict with the best principles of morality and religion as revealed. It proceeds to destroy the free, moral agency of men, and to shift the responsibility of wrong from the doer thereof to the accumulated and undefinable mass which makes a majority. There is no attribute of civil liberty which can take sides with this dogma. It denies the capacity of the race and of mankind for self-government, as it destroys the ability, the opportunity, the capacity of the man for self-control.

I trust that the time may be near—there are manifest signs of its advent—when the councils and deliberations of our people and their representatives, both in the State and nation, shall return to the plain ground of reason upon this subject-matter, shall return to the domain of common sense—common sense, that home of the mind, its domicile, its abiding place, whither after many wanderings it will return at last.

Mr. GALLINGER. Mr. President when at the opening of the debate on this great question, I took occasion to address myself very briefly to the Senate in opposition to this bill. I had not the least idea that it would evoke such an outburst of fervid eloquence from the Senator from Indiana [Mr. TURPIE] as he has directed against me during the last half hour. I have listened with very great interest to the argument of the distinguished Senator, for, notwithstanding his fallacious theories, which can easily be disproved, I have a very great personal fondness for the Senator, and am always glad to listen to him.

Among other things, the Senator from Indiana has charged upon me blasphemy, because I advocated the prohibition of the liquor traffic. Mr. President, I am quite willing to rest under that imputation under the circumstances. I will call the attention of the distinguished Senator from Indiana to the fact that if it be blasphemy for a Senator of the United States to advocate prohibition against what he conceived to be an acknowledged evil, before the Senate or is able to persuade reasonable men to believe that that accusation is justified, it may be well for him to turn his attention to the great prohibitory law which was given to the world ages ago amid the thunders and the lightning of Mount Sinai, and when he has extracted from that law the "thalt not" that it contains, then it strikes me he may with greater justification say to me and to the Senate of the United States that we have not the right by legislation to prohibit an evil which is upon the world.

Mr. President, the Senator from Indiana has announced himself as diametrically opposed to my views on this question, and yet he proposes to vote as I shall vote against the measure which is before the Senate. I oppose the bill because I would prohibit this evil. He opposes the bill because he is in favor of free traffic in this element, which brings disaster and sorrow to the people of this country. It is not the first time that extremes have met in this world, and I welcome the Senator from Indiana to the little group which will vote against this bill, of which I shall be one.

I shall close by expressing the hope that his argument has had such a profound influence upon the members of his own party, who have been so warmly congratulating him upon his effort, that they may join with us in defeating this measure when the final vote is taken.

Mr. HANSBROUGH. Mr. President, I desire to say briefly, that I am very glad we have had the opportunity of listening to both extremes on this question, the Senator from New Hampshire [Mr. GALLINGER] representing the prohibition sentiment

and the Senator from Indiana [Mr. TURPIE] representing what may be termed the free-whisky element. This bill occupies a middle ground. It is practical and is drawn to meet the existing condition of things. I trust the Senate will lose no time in adopting it.

That is all I have to say.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The question is on the amendment proposed by the Senator from Indiana [Mr. TURPIE], which will be reported.

The SECRETARY. On page 4, line 4, it is proposed to strike out after the words "permission of" the words "a majority" and insert "twenty;" in line 5, after the word "and," to strike out "a majority," and insert "thirty," and in line 13, after the word "from," to strike out "a majority" and insert "fifty;" so as to read:

That in the cities of Washington and Georgetown it shall be the duty of every applicant for a barroom license to present to the excise board with his application the written permission of twenty of the persons owning real estate, and thirty of the residents keeping house on the side of the square where it is desired to locate such business on the confronting side of the square, fronting opposite the same, and if the location of such barroom is on a corner and has an entrance thereon, such consent will be required from such owners and residents on both streets, and in that portion of the District of Columbia lying outside of the said cities of Washington and Georgetown, such applicant shall present such permission from fifty of the persons owning real estate and of residents keeping house within the space of 250 feet of the street or road on each side of the place where it is desired to locate such business, and within a similar space on the side of the street or road fronting opposite such place.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Indiana [Mr. TURPIE].

Mr. PEPPER. I wish to ask the Senator from Indiana, before the vote is taken, what improvement in his opinion will be effected by the adoption of his amendment, substituting a smaller number than a majority for a majority?

Mr. TURPIE. I spoke of that question very fully in my argument, if I may call it so, but the Senator from Kansas would have me repeat it.

I do not think that such a question ought to be submitted to a majority or that it is within the jurisdiction of a majority or within the jurisdiction of any law or of any power of the Government. There is no legitimate authority in the majority to do this, but I have no objection, because such has been for centuries the practice, that such a petition should be signed by a few holders or freeholders in the neighborhood for the purpose of localizing the person who makes the application and identifying the person who engages in the traffic. That is the only legitimate use there is for any petition. The use made of a petition here is to insert in this pretended bill for license and revenue this dogma of legislative prohibition.

Mr. PEPPER. Then, I desire to ask the Senator further for information, whether he believes in regulating the retail sale of intoxicating liquors in any way by law?

Mr. TURPIE. That question I answered very fully. I say the only province of government with respect to any of these natural rights is to regulate their use and punish their abuse. But there is no government, and no law, and no will of a majority which can extinguish natural rights.

Mr. PEPPER. I desire to ask still another question. Does the Senator believe that the sale of intoxicants by retail ought to be as free as the sale of sugar, of corn, of shoes, and of clothing?

Mr. TURPIE. It ought to be just as free as the sale of any other commodities as far as the same may be affected by the will of the majority, which is a mere negation.

Mr. PEPPER. Then why is the Senator not willing to leave the provision as to the majority in this bill?

The PRESIDING OFFICER. The question is on the amendment.

The amendment was rejected.

The bill was reported to the Senate as amended.

Mr. GALLINGER. There is one amendment relating to the sale of liquor in clubs, upon which I should like to have a separate vote. I desire also to offer an amendment to that amendment.

The PRESIDING OFFICER. The Secretary will state the reserved amendment.

Mr. GALLINGER. It was, I think, the first amendment adopted, the Senator from North Dakota [Mr. HANSBROUGH] having offered it as a substitute for the provision in the bill concerning the selling of liquor in clubs.

Mr. HANSBROUGH. It will be found on page 6.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. The reserved amendment is in section 6, line 15, after the word "further," to strike out—

That any duly incorporated club having a license under this act may sell intoxicating liquors to its members at any time till the hour of 1 o'clock a. m.

And insert—

That the said excise board, may, in its discretion, issue a license to any duly

incorporated club on the petition of the officers of the club, and that the said excise board may, in its discretion, grant a permit to such club to sell and consume intoxicating liquors to members and guests between such hours as the said board may designate in said permit.

**THE PRESIDING OFFICER.** The vote will be reserved on the amendment which has been read. The question is on concurring in the other amendments made as in Committee of the Whole.

**MR. FRYE.** I desire to reserve for a separate vote the amendment cutting down the limit from within 1 mile of the grounds of the Soldiers' Home to one-half mile, and I am influenced in this direction very largely by a memorial which I have recently had from the Garley Memorial Presbyterian Church, of which a mission established within the 1-mile limit of the Soldiers' Home. The memorial is a very earnest protest against the amendment, and will take the liberty, notwithstanding the honor of the church.

GARLEY MEMORIAL PRESBYTERIAN CHURCH,  
WASHINGTON, D. C.

To the honorable Senate and House of Representatives of the United States:

Your memorialists would respectfully present to you a memorial of remonstrance against the repeal of the bill which prohibits the sale of liquor for the sale of intoxicating liquors within a certain limit of the Soldiers' Home property. Our church is within one-half mile of the Soldiers' Home, and the amendment we saw with shame, indignation, and with the conviction that the bill was intended to repeal it. We have no objection to the bill as it is, but we forced it met every reasonable expectation of it, and we are now rapidly advancing in value our new and improved property, and there was every prospect for a bright future for our church, and we have a decision of court was made that no penalty exists on the violation of the wholesome law.

Since then a considerable number of dealers have put up signs on the establishments in defiance of the statute, and they are trying to escape to your honorable house that the bill should be repealed, and that the evils resulting from their violation of the law.

For the sake of several hundred students of Howard University, for the sake of the employees of the Government and of the veterans of our Army, for the sake of our children and neighbors, and for the protection of our interests as property holders, we ask that your honorable house will repeal the statute, and will provide appropriate penalties for its enforcement.

The foregoing memorial was unanimously adopted at a regular meeting of the church and congregation, held this evening, February 1, 1893.

WILLIAM S. MILLER,  
Pastor of the Church.

C. H. MERWIN,  
Clerk of the Session.

**MR. PRESIDENT,** I hope that the remonstrance of this church, which has been established there, and which is doing all in its power to save the children of that neighborhood from the terrible evils of the sale of liquor, there will be regarded by the Senate, that the 1-mile limit will be restored, and that the amendment fixing the limit at one-half mile will be voted down.

**THE PRESIDING OFFICER.** The question is: Will the Senate concur in the amendments made as in Committee of the Whole with the two exceptions which have been reserved?

The amendments not reserved were concurred in.

**THE PRESIDING OFFICER.** The question now is on concurring in the first reserved amendment.

**MR. GALLINGER.** I ask that the amendment be again reported.

**THE PRESIDING OFFICER.** The amendment will be reported.

**THE SECRETARY.** In section 6, line 15, after the words "and provided further," it is proposed to strike out:

That any duly incorporated club may, in its discretion, grant a permit to such club to sell and consume intoxicating liquors to its members and guests between such hours as the said board may designate in said permit.

And insert:

That the said excise board may, in its discretion, grant a permit to such club to sell and consume intoxicating liquors to its members and guests between such hours as the said board may designate in said permit.

**MR. GALLINGER.** Mr. President, just a word in reference to the amendment. It probably has suggested itself to Senators that when we commence licensing clubs there will be a great increase of the number of clubs in the city of Washington. They will be on every street corner beyond a doubt, and they will be licensed to sell intoxicating liquors. But that is not the worst part of the amendment adopted by the Senate. It is an amendment not only licensing clubs, but permitting them to sell every day in the week, including Sunday. There is no question about that. The Senator in charge of the bill admits that such is the fact. I simply propose to offer an amendment to take the words "except on Sunday," so that if you are going to make clubs places where intoxicating liquors are to be sold, that you have a monopoly of the business on the Sabbath day.

**MR. HANSBROUGH.** The amendment which was adopted yesterday refers to incorporated clubs.

**MR. GALLINGER.** Yes, Mr. President, and I have heard it can be incorporated under the general law of the District of Columbia.

**MR. HANSBROUGH.** The Senator does not think they will be incorporated for the purpose of selling liquor, does he?

MR. GALLINGER.

Yes, Mr. President.

Yes, Mr. President.

Yes, Mr. President.

Yes, Mr. President.

Yes, Mr. President.

Yes, Mr. President.

Yes, Mr. President.

Yes, Mr. President.

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Yes, Mr. President.

Yes, Mr. President.

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Yes, Mr. President.

Yes, Mr. President.

Yes, Mr. President.

Yes, Mr. President.

Yes, Mr. President.

Yes, Mr. President.

Yes, Mr. President.

Yes, Mr. President.

Yes, Mr. President.

Yes, Mr. President.

Yes, Mr. President.



The amendment was concurred in.

The PRESIDING OFFICER. The question is now upon the second reserved amendment, which will be reported.

The SECRETARY. In section 21, line 6, after the words "Soldiers' Home," the Senate, as in Committee of the Whole, inserted:

Which law is hereby declared to be amended by reducing the limit prescribed in said act to one-half of a mile from the Soldiers' Home property.

Mr. FRYE. Mr. President, the rum-sellers of this District are exceedingly anxious that Senators shall vote on this amendment "yea," and the people who are desirous of saving their children from the evil effects incident to the business of rum-selling are equally desirous that Senators shall vote "nay" and retain the one-mile limit, instead of taking the one-half-mile limit.

The PRESIDING OFFICER. The question is on concurring in the amendment.

Mr. FAULKNER. I ask for the yeas and nays on the adoption of the amendment made as in Committee of the Whole.

The yeas and nays were ordered.

Mr. JONES of Arkansas. Let the amendment be again reported.

Mr. FAULKNER. I understand that a vote against the adoption of this amendment will leave in the bill the one-mile limit, and a vote to concur in the amendment adopted as in Committee of the Whole would reduce the limit to one-half mile.

The PRESIDING OFFICER. The amendment will be stated. The Chief Clerk read the amendment.

The Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR]. I do not know how he would vote on this question if present, and therefore I withhold my vote.

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY].

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TIERNEY].

Mr. DIXON (when his name was called). I am paired with the Senator from Mississippi [Mr. WALTHALL]. If he were present I should vote "nay."

Mr. HUNTON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUHITT]. If he were present I should vote "yea" on this amendment.

Mr. QUAY (when his name was called). I am paired with the Senator from Alabama [Mr. MONROE]. If he were present I should vote "nay."

Mr. RANSOM (when his name was called). I am paired with the Senator from Maine [Mr. HALE]. If he were here I should vote "yea."

Mr. WARREN (when his name was called). I ask if the Senator from Georgia [Mr. GORDON] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. WARREN. Then I withhold my vote. I am paired with that Senator.

The roll call having been concluded, the result was announced—yeas 21, nays 32; as follows:

YEAS—21			
Bate,	Gibson,	McMillan,	Stewart,
Blackburn,	Gorman,	McPherson,	Vander,
Cockrell,	Hansbrough,	Mills,	Vest,
Coke,	Harris,	McMill,	Vilas,
Daniel,	Hill,	Pugh,	Ward,
Faulkner,	Lindsay,	Sawyer,	White,
NAYS—32			
Allison,	Depois,	Reby,	Parkins,
Berry,	Fenton,	James Ark.	Platt,
Blodgett,	Frye,	Kyle,	Powers,
Caffery,	Gallinger,	McPherson,	Sherman,
Casey,	Hawley,	McMill,	Stearns,
Casey,	Higgins,	Palmer,	Stoddard,
Chandler,	Hiscock,	Pasco,	Teller,
Dawes,	Hoar,	Peffer,	Wilson,
NOT VOTING—32			
Aldrich,	Cullom,	Hunton,	Senders,
Allen,	Davis,	Jones, Nev.	Shoup,
Bridges,	Dixon,	Morgan,	Stanford,
Burder,	Dough,	Parkinson,	Thompson,
Call,	George,	Pettigrew,	Walthall,
Camden,	Gordon,	Proctor,	Warren,
Cameron,	Gray,	Quay,	Washington,
Colquhitt,	Hale,	Ransom,	Webster,

So the amendment was nonconcurrent in.

The bill was ordered to be engrossed for a third reading, and read the third time.

Mr. MILLS. Let us have the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. GALLINGER. Yesterday I intended to ask to have incorporated in my remarks an article from the Philadelphia Press,

of April 9, 1892, quoted in the report of the Committee on the District of Columbia on the bill which was reported to the Senate on the 16th day of June last. I now ask, without reading, that the article, which is brief, may be incorporated in the Record as part of my remarks.

The PRESIDING OFFICER. The Senate hears the request of the Senator from New Hampshire. Is there objection? The Chair hears none; and it will be so ordered.

The article referred to is as follows:

Never was money more gladly paid than was that which came to City Treasurer McHenry's office yesterday in the shape of lump sums of \$1000 for saloon licenses. A liquor-dealer by the name of Jerry Donahue was the first to put in an appearance. Mr. Donahue had evidently been laying for the honor of being the first man to step up to the captain's office to settle for the watchman's dues of \$1000. He had never before been in the vicinity until the big iron door opened at 10 o'clock. At 10 o'clock, when the evening teller's office closed, eighty of the dated individuals had paid in \$1000 each.

This anxiety and elation on the part of the successful applicants naturally brings up the query, what are the profits derived from a saloon? The question might well be asked, for it brings out astonishing results. A policeman who has a beat on Chestnut street sized up the situation remarkably well when he replied to a saloon-keeper who had let him to join him in a bottle of wine: "Oh, you've bet a good line, I see."

The policeman was practically right from the point of view, for the profits of an ordinary bar, since the reign of high license are enormous. This is illustrated in the case of an old man who died last year while keeping a modest little saloon near Twentieth and Calloway streets. His books were gone over by the executors, and to the astonishment of all concerned it was found that the old fellow had made a little over \$20,000 clear money every year. His trade was composed largely of mill men who work in that vicinity.

A leading hotel was recently leased to a syndicate for \$100,000 a year for ten years. The profits on the bar in this place are estimated at \$500,000 a year exclusive of the restaurant.

Next to this ranks a place near Eighth and Vine, where the proprietor is about \$300,000 a year, and every year from his bar profits alone. The leading hotels of the city about had a dozen in number, make an average profit of \$5,000 a year apiece from the bars alone.

According to an expert there are about seventy saloons in the city that average all the way from ten to twelve thousand a year apiece. A barroom on Broad street, which had a fortune to put it up, makes about \$15,000 a year and furnishes a good example, on which other more modest places which put in a decent business may be compared. A saloon on Chestnut street and patronized by the made money men connected with lined working men, or men who don't work, and never paid.

Of this class is one near Fifth and Sixth streets, where the profits are fully \$20,000 a year. Just a block away is another place that annually makes a profit of \$15,000. On South Front street is another which enters to the hotels that work in the neighboring hotels and to salt works. This saloon makes an annual profit amounting to nearly \$10,000.

In the mid-18th century section of the city a saloon license is considered to be worth at least \$5,000 a year on an average. In the extreme west end a license is worth more because there are not so many licensed places. Taking it all in all a saloon license is worth something for from a financial point of view.

Mr. GALLINGER. I desire simply to add that I have offered amendments to improve this bill, no human instrumentality could perfect it—and I shall deem it my duty and pleasure to vote against it.

The PRESIDING OFFICER. The question is: Shall the bill pass? on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I am paired with the Senator from Delaware [Mr. GRAY]. If he were present I should vote "yea."

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TIERNEY].

Mr. DIXON (when his name was called). I am paired with the Senator from Mississippi [Mr. WALTHALL].

The roll call was concluded.

Mr. CALL, after having voted in the affirmative. I am paired with the Senator from Vermont [Mr. PROCTOR]. I do not know how he would vote if present, and therefore I withhold my vote.

Mr. HUNTON. I am paired with the Senator from Georgia [Mr. COLQUHITT]. As I do not know how he would vote if present, I withhold my vote.

Mr. DANIEL. I am paired with the Senator from Washington [Mr. SQUIRE].

Mr. COCKRELL, after having voted in the affirmative. I am paired with the senior Senator from Iowa [Mr. ALLISON]. I do not know how he would vote if present, though it is thought by his colleague that he might possibly vote "nay." As I have voted "yea," and should adhere to that if I were not paired, I shall withdraw my vote.

The result was announced—yeas 41, nays 15; as follows:

YEAS—41			
Berry,	Gorman,	McMillan,	Shoup,
Blackburn,	Hansbrough,	McPherson,	Stewart,
Call,	Harris,	McPherson,	Stoddard,
Casey,	Hawley,	McMill,	Teller,
Coke,	Higgins,	Morgan,	Vander,
Dawes,	Hill,	Palmer,	Vilas,
Dubois,	Hiscock,	Pasco,	Warren,
Faulkner,	Hoar,	Parkins,	White,
Fenton,	Jones Ark.	Powers,	
Gibson,	Kyle,	Sawyer,	
	Lindsay,	Sherman,	

Bate,  
Blodgett,  
Chandler,  
Frye.

Gallinger,  
Gordon,  
Hoar,  
Mills.

# NAYS—15.

Peffer,  
Platt,  
Pugh,  
Turpie.

Vest,  
Voorhees,  
Wilson.

# NOT VOTING—32.

Aldrich,  
Allen,  
Allison,  
Brice,  
Butler,  
Call,  
Cameron,  
Cameron.

Cockrell,  
Colquitt,  
Cullum,  
Daniel,  
Davis,  
Dixon,  
Dodge,  
George.

Gray,  
Hale,  
Huntin,  
Jones, Nev.,  
Morgan,  
Paddock,  
Pettigrew,  
Proctor.

Quay,  
Ransom,  
Sanders,  
Spencer,  
Stanley,  
Waltham,  
Wheeler,  
Wheeler.

So the bill was passed.

Mr. HANSBROUGH. I move that the Senate request a conference with the House of Representatives on the bill and amendments.

The motion was agreed to.

By unanimous consent the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. FAULKNER, Mr. McMILLAN, and Mr. HANSBROUGH were appointed.

# ORDER OF BUSINESS.

Mr. HILL. I move to take up for consideration the bill known as the New York and New Jersey bridge bill.

The PRESIDING OFFICER. It is moved by the Senator from New York that the Senate proceed to the consideration of a bill, the title of which will be read at the desk.

Mr. DAWES. I hope the Senator from New York will allow me to call up the agricultural appropriation bill.

Mr. HILL. I desire to occupy a moment and to say one word. I have tried repeatedly to get the bill before the Senate. I may be called away to-morrow, and it is important that the bill, an important one to my constituents, should at least have consideration. If the bill is not a proper one I do not want it passed, but if it is a proper one it seems to me that the Senate ought to consider it. I therefore trust the Senator from Massachusetts will not press anything now in its way.

The PRESIDING OFFICER. The title of the bill moved by the Senator from New York will be stated.

The CHIEF CLERK. A bill (S. 2626) to authorize the New York and New Jersey Bridge Company to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey.

The PRESIDING OFFICER. The question is, Will the Senate proceed to the consideration of the bill?

Mr. MANDERSON. Pending the motion of the Senator from New York, I move that the Senate proceed to the consideration of executive business.

Mr. HILL. I wish to make a suggestion.

Mr. MANDERSON. I suggest that the motion is not debatable.

Mr. HILL. I wish to make a suggestion to the Senator from Massachusetts [Mr. DAWES].

The PRESIDING OFFICER. The motion is not debatable except by unanimous consent.

Mr. HILL. I ask unanimous consent to make a brief statement.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from New York will proceed.

Mr. HILL. If the Senate will take up the bridge bill, I have no objection to yielding to the Senator from Massachusetts to take up the appropriation bill he has in charge. I simply desire that the bill shall not be lost by delay.

Mr. DAWES. If I may be allowed to say a word, I will state that I am acting for the chairman of the committee, who requested me to make this motion as soon as the District license bill was disposed of.

Mr. MANDERSON. I fear the Senator from New York did not understand my motion. My motion is that the Senate proceed to the consideration of executive business.

Mr. HILL. I thoroughly understood the motion.

Mr. MANDERSON. I desire to say, if I may be permitted to do so by unanimous consent.

Mr. HILL. My motion is already pending.

Mr. MANDERSON. My motion takes precedence.

The PRESIDING OFFICER. The motion to proceed to the consideration of executive business is not debatable.

Mr. HILL. Then I hope the motion will be voted down.

The PRESIDING OFFICER. The motion is a privileged one, and is not debatable.

Mr. MANDERSON. By unanimous consent I simply desire to say that I have no desire to antagonize the bill the Senator from New York wishes to call up. He speaks of it as a bill that is of great local and perhaps national importance, but we all know that there are matters of very great moment needing the

attention of the Senate in each session. I am not a member of the Senate, and I am not at all sure that I am not a member of the Senate.

Mr. HILL. Will the Senator from New York allow me to say a word?

Mr. MANDERSON. I am not a member of the Senate, and I am not at all sure that I am not a member of the Senate.

Mr. HILL. I am not a member of the Senate, and I am not at all sure that I am not a member of the Senate.

Mr. MANDERSON. I am not a member of the Senate, and I am not at all sure that I am not a member of the Senate.

Mr. HILL. I am not a member of the Senate, and I am not at all sure that I am not a member of the Senate.

Mr. MANDERSON. I am not a member of the Senate, and I am not at all sure that I am not a member of the Senate.

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Mr. HILL. I am not a member of the Senate, and I am not at all sure that I am not a member of the Senate.

Mr. MANDERSON. I am not a member of the Senate, and I am not at all sure that I am not a member of the Senate.

Mr. HILL. I am not a member of the Senate, and I am not at all sure that I am not a member of the Senate.

Mr. MANDERSON. I am not a member of the Senate, and I am not at all sure that I am not a member of the Senate.

Mr. HILL. I am not a member of the Senate, and I am not at all sure that I am not a member of the Senate.

Mr. MANDERSON. I am not a member of the Senate, and I am not at all sure that I am not a member of the Senate.

Mr. HILL. I am not a member of the Senate, and I am not at all sure that I am not a member of the Senate.

Mr. MANDERSON. I am not a member of the Senate, and I am not at all sure that I am not a member of the Senate.

Mr. HILL. I am not a member of the Senate, and I am not at all sure that I am not a member of the Senate.

Allison,  
Casey,  
Casey,  
Chandler,  
Cullum,  
Davis,  
Dawes,  
Dulles.

Frye,  
Gallinger,  
Hoar,  
Hawley,  
Huntin,  
Huntin,  
Huntin,  
Huntin.

McMillan,  
Mills,  
Mills,  
Mills,  
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Mills,  
Mills,  
Mills.

Berry,  
Blackburn,  
Blodgett,  
Caffery.

Coffey,  
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Coffey,  
Coffey.



value. The does not only depend on a

gations, but if the committee think there ought to be an investigation of soils then there ought to be a separate appropriation for that purpose, and it should not be taken from the appropriation "to extend and continue the investigation of the adulteration of food, drugs, and liquors, including the purchase of samples, transportation, traveling expenses, stationery, return postage, printing and illustrations, analyzing, investigating, and examining samples purchased in the open markets."

This appropriation was intended for the investigation of the adulteration of food, drugs, and liquors, and if a portion of it is to be diverted to the investigation of soils, then it does not leave enough for the investigation of the adulteration of food, etc.

I beg to say to the distinguished chairman in charge of the bill that if he undertakes to investigate soils there is no telling how many varieties of soils there are in the United States, and \$15,000 would not be a drop in the bucket to investigate the soils of this country. It would take away so much from the investigation of food adulterations as to make this provision practically useless to the Department of Agriculture.

Mr. ALLISON. This amendment was inserted on the request of the Assistant Secretary of Agriculture, who has primary charge of these appropriations. He stated to the committee that he desired a small sum for special soil investigations. An estimate was made of \$5,000 for this purpose, but it was not inserted in the bill by the House of Representatives. The Assistant Secretary called our attention to it, and stated that with this sum, \$15,000, they could make the special investigations they desire to make. I will say to the Senator from Virginia that this is \$3,000 more than the appropriation for the current year, which is only \$12,000. If it should turn out that the Secretary was mistaken in his request, we can easily arrange it in conference on consultation with the House of Representatives.

Mr. PADDOCK. I should like to ask the Senator having charge of the bill to pass over this paragraph for a short time until we can have an opportunity to look at it. The idea has just suggested itself here, and I have had no opportunity to examine it. It seems to me on the face of it to be absurd, because \$15,000 is quite a scant appropriation for the duties first named in the paragraph, that is, for the investigation of food adulterations, etc.

Mr. ALLISON. It may be absurd, but if so the Assistant Secretary of Agriculture who recommended this provision certainly must have known something about it.

Mr. PADDOCK. I have another amendment which I desire to add to the paragraph. I should be glad if the Senator could see his way clear to pass it over for the present.

Mr. ALLISON. I am perfectly willing that it may be passed over.

Mr. HIGGINS. Before the item is passed over I suggest to the Senator from Iowa that the amendment in the form in which it is presented to the bill seems to be an inadvertence. It certainly destroys the effect of the appropriation and widens the scope of it so greatly that the amount appropriated becomes absurd. It was probably a mistake on the part of the draftsman.

Mr. HUNTON. I still think from what I have heard and from the intelligent gentleman in charge of this division that it would be wrong to divert any of the appropriation for an examination of the adulteration of food and liquor from that purpose and appropriate it to a special examination of soils, because the whole sum, \$15,000, would not amount to much in the examination of soils, while it is enough for the examination of food adulteration and liquor adulteration. But if the Secretary has the discretion to divert any portion of the \$15,000 that he may please to the examination of soils, he may if he chooses take the whole of it and leave the business of that division, which has been going on for years, entirely without money to proceed.

Mr. ALLISON. I am willing that the paragraph may be passed over for the present. To meet the objection suggested by the Senators who seem to think this is a very absurd provision—I am sorry they make such a criticism upon the Assistant Secretary of Agriculture as well as upon the Committee on Appropriations—

Mr. PADDOCK. No reflection was intended.

Mr. ALLISON. Oh, certainly not. I will modify the amendment in line 21 by inserting, after the word "dollars," the words "one thousand five hundred dollars of which may be used for special soil investigations."

Mr. PADDOCK. That is entirely satisfactory to me.

Mr. ALLISON. I hope that the gentleman who is at the head of this division, who seems to be pretty alert, will be satisfied with that provision, and I so modify it.

Mr. HUNTON. I am under the impression that modification will be satisfactory, but I do not know, and therefore I reserve the privilege of opposing it when the bill comes into the Senate from the Committee of the Whole.

Mr. ALLISON. Very well. I modify the amendment by in-

serting after the word "dollars," in line 21, "of which sum \$1,500 may be used," etc. I will not even make it directory. Then the Secretary of Agriculture, who I am sure will be able to settle this question in the interest of agriculture, will not use this \$1,500 for one purpose when it can be more profitably used for another.

Mr. HUNTON. I think the form of amendment as proposed by the Senator is satisfactory.

The VICE-PRESIDENT. The amendment to the amendment of the committee will be stated.

The SECRETARY. In line 20, strike out the words "and for special soil investigations," and in line 21, after the word "dollars," insert "of which sum \$1,500 may be used for making special soil investigations," so as to read:

"To enable the Secretary of Agriculture to extend and continue the investigation of the adulteration of food, drugs, and liquors, including the purchase of samples, transportation, traveling expenses, stationery, return postage, printing and illustrations, analyzing, investigating, and examining samples purchased in the open markets, \$15,000 of which sum \$1,500 may be used for making special soil investigations."

Mr. HUNTON. And restore the words "the sum of," in line 20?

Mr. ALLISON. That is not necessary; that is surplusage.

Mr. HUNTON. All right.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 12, in line 20, before the word "thousand," to strike out "twelve" and insert "twenty," so as to make the clause read:

Report on forestry, division of forestry: To enable the Secretary of Agriculture to experiment and continue an investigation and report upon the subject of forestry, and for traveling and other necessary expenses in the investigation, and the collection and distribution of valuable economic forest tree seeds and plants, \$25,000.

The amendment was agreed to.

The next amendment was, on page 18, line 19, before the word "thousand," to strike out "thirty" and insert "forty-five," so as to read:

Agricultural experiment stations. To carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with the colleges and published in the several States in the provisions of an act approved July 2, 1892, and of the acts supplementary thereto," and to enforce the execution thereof, \$745,000, \$25,000 of which sum shall be payable upon the order of the Secretary of Agriculture to enable him to carry out the provisions of section 2 of said act of March 2, 1887, and the Secretary of Agriculture is hereby authorized to employ such assistants, clerks, and other persons as he may deem necessary, and to incur such other expenses in traveling, stationery, and other fixtures as he may deem and in carrying out the objects of the above acts, and the sums appropriated to the several States shall be paid quarterly in advance. And the Secretary of Agriculture is hereby authorized to furnish to such institutions or individuals as may agree to buy it copies of the annual index of agricultural literature prepared by the office of experiment stations, and charge for the same a price covering the additional expense involved in the preparation of these copies, and he is hereby authorized to apply the moneys received toward the expense of the preparation of the index.

The amendment was agreed to.

The reading of the bill was continued to line 5 on page 20.

Mr. COCKRELL. I wish to ask something about the experiments in the manufacture of sugar. These experiments have been made for a number of years past and a great deal of money has actually been expended in experiments in the States of Kansas and Louisiana, and probably in other States. Is this simply to continue the same processes and scatter it out a little more extensively? What is the object of the provision? Let me read it, beginning at line 14 on page 19:

"To enable the Secretary of Agriculture to continue experiments in the production of sugar from sugar cane, sugar beets, and sorghum, and especially for culture experiments looking to the improvement of those sources of sugar, and for experiments for the more complete separation of the sugar from the molasses and including all necessary expenses in these experiments, namely, traveling expenses, purchase of samples, apparatus, and supplies, chemical services, including \$500 additional temporary compensation to the chief chemist, and other expenses incidental to the experiments, \$20,000 or so much thereof as may be necessary: *Provided*, That so much thereof as may be necessary may in the discretion of the Secretary of Agriculture be expended in investigating and preparing to carry on experiments next year in sugarcane production on reclaimed swamp lands in some suitable place in the San Joaquin or Sacramento Valley, California, to be used by the Department free of charge."

Are we to go on those reclaimed swamp lands and experiment with them, plow and see if we can make sugar cane grow there?

Mr. ALLISON. I suppose that is the intention from the language of the bill. This is an exact copy of last year's bill.

Mr. COCKRELL. What did the Department do under the provision in the act of last year?

Mr. ALLISON. I understand they are only beginning now to make experiments and want to continue them another year. I will also state that experiments are being made in Florida, and to some extent in Louisiana, and they are still continuing experiments in sorghum in Southern Kansas. That is all I know about it. I think it is well enough to try it another year, and perhaps we can get through with San Juan and Sacramento Valley by that time. I trust next year we shall be able to dispense with

Mr. COOKE. Why should it be a crime?



Mr. PADDOCK. It should be available because there are certain plants, etc., which are obtainable in May, which are not obtainable in April or at any later period. The amendment is in the interest of economy and in the interest of this particular service. It is important that a portion of the appropriation should be at once made available. I have here a letter from the chief of the division of botany recommending the adoption of such an amendment as I have offered, which may be read if desired. That is substantially the statement.

Mr. CORKRELL. Is it estimated for by the Secretary of the Treasury?

Mr. PADDOCK. An estimate is not necessary. It is not proposed to increase the expenditure. The amendment merely proposes to make the appropriation immediately available.

Mr. ALLISON. I understand the chairman of the Committee on Agriculture and Forestry desires the adoption of this amendment. It only enables the money to be expended a little earlier than it would otherwise be expended.

Mr. PADDOCK. That is all there is of it. The amendment makes no additional expenditure.

Mr. ALLISON. And we are to have a careful and good man to expend it, I presume.

The amendment was agreed to.

Mr. PADDOCK. After the word "necessary," on page 11, line 24, I propose to add the proviso, which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 11, line 24, after the word "necessary," it is proposed to insert:

*Provided*, That all duties imposed upon the Secretary of the Treasury or the Commissioner of Internal Revenue by the act entitled "An act to prevent the manufacture or sale of adulterated food or drugs in the District of Columbia," approved October 12, 1888, shall hereafter be performed by the Secretary of Agriculture.

Mr. GORMAN. Let the amendment be again reported.

The VICE-PRESIDENT. The amendment will be again stated.

Mr. ALLISON. The effect of the amendment is to transfer to the Secretary of Agriculture the duties now imposed upon the Secretary of the Treasury respecting the adulteration of food and drugs in the District of Columbia.

Mr. GORMAN. That is a change of existing law, and I shall be compelled to make the point of order against the amendment.

Mr. PADDOCK. Mr. President—

The VICE-PRESIDENT. Does the Senator from Maryland make the point of order?

Mr. GORMAN. I do.

The VICE-PRESIDENT. The point of order, in the opinion of the Chair, is well taken.

Mr. PADDOCK. I presume it is; but I do not think it is very wise to raise it on an amendment of this character. I should like to say a word concerning it.

Mr. GORMAN. I shall withdraw the point of order, of course to enable the Senator to make a statement.

Mr. PADDOCK. Mr. President, in a proviso which was enacted in the last Congress for the investigation of adulterations in the District of Columbia, the duties were imposed upon the Secretary of the Treasury and the Commissioner of Internal Revenue. Now, it is provided in the clause of the bill which I propose to amend, that the same investigations without limit as to place shall be made. They may be made generally under the appropriation which is made in this bill. The investigations required by the law to which I have referred, but for which there is no appropriation whatever, may properly be made. I therefore suggest to the Senator from Maryland that while technically his objection is all right, yet in the interest of the public service, in the interest of these useful investigations, and in the interest of economy, it would be better to have these duties placed where I propose to place them, under the Secretary of Agriculture.

Mr. GORMAN. I renew the point of order.

The VICE-PRESIDENT. The Chair holds that the point of order is well taken.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

#### DISTRICT APPROPRIATION BILL.

Mr. ALLISON. I desire at this time to submit a conference report on the District of Columbia appropriation bill. This report is somewhat lengthy. I ask that it be printed in the RECORD, without reading, and I give notice that to-morrow morning I shall ask the Senate to consider it.

The VICE-PRESIDENT. The report will be printed in the RECORD, without reading, if there be no objection. The Chair hears none.

The report referred to is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10038) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1891, and for other purposes, having met, after full and free conference have agreed that one amendment be adopted and sent to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 4, 5, 11, 22, 25, 27, 28, 32, 33, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, and 112 and agree to the same.

That the House recede from its amendments numbered 1, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 29, 30, 31, 32, 34, 35, 36, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, and 112 and agree to the same.

Amendment numbered 13. That the House recede from its dissent to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$200,000" and the Senate agree to the same.

Amendment numbered 12. That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment and insert after the word "dollars," in line 27, page 10 of the bill the following: "And this appropriation shall be available for removal and repaving of parking on New York Avenue between Ninth and Tenth Streets under the provisions of the compulsory permit system," and the Senate agree to the same.

Amendment numbered 11. That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$200,000" and the Senate agree to the same.

Amendment numbered 15. That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$15,000," and the Senate agree to the same.

Amendment numbered 16. That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$50,000," and the Senate agree to the same.

Amendment numbered 17. That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$25,000," and the Senate agree to the same.

Amendment numbered 18. That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,000," and the Senate agree to the same.

Amendment numbered 19. That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$13,000," and the Senate agree to the same.

Amendment numbered 23. That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$123,955," and the Senate agree to the same.

Amendment numbered 25. That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$82,275," and the Senate agree to the same.

Amendment numbered 31. That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: Insert after said amendment as a new paragraph the following:

For grading Massachusetts Avenue extended, \$10,000.

And the Senate agree to the same.

Amendment numbered 36. That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$30,000," and the Senate agree to the same.

Amendment numbered 44. That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$125,000," and the Senate agree to the same.

Amendment numbered 48. That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$10,000," and the Senate agree to the same.

Amendment numbered 52. That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: Strike out in line 5 of said amendment the word "and" and insert after the word "sixty," and the Senate agree to the same.

Amendment numbered 59. That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$100,000," and the Senate agree to the same.

Amendment numbered 67. That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$7,550," and the Senate agree to the same.

Amendment numbered 68. That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$23,750," and the Senate agree to the same.

Amendment numbered 69. That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following:

For one light wagon harness and boxes, \$575.

And the Senate agree to the same.

Amendment numbered 181. That the House recede from its disagreement to the amendment of the Senate numbered 181, and agree to the same with an amendment as follows: Strike out in line 5 of said amendment the word "ten" and insert in lieu thereof the word "five," and the Senate agree to the same.

Amendment numbered 191. That the House recede from its disagreement to the amendment of the Senate numbered 191, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$1,181," and the Senate agree to the same.

Amendment numbered 192. That the House recede from its disagreement to the amendment of the Senate numbered 192, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$1,181," and the Senate agree to the same.

Amendment numbered 193. That the House recede from its disagreement to the amendment of the Senate numbered 193, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "\$1,181," and the Senate agree to the same.

## DISTRICT APPROPRIATION BILL.

The PRESIDENT *pro tempore*. Is there further morning business?

Mr. TELLER. I do not rise to morning business, but

The PRESIDENT *pro tempore*. If there be no further morning business, the Chair recognizes the Senator from Colorado.

Mr. ALLISON. Mr. President—

The PRESIDENT *pro tempore*. If for morning business, the Chair recognizes the Senator from Iowa.

Mr. ALLISON. I ask the Senate to proceed to the consideration of the conference report on the District of Columbia appropriation bill.

The PRESIDENT *pro tempore*. The conference report will be laid before the Senate.

Mr. TELLER. I wish to say that as soon as that is disposed of I shall then try to call up the McGarrahan bill, of which I gave notice yesterday. I do not desire to interfere with the conference report, but following that I shall ask the Senate to take up the McGarrahan bill.

Mr. CALL. I ask the Senator from Iowa to allow me to have a vote taken upon the joint resolution which was under discussion yesterday and the day before.

Mr. ALLISON. I will state to the Senator from Florida that this is a matter of great importance, and should be disposed of at the earliest possible moment. I think it will take very little time.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 10038) making appropriations for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1894, and for other purposes.

Mr. ALLISON. Inasmuch as the report was presented last night and is printed in full in the RECORD, I suppose it is not necessary to read it at large.

The PRESIDENT *pro tempore*. The reading can be dispensed with by unanimous consent. Is there objection? The Chair hears none, and the reading will be dispensed with. The question is on concurring in the report.

Mr. SHERMAN. We can not understand it very well by reading it. The Senator from Iowa ought to give an explanation of the various amendments.

Mr. PLATT. There is an agreement?

Mr. ALLISON. There is an absolute agreement. There are a great many rather immaterial amendments; that is to say, the Senate conferees have receded on a great many amendments and the House conferees have also done so. On the first amendment, which is an increase of the pay of the inspector of plumbing, the Senate conferees have receded.

Mr. SHERMAN. I do not know that I care to cross-examine the Senator from Iowa in regard to the report.

Mr. ALLISON. If the Senator has any special matter in view I shall be glad to make an explanation.

Mr. SHERMAN. I have not, because I have not the bill before me.

Mr. ALLISON. I will make some general explanation, however.

As to the streets the amount agreed upon in conference is \$200,000, instead of \$150,000, as proposed by the other House, and \$300,000, as proposed by the Senate.

As respects sewers, the Senate conferees made a compromise with the House conferees upon the various provisions relating to sewers, securing a fair result, I think, on the whole.

In regard to the matter of the Washington Aqueduct, which is an important amendment in view of the Senate conferees, the Senate inserted a provision on page 22 of the bill, providing for the commencement of the improvement of the receiving reservoir, and appropriated for that purpose \$75,000.

Mr. SHERMAN. Where is that receiving reservoir?

Mr. ALLISON. It is the upper reservoir, just at the boundary line. The improvement will double the capacity of the water in this city when made. The capacity for water in this city is about four days now. When the receiving reservoir is improved as proposed by the engineer officer in charge, the capacity of water in this city will be doubled.

Mr. HOAR. Is that at the Soldiers' Home?

Mr. ALLISON. No; it is the large receiving reservoir at the west, on the boundary. The House conferees agreed to that provision, inserting \$60,000 instead of \$75,000, so that work is retained.

Mr. SHERMAN. Is there any provision made for the reservoir on the north?

Mr. ALLISON. None.

Mr. SHERMAN. None at all?

Mr. ALLISON. None whatever. I think these are the important amendments. The remaining amendments are mere differences in matters of detail.

Mr. GORMAN. I should like to ask the Senator from Iowa as to the resolution adopted by the Senate on the 27th of last year, which we have entered on the RECORD.

That is the resolution which was adopted by the Senate on the 27th of last year.

Mr. ALLISON. I should like to ask the Senator from Iowa whether or not he is in favor of the resolution which was adopted by the Senate on the 27th of last year.

Mr. GORMAN. I am in favor of the resolution which was adopted by the Senate on the 27th of last year. I should like to ask the Senator from Iowa whether or not he is in favor of the resolution which was adopted by the Senate on the 27th of last year.

Mr. ALLISON. I am in favor of the resolution which was adopted by the Senate on the 27th of last year.

Mr. GORMAN. I should like to ask the Senator from Iowa whether or not he is in favor of the resolution which was adopted by the Senate on the 27th of last year. I should like to ask the Senator from Iowa whether or not he is in favor of the resolution which was adopted by the Senate on the 27th of last year.

Mr. STEWART. I should like to ask the Senator from Iowa whether or not he is in favor of the resolution which was adopted by the Senate on the 27th of last year.

Mr. ALLISON. I am in favor of the resolution which was adopted by the Senate on the 27th of last year. I should like to ask the Senator from Iowa whether or not he is in favor of the resolution which was adopted by the Senate on the 27th of last year.

Mr. GORMAN. I should like to ask the Senator from Iowa whether or not he is in favor of the resolution which was adopted by the Senate on the 27th of last year. I should like to ask the Senator from Iowa whether or not he is in favor of the resolution which was adopted by the Senate on the 27th of last year.

Mr. ALLISON. With the amendment which was inserted by the Senate on the 27th of last year, the amount enable the City Engineer to contract for the sewer running from Lehigh Park to the city, which amendment it is retained in the bill, the work can be contracted for. It has not yet been done, but it can be contracted for, inasmuch as we have a limit from \$225,000 to \$250,000.

Mr. GORMAN. Then there is a provision made for that work for the next year.

Mr. ALLISON. There is a provision made for that work, at least, if not for the whole of next year, for the completion of it. The Commissioners are authorized to contract for its completion.

Mr. GORMAN. I am very glad that the members of the Senate have been able to agree that the health of this city and the health of the Nation depend upon the completion of that work. No matter what the cost, I consider that a great work ought to be done.

Mr. McMILLAN. I should like to ask the Senator from Iowa a question. What was done with the money to take the garbage in the city?

Mr. ALLISON. The garbage disposal fund, which the Senate amendment are retained, and the amount appropriated from \$10,000 to \$5,000. The provision is retained, as is also the provision for \$5,000 a year for the summer months.

Mr. McMILLAN. Then I should like to ask a question. What was done with the money of the District? Is that amendment retained?

Mr. ALLISON. It is retained.

Mr. VEST. Will the Senator from Iowa concur in the conference as to the appropriations for the educational institutions of the District?

Mr. ALLISON. As the Senator will remember, I inserted a provision about 70 per cent of the amount last year should be applied as provided in the bill for the next year. In conference that was changed to 60 per cent is allowed to the District, and the balance of the amount is placed at the disposal of the Commissioners.

Mr. VEST. In the last session, the amount was 60 per cent.

Mr. ALLISON. In the last session, the amount was 60 per cent. And the District should have any additional amount that the Commissioners may want, and above the 60 per cent.

Mr. ALLISON. The amount of the appropriation for the District is 60 per cent; and in their discretion they may apply 10 per cent to the various institutions. I should like to ask the Senator from Iowa whether or not he is in favor of the resolution which was adopted by the Senate on the 27th of last year.

The report was concurred in.

## PRESIDENT.

A message from the President of the United States, L. PRUDEN, one of the judges of the Supreme Court, who had on the 27th of last year, signed a decree in the acts:

An act, S. 3062, to grant a pension to the widow of a Railway Conductor, and for other purposes, and

An act (S. 3873) to authorize the Kansas City, Pittsburg and Gulf Railway Company to construct and operate a railroad, telegraph, and telephone line through the Indian Territory, and for other purposes.

The message also announced that the President of the United States had on the 28th instant approved and signed the following acts:

An act (S. 3811) to amend an act entitled "An act to grant to the Mobile and Dauphin Island Railroad and Harbor Company the right to trestle across the shoal water between Cedar Point and Dauphin Island," approved September 26, 1899;

An act (S. 3702) granting to the Chicago, Rock Island and Pacific Railway Company the use of certain lands at Chickasha Station, and for a "Y" in the Chickaw Nation, Indian Territory;

An act (S. 1538) for the relief of the heirs of James S. Ham;

An act (S. 1539) for the relief of the heirs of John W. Vose;

An act (S. 3725) authorizing the construction of a free bridge across the Arkansas River, connecting Little Rock and Argenta;

A joint resolution (S. R. 157) authorizing the Secretary of War to receive for instruction, at the Military Academy at West Point, Alberto Quirola, of Salvador;

An act (S. 3876) authorizing the St. Louis and Madison Transfer Company to construct a bridge over the Mississippi River;

An act (S. 3871) to authorize the construction of a bridge across the Calumet River; and

An act (S. 2828) for the relief of L. M. Garret.

WILLIAM MCGARRAHAN.

Mr. TELLER. I ask the Senate to take up Senate bill 3741, known as the McGarrahan bill.

The PRESIDENT *pro tempore*. The Senator from Colorado asks the consent of the Senate to proceed to the consideration of a bill the title of which will be stated.

The SECRETARY. A bill (S. 3741) to submit to the Court of Private Land Claims, established by act of Congress approved March 3, 1891, the title of William McGarrahan to the Rancho Panoche Grande, in the State of California, and for other purposes.

The PRESIDENT *pro tempore*. Is there objection to the request of the Senator from Colorado?

Mr. MORRILL. I had not supposed that the Senator from Colorado would bring this bill again before the Senate. I am very sure that it will take much more time than the Senate can afford to devote to a private land claim. If it is to be brought up I have numerous amendments to propose to the bill which, if it be postponed until to-morrow, I shall have printed, so that the Senator may see them, but if the bill is to come up to-day, I shall be compelled to read my amendments and they will have to be taken down at the desk.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. MORRILL. I object to its being taken up.

The PRESIDENT *pro tempore*. The Senator from Vermont objects.

Mr. TELLER. Then I move that the Senate proceed to the consideration of the bill.

Mr. MORRILL. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. FRYE. Has the bill been read?

The PRESIDENT *pro tempore*. It has not; not this bill.

Mr. FRYE. Is it seriously objected to the other bill, and I certainly would like to know, before the question of taking it up is voted on, what the bill is. I ask that it may be read.

The PRESIDENT *pro tempore*. The bill will be read.

Mr. PLATT. I have no objection to the reading of the bill. I simply want to say that when a similar motion was made a few days ago and I asked if it was in order to have the bill read, it was told that it was not in order.

The PRESIDENT *pro tempore*. The bill will be read.

Mr. HOAR. I ask unanimous consent to make a statement. The question is not debatable, I know.

The PRESIDENT *pro tempore*. It is not debatable.

Mr. HOAR. But I hope the Senate will pardon me for saying a word.

The PRESIDENT *pro tempore*. The Senator from Massachusetts will be heard unless there be objection made.

Mr. HOAR. Mr. President, the Senator from Connecticut [Mr. PLATT] and myself were opposed to the bill which was before the Senate some time ago, and which was vetoed by the President. I speak now only for myself, but I believe the Senator from Connecticut would probably concur with me, when I say that we should have preferred a somewhat different way of disposing of the subject from that which is proposed in this bill; but having objected to the other bill, I concur in this, which proposes to submit to the Court of Private Land Claims the ques-

tion of McGarrahan's land title, with a right to appeal to the Supreme Court of the United States as in other cases, and requires the reporting to Congress of all the facts if there should be any further claim for an appropriation of money.

I shall not undertake until the bill is up to go into the reasons which induced me to say that I think, on the whole, it is under the circumstances a reasonable disposition of the question and just to the Government. Although I should have a little preferred the other mode of sending it to the Court of Claims under the Bowman act, to report all the facts, I propose to support this bill.

The PRESIDENT *pro tempore*. The Senator from Maine [Mr. FRYE] asks for the reading of the bill. It will be read.

The Secretary read the bill as proposed to be amended by the Committee on Judiciary, as follows:

*Be it enacted*, That the claim, petition, and papers or copies thereof relating to or touching the grant made by Manuel Micheltorena, governor of Upper California, to Vicente P. Gomez, in the year 1847, of the Rancho Panoche Grande tract of land in the State of California, be, and the same are hereby, referred to the Court of Private Land Claims, established by an act of Congress approved March 3, 1891, and said court is hereby vested with the powers and jurisdiction to hear and determine and adjudge the validity of said grant, and to render final judgment thereon, and in determining the same shall for the purposes of this act hold such sessions as may be necessary, at the city of Washington, in the District of Columbia, and shall exercise the powers and jurisdiction in that were possessed by the former United States district court for the Southern district of California, which had powers and jurisdiction to hear and determine the appeal from the Board of Land Commissioners created under the act of March 3, 1851, entitled "An act to ascertain and settle private land claims in the State of California," and the acts amendatory thereof, in the claim of said Vicente P. Gomez to the said tract of land known as the Rancho Panoche Grande, and that William McGarrahan, claiming to have acquired by subsequent purchase, for a valuable consideration, the title of said Vicente P. Gomez to said tract of land, and as successors to the rights of said Vicente P. Gomez, may at any time within six months from the passage of this act, file his petition in said court, setting up therein the said grant and his said title thereto, and the said court shall also have jurisdiction to adjudge in said proceeding, as to the validity of said claim of said McGarrahan in and to said grant; and the said McGarrahan or his legal representatives, may prosecute said petition and cause against the United States in that court, and it shall be the duty of the custodian of the records and papers in said cause before said Board of Land Commissioners to transmit them to the clerk of said court immediately upon the passage of this act, and such proceedings shall be had on said petition in the said court as might have been had in said district court between the said Vicente P. Gomez and the United States, irrespective of any subsequent proceedings that may have been had in said district court or in any court of record of the United States.

SEC. 2. That upon the trial of questions or issues arising on the hearing of said petition herein provided for the said court shall receive as evidence on the part of the petitioner or the United States the original expediente presented by the said Gomez to the said Governor Manuel Micheltorena, and the original or map or accompanying same, or a copy thereof, the depositions and other evidence produced before said Board of Land Commissioners, or copies thereof, and all depositions, proofs, testimony, or affidavits taken before any court or district court of the United States in the State of California, or the clerks of such courts, or any commissioner appointed by said courts, or before any notary public, or before any committee of the Senate and House of Representatives of the Congress of the United States, or of any independent department of any department of the Government of the United States, or of any United States marshal, or any other official, or any written testimony or depositions or copies thereof, concerning said record touching said grant from said Governor Manuel Micheltorena to said Vicente P. Gomez, or any patent or record of a purchase of portion of said lands in any of the departments of the Government, filed by the President of the United States or by his private secretary authorized to grant patents, or of any record of a patent having been granted by the President of the United States, retro, and any other matter or evidence which in the judgment of the court may tend to throw light upon the case.

SEC. 3. That if said court shall find and adjudge that there was a valid grant from said Governor Manuel Micheltorena to said Vicente P. Gomez, which was made before and by virtue of the treaty between the said Government of the United States and that of Mexico, commonly known as the Treaty of Guadalupe Hidalgo, and the laws of Congress to give effect to the same, and the said McGarrahan is now the owner thereof in law or equity, the court shall direct, retro, and adjudge, and allow to the Secretary of the Interior, who shall thereupon file and send the record to said William McGarrahan as the assignee of said Vicente P. Gomez, or his heirs or assigns, for the land therein granted within the above boundaries, and that the survey made by the United States Survey General for the State of California and approved by the Secretary of the Interior on the 14th day of September, 1892, which survey was approved by the Secretary of the Interior on December 1, 1892, and now on file in the General Land Office, shall be considered as forming part of the land granted to said McGarrahan. *Provided*, That in the event of judgment of said court in favor of said William McGarrahan or his heirs or legal representatives, as assigns or put in to be issued under authority of the findings and judgment said court shall take from the present holders any portion of said tract of land so claimed which has been heretofore disposed of by the United States. And it is hereby made the duty of the Secretary of the Interior, on receipt of any report made to him by said court in favor of said McGarrahan or his heirs or assigns, to cause such matters as may seem to him the most correct and expeditious what tracts of land have been conveyed or disposed of by the Government to other persons than the said William McGarrahan, and for the residue of said land shall issue a patent to the said William McGarrahan, as heretofore provided.

SEC. 4. That if the said court shall find and adjudge in favor of the said William McGarrahan, or his heirs or assigns, that the court shall proceed to find the value of such portion of land embraced within the boundaries of the said grant as may have been heretofore disposed of by the United States within the aforesaid boundaries, less the improvements, if any, made on said land. And if the said court shall not find and adjudge that the said William McGarrahan is the assignee of Vicente P. Gomez or is entitled to the minerals or other valuable substances on, in, or under said lands, the said court shall proceed to ascertain the value of such minerals or other valuable substances which may have been extracted from said lands by any person, persons, or corporations other than the said William McGarrahan, less the costs of min-

In the first place, I shall object to this private land court. Its

Mr. President, this bill has been very thoroughly handled by the parties in the past and those who expect to receive large compensation for past services if the decision shall be ultimately in favor of Mr. McGarrahan. My own impression is that Gomez never had any title whatever to the land, and that the map which is offered here in evidence is one which was made by the claimant or other parties and was never presented to the Mexican government of California.

I shall not, however, take the time to go through the several amendments which I have here noted, but shall seek some proper occasion whenever the question may come up to offer them.

Mr. FELTON. Mr. President, I did not hear my name when the roll was called, or I should have voted with pleasure for the taking up of this bill.

I have known more or less of this question for forty years. I know the public opinion in regard to it upon the Pacific coast, and I believe that public opinion there wrong. I had really no knowledge, and hence had no good reason for its foundation—possibly formed from what has been said and disseminated through the newspapers in the last few years. They may have been misinformed as to the facts. I have taken a great deal of pains to look into this matter during this Congress, and I have no question in my own mind but that there are great equities due the gentleman for whom this bill has been introduced. I did not vote for the former bill in his behalf, because I thought it went too far; but I should like to have the privilege of voting for this bill when amended, and I shall do so with great pleasure, believing that I am simply doing but justice to an honest man, and one who has to a great extent suffered a wrong.

Mr. STEWART. Mr. President, this bill, as I understand it, is equivalent to the confirmation of McGarrahan's title. It provides for the introduction in evidence on the part of the claimant of all the *ex parte* affidavits which have been collected for the last forty years, and makes them evidence.

It assumes that there is an original grant, and provides that that grant may be put in evidence. It also provides that copies of all these documents may be put in evidence, thereby taking away from the court all power to judge of their genuineness. It also provides for confirming a survey which has been repeatedly held by the courts to be fraudulent, a survey extending some 20 miles, if I recollect correctly, or as far as the original claim will go.

The Senate ought to understand what they are doing in this matter. There were a great many large claims in California when we acquired that country, but they were generally in an inchoate state; they had not gone through all the forms which were required to make a perfect title as a general thing. They had been initiated; they had equities, and they covered vast tracts of land, some of them 300,000 or 400,000 acres; but the great majority were limited to about 48,000 acres under a later law of the Mexican Government.

It took nearly forty years to settle these claims. In the meantime great confusion existed in California. There were riots and bloodshed and litigation during all that period. The final result was to patent about 8,000 acres of this land. The difficulties concerning land there have cost an immense amount of money and time and kept back the settlement of the country. A large number of claims were rejected, but some of them undoubtedly had validity. A large number of claims have been confirmed, the titles to which have since been ascertained to be defective.

Since the titles were settled the country has become thickly populated and for many years property has been changing hands in California on the strength of the settlement. To open any one of these cases for a rehearing would be the opening of a Pandora's box by the establishing of such a precedent. Congress has for many years set its face against opening any one of these claims. There were hundreds of them here, which the courts had decided adversely, asking for a rehearing. They were examined from year to year by the Committee on Private Land Claims, and finally Congress set its face against them all.

This claim was of a very doubtful order. When it came up for confirmation in the district court, the district attorney, having one-half interest in the claim, made no opposition to the confirmation. An order for a decree was entered, but the decree was not entered. After five years from the entering of the final decree, the law makes it the duty of the Secretary of the Interior to issue a patent. An application after the lapse of five years from the order for a decree was made for a patent, and the patent was made out. The Attorney-General then took an appeal to the Supreme Court of the United States. A very spirited contest was made there on the part of the claimant against this decree, but the Supreme Court decided adversely to him on the ground that the time had elapsed.

The Court, after having considered the whole case, held that the time for appealing commenced to run from the entry of the decree, and not from the order providing for the entry. They

held that parties could not know exactly what the decree would be until it was entered, and that the law made the time run from the entry of the final decree. The court entertained jurisdiction, and elaborately reviewed the case. They held that the whole proceedings were fraudulent. It is a very severe opinion upon the whole case. Efforts were made in the court to show that the patent made out a final title, but the court held otherwise. Much collateral litigation grew up, and the subject has been before committees of Congress and reported in various ways for the last thirty years.

In view of the fact that many good men have come to believe that Mr. McGarrahan was an injured man, and on account of the favorable things which have been done and said in his behalf by good and honest men, I have said to him and to his friends that I was willing to make an exception in this case and allow him to have a hearing *de novo* upon the whole question before any court of competent jurisdiction in the United States, and I care not what court that may be. I will do for him what Congress has refused to do for any other claimant after the court had finally set a case aside, allow the case to be reopened, and the court to have original jurisdiction of the entire matter; but I am not, in view of the history of this case, as I understand it, legislating to make that evidence which is not evidence at all, and can not under any circumstances be evidence.

I am not willing to pass any law which assumes that there was a grant. I am not willing to confirm a disputed survey; but I am willing, if the bill can be so changed as to strip it of all the mandatory provisions which tell the court how it shall act upon the equities of this man, if the bill can be put in that condition, and if he has been an injured man, I am willing he shall have another day in court, but I do not wish to exclude the United States from its day in court also.

The second section provides:

That upon the trial of questions or issues arising on the hearing of said petition when approved by the said court shall receive as evidence on the part of the petitioner or the United States the original expediente presented by the said claimant to the said Governor Manuel Miñorera.

The bill then goes on and enumerates all the matter which shall be received in evidence or copies thereof.

I am willing that Mr. McGarrahan shall present these matters to the court, but I want it to be so qualified that the court shall judge of their validity and their relevancy. I do not want to preclude the court in that way.

As to the survey, I wish to allow that to be adjudged of by the court also. Let a new survey be made, and then let the court pass upon it. Let us put around this bill the safeguards which I think this bill does not furnish.

Mr. HOAR. Will the Senator draw such an amendment as he suggests and propose it?

Mr. STEWART. I should do so if I had time. I might draw an amendment which I think would cover the difficulty I suggest.

But this bill does much more than is ordinarily done in giving an applicant a rehearing, because it provides that there shall be an accounting with the United States, and no one knows the extent of the obligation which that may involve.

It may be ten or fifteen million dollars of money to cover the amount which has been taken out of the land in dispute, taken out of land which is held to be public land and been patented to other parties. It is on mountain tops; it is not valley land, and it is not pasture land, which the original grant contemplated. It has been contended, and it has been so held by the courts, that the survey which was made was an *ex parte* survey, and is far distant from the *borns*, from the point where the grant is supposed to have been made.

Certainly the survey and certainly the whole case should be opened if it is to be partly opened. Congress should not tie the hands of the court so that equal justice may not be meted out to the United States and this claimant. If this exception is made and the door is opened for this man, we shall have other applicants here. It will be the beginning of a very bad precedent; but if it is to be done, let it be done so that there shall be fair play on all sides.

I agree with the Senator from Vermont [Mr. MORRILL] that in order to meet the counsel who will be employed on the other side, where there are millions at stake and where there will be required expert counsel familiar with these laws who will have to master this case and master the Spanish law, which will take a year or so of labor, and besides sending for witnesses, procuring depositions, etc., if the United States is to be protected, \$200,000 would be a very small sum in a contest like this. In great contests like this the costs are much more than in ordinary cases. Here are many millions involved; we do not know how many, and consequently I say let it be open to the United States and to the claimant equally and let no evidence be introduced by Congress which the court may not accept as valid.

I am perfectly willing that the usual provisions shall be made

concerning persons who are dead or persons who can not be reached and who have made depositions: that their depositions shall be used the same as if they were personally present. I am willing to make all such provisions as those; but the bill is not drawn on that theory. It is drawn on the theory of making everything evidence. Under those circumstances I can not vote for it, although I should like to accommodate the gentlemen who take a deep interest in the passage of this bill. I think, however, it is not so guarded that it is safe to pass it in the shape it now stands.

Mr. PALMER. Mr. President, the Senator from California [Mr. FELTON] remarked a few minutes ago that this claimant, the person intended to be benefited by the bill, is an honest man. If we are to judge from the extent of this legislation, he must be more honest than the great mass of his fellow-citizens, because much more is done for him than has ever been done or attempted to be done for any other citizen of the United States to the extent of my knowledge.

I know nothing of the original merits of this controversy. I have listened with great interest to the discussions, and I have endeavored to keep the current of facts within my memory. This seems to be a claim which has been repudiated by the courts, a claim which has been adjudged to be valueless and baseless.

The PRESIDENT *pro tempore*. The hour of 1 o'clock having arrived, it is the duty of the Chair to lay before the Senate the first special order, there being no unfinished business. It will be reported by its title.

The CHIEF CLERK. A bill (S. 2870) to ratify and confirm an agreement with the Cherokee Nation of Indians, of the Indian Territory, to make appropriation for carrying out the same, and for other purposes.

Mr. TELLER. Is that the regular order?

The PRESIDENT *pro tempore*. It is the regular order, being the first special order.

Mr. PLATT. That bill has passed the Senate. I do not know why it is retained upon the Calendar.

The PRESIDENT *pro tempore*. It appears to be the first special order on the Calendar.

Mr. PLATT. It has passed the Senate.

#### HUDSON RIVER BRIDGE.

Mr. HILL. In pursuance of the notice which I gave last evening, I move to take up the New York and New Jersey bridge bill.

The PRESIDENT *pro tempore*. The Senator from New York moves that the Senate proceed to the consideration of a bill the title of which will be reported.

The CHIEF CLERK. A bill (S. 2626) to authorize the New York and New Jersey Bridge Companies to construct and maintain a bridge across the Hudson River between New York city and the State of New Jersey.

Mr. TELLER. I suppose if that bill is taken up it will displace the present business.

The PRESIDENT *pro tempore*. It will.

Mr. HOAR. I should like to make one observation for the consideration of the Senate and of the Senator from Illinois [Mr. PALMER].

The bill which has just been under discussion has been reported from the Committee on the Judiciary, and the Senators who are opposed to it, one after another, have taken the floor to express their objections. I suggest that, perhaps, it would be more agreeable to them, more agreeable to the Senate, and more in the ordinary way of procedure if the reasons which have induced the committee to report the bill might in some way first be stated in the debate. I do not wish to thrust myself forward unnecessarily, but I should rather like to have that opportunity given to some member of the committee.

Mr. PALMER. I have no desire to control the order of this discussion.

The PRESIDENT *pro tempore*. The Chair feels that it is his duty to call attention to the fact that motions to proceed to a special order of business are not debatable. The Chair does so for the reason that the time of the Senate for the transaction of business is exceedingly short.

Mr. HOAR. I was not speaking on that question, but of the course of debate on the McGarrahan bill.

The PRESIDENT *pro tempore*. On the motion which has been made by the Senator from New York [Mr. HILL] that the Senate proceed to the consideration of the bill to which he has referred debate can only proceed by unanimous consent.

Mr. TELLER. I rise to an inquiry. Is it in order for the Senator from New York to make his motion now, pending the consideration of the bill which was taken up by a vote of the Senate?

The PRESIDENT *pro tempore*. The bill referred to by the Senator from Colorado ceased to be the pending business when

the hour of 1 o'clock arrived, and I have no objection to the Senator from New York making his motion.

Mr. PLATT. The bill is not a special order, and it is not in order for the Senator from New York to make his motion.

Mr. PALMER. The bill is not a special order, and it is not in order for the Senator from New York to make his motion. The bill, which is the McGarrahan bill, was passed by the Senate, and it is not in order for the Senator from New York to make his motion.

The PRESIDENT *pro tempore*. The Chair feels that it is his duty to call attention to the fact that motions to proceed to a special order of business are not debatable.

The CHIEF CLERK. A bill (S. 2626) to authorize the New York and New Jersey Bridge Companies to construct and maintain a bridge across the Hudson River between New York city and the State of New Jersey.

The PRESIDENT *pro tempore*. The Chair feels that it is his duty to call attention to the fact that motions to proceed to a special order of business are not debatable.

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The PRESIDENT *pro tempore*. The Chair feels that it is his duty to call attention to the fact that motions to proceed to a special order of business are not debatable.

Mr. TELLER. I ask permission to report the McGarrahan bill in a few minutes.

Mr. HILL. How much time do you wish?

Mr. TELLER. I do not know, but I should think not a great deal.

Mr. HILL. I cannot yield and I do not wish to have a conversation in regard to that matter.

Mr. TELLER. It is possible that at 1 o'clock he would have to yield.

Mr. HILL. The Senator moves for the consideration of his bill, but of course the two bills cannot be taken up together.

The PRESIDENT *pro tempore*. The Chair feels that it is his duty to call attention to the fact that motions to proceed to a special order of business are not debatable.

Mr. WOLCOTT. I ask for the yeas and nays.

The yeas and nays were ordered, and the roll was called.

Mr. CAMERON, when his name was called, with the Senator from South Carolina [Mr. RANSOM].

Mr. PAULKNER, when his name was called, with the senior Senator from Rhode Island [Mr. WILSON].

Mr. SANDERS, when his name was called, for my pair with the Senator from Rhode Island [Mr. WILSON].

Mr. FELTON, when his name was called, to the Senator from Montana [Mr. SANDERS].

Mr. HARRIS, when his name was called, to the Senator from Montana [Mr. SANDERS].

Mr. QUAY, when his name was called, to the Senator from Montana [Mr. SANDERS].

Mr. HENRY, when his name was called, to the Senator from Montana [Mr. SANDERS].

Mr. KYLE, when his name was called, to the Senator from Montana [Mr. SANDERS].

Mr. RANSOM, when his name was called, to the Senator from Montana [Mr. SANDERS].

Mr. WARREN, when his name was called, to the Senator from Montana [Mr. SANDERS].

Mr. WILSON, when his name was called, to the Senator from Montana [Mr. SANDERS].

The roll call was completed, and the yeas and nays were ordered.

Mr. WHITE, when his name was called, to the Senator from Montana [Mr. SANDERS].

Mr. COKE, when his name was called, to the Senator from Montana [Mr. SANDERS].

Mr. HIGGINS, when his name was called, to the Senator from Montana [Mr. SANDERS].

Mr. DENON, when his name was called, to the Senator from Montana [Mr. SANDERS].

Mr. GRAY, when his name was called, to the Senator from Montana [Mr. SANDERS].



The PRESIDENT *pro tempore*. He is not recorded.

Mr. CULLOM. I am paired with that Senator, and therefore withhold my vote.

Mr. GALLINGER (after having voted in the negative). I have a general pair with the Senator from Texas [Mr. MILLS]. I understand he has not voted on this question.

The PRESIDENT *pro tempore*. The Senator from Texas [Mr. MILLS] is not recorded.

Mr. GALLINGER. I withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from New Hampshire withdraws his vote.

Mr. PERKINS (after having voted in the affirmative). Has the Senator from New Hampshire [Mr. CHANDLER] voted?

The PRESIDENT *pro tempore*. He is not recorded.

Mr. PERKINS. I desire to withdraw my vote, then. I am paired with the Senator from New Hampshire [Mr. CHANDLER] upon that vote.

Mr. DUBOIS (after voting in the negative). Has the Senator from West Virginia [Mr. CAMPEN] voted?

The PRESIDENT *pro tempore*. He is not recorded.

Mr. DUBOIS. I withdraw my vote. I agreed to pair with the Senator from West Virginia [Mr. CAMPEN] on this vote.

Mr. WHITE. I announced my pair with the Senator from Delaware [Mr. HIGGINS]. I will transfer that pair to the Senator from Florida [Mr. PASCO], who is absent, and vote "yea."

Mr. FRYE. The Senator from Florida [Mr. PASCO] is paired with the Senator from Washington [Mr. ALLEN].

Mr. BLACKBURN. Has that pair been announced?

Mr. FRYE. It has not been announced, but I know the fact.

Mr. WHITE. I withdraw my vote.

The PRESIDENT *pro tempore*. The vote is withdrawn.

Mr. GEORGE. I have a general pair with the Senator from Oregon [Mr. DELPH]. I make that announcement for the day.

The result was announced—yeas 26, nays 24; as follows:

## YEAS—26.

Berry,	Daniel,	Lindsay,	Turpie,
Blair, Barn,	Faulkner,	Palmer,	Vander,
Bradgett,	Gibson,	Patterson,	Vest,
Burr,	Hinsborough,	Powers,	Vilas,
Cabury,	Hill,	Pugh,	Voorhees,
Call,	Hindon,	Squire,	
Cockrell,	Jones, Ark.	Stewart,	

## NAYS—24.

Allison,	Hiscock,	Mitchell,	Sawyer,
Amerson,	Hoar,	Morrill,	Shoup,
Davis,	Jones, Nev.	Problock,	Stockbridge,
Dawes,	McMillan,	Puffer,	Teller,
Frye,	McPherson,	Phelan,	Wadsworth,
Hawley,	Manderson,	Proctor,	Waboot,

## NOT VOTING—28.

Aldrich,	Cullom,	Hall,	Rowan,
Allen,	Dixon,	Harris,	Sanders,
Bate,	Dolph,	Hazens,	Shannon,
Brice,	Dubois,	Irwin,	Starbuck,
Candlen,	Feltus,	Kyle,	Wadball,
Carver,	Gallinger,	Lin,	Wadson,
Cassidy,	George,	Morgan,	White,
Chandler,	Gordon,	Parker,	Wilson,
Colo,	Gorman,	Perkins,	
Colquhitt,	Gray,	Quay,	

So the motion was agreed to.

The PRESIDENT *pro tempore*. The bill (S. 2626) to authorize the New York and New Jersey Bridge Companies to construct and maintain a bridge across the Hudson River between New York City and the State of New Jersey is before the Senate as in Committee of the Whole and will be read.

Mr. TELLER. I give notice that to-morrow morning, in the morning hour after the routine business, I shall again call up the McCarahan bill.

Mr. CULLOM. I ask that the bill just taken a momentary lay aside and that the Post Office appropriation bill be proceeded with.

The PRESIDENT *pro tempore*. The Senator from Illinois asks the unanimous consent of the Senate that the pending measure be temporarily laid aside and that the Senate proceed to the consideration of the bill H. R. 1021 making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1894. Is there objection? The Chair hears none.

## MESSAGE FROM THE HOUSE.

Announced from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill H. R. 1021 making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1894; asked a conference with the Senate on the disagreeing votes of the two Houses thereon and had appointed Mr. HAYES, Mr. FORMAN, and Mr. FENSTERMAKER managers at the conference on the part of the House.

## ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 1307) to provide a permanent

system of highways in that part of the District of Columbia lying outside of cities, and it was thereupon signed by the President *pro tempore*.

## MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE CRAIG.

Mr. CAMERON. I desire to announce that to-morrow just before the close of the afternoon session I shall ask the Senate to consider resolutions relative to the death of my colleague in the House of Representatives, Hon. Alexander K. Craig.

## SENATOR FROM IDAHO.

Mr. TELLER. I desire to call up a privileged matter. Some time since there was some controversy as to the seat of the junior Senator [Mr. DUBOIS]. When the resolution was adopted declaring him entitled to retain his seat there was a motion made to reconsider. I desire to call up the motion to reconsider as well as the motion to reconsider the vote by which Mr. Clagett was declared not entitled to a seat in this body and have them both disposed of. I understand there is no desire to debate it.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Secretary will read the resolutions.

The Secretary read the resolutions agreed to March 2, 1892, as follows:

*Resolved*, That Fred T. Dubois is entitled to retain the seat he now holds as Senator from the State of Idaho for the full term commencing March 1, 1892.

*Resolved*, That William H. Clagett is not entitled to be admitted to a seat in the Senate from the State of Idaho for the term commencing March 1, 1892.

Mr. GORMAN. The Senator from Alabama [Mr. MORGAN], who has left the country on a public mission, brought my attention specially to the case before he left, he having made the motion to reconsider. A term examination, while I understand he did not change his opinion as to the law, under the circumstances and in view of the vote of the Senate, which was very pronounced in the matter, he authorized me to say that whatever action shall be taken will be agreeable to him. I feel that I am perfectly authorized to say there is no objection to the suggestion now made by the Senator from Colorado.

The PRESIDING OFFICER. The question is on the motion to reconsider the vote by which the resolutions were agreed to.

The motion to reconsider was not agreed to.

Mr. TELLER. The record will show that the Senate rejected the motion to reconsider both resolutions.

The PRESIDING OFFICER. The record will so show.

## AGRICULTURAL APPROPRIATION BILL.

Mr. CULLOM. The agricultural appropriation bill has just come from the other House. I ask that it be laid before the Senate.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 1021) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1894, and asked a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CULLOM. I move that the Senate insist upon its amendments and agree to the conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. ALDRICH, Mr. CULLOM, and Mr. CLAY were appointed.

## POST-OFFICE APPROPRIATION BILL.

Mr. CULLOM. Now I ask that the Post Office appropriation bill be proceeded with.

The Senate, as a Committee of the Whole, proceeded to consider the bill H. R. 1021 making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1894, which had been reported from the Committee on Appropriations with amendments.

Mr. CULLOM. I ask that the formal reading of the bill be dispensed with, and that the amendments of the committee be reported upon as they are reached.

The PRESIDENT *pro tempore*. The Senator from Illinois asks that the formal reading of the bill be dispensed with and that the bill be read for action upon the amendments of the committee in their order. Is there objection? The Chair hears none. The reading of the bill will proceed.

The Chief Clerk proceeded to read the bill. The first amendment of the Committee on Appropriations was, under the heading of "Office of the First Assistant Postmaster-General," on page 2, line 5, after the word dollars to add:

And of this sum not exceeding \$50,000 may be expended for the rental of cancelling machines.

So read:

For compensation to clerks in post-offices, \$8,860,000, and of this sum not exceeding \$50,000 may be expended for the rental of cancelling machines.

The Chief Clerk read as follows:

Telegram.

DEPARTMENT OF JUSTICE.

Hon. EUGENE HALE:

By the letter sent you yesterday aggregating the deficiencies needed, the amount asked for for Territorial courts, Utah, was mistakenly made \$40,000.

By reference to my letter to the President of the Senate February 11 last, we asked for \$35,000 in this matter. That is the correct amount desired.

W. R. H. MILLER.

*Attorney-General.*

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine.

The amendment was agreed to.

Mr. HALE. On page 52, after line 11, I move to insert:

To pay for a clerk for the conference of the minority of the Senate, which is hereby authorized to commence March 4, 1893, \$2,210.

The amendment was agreed to.

Mr. HALE. On page 48, after line 25, I move to insert:

For 1876, \$41.

For 1872, \$42.50.

For 1875, \$709.

For 1871, \$11.50.

For 1873, \$40.

For 1870, \$12.50.

Mr. COCKRELL. What items are those?

Mr. HALE. Those are the estimates sent in from the Department to wind up the old deficiencies.

Mr. COCKRELL. For what purpose; for what offices?

Mr. HALE. For the Department of Justice.

Mr. COCKRELL. In his own office?

Mr. HALE. In the office of the Attorney-General.

Mr. COCKRELL. That office must be mighty sleepy to be resur-recting an account over 22 years old.

Mr. HALE. I think the Senator, from his experience on the committee, will recall the fact that such old accounts are sometimes years behind in coming in, and this is the final clearing up. The amounts are very small. The items do not amount to more than \$300 or \$400 in all.

Mr. COCKRELL. Any Attorney-General who does not have them paid for so long ought to pay them out of his own pocket.

Mr. HALE. The present Attorney-General is not responsible for it. They are away back of his time.

The amendment was agreed to.

Mr. HALE. On page 17, after line 11, I move to insert:

To enable the Secretary of the Treasury to pay William A. Richardson when the work shall have been completed, for preparing and editing a Supplement to the Revised Statutes, under the act approved February 27, 1891, \$2,000.

Mr. COCKRELL. That is in accordance with the law just passed authorizing it?

Mr. HALE. Yes.

The amendment was agreed to.

Mr. HALE. I move on page 21, after line 2, to insert:

To enable the coroner of the District of Columbia to employ an assistant for the current year and through the next fiscal year, \$600.

The amendment was agreed to.

Mr. HALE. On page 58, in line 9, after the word "seventy-six," I move to insert the words:

Except for judgment in favor of John J. Allen named therein.

I have received a note from the Attorney-General saying that on investigation this account ought not to be included.

Mr. COCKRELL. Let the amendment be read in connection with the paragraph.

The Chief Clerk read as follows:

#### JUDGMENTS, UNITED STATES COURTS.

For payment of the final judgments and decrees, including costs of suits which have been rendered under the provisions of the act of March 3, 1857, entitled "An act to provide for the bringing of suits against the Government of the United States," certified to Congress at its present session by the Attorney-General in House Ex. Doc. No. 176, except for judgment in favor of John J. Allen, named therein, \$7,344.09.

Mr. HALE. The Attorney-General, in a letter, states that this is a case where an appeal ought to be entered so that the Government may be protected.

Mr. COCKRELL. That is right; but ought not the usual clause to go in that no payment shall be made until the time for an appeal has elapsed?

Mr. HALE. There is a general provision at the end of the clause.

Mr. COCKRELL. There is no such provision for this particular clause. This applies to judgments of the United States courts, and I think the clause ought to be inserted here as well as at other places. We put it in under the head of "Court of Claims," but we have not put it to apply to these judgments of the United States courts.

Mr. HALE. I have no objection to that clause going in. If the Senator moves that amendment I have no objection to it.

Mr. COCKRELL. I will move it. Let the clerks state the usual form.

The PRESIDING OFFICER. The amendment of the Senator from Maine will be considered as agreed to, if there be no objection.

It is agreed to.

The Chief Clerk will report the amendment of the Senator from Missouri.

The Chief Clerk read as follows:

DEPARTMENT OF JUSTICE.

Telegram.

Hon. EUGENE HALE:

By the letter sent you yesterday aggregating the deficiencies needed, the amount asked for for Territorial courts, Utah, was mistakenly made \$40,000.

By reference to my letter to the President of the Senate February 11 last, we asked for \$35,000 in this matter. That is the correct amount desired.

W. R. H. MILLER.

*Attorney-General.*

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine.

The amendment was agreed to.

Mr. HALE. On page 52, after line 11, I move to insert:

To pay for a clerk for the conference of the minority of the Senate, which is hereby authorized to commence March 4, 1893, \$2,210.

The amendment was agreed to.

Mr. HALE. On page 48, after line 25, I move to insert:

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Mr. HALE. On page 17, after line 11, I move to insert:

To enable the Secretary of the Treasury to pay William A. Richardson when the work shall have been completed, for preparing and editing a Supplement to the Revised Statutes, under the act approved February 27, 1891, \$2,000.

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The amendment was agreed to.

Mr. HALE. On page 21, after line 2, to insert:

The amendment was agreed to.

Mr. SQUIRE. On page 19, after line 8, I move to insert:

To be paid to Mrs. Sarah O. Hanna, widow of Baylies W. Hanna, deceased late minister resident and consul-general, and also consul, from July 1, 1877, until his death, and until a plenipotentiary to the Argentine Republic, for expenses and loss in bringing said Hanna from Buenos Ayres to the United States after he was attacked by a fatal disease while on his post and in the discharge of his official duties, which said attack rendered him entirely helpless and from which he died latter in a living home \$5,375.

This is to complete a building that is nearly completed, the only public building in the State of Washington, and the money is needed to complete the approaches.

Mr. HALE. Is this within the limit fixed for the building?

Mr. SQUIRE. This is in accordance with the estimates.

The amendment was reported favorably from the Committee on Public Buildings and Grounds and referred to the Committee on Appropriations for their approval.

Mr. HALE. The one test question is whether it increases the limit upon the building. If it does, of course it is subject to a point of order and I must make it. If it does not, then the amendment can go through.

Mr. SQUIRE. I can not answer the question literally. I know it came from the architect on public buildings and grounds with his approval and that this sum is needed to complete the building, which is otherwise useless to the Government. The building is completed with the exception of the approaches. It seems to be folly to delay the completion of the building so that the Government can have the benefit of it. It was reported favorably from the Committee on Public Buildings and Grounds as an amendment to the present bill. I hope the Senator from Maine will permit it to pass, as it is for the only public building we have in the State.

Mr. HALE. I will let it go, Mr. President.

The amendment was agreed to.

Mr. VOORHEES. On page 3, at the end of line 1, I move to insert:

To be paid to Mrs. Sarah O. Hanna, widow of Baylies W. Hanna, deceased late minister resident and consul-general, and also consul, from July 1, 1877, until his death, and until a plenipotentiary to the Argentine Republic, for expenses and loss in bringing said Hanna from Buenos Ayres to the United States after he was attacked by a fatal disease while on his post and in the discharge of his official duties, which said attack rendered him entirely helpless and from which he died latter in a living home \$5,375.

The amendment was agreed to.

Mr. PADDOCK. On page 24, after line 15, I move to insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed out of any money in the Treasury not otherwise appropriated, to pay to George H. Swift the sum of \$730, being the amount due him for material furnished and work done by him by an order from the military authorities at Fort Pickens, Utah, in 1889.

Mr. HALE. Is that reported from the committee?

Mr. PADDOCK. It is approved by the Quartermaster-General, recommended for payment by the proper accounting officers of the Treasury, and approved by the Committee on Military Affairs of the Senate.

The amendment was agreed to.

Mr. PETTIGREW. On page 69, after line 21, I move to insert:

For services of Joseph Schwartz of Sioux Falls, S. Dak., as architect in drawing the plans for the Indian industrial school at Flandreau, S. Dak., \$250.

The amendment was agreed to.

Mr. PASCO. On page 22, line 17, I move to insert:

That the Secretary of the Treasury be, and he is hereby, authorized to settle the account stated between the United States and the State of Florida under the authority of section 5 of the act approved March 2, 1889, entitled "An act making appropriations to supply deficiencies in the appropriation for the fiscal year ending June 30, 1889, and for other purposes," and in making such settlement he is hereby authorized to ascertain what amount is due by the State to the day of settlement, on account of principal and interest upon the loan of the State, in which a portion of the Indian trust fund have to be paid, and also what is found to be due the State to the same date for moneys expended by her during the Indian hostilities of 1810 and 1814 and 1837, and to the principal and interest on the coupon, the note to the governor of said State upon the settlement of them, and in making the settlement the Secretary is directed to follow the statement of the account made under the authority of said act, and to report the same to the Secretary of the Treasury, dated December 16, 1890, published as Executive Document No. 68, House of Representatives, Fifty-first Congress, and to report the same made of settlement upon the foot of page, on said document, containing the computation of interest upon the principal and said sum of the debt of settlement. And such sum of money is hereby appropriated out of any moneys in the Treasury not otherwise appropriated as is necessary to make such settlement.

Mr. SHERMAN. I think the amount of this claim is very large, and it being mainly for interest, as it is subject to a point of order, the point ought to be made. The amount is so large, amounting to more than half a million dollars, that it ought to be reported in the regular way and acted upon separately. It is subject to a point of order and I will make it.

Mr. PASCO. Before the point of order is considered by the Chair I should like to state that when the claim came up four years ago the point of order was raised and it was then decided by the Chair that the amendment was in order. At that time it went on the deficiency appropriation bill.

Mr. SHERMAN. Then it may have been reported from a committee, but as a matter of course that decision on the point of order does not continue.

Mr. PASCO. It is now an act of the Senate, because a bill identical with the proposed amendment has already been passed at the present session. We passed a Senate bill and then it became an act of the Senate.

Mr. SHERMAN. Then I ask the decision of the Chair upon the point of order. I think it has not been reported by a committee at

the present session, and it has not been referred to the Committee on Appropriations, I understand.

Mr. PASCO. It has been referred to the Committee on Appropriations.

Mr. HALE. But not reported by a committee.

The PRESIDING OFFICER. The amendment shows upon its face that it was introduced by the Senator from Florida and referred to the Committee on Appropriations, but not reported by a committee to the Senate.

Mr. SHERMAN. It was not reported by a committee to the Senate?

The PRESIDING OFFICER. The amendment does not show upon its face that it was so reported.

Mr. SHERMAN. It is subject to a point of order, then.

The PRESIDING OFFICER. Does the Senator raise the question of order?

Mr. SHERMAN. I do.

The PRESIDING OFFICER. The Chair sustains it.

Mr. PASCO. I should like to be heard before the point of order is sustained.

The PRESIDING OFFICER. The point of order is not debatable.

Mr. PASCO. I know it is not, but I should like to be heard by the unanimous consent of the Senate.

The PRESIDING OFFICER. The Senator from Florida asks the unanimous consent of the Senate to be heard on this question. Is there objection? The Chair hears none, and the Senator from Florida will proceed.

Mr. PASCO. In the Fifth Congress this matter was put upon the deficiency appropriation bill. The amendment was proposed in the Senate. I have not the words of the amendment as originally proposed in the Senate. It passed the Senate. A point of order was raised upon it and the point of order was overruled by the Chair. It went into the deficiency bill, directing an investigation by the Secretary of the Treasury and directing the payment of the amount after it was ascertained by the Secretary. It then went to a conference and the matter was modified in conference so as to make out the appropriating feature, and as it became a law it read as follows:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to examine the claim of the State of Florida reported in the letter of the Secretary of War dated May 22, 1882, and under previous act of Congress and to make a report upon the same to the next regular session of Congress, and in connection therewith to report the amount of all claims in favor of the General Government against the State of Florida, and in said report to state the account between the General Government and the State of Florida.

That was in the deficiency bill as it finally passed. The Treasury Department made a report, a copy of which I have here, and based upon that a point of bill was subsequently introduced in the last Congress and in the present one. It passed the Senate during the present Congress and it is now an act of the Senate. So upon the point made by the Senator from Ohio, it did not need a reference to the Committee on Claims, because it was an act of the Senate, and it comes under that clause of the rule.

The PRESIDING OFFICER. Does the Chair understand the Senator to state that this appropriation is to meet a bill or resolution that has passed the Senate at the present session?

Mr. PASCO. The examination was made by the Treasury Department under a law which passed Congress at a former session and not at the present one. The report came back from the Treasury Department stating the account, and this amendment is for the purpose of carrying out that finding of the Treasury Department. It does not seem to me to be subject to the point of order upon that ground. A bill carrying out the report of the Secretary of the Treasury has passed the Senate at the present session and is now pending in the House of Representatives.

It does not seem to me that the amendment is subject to a point of order. I think an examination of the claim upon its merits will fully satisfy the Senator from Ohio that this is a just claim. It has been so found by the War Department. It has been so found by the Treasury Department. It has been so found by both Houses of Congress at different sessions. It is only in this way that this debt can be paid to the State of Florida at the present session.

The PRESIDING OFFICER. The Chair will ask the Senator from Florida if this appropriation is estimated for in the Book of Estimates?

Mr. PASCO. It is not in the Book of Estimates, but it is in the letter from the Treasury Department, a copy of which I showed to the Senator from Ohio. It comes from the Treasury Department as the language of the amendment shows. The Treasury Department settled the account and has made its report to Congress in the form of a letter. The Senate has acted upon that report in a separate bill, which was passed some months ago.

Mr. SHERMAN. As it is perfectly clear that the act of Congress passed several years ago to authorize the Secretary of the Treasury to examine and report upon this claim would not be a sufficient basis unless Congress, during the present session, shall have by some act or resolution affirmed the correctness of the account of the Secretary of the Treasury.

Mr. PASCO. The Senate has done so.

Mr. HALE. Not by an act.





Mr. GORDON. I did not intend to address the Senate again. I only desired to ask a question.

Mr. PASCO: I do not want to add to the fact, which I have already stated, in this matter heretofore with reference to the fact that there is no recommendation made by the Board.



proportion to this particular line or to any other line; that the bill as it came from the House of Representatives contained this item recommending such expenditure without any estimate from the Department, with no reasons stated for such expenditure on this line of railroad, and without any foundation whatever for such legislation.

As the bill went from the Senate, it appropriated a sum of money to be expended for the benefit of the postal service and left the discretion entirely where it should rest, with the Postmaster-General.

I believe, Mr. President, that in a matter of such importance as this and under the circumstances attending this amendment, we should be justified in voting against the confirmation of the report of the conference committee.

Mr. CALL. Mr. President, the question presented in this case is whether a subsidy shall be given to the Richmond and Danville Railroad Company to Atlanta and New Orleans. There is no reason why they should attempt to disguise this proposition. The general law of the land provides for the manner of carrying the mails all over the United States a system of payments according to weight and bulk. This provision of the appropriation bill has been intended to give the Postmaster-General the right to give a special facility anywhere in the United States. It was originally located for a line—and that idea has been maintained—from Springfield in Massachusetts on south along the Coast Line to the State of Florida and the West Indies. Therefore, whatever contention should be made upon this proposition should be simply whether special facilities beyond those of the other parts of the United States should be given to Georgia and Alabama and Louisiana and Texas apart from the general system, or whether there should be a foreign mail maintained along the most expedient routes.

That is the whole question. The House provision to which the Senate conferees consented is nothing but an appropriation, and the arguments here for a large amount of money as a subsidy to a particular railroad company, to a particular route, when there is no evidence that special facilities are needed for that route. There is no evidence that the existing practice, which the Senator from Maryland [Mr. GORMAN] very properly referred to as the existing law, which says that the whole mail compensation shall be according to weight and bulk for all the mail service of the United States, there is no evidence that that is not adequate, and more than adequate, to the reasonable compensation of these companies. In fact they are receiving too much. Too large an amount of the people's money is being taken from them in compensation for this mail service.

But there are lines, as the Senator from New Jersey [Mr. McPHERSON] has properly said, which maintain the foreign commerce and intercourse of the United States with the West India Islands and Central America, and to those lines a bounty might well be paid.

This is neither more nor less than a proposition of a subsidy of \$196,000 to the Richmond and Danville road. As such I hope the Senate will not concur in it. It had better be stricken out of the bill altogether, and I trust we shall have a separate vote upon this proposition.

Mr. CULLOM. I only wish to say a word, and then I shall be glad to get a vote upon the report.

In the first place, the Senate Committee on Appropriations did not believe that the provision was necessary in the bill or that any appropriation for this purpose should be made. The impression, however, in the Senate seemed to favor the appropriation for some line to the South. On my own motion an amendment was placed in the bill by the Senate, which left the discretion entirely in the Postmaster-General as to the route or routes or line or lines which should be adopted. As I state awhile ago, however, when the conferees got together we found that we could not agree unless we receded from our provision.

The bill carries something over \$8,000,000 for Post-office purposes. The Senate conferees did not believe that we could trifle on the subject and delay it very much by disagreements without endangering the passage of the bill. Therefore, so far as I was concerned, as one of the conferees, while I did not believe in the House provision, I agreed to it for the purpose of securing the great object of the passage of the Post-office appropriation bill before this Congress should expire.

There is much, however, in what Senators say in behalf of the line which is specified in the bill, and there is another suggestion I might make, which was made before when the bill was under consideration in the Senate, which is that the Coast Line has always had this service heretofore, and while they had it they failed apparently to carry out the provisions of the law in giving a fast mail. The result is that there has been confusion on the subject.

Mr. President, I hope that the conference report will be concurred in, because the hours are becoming very brief in which

we shall be able to get the appropriation bills passed. I have no sort of assurance that if the Senate should disagree to the conference report, we should get one differing from the present report. Therefore, while the Senate may differ and may feel that the other provision would have been better to have left the question entirely in the discretion of the Postmaster-General, yet it seems to me that under all the circumstances the Senate ought to adopt the report made by the conference committee.

Mr. BLACKBURN. The question is, whether this paragraph must be retained in the bill at all or not. It is the only appropriation of this character therein made. The one line of railroad which is to receive this fund, being the beneficiary of this item in the bill, is the only railroad in the country which receives such assistance from the Government. It is for the Senate to determine whether or not this \$196,000 shall be retained in the bill. That is the first question. The second question is, if it is to be retained, which of the two contending roads shall have it?

What is known as the Coast Line road, down the Atlantic coast, has had this appropriation for the last fourteen or sixteen years. The Post-office Department did not favor it, and two years ago refused to make any recommendation or estimate for it; but it was put on by Congress unasked for. This time the Coast Line road declined to ask for it longer, and what is known as the Richmond and Danville system came in, making a request to be substituted for the former route. The Coast Line road seems to have changed its purpose quite recently, and now the two lines are here asking for this appropriation.

It is simply a question, first, as to whether the appropriation shall be made at all; and secondly, if it shall be made, which of these two lines shall have it. It is believed, and I believe, in the light of the interviews that I have had with the Superintendent of the Railway Mail Service and the Postmaster-General, that if no direction shall be given in the bill as to which of the two lines shall receive this appropriation, the Post-office Department will probably accept that as an instruction from Congress to give it to the coast-line road.

Mr. President, the most important thing connected with the consideration of this paragraph of the bill, to my mind, is the fact that the House of Representatives seems to be determined—and I speak as one of the conferees on the part of the Senate with reference to this bill—to adhere to the paragraph which fixes this appropriation upon the Richmond and Danville system as it came to us. I only apprehend that delay and trouble and danger will probably result from the Senate insisting upon its disagreement to that feature of the bill. For one, I shall vote to sustain the provision in the bill as it came to us from the House.

The PRESIDING OFFICER. The question is, Will the Senate concur in the report of the committee of conference?

Mr. HAWLEY. Mr. President, the citizens of New England have more or less interest in this matter because of their innumerable business and social connections with the whole series of Atlantic States. I should be glad to see some central line running down through that country like a spinal column of a fish, with innumerable spines branching out from it through that whole region. I myself should prefer to leave it to the Postmaster-General to arrange this matter according to his best knowledge and belief, so as to accommodate the whole people—so that the route or branch of it towards Jacksonville or towards Tampa.

I propose if we had a fortnight before us we should vote against this conference report. For the present I would rather leave the whole question open to the Postmaster-General. But I am going to—I had almost said, without reference to right or wrong—vote to sustain the conference report.

The PRESIDING OFFICER. The question is, Will the Senate concur in the conference report? [Putting the question.] The yeas seem to have it.

Mr. PASCO. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. WILSON, when his name was called, I am paired with the Senator from Georgia [Mr. CHAMBERS], and therefore withhold my vote.

The roll call was concluded.

Mr. DAVIS. I am paired with the Senator from Indiana [Mr. TURNER].

Mr. VILAS. I desire to announce that upon this question I am paired with the Senator from Louisiana [Mr. CAPPERY]. If he were present he would vote "yea" and I should vote "nay."

Mr. CAREY. I inquire whether the Senator from South Carolina [Mr. ORR] has voted?

The PRESIDING OFFICER. He has not.

Mr. CAREY. Then I withhold my vote.



Mr. MORRILL. Mr. President, I object to the consideration of this bill, as I know it will take up a large amount of time. I ask for the yeas and nays on the motion to proceed to its consideration.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. FAULKNER (when his name was called). On the subject of this bill I am paired with the senior Senator from Rhode Island [Mr. ALDRICH].

Mr. WARREN (when his name was called). I have a general pair with the Senator from Georgia [Mr. GORDON]. I understand he would vote "yea" if present. I shall therefore venture to vote "yea" in his absence.

Mr. WILSON (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. Not being advised as to how he would vote on this question, I withhold my vote.

The roll call was concluded.

Mr. DIXON. I am paired with the Senator from Mississippi [Mr. WALTHALL].

The result was announced—yeas 46, nays 8; as follows:

## YEAS—46.

Bate,	Dubois,	Jones, Nev.	Shoup,
Berry,	Felton,	Kyle,	Squire,
Blackburn,	Frye,	Lindsay,	Stockbridge,
Blodgett,	Gallinger,	McMullan,	Teller,
Brice,	Gorman,	McPherson,	Turpie,
Butler,	Gray,	Manderson,	Vance,
Call,	Hansbrough,	Mitchell,	Voorhees,
Cameron,	Harris,	Peffer,	Warren,
Casey,	Hawley,	Pettigrew,	Washburn,
Chandler,	Higgins,	Platt,	Wolcott,
Coke,	Hiscock,	Power,	
Cullom,	Hoar,	Pugh,	

## NAYS—8.

Mills,	Palmer,	Perkins,	Sherman,
Morrill,	Pasco,	Proctor,	Vest,

## NOT VOTING—21.

Aldrich,	Davis,	Hill,	Sawyer,
Allen,	Dawes,	Huntin,	Stanford,
Allison,	Dixon,	Irby,	Stewart,
Caffery,	Dolph,	Jones, Ark.	Vilas,
Candlen,	Faulkner,	Morgan,	Walthall,
Caray,	George,	Paddock,	White,
Cockrell,	Gibson,	Quay,	Wilson,
Colquitt,	Gordon,	Ransom,	
Daniel,	Hale,	Sanders,	

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. TELLER. Mr. President, if I can do so without having this bill displaced, I desire to yield to several Senators who say they have morning business which they desire to present.

Mr. HARRIS. I appeal to the Senator from Colorado and to the Senate to allow me at this time to ask the consideration of Order of Business No. 1388. It is a little House bill of less than half a page in length, and appropriates the immense sum of \$246.

Mr. TELLER. I will say to the Senator from Tennessee that I desire first to yield to the Senator from Wisconsin [Mr. VILAS] for a matter that he desires to have considered, and then I will yield to the Senator from Tennessee, if the consideration of his bill will lead to no debate.

Mr. HARRIS. If it leads to debate, I shall not ask the indulgence of the Senator or of the Senate.

Mr. SHERMAN. Before that is done, I desire to give notice to the Senator from Tennessee that I propose to move an order to act upon all House bills in their order, under the five-minute rule, and then undoubtedly his bill and others will pass.

Mr. HARRIS. I beg to state, however, if the Senator will allow me, that this is a House bill with a Senate amendment, and it has to go back to the House. It is, therefore, very important that it be acted upon at the earliest possible moment. That is the only reason why I ask the indulgence which I have asked.

## STATUE OF PÈRE MARQUETTE.

Mr. VILAS. By leave of the Senator from Colorado, I present a joint resolution of the Legislature of Wisconsin, asking for concurrence of the Senate at this session in the resolution passed by the House of Representatives giving the consent of Congress to the erection in Statuary Hall of a statue of Père Marquette, the illustrious missionary who explored the West at a time when there was no East and when there was no West, and who has left his bones upon that Western soil.

Mr. President, this resolution is but supplementary to one which was passed some years ago by the Legislature of Wisconsin. The resolution as passed by the House of Representatives was simply in accordance with the request of the people of the State. The present Legislature has reiterated that request. It has been delayed in transmission hither. Therefore it comes at a late day.

I understand that the subject has been considered already by

the Committee on the Library, which has the House resolution in custody. I ask that the resolution may be referred to that committee, and I have the hope that there will be an immediate report thereon. If so, I trust the Senate will give unanimous consent to immediate consideration of the House resolution, which will require but one minute of time.

I ask that this resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

## Joint Resolution.

Whereas, by section 1817 of the Revised Statutes of the United States each of the States is invited to provide and to present to Congress for erection in the old hall of the House of Representatives at Washington marble or bronze statues of one or two of its deceased residents who have been illustrious for their historic renown or their distinguished civic or military services such as the State shall determine to be worthy of this national commemoration; and

Whereas, by chapter 541 of the laws of Wisconsin for the year 1887, it was enacted that Père Marquette be designated by the State of Wisconsin as one of such persons, and the governor was authorized and directed to have placed in the hall of the said House of Representatives a statue of Père Marquette, the faithful missionary whose work among the Indians and explorations within the borders of the State in the early days are recognized all over the civilized world; and

Whereas, to remove a technical objection, the House of Representatives did, on the 8th day of April, 1892, unanimously pass the following resolution, introduced by Mr. MITCHELL of Wisconsin:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the State of Wisconsin be, and is hereby, authorized and granted the privilege of placing in Statuary Hall at the Capitol the statue of Père Marquette, the faithful missionary, whose work among the Indians and explorations within the borders of said State in early days are recognized all over the civilized world; which resolution is still pending before the Senate of the United States: Therefore,

*Be it resolved by the Senate (the assembly concurring),* That our representatives in the United States Senate be, and they are hereby, earnestly requested to secure the passage of said resolution before the close of the present session of Congress, so that the will of the people of Wisconsin, as expressed by law, may be made effective.

*Resolved,* That the governor be, and is hereby, requested to forward a copy of these resolutions to our Senators and Representatives in Congress.

R. J. MACBRIDE,

*President of the Senate pro tempore.*

ED. KEOGH,

*Speaker of the Assembly.*

Mr. VOORHEES. By the kindness of the Senator from Colorado I desire to state that I am authorized by the Committee on the Library to report the joint resolution which has just been referred to by the Senator from Wisconsin, and which has already passed the House. I ask for its immediate consideration.

The motion was agreed to; and the Senate by unanimous consent, proceeded to the consideration of joint resolution (H. Res. 107) authorizing the State of Wisconsin to place in Statuary Hall at the Capitol a statue of Père Marquette.

Mr. VOORHEES. Let the joint resolution be reported.

The VICE-PRESIDENT. The joint resolution will be reported.

The Secretary read as follows:

*Resolved,* That the State of Wisconsin be, and is hereby, authorized and granted the privilege of placing in Statuary Hall at the Capitol the statue of Père Marquette, the faithful missionary, whose work among the Indians and explorations within the borders of said State in early days are recognized all over the civilized world.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. HOAR. Is this intended to be in lieu of one of the statues provided by the State of Wisconsin, or in addition thereto?

Mr. VILAS. It is one of the two.

Mr. HOAR. The resolution does not so state.

Mr. VILAS. The resolution of the State Legislature is more specific.

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

J. P. RANDOLPH.

Mr. HARRIS. I now renew my request to the Senator from Colorado and to the Senate to be allowed to have considered this little bill, House bill 1231.

The VICE-PRESIDENT. Does the Senator from Colorado yield for that purpose?

Mr. TELLER. I yield for that purpose.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1231) for the relief of J. P. Randolph, administrator of J. G. Randolph, deceased.

The bill was reported from the Committee on Claims with an amendment, in line 6, after the words "sum of," to strike out "three hundred and ninety-one dollars and seventy-five" and to insert "two hundred and forty-six dollars and seventy," and in line 10, after the word "war," to insert "and to be received in full satisfaction of said claim;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed and to pay to J. P. Randolph, of Chester County,

Tenn., administrator of J. G. Randolph, deceased, the sum of \$29,570, out of any money in the Treasury not otherwise appropriated, the same being for subsistence supplies furnished the United States during the late war and to be received in full satisfaction of said claim.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. HARRIS. I move that the Senate ask for a conference with the House on the bill and amendment.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. PASCO, Mr. MITCHELL, and Mr. DANIEL were appointed.

#### DUTIES ON FLAX MANUFACTURES.

Mr. HISCOCK. I present a report by direction of the Committee on Finance, which I will withdraw if there shall be any objection to or discussion upon it.

Mr. TELLER. If we are to go on with the consideration of the McGarrahan bill I do not think it is fair to yield to everyone.

Mr. HISCOCK. If there is any discussion I will agree to withdraw the bill I wish to have considered.

Mr. TELLER. I ask the Senator from New York to withdraw it now. Let us go on with the consideration of the McGarrahan bill and dispose of it. The Senator from New York will have plenty of time hereafter.

Mr. SHERMAN. I mean, as soon as I can, to submit to the Senate the question whether or not it will proceed to the consideration of the House bills to which I have referred. There are twelve or fifteen of them, mostly concerning small matters. I propose that they be considered under the five-minute rule, commencing exactly where we last left off. I appeal to the Senator from Colorado to allow this to be done without displacing his bill. It will take but a little while. I make the motion now because the engrossing clerks will be compelled to engross whatever bills are passed, and there must be some time afforded them for that purpose. Twelve hours is short enough. I believe we can finish their consideration in half an hour. Let the bills be reported to the Senate subject to objection as they are called. I make that motion.

The VICE-PRESIDENT. The title of the bill reported from the Committee on Finance by the Senator from New York [Mr. HISCOCK] will be read.

The SECRETARY. A bill (H. R. 10351) to continue the duties on certain manufactures of flax at the rate now provided by law.

The VICE-PRESIDENT. The Senator from New York [Mr. HISCOCK] asks for the present consideration of the bill. Is there objection?

Mr. TELLER. Let it go to the Calendar.

Mr. SHERMAN. I will make my motion, as suggested by the Senator from Colorado [Mr. TELLER], so as to avoid displacing his bill.

Mr. GORMAN. I trust the Senator from Colorado will agree with the Senator from Ohio in regard to this matter. It will not take more than half an hour to dispose of all the House bills on the Calendar without objection. The motion only refers to bills which are not objected to.

Mr. SHERMAN. Subject to the five-minute rule and subject to objection by any Senator.

Mr. TELLER. I desire to say that I have called up this McGarrahan bill and it is now before the Senate. If the Senate desires to take up these bills I shall not offer any objection to taking half an hour for the purpose suggested. I do not know but other Senators may object, but I have no right to farm out the time of the Senate, and I do not propose to claim any such right.

Mr. HILL. Will the Senator from Colorado yield to me?

Mr. TELLER. I do not think I ought to parcel out the time of the Senate at this late hour of the session. I have yielded the floor for morning business, but I do not want to yield it for anything else.

Mr. HISCOCK. I ask unanimous consent for the consideration of the bill I have named.

Mr. TELLER. I object now. I desire to say with reference to this bill that if it should prevent the passage of other bills I should not insist upon keeping it before the Senate, but I think it can be disposed of in a reasonable time, and then these other matters can be disposed of. I ask that these bills be taken up, and we can go along.

Mr. SHERMAN. I know that bill will give rise to some debate, and I ask unanimous consent of the Senate that, without displacing the pending bill, we devote a half hour to the consideration of House bills, subject to the five-minute rule, and

subject to objection.

So ordered.

Mr. GORMAN.

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rule.

Mr. HILL.

The VICE

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McGarrahan

bill.

Mr. BERRY.

The

VICE

Mr. SHERMAN. Thirty minutes.

Mr. DANIEL. I hope I may be then recognized.

#### TRINITY RIVER NAVIGATION COMPANY.

The bill (H. R. 9502) to authorize the Trinity River Navigation Company to open to navigation the Trinity River, in the State of Texas, was announced as next in order.

Mr. MILLS. I ask that that bill may be passed over informally until my colleague [Mr. COKE] comes in. It is his bill, and he is familiar with it.

Mr. FRYE. The Senator's colleague is very anxious that this bill should pass.

Mr. MILLS. I know he is; and I merely ask that the bill may be temporarily passed over until he comes in.

The VICE-PRESIDENT. The bill will be passed over for the present.

#### OKLAHOMA MIDLAND RAILWAY COMPANY.

The bill (H. R. 10143) to authorize the Oklahoma Midland Railway Company to construct and operate a railway, telegraph, and telephone line through the Indian and Oklahoma Territories, and for other purposes, was announced as next in order.

Mr. SHERMAN. A number of amendments have been reported to that bill. I think, therefore, it had better go over.

Mr. PERKINS. I am anxious to have that bill considered; but as it is long its reading would occupy some time. If I can be accorded recognition at some convenient time, if that time ever occurs, I am willing the bill shall be passed over temporarily.

The VICE-PRESIDENT. The bill will be passed over.

#### GEORGE M. HENRY.

The bill (H. R. 1422) for the relief of George M. Henry was considered as in Committee of the Whole. It directs the Secretary of War to remove the charge of desertion from the name of George M. Henry, late of Company M, Fifth United States Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read a third time, and passed.

#### DISTRICT STREET RAILROADS.

The bill (H. R. 8125) to provide for the regulation of the equipment and operation of street railroad lines within the District of Columbia by the Commissioners of said District was announced as next in order on the Calendar.

Mr. GORMAN. There is a motion already made by myself to recommit that bill. Let it go over.

The VICE-PRESIDENT. The bill will be passed over.

#### DANIEL ELDRIDGE.

The bill (H. R. 5519) for the relief of Daniel Eldridge, Company D, Fifteenth Illinois Volunteers, was considered as in Committee of the Whole. It directs the Secretary of War to cause the charge of desertion to be removed from the record of Daniel Eldridge, late a private in Company D, Fifthteenth Regiment Illinois Volunteers, and to cause to be issued to him an honorable discharge.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### GEORGE W. S. SCHACHLEITER.

The bill (H. R. 4071) for the relief of George W. Schachleiter was considered as in Committee of the Whole. It directs the Secretary of War to remove from the record of George W. Schachleiter, late of Company G, Seventy-fourth Regiment of Pennsylvania Volunteer Infantry, war of 1861, any charge of desertion which may exist against him as a member of that company and regiment, and to issue to him a certificate of honorable discharge, to date July 25, 1865; but no pay, bounty, or emoluments shall become due by virtue of the provisions of this act.

#### ELLIS P. PHIPPS.

The bill (H. R. 6212) granting an increase of pension to Ellis P. Phipps, late Lieutenant in Company A, Twelfth New Jersey Volunteer Infantry, invalid certificate No. 35719, was announced as next in order on the Calendar.

Mr. BERRY. I wish to inquire of the Senator who reported the bill if there is any good reason why the pension in this case should be increased to \$50 per month? I do not like to object to the bill.

The VICE-PRESIDENT. The Senator from Minnesota [Mr. DAVIS], who reported the bill, is not in the Senate at present.

Mr. GALLINGER. This bill was reported by the chairman of the committee, and I presume he attended to it. Perhaps the reading of the report, if it is not too long, will answer the Senator's purposes.

Mr. HARRIS. Let it go over, Mr. President. There is no time to read reports now.

Mr. BERRY. Before the bill goes over I desire to make a few remarks. I simply wish to say that if this is a meritorious

case I do not desire to object to it, but the effort seems to be continually not only to put every one possible on the pension rolls, but to increase the pensions of those already on the rolls. I am unwilling to increase the pension of anyone to \$50 a month unless there is good reason for doing so.

Mr. GALLINGER. I would say that it is not the policy of the Committee on Pensions either to put everybody on the pension rolls or to increase the rate of pension to those on the rolls. We try to report only meritorious cases, and I suppose this is one.

Mr. BERRY. My observation is that the effort has been to put as many as possible on the pension rolls, and appeals are continually coming here for increased pensions. If the Senator from New Hampshire is unable to give any reason for the increase then I object to the bill.

The VICE-PRESIDENT. The bill will be passed over.

Mr. BERRY subsequently said: I objected to the consideration of the bill (H. R. 6212) granting an increase of pension to Ellis P. Phipps, late Lieutenant in Company A, Twelfth New Jersey Volunteer Infantry, invalid certificate No. 35719. The Senator from Minnesota [Mr. DAVIS] assures me that the bill as it came from the other House was for \$72 a month; that it was cut down by the Senate committee to \$50 a month; that it amounts to an increase of only \$5 a month, and that the man is absolutely helpless. In view of that statement I withdraw my objection to the passage of the bill.

The bill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellis P. Phipps, late Lieutenant Company A, Twelfth Regiment New Jersey Volunteer Infantry, and pay him a pension of \$50 per month, in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### MAUD CASE.

The bill (H. R. 7306) to pension Maud Case, of Dodge County, Minn., was considered as in Committee of the Whole. It proposes to place upon the pension rolls the name of Maud Case, the dependent and totally blind daughter of Hezekiah Case, deceased, late private of Company H, Thirty-third Wisconsin Volunteers, at \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### CHARLES H. BEHLE.

The bill (H. R. 6554) to remove the charge of desertion against Charles H. Behle was considered as in Committee of the Whole. It directs the Secretary of War to remove the charge of desertion against Charles H. Behle, a former musician of Company K, One hundred and eighth Ohio Volunteers, and issue to him an honorable discharge from the Army.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### DISTRICT BOARD OF CHARITIES.

The bill (H. R. 9873) to create a board of charities, etc., in the District of Columbia was announced as next in order on the Calendar.

Mr. HARRIS. I ask that the bill go over.

The VICE-PRESIDENT. The bill will be passed over.

#### WASHINGTON, BURNT MILLS AND SANDY SPRING RAILWAY.

The bill (H. R. 9956) to incorporate the Washington, Burnt Mills and Sandy Spring Railroad Company was announced as next in order.

Mr. COOKES of Arkansas. Let that bill go over, retaining its place on the Calendar.

Mr. McMILLAN. Has that been objected to?

The VICE-PRESIDENT. It has been objected to, and will be passed over.

Mr. JONES of Alabama subsequently said: Mr. President, a few moments ago I objected to the consideration of House bill 9956. I do not withdraw that objection. I have no objection to the bill being taken up.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9956) to incorporate the Washington, Burnt Mills and Sandy Spring Railway Company.

The bill was reported from the Committee on the District of Columbia, with amendments. The first amendment was, in section 1, line 22, after the word "along," to strike out "either off" in the same line, after the word "following," to strike out "routes" and insert "route" in line 23, after the word "point," to insert "to be located by the Commissioners of the District of Columbia" and in line 29, after the words "Sargent read," to insert "by such route" so as to read:

And said corporations are hereby authorized to lay out, locate, construct, furnish, maintain, operate, and enjoy a continuous single or double track passenger and freight railway, and a telegraph line, with all the necessary





Heve that there is a Senator around me who will say for a single moment that it was his intention to vote for an appropriation of two and a half million dollars that was to be expended by anybody except the commission appointed by the Government of the United States.

Now, the distinguished Senator from Kentucky, also a member of that commission, for the first time throws some light upon the history of this whole transaction, and we find that instead of giving over to our Columbian Exposition two and a half million dollars, as we supposed we had, out of which I understand the local board at Chicago have realized \$5,000,000, we find that they have had nothing at all to do with it. I want to know where the blame rests? Perhaps it may rest with every member of the Senate who has not investigated this question and knows nothing about it, for certainly I did not believe for a moment that it would have any such effect.

Mr. TELLER. Will the Senator from New Jersey allow me to make a suggestion to him?

Mr. McPIERSON. I will.

Mr. TELLER. If the Senator had read the act when we were passing it he would have seen that the city of Chicago had control of this. He seems to think it is a discovery he has made now. Everybody knew that before.

Mr. McPIERSON. If anybody knew it before—

Mr. CHANDLER. If the Senator will allow me—

Mr. HARRIS. I rise to a parliamentary inquiry.

The VICE-PRESIDENT. The Senator from Tennessee will state his parliamentary inquiry.

Mr. HARRIS. Is this the conference report which was excerpted from the five-minute rule?

The VICE-PRESIDENT. The Chair does not understand that this conference report came under the agreement entered into.

Mr. HARRIS. There was an agreement as to all conference reports, the debate to be limited to five minutes and each Senator to speak but once, except as to one conference report.

The VICE-PRESIDENT. The Chair understands that the Senator from Iowa excerpted the bill now under consideration.

Mr. HARRIS. I knew that one was excerpted. I simply wanted to know if this was that one.

The VICE-PRESIDENT. Will the Senator from Iowa state his understanding?

Mr. ALLISON. I am not prepared, without having the notes before me, to say precisely what the final understanding was. I intended that it should cover all the conference reports except the report on the deficiency appropriation bill.

Mr. CULLOM. I am very certain that was stated by the chairman of the committee.

The VICE-PRESIDENT. The Chair, upon further consideration, is clearly of the opinion that it was the deficiency appropriation bill which was excerpted by the Senator from Iowa, and not the pending bill.

Mr. ALLISON. I think the Senator from Nevada [Mr. STEWART] excerpted the deficiency appropriation bill.

Mr. HARRIS. If that be so, I shall object to any Senator speaking oftener than once or more than five minutes.

The VICE-PRESIDENT. The Chair will undertake to carry out the agreement made by unanimous consent. The question is on concurring in the conference report.

Mr. WHITE. I want to make just one statement. I think the Senator from New Jersey falls into a very serious error. Last year when this appropriation was made the distinguished chairman of the Appropriations Committee made a statement as clear as the noonday sun, mentioning every fact which has been stated here to-night, calling attention to the difference between the Commission and the Chicago organization. Questions were asked him in the debate; I can not see how the Senator from New Jersey labors under the hallucination, as he was here and voted for the bill.

The VICE-PRESIDENT. Will the Senator from Iowa state the motion he made?

Mr. ALLISON. I move that the Senate insist upon the five amendments which I have named and which are in controversy, being amendments numbered 67, 68, 69, 70, and 71.

Mr. HARRIS. Will the Senator please state what they refer to?

Mr. ALLISON. They all relate to the World's Columbian Exposition. Upon that question, although the time is brief, I ask for the yeas and nays.

The VICE-PRESIDENT. The question is on the motion of the Senator from Iowa, that the Senate insist upon the amendments named by him, and upon that question the yeas and nays have been demanded.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DIXON (when his name was called). I have a general pair with the Senator from Mississippi [Mr. WALTHALL], who

is detained from the Chamber by sickness. I do not feel at liberty to vote.

Mr. GEORGE (when his name was called). I am paired with the Senator from Oregon [Mr. DOLPH]. If he were present I should vote "nay."

The roll call having been concluded, the result was announced—yeas 51, nays 11; as follows:

YEAS—51			
Aldrich	Dubois	Jones, Ne.	Proctor,
Alben	Paulkner	Kyle	Sawyer,
Blackburn	Peltou	Lindsay	Sherman,
Bledgett	Fry	McMillan	Shoup,
Brice	Callinger	McClarrison	Stewart,
Canter	Cabson	Mitchell	Stewart,
Candlen	Gorman	Morrill	Thayer,
Cameron	Gray	Padlock	Voorhees,
Carry	Hale	Palmer	Warren
Chandler	Hansborough	Payson	Washburn
Cullom	Harvey	Peterson	White
Davis	Hill	Potter	Wickoff,
Dawes	Hiscock	Platt	
	Hoar	Porter	
NAYS—11			
Bates	Coke	Jones, Ark	Turpie,
Berry	Harris	Mills	Vest
Cookrell	Hutton	Purth	
NOT VOTING—11			
Allen	Dolph	Morgan	Stanford,
Cannery	George	Pasco	Vance,
Calk	Gordon	Quay	Vilas,
Clayton	Higgins	Ransom	Wadsworth,
Daniel	Irwin	Sanders	Wilson
Dixon	McPherson	Squire	

So the motion was agreed to.

Mr. ALLISON. I now move that the Senate insist upon its amendment numbered 104, and that it agree to the conference asked by the House of Representatives.

Mr. HARRIS. Let me ask the Senator from Iowa what amendment 104 refers to?

Mr. ALLISON. Amendment numbered 104 is the proviso inserted in the bill by the House modifying or repealing a certain provision in a land act passed in 1891.

The VICE-PRESIDENT. The question is on the motion of the Senator from Iowa.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. ALLISON, Mr. HALE, and Mr. GORMAN were appointed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 3881) relating to copyrights.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 4493) to place upon the pension rolls of the United States the name of Thomas F. Sheldon, late captain Company A, One hundred and Twenty-fifth New York Infantry.

A bill (H. R. 5590) to increase the pension of W. H. Philpot, a pensioner of the Mexican war.

A bill (H. R. 5741) to increase the pension of Capt. E. R. Chase from \$20 to \$72 a month; and

A bill (H. R. 1071) to continue the duties on certain manufactures of wax at the rate now provided by law.

#### INDIAN APPROPRIATION BILL.

Mr. DAWES. I present a conference report on the Indian appropriation bill and ask for its present consideration.

Mr. DIXON. I rise to a parliamentary inquiry. I desire to ask the Chair if a veto message of the President puts the bill to which it relates in any other relation to the order of business of the Senate than any other matter upon the Calendar?

The VICE-PRESIDENT. The Chair has on his desk the message from the House and also the message relating to the bill returned by the President with his objections.

Mr. HOAR. I do not wish to interfere with my colleague, but I desire to say that such a message has come from the President in relation to a bill providing for a marshal and district in Alabama. The message shows, I think, that the President was under a misapprehension in regard to that measure. It seems to me that the Senate ought to take that up and consider it at an early hour; otherwise it can not perform its constitutional duty at all. After my colleague has disposed of the conference report I desire to ask the Senate that that shall be done.

The VICE-PRESIDENT. The report of the committee of conference will be read.

The report was concurred in.

Another criticism of the bill is that it is "too broad and unbalanced." He says that the bill will not only affect officers, but will add to the patchwork of existing laws. "The Senator knows that these officers are a hard lot to

that are now being collected, which go to the district attorney of the northern district and the marshal of the southern district.

These two officers now in existence being relieved from discharging the duties in the middle district, they certainly are not entitled to the fees, and the fees only go in the way of compensation for these additional officers. The bill does not add one dollar to the public expense.

The VICE-PRESIDENT. The roll will be called.

The Secretary proceeded to call the roll.

Mr. WARREN (when his name was called). I am paired with the Senator from Georgia [Mr. GORDON].

The result was announced—yeas 58, nays 1, as follows:

## YEAS—58.

Aldrich.	Davis.	Jones, Nev.	Pugh.
Bate.	Dawes.	Lindsay.	Sherman.
Berry.	Dubois.	McMillan.	Shoup.
Blackburn.	Faulkner.	McPherson.	Squire.
Blodgett.	Felton.	Manderson.	Stewart.
Brice.	Gallinger.	Mills.	Stockbridge.
Butler.	Gray.	Mitchell.	Teller.
Call.	Hansbrough.	Morrill.	Turpie.
Cameron.	Harris.	Paddock.	Vest.
Carey.	Hawley.	Palmer.	Voorhees.
Chandler.	Hill.	Peffer.	Washburn.
Cockrell.	Hiscock.	Perkins.	White.
Coke.	Hoar.	Pettigrew.	Wolcott.
Callom.	Huntton.	Platt.	
Daniel.	Jones, Ark.	Power.	

## NAYS—1.

Frye.

## NOT VOTING—23.

Allen.	George.	Morgan.	Vance.
Allison.	Gibson.	Pasco.	Vilas.
Caffery.	Gordon.	Proctor.	Walthall.
Camden.	Gorman.	Quay.	Warren.
Casey.	Hale.	Ransom.	Wilson.
Colquitt.	Higgins.	Sanders.	
Dixon.	Irby.	Sawyer.	
Dolph.	Kyle.	Stanford.	

So the bill was passed (two-thirds of the Senate present voting in the affirmative).

## INVESTIGATIONS BY FINANCE COMMITTEE.

Mr. ALDRICH. From the Committee on Finance, I present two reports. I desire to call the attention of the Senator from Tennessee [Mr. HARRIS]—

Mr. HARRIS. That is a report from the majority of the Committee on Finance. It was submitted to me at 5 o'clock this evening, when I did not have time to look at it carefully. I shall ask that it be ordered printed, but not printed until I shall have had an opportunity of looking at it carefully and submitting the views of the minority, if the minority shall choose to submit views, in order that the views of the minority may be printed with the report.

Mr. ALDRICH. The request of the Senator from Tennessee is certainly a reasonable one in view of the circumstances, and I make no question upon it.

The VICE-PRESIDENT. That order will be made.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10258) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1893, and for prior years, and for other purposes, further insisted on its disagreement to the amendments of the Senate numbered 39, 63, 64, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 94, 95, 96, 97, 98, 99, 108, 150, 160, 161, 163, 166, 167, 168, 169, 170, 171, 173, 174, 176, and 177, agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appointed Mr. SAYERS, Mr. HOLMAN, and Mr. DINGLEY managers at the conference on the part of the House.

## ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 3881) relating to copyrights; and it was thereupon signed by the Vice-President.

## WILLIAM MCGARRAHAN.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3741) to submit to the Court of Private Land Claims, established by an act of Congress approved March 3, 1891, the title of William McGarrahan to the Rancho Panoche Grande, in the State of California, and for other purposes.

Mr. TELLER. I ask that we may vote on the amendment offered by the Senator from Vermont [Mr. MORRILL].

Mr. PLATT. Let the amendment be stated.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 1, line 8, after the second word "the," strike out the words "Court of Private Land Claims established by an act of Congress approved March 3, 1891," and insert, "United States district court for the southern district of California;" so as to read:

Be, and the same are, hereby referred to the United States district court for the southern district of California

Mr. MORRILL. Mr. President, it would seem reasonable I think to any lawyer in this body that the best court in the country should be called upon to decide a question of the importance of the one now before the Senate. I have merely proposed that instead of this young green court, that was established in 1891, the court of the southern district of California shall take jurisdiction of this matter and have the case tried there instead of here at Washington by this new court.

It is obvious that the witnesses on the part of the United States are in California and not here in Washington. By the proposed bill all the evidence is to be received that has been taken *ex parte*, produced by the claimant here in Washington where there was no chance of repeal, no chance of impeachment of the witnesses, and where the United States was without power to investigate and summon witnesses from the proper place. I hope that the amendment will be adopted.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Vermont. [Putting the question.] The yeas seem to have it.

Mr. MORRILL called for the yeas and nays, and they were ordered.

Mr. TELLER. This is a proposition to change the court from the court that was created by Congress for the special adjudication of this class of cases to the district court of California. The committee considered this whole question and determined that this was the better court to which to send the case, and I hope the friends of the measure will vote the amendment down.

The PRESIDENT *pro tempore*. The Secretary will call the roll on the pending amendment.

The Secretary proceeded to call the roll.

Mr. CAREY (when his name was called). I am paired with the Senator from South Carolina [Mr. IRBY].

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. PERKINS (when his name was called). I am paired with the Senator from Georgia [Mr. GORDON].

Mr. STEWART (when his name was called.) I am paired with the Senator from Nebraska [Mr. PADDOCK]. If he were present I should vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON]. I should vote "yea" and he would vote "nay."

The roll call was concluded.

Mr. DAVIS. I am assured that the Senator from Indiana [Mr. TURPIE], with whom I am paired, would vote "nay" on this question. I therefore vote "nay."

Mr. PASCO. I am paired with the Senator from North Dakota [Mr. CASEY]. If he were present I should vote "nay."

The result was announced—yeas 10, nays 39; as follows:

## YEAS—10.

Aldrich.	McPherson.	Proctor.	White.
Frye.	Mills.	Sherman.	
Hiscock.	Morrill.	Stewart.	

## NAYS—39.

Allison.	Dubois.	Jones, Ark.	Power.
Bate.	Felton.	Jones, Nev.	Pugh.
Brice.	Gallinger.	Lindsay.	Shoup.
Call.	Gorman.	McMillan.	Squire.
Camden.	Gray.	Manderson.	Stockbridge.
Cameron.	Hansbrough.	Mitchell.	Teller.
Chandler.	Hawley.	Paddock.	Warren.
Coke.	Hill.	Peffer.	Washburn.
Daniel.	Hoar.	Pettigrew.	Wolcott.
Davis.	Huntton.	Platt.	

## NOT VOTING—39.

Allen.	Callom.	Higgins.	Sawyer.
Berry.	Dawes.	Irby.	Stanford.
Blackburn.	Dixon.	Kyle.	Turpie.
Blodgett.	Dolph.	Morgan.	Vance.
Butler.	Faulkner.	Palmer.	Vest.
Caffery.	George.	Pasco.	Vilas.
Carey.	Gibson.	Perkins.	Voorhees.
Casey.	Gordon.	Quay.	Walthall.
Cockrell.	Hale.	Ransom.	Wilson.
Colquitt.	Harris.	Sanders.	

So the amendment was rejected.

Mr. MORRILL. On page 2, in section 1, line 13, I move to strike out the word "final." This refers to the claim of Gomez. At the end of the bill I see it is proposed that the United States and the claimant may have the right of appeal, but if this is to be a final judgment in relation to the Gomez claim, then after that has been decided, there will be nothing left but merely the ques-

tion of whether the deed and title of Gomez have been legally transferred to McGarrahan.

The PRESIDENT *pro tempore*. The amendment will be stated.  
The CHIEF CLERK. In section 1, line 13, before the word "judgment," it is proposed to strike out "final;" so as to read:  
And to render judgment thereon.

Mr. MORRILL. I take it the word "final" was left in the bill by mistake.

Mr. HOAR. I do not understand that there is anything whatever in the suggestion of my honorable friend from Vermont. A "final judgment" does not mean a final disposition of the case, but final action in a particular court. Final judgments are ordinarily the only things that can be appealed from. No exception can be taken until after final judgment. If you should take an appeal from an interlocutory judgment in a Massachusetts court, or in the circuit court of the United States, the court would say: "You can not appeal until final judgment." That is the phrase which is used to distinguish from interlocutory judgments or decrees the final action of a particular court. The amendment, however, does no possible harm.

Mr. STEWART. It makes no difference.

Mr. HOAR. It will make no difference whether it goes in or out.

Mr. TELLER. It does not make any difference.

Mr. HOAR. Let the amendment be adopted if the Senator from Vermont requests it.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The Chair understands that the committee amendments to the bill have not been acted upon.

Mr. TELLER. Let them be now acted upon.

The PRESIDENT *pro tempore*. The amendments will be reported in their order.

The first amendment of the Committee on the Judiciary was, in section 1, line 31, after the word "act," to strike out "submit the evidence of his title and;" in line 32, after the word "court," to insert "setting up therein the said grant and his said title thereto, and the said court shall also have jurisdiction to adjudicate in said proceeding as to the validity of said claim of said McGarrahan in and to said grant; and the said McGarrahan or his legal representatives;" and in line 37, before the word "court," to strike out "asking for the confirmation of said grant and judgment thereon and;" so as to read:

And that William McGarrahan, claiming to have acquired by subsequent purchase, for a valuable consideration, the title of said Vicente P. Gomez to said tract of land, and as successor to the rights of said Vicente P. Gomez, may at any time, within six months from the passage of this act, file his petition in said court setting up therein the said grant and his said title thereto, and the said court shall also have jurisdiction to adjudicate in said proceeding as to the validity of said claim of said McGarrahan in and to said grant; and the said McGarrahan or his legal representatives, may prosecute said petition and cause against the United States in that court; and it shall be the duty of the custodian of the records and papers in said cause before said board of land commissioners to transmit them to the clerk of said court immediately upon the passage of this act.

The amendment was agreed to.

Mr. MORRILL. I offer an amendment to come in as a new section before section 2.

The VICE-PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 3, after line 17, insert a new section, as follows:

SEC. 3. That to enable the United States to be represented by competent legal counsel and to procure the attendance of necessary witnesses, the sum of \$20,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. TELLER. I hope that amendment will be voted down. Nobody but an enemy of the bill would propose it. It is not at all necessary.

Mr. MORRILL. Mr. President, I confess myself an enemy to the bill; but I think it was suggested the other day by the Senator who has last spoken, that he had no objection only that he wanted it in some other bill than this.

It is quite obvious that in a suit of this importance, involving, perhaps, millions of dollars, large promises of reward will be made to the attorneys upon the other side, and here we have an attorney who is paid only \$3,500 a year for his services. That certainly would not employ a lawyer like the Senator from Colorado to attend to the case. I know that he is in the habit of receiving \$10,000 in the employment of a case. I think that this suit here ought to be attended on the part of the United States by a competent attorney. We know that this attorney has just lost a case in California that involved the title of 60,000 acres of land worth, it is stated, \$12,000,000. That is evidence of the ability of the attorney of this court. Therefore I hope that the amendment will be adopted.

I am not unwilling, if this case can be given so that the United States will have a fair and equal chance in the matter, to have it go to a court, but I do not like to have it bound as the bill

evidently binds it to go to the court in favor of the McGarrahan.

The same name is used. One is the person who has passed the case. General McGarrahan is not named in this case. It was a so-called case.

This is a case of the survey. It is a case of the State's title. It is a case of the survey. It is a case of the State's title.

Mr. HUNTON. Mr. President, I do not think the Senator from Vermont will yield to the Senator from Colorado.

Mr. MORRILL. I do not think the Senator from Vermont will yield to the Senator from Colorado.

Mr. HUNTON. Mr. President, I do not think the Senator from Vermont will yield to the Senator from Colorado.

Mr. MORRILL. Mr. President, I do not think the Senator from Vermont will yield to the Senator from Colorado.

Mr. TELLER. I do not think the Senator from Vermont will yield to the Senator from Colorado.

The PRESIDENT *pro tempore*. The Senator from Vermont will yield to the Senator from Colorado.

Mr. MILLS called for the yeas and nays and was ordered.

Mr. CHANDLER. I do not think the Senator from Vermont will yield to the Senator from Colorado.

The CHIEF CLERK. The yeas and nays were ordered.

SEC. 4. That to enable the United States to be represented by competent legal counsel and to procure the attendance of necessary witnesses, the sum of \$20,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The PRESIDENT *pro tempore*. The Senator from Vermont will yield to the Senator from Colorado.

The Secretary reported a message from the President.

Mr. DAVIS. When the President was called upon to sign the bill, he would not sign it.

Mr. PERKINS. When the President was called upon to sign the bill, he would not sign it.

The Senator from Colorado. Mr. President, I do not think the Senator from Vermont will yield to the Senator from Colorado.

Mr. STOKER. Mr. President, I do not think the Senator from Vermont will yield to the Senator from Colorado.

with the Senator from Maryland. Mr. President, I do not think the Senator from Vermont will yield to the Senator from Colorado.

vote "nay."

Mr. VEST. When the President was called upon to sign the bill, he would not sign it.

The roll call was ordered.

Mr. CAREY. I do not think the Senator from Vermont will yield to the Senator from Colorado.

The roll call was ordered.

Coleman	Y
Cockrell	Y
Fuller	Y

Atchafalaya	Y
Berry	Y
Bloch	Y
Brown	Y
Chambers	Y
Cameron	Y
Cole	Y
Cook	Y
Davis	Y
DeLoach	Y

Ames	Y
Atchafalaya	Y
Bates	Y
Blackburn	Y
Brown	Y
Coffey	Y

Pugh.  
Quackenbush.  
Randall.  
Sandwich.

Sawyer.  
Sherman.  
Stanford.  
Tupple.

Vance.  
Vest.  
Vilas.  
Voorhees.

Walthall.  
White.  
Wilson.

So the amendment was rejected.

#### PRESENTATION TO VICE-PRESIDENT.

Mr. McPHERSON. I submit a resolution and ask to have it considered now.

The resolution was read, as follows:

*Resolved*, That the Vice President is hereby authorized to retain for his personal use the writing set and appendages used by him during his term of office.

Mr. McPHERSON. I ask for the immediate consideration of the resolution.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent, and agreed to.

#### WILLIAM MCGARRAHAN.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 374) to submit to the Court of Private Land Claims, established by an act of Congress approved March 3, 1891, the title of William McGarrahan to the Rancho Panoche Grande, in the State of California, and for other purposes.

The PRESIDENT *pro tempore*. The next amendment of the Committee on the Judiciary will be reported.

Mr. MORRILL. I offer a new section to come in before section 2.

The PRESIDENT *pro tempore*. The amendment will be read.

The CHIEF CLERK. On page 3, after line 47, insert a new section, as follows:

SEC. — That the court as aforesaid shall determine whether or not the corporation organized in the year 1861 under the name of the "Panoche Grande Quicksilver Company," and the corporation organized in 1870 under the name of "The California Quicksilver Company," to each of which the said McGarrahan transferred and deeded all the rights and title claimed by him in the said Rancho Panoche Grande, have been restored and transferred to the said McGarrahan by a good and sufficient legal title, and that the claims of all the shareholders of the said corporations thereto have been properly and legally extinguished, and if not, then all further action of the court upon the matter contained in this bill shall cease: *Provided*, That the said court shall also have authority to investigate and determine whether any liens are still in force made by the said McGarrahan in favor of any of his claim agents, and particularly of one fourth part of the said Rancho Panoche Grande in favor of Frederick Frank, of one twenty-fourth part in favor of O. L. Shafter, and of 6 per cent thereof in favor of Simon Stevens, and if any such liens have been so made, then the action of said court shall be suspended until the lien shall be discharged and extinguished.

Mr. TELLER. I will say the bill *ex cathedra* declares that McGarrahan shall prove that he is himself the owner. It would be utterly inconsistent to put that in and leave the provisions in which require him to establish the fact of ownership. I hope the amendment will be voted down.

Mr. MORRILL. It is very clear that Mr. McGarrahan deeded this property to two different corporations. It is also clear that he had an associate by the name of Frederick Frank who had one quarter part interest in the claim; and to another, Simon Stevens, he had deeded 6 per cent of the claim; and to another attorney, I am not certain that it was ever deeded, but an offer was made of 20 per cent or 21 per cent. I think, therefore, that the party here should show that he has a clear title to it.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Vermont.

The amendment was rejected.

The PRESIDENT *pro tempore*. The next amendment of the committee will be stated.

The CHIEF CLERK. On page 3, section 2, line 3, after the word "evidence," insert the words "on the part of the petitioner or the United States;" so as to read:

Said court shall receive as evidence on the part of the petitioner or the United States the original expediente presented by the said Governor and the said Governor Manuel Micheltorena.

Mr. MILLS. I rose to offer an amendment to the amendment of the committee, but I yield to the Senator from Illinois [Mr. PALMER].

Mr. PALMER. On page 3, in line 3, after the word "evidence," I move to insert: "So far as the same are competent and legal evidence;" so as to read:

That upon the trial of questions or issues arising in the hearing of said petition, either as provided for the said court shall receive as evidence, so far as the same are competent and legal evidence on the part of the petitioner or the United States the original expediente presented by the said Governor to the said Governor Manuel Micheltorena.

Mr. TELLER. I hope that amendment will be voted down. We have provided what shall be evidence in this bill. This is a modification which our committee refused to accept when it was suggested.

Mr. PALMER. It presents the very crucial test that I desire to make in the consideration of this bill. I desire that the sense of the Senate shall be taken on the question whether evidence

that would not be competent on a trial between any other human being and the United States shall be made competent by this bill. It is my belief that this bill was prepared with a view to compel a decision in favor of McGarrahan—with a view to compelling the court to find for him. I desire that there shall be reserved to the court the question of the competency of the testimony.

I have no desire to delay the action of the Senate on the bill. I therefore content myself with submitting this naked proposition, not that Congress shall adjudge McGarrahan to be the owner of this property to the extent of his claim, but that the Senate shall by arraying the evidence and making it competent to compel any court that may hereafter consider the claim to find for him. That is the bill as it is.

If this bill passes a judgment of the land court in favor of McGarrahan is as inevitable as any other fact that can not be disputed or that is certain, because if all this testimony, manufactured or not, competent or not, is made competent by the bill and the court is compelled to receive it and listen to it and accept it without objection, the Senate might just as well by positive plain law give to McGarrahan all he claims and avoid this circumlocution of the form and the pretense of judicial action.

I say that I need not stand in the way of this vote and that the Senate may without any obstruction from me pass upon the bill and this protest against the bill on this test, which tests the sincerity of the gentlemen who profess to be seeking the right of this party by judicial action. I submit the amendments that they may have the opportunity of going upon record, and that the country may understand what this measure is, that it is a legislative finding in favor of McGarrahan, because if the Legislature determines that all that is claimed on the part of a claimant shall be received by a court and that all that is set out in this brief shall be taken by the court as evidence, then the finding of the court for him is inevitable.

I want to present the single question whether any discretion is to be left to the court at all or whether we will now adjudge McGarrahan to be the owner of this land; and not only that, but whether he will adjudge that the United States as the grantor of some of this property is to be charged with responsibility as warrantors beyond any liability ever thrown upon a warrantor before—a warrantor who is made liable for the trespasses of strangers for the robberies of those who may violate the rights of others as well as the United States. The question is whether the United States is to be, not subrogated, but charged upon the principle that whatever happened to this land during all these years is to be charged to the United States Government.

It is true it is decorously veiled. I do not pretend that the bill charges the United States, but why go into an account as to trespasses? It is to lay the foundation for a future appropriation for a future demand, because by this the United States assumes liability as warrantor. It is made liable for a sum that the gentlemen will not now undertake to limit.

I have asked Senators what will be the ultimate liability of the United States if the theory of this claimant is sustained. They will not tell me. They will not tell the Senate. It is an unknown liability. This is a change. The former bill authorized a judgment substantially against the United States. This is an assumption indirectly of liability and the facts are to be reported as the foundation for an appropriation. I redeem my pledge by throwing no other obstruction in the way of the passage of the bill.

Mr. TELLER. There is some evidence that would be admitted under the bill which would not be admitted unless there was provision in the bill specifically for its admission. That the Judiciary Committee intended to have in the bill. For instance, depositions taken thirty years ago in another case are not legal evidence in this case. The depositions were taken under the form of law, but not in this case. We propose to have these depositions used in this case.

The Senator from Illinois can not complain of that as an equitable and proper proceeding. The Judiciary Committee carefully considered this question and determined in their minds at least, if not all, nearly all; and I do not think there was any dissent—that this matter as to the effect that should be given to the evidence should be left entirely with the court. All the court is to do is to receive it and give it such weight as it sees fit. In deference to some Senators who have thought that it ought to be in, I give notice that at the proper time I shall move to add that the court shall give it simply such weight as it may think it entitled to. I thought that was in, but if there is any question about it, I shall add that specifically. I hope the amendment of the Senator from Illinois will be voted down.

Mr. PALMER. Mr. President, one word. I have never known at any time anywhere that a third party was to be charged with the contents of testimony or of depositions or affidavits to which that third party was a stranger. Now, let me consider

what the Senator proposes. It is that testimony shall be used against the United States taken between third parties.

Mr. TELLER. Not at all; taken between the United States and this claimant.

Mr. STEWART. Affidavits.

Mr. PALMER. Mere *ex parte* affidavits is on.

Mr. TELLER. Not between any third parties. The Senator is mistaken.

Mr. PALMER. Then, if this testimony has been taken in suits to which the United States was a party, it would be competent on general principles. There is no doubt that where the United States has been represented, either in the taking of depositions or in any other mode by which testimony is obtained and the witnesses have died or gone beyond the jurisdiction of the court, that testimony may be used against the United States. Will the Senator consent to modify it to such positions as affidavits as were taken in causes to which the United States was a party? Would that modification meet his views? I apprehend not. *Ex parte* affidavits, where there was no opportunity for cross-examination or examination, are made competent.

There is nothing, therefore, that will justify these extraordinary changes of the legal rules of evidence as applicable to all other possible cases.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Illinois [Mr. PALMER].

Mr. COCKRELL. Let the amendment be read.

The PRESIDENT *pro tempore*. The amendment will be read.

The CHIEF CLERK. On page 3, section 2, line 3, after the word "evidence" insert:

So far as the same are competent legal evidence

So as to read:

That upon the trial of questions or issues arising on the hearing of a petition herein provided for, the said court shall receive evidence so far as the same are competent legal evidence on the part of the petitioner of the United States, the original expediente presented by the said Government.

Mr. MILLS. Now, let us have the yeas and nays on that question.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DAVIS [when his name was called]. I am paired generally with the Senator from Indiana [Mr. TURNER], but understanding that he would vote "nay," I will vote. I vote "nay."

The PRESIDENT *pro tempore*. When Mr. MAXWELL'S name was called. The occupant of the chair is paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. PROCTOR [when his name was called]. I am paired with the Senator from Florida [Mr. CALL]. If he were here I should vote "yea."

The roll call was concluded.

The PRESIDENT *pro tempore*. The occupant of the chair votes "nay."

Mr. PERKINS. I am paired with the Senator from Georgia [Mr. GORDON], but I will vote to make a quorum. I vote "yea."

The result was announced—yeas 31; nays 31; as follows:

YEAS—31			
Bate,	Hitchcock,	Morrill,	Swain
Berry,	McPherson,	Palmer,	
Cockrell,	Mills,	Robinson,	
NAYS—31			
Blacketti,	Boylan,	Kyle,	Sargent
Brace,	Frye,	Manly,	Stocker
Cameron,	Gallinger,	McMillan,	Teller
Carey,	Hansbrough,	Palmer,	Wadsworth
Chandler,	Harris,	Perkins,	Wheeler
Daniel,	Hawley,	Proctor,	Wheeler
Davis,	Hill,	Quay,	
Dubois,	Hunter,	Robinson,	
NOT VOTING—37			
Albright,	Dewey,	Tracy,	Sargent
Allen,	Dwyer,	Jones,	Sheldon
Allison,	Dodge,	James,	Sperry
Blackburn,	Evans,	Landis,	Stocker
Brice,	George,	McMillan,	Tappan
Caffery,	Gibson,	Manning,	Tracy
Call,	Gordon,	Packer,	Wheeler
Candlen,	Gorman,	Powers,	Wheeler
Cassidy,	Gray,	Proctor,	Wheeler
Cole,	Hale,	Quay,	White
Colpitt,	Higgins,	Ransom,	White
Cullum,	Holt,	Robinson,	

The PRESIDENT *pro tempore*. No quorum existing, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Albright,	Carey,	Frye,	Harris
Bate,	Cockrell,	Gallinger,	Hatch
Berry,	Daniel,	Gorman,	Kyle
Blackburn,	Davis,	Hansbrough,	Leahy
Brice,	Dubois,	Harris,	McMillan
Butler,	Faulkner,	Hawley,	McPherson
Cameron,	Felton,	Hill,	Manly

Mr. TELLER. Not at all; taken between the United States and this claimant.

Mr. STEWART. Affidavits.

Mr. PALMER. Mere *ex parte* affidavits is on.

Mr. TELLER. Not between any third parties. The Senator is mistaken.

Mr. PALMER. Then, if this testimony has been taken in suits to which the United States was a party, it would be competent on general principles. There is no doubt that where the United States has been represented, either in the taking of depositions or in any other mode by which testimony is obtained and the witnesses have died or gone beyond the jurisdiction of the court, that testimony may be used against the United States. Will the Senator consent to modify it to such positions as affidavits as were taken in causes to which the United States was a party? Would that modification meet his views? I apprehend not. *Ex parte* affidavits, where there was no opportunity for cross-examination or examination, are made competent.

There is nothing, therefore, that will justify these extraordinary changes of the legal rules of evidence as applicable to all other possible cases.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Illinois [Mr. PALMER].

Mr. COCKRELL. Let the amendment be read.

The PRESIDENT *pro tempore*. The amendment will be read.

The CHIEF CLERK. On page 3, section 2, line 3, after the word "evidence" insert:

So far as the same are competent legal evidence

So as to read:

That upon the trial of questions or issues arising on the hearing of a petition herein provided for, the said court shall receive evidence so far as the same are competent legal evidence on the part of the petitioner of the United States, the original expediente presented by the said Government.

Mr. MILLS. Now, let us have the yeas and nays on that question.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DAVIS [when his name was called]. I am paired generally with the Senator from Indiana [Mr. TURNER], but understanding that he would vote "nay," I will vote. I vote "nay."

The PRESIDENT *pro tempore*. When Mr. MAXWELL'S name was called. The occupant of the chair is paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. PROCTOR [when his name was called]. I am paired with the Senator from Florida [Mr. CALL]. If he were here I should vote "yea."

The roll call was concluded.

The PRESIDENT *pro tempore*. The occupant of the chair votes "nay."

Mr. PERKINS. I am paired with the Senator from Georgia [Mr. GORDON], but I will vote to make a quorum. I vote "yea."

The result was announced—yeas 31; nays 31; as follows:

YEAS—31

Bate, Hitchcock, Morrill, Swain

Berry, McPherson, Palmer,

Cockrell, Mills, Robinson,

NAYS—31

Blacketti, Boylan, Kyle, Sargent

Brace, Frye, Manly, Stocker

Cameron, Gallinger, McMillan, Teller

Carey, Hansbrough, Palmer, Wadsworth

Chandler, Harris, Perkins, Wheeler

Daniel, Hawley, Proctor, Wheeler

Davis, Hill, Quay, White

Dubois, Hunter, Robinson,

NOT VOTING—37

Albright, Dewey, Tracy, Sargent

Allen, Dwyer, Jones, Sheldon

Allison, Dodge, James, Sperry

Blackburn, Evans, Landis, Stocker

Brice, George, McMillan, Tappan

Caffery, Gibson, Manning, Tracy

Call, Gordon, Packer, Wheeler

Candlen, Gorman, Powers, Wheeler

Cassidy, Gray, Proctor, Wheeler

Cole, Hale, Quay, White

Colpitt, Higgins, Ransom, White

Cullum, Holt, Robinson,

The PRESIDENT *pro tempore*. No quorum existing, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Albright, Carey, Frye, Harris

Bate, Cockrell, Gallinger, Hatch

Berry, Daniel, Gorman, Kyle

Blackburn, Davis, Hansbrough, Leahy

Brice, Dubois, Harris, McMillan

Butler, Faulkner, Hawley, McPherson

Cameron, Felton, Hill, Manly



The PRESIDENT *pro tempore*. There is an amendment to the amendment pending. The question is on the amendment of the Senator from Illinois to the committee's amendment.

Mr. TELLER. I have no objection to the amendment proposed by the Senator from Illinois. The word "competent" may be inserted if he thinks it necessary.

The amendment to the amendment was agreed to.

Mr. FAULKNER. At this point in the bill, after the word "cause," in line 29, I move to add the following proviso:

*Provided, however,* That the weight, value, legal effect, and relevancy of all such evidence shall be determined by the said court.

Mr. TELLER. I suggest to the Senator that I have here what met the approval of the chairman of the committee [Mr. HOAR], who has gone away. This amendment which I propose to offer is about the same as that offered by the Senator:

And shall give such weight to said evidence as the court shall think it is entitled to receive.

Mr. FAULKNER. My purpose in offering that amendment is to control the clause in that section which refers to the introduction of the supposed patent, which in law could not be introduced by the evidence of the patent as it is not a perfected patent, as I understand it.

Mr. TELLER. I ask the Senator if he does not think the words which the chairman of the committee requested me to have inserted cover the whole ground?

Mr. FAULKNER. I doubt it.

Mr. TELLER. The words are:

And shall give such weight to said evidence as the court shall think it is entitled to receive.

Mr. FAULKNER. Looking at it from a purely legal standpoint, the difficulty is that you propose to constitute certain matters evidence which under the law is not evidence. Now, having constituted it evidence, having even required the court to regard it as relevant testimony, the court must give it such weight as relevant evidence bearing upon the issue between the parties necessarily would have upon the mind of the court in considering it. I want the court to have the power to determine as to this matter, which is required to be considered by the court as to the legal effect of the patent, if it has any legal effect whatever.

Mr. MITCHELL. May I ask the Senator from West Virginia if the effect of his amendment is not to destroy entirely the provision which makes that evidence which would not otherwise be evidence for whatever it may amount to in the case?

Mr. FAULKNER. I do not think so. It has this effect, that although this patent, uncompleted and undelivered, is admitted in testimony in this case between the United States and McGarrahan, yet the legal effect of that evidence is submitted as a question of law to the court upon the facts stated.

Mr. MITCHELL. But the Senator's amendment proposes that the court shall pass upon the relevancy of the evidence.

Mr. TELLER. And after we have declared that it shall be admitted.

Mr. FAULKNER. The question of a patent does not involve the question of relevancy; it involves the question of whether it is evidence at all. It is true that relevancy enters into the question of evidence; a thing may be evidence in one view, but it may not be relevant to the issue in another view. All I ask is that the legal aspect of that patent shall be construed by the court.

Mr. TELLER. I will say that that must be done under the law before it can be received as evidence. I think my amendment will make it certain, and I ask that the Senator's amendment may be voted down. I give notice that I shall at the proper time offer the amendment which I have here.

Mr. FAULKNER. I have been willing and anxious to do everything I could within limits and bounds of reason to allow this bill to pass and even to become a law if, in the terms of the provisions of the bill, I regarded the United States as having any fair show in presenting its side of the cause, forty years after the transaction, to the consideration of the court before whom it is to be adjudicated.

I am perfectly willing to allow even *ex parte* evidence to be introduced into the matter, evidence taken by the parties in the form of affidavits, because they were necessarily taken at a time when notice could not be given to the Government. I am willing even for the court to be required to consider that as evidence in the cause; but I do claim that the Senate should not demand of the court that it shall pass upon a matter of fact which is set out in the bill, and which, under no rules of evidence, could be introduced into any court whatever, and thereby absolutely bind that court to consider it evidence, although the facts before it absolutely would convince the mind of any judge that it had no important bearing upon the issue whatever.

Take the question of the patent, for example. Suppose it is

true, as is asserted by some parties involved in the issues which are in this case, that this is an incomplete patent, that it is not one which confers any title whatever on the patentee, yet the court under this bill is compelled to treat that as a patent, and that effect is to be given to it by the terms of the proposed statute itself.

Mr. TELLER. Not at all.

Mr. FAULKNER. Why not? Read it. It is as follows:

SEC. 2. That upon the trial of questions or issues arising on the hearing of said petition herein provided for the said court shall receive as evidence on the part of the petitioner or the United States \* \* \* or any patent or record of a patent for any portion of said lands in any of the Departments of the Government signed by the President of the United States or by his private secretary authorized to sign land patents, or of any record of a patent having the signature of the President of the United States thereto.

The court is bound to consider it as evidence under the express provisions of the bill. I ask the distinguished Senator from Colorado whether any court, if the facts as I state them are true, could refuse to admit the patent under this clause as evidence in the case at issue between the United States and McGarrahan as evidence of the title of McGarrahan? I pause for a reply.

Mr. MITCHELL. I will ask the Senator—

Mr. FAULKNER. If I cannot get a reply from the distinguished Senator from Colorado, to a fair and legitimate and pertinent question, I ask further, if it is legal and legitimate testimony which goes to show a chain of title in this case, why the necessity of making an express provision by an act of Congress authorizing it to be admitted as testimony? Recognizing the fact that the patent in question could not be introduced in evidence as a chain of title in anyone whatever, I ask if the friends of the bill have been driven to the position of providing a statute of the United States which requires the court to consider it as evidence?

With the understanding which I have of the condition of that patent, it not conferring any legal grant upon the patentee, I say that the question of its legal effect should honestly be submitted to the decision of the court before whom this cause is to come.

Senators, if you desire, as I do, to open this cause absolutely *de novo* to the petitioner in this case, if you desire that this whole cause shall be tried anew, as I do, then let us be fair to the United States, as well as to the petitioner.

We do not know what the liability will be under this bill. It has been estimated at from four to forty million dollars. No one can say what it will be or should be until after the adjudication of the cause under the provisions of the bill. All I ask is that the United States shall have presented against it a case which bears the stamp of legal, fair, legitimate, relevant testimony, and no other. My amendment does not exclude the consideration of any of those questions, provided the legal effect of them would be to give Mr. McGarrahan under the evidence introduced any title whatever by reason of the patent supposed to have existed.

Mr. TELLER. The Senator could not have read the bill with very much care. All the testimony to be introduced is of and concerning and touching two things: First, the grant; secondly, the patent, if a patent ever issued. It has nothing to do with the introduction of the patent. That is not provided for.

The depositions referred to are of and concerning the patent and of and concerning the grant. That is all there is of it, Mr. President.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The question is on the amendment submitted by the Senator from West Virginia [Mr. FAULKNER] to the amendment of the committee.

Mr. FAULKNER. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. HARRIS when his name was called. I am paired with the Senator from Vermont [Mr. MORRILL], who is called from the Senate by indisposition.

Mr. PASCO when his name was called. I again announce my pair with the Senator from North Dakota [Mr. CASEY]. If he were present I should vote "yea."

Mr. PETTIGREW when his name was called. I am paired with the Senator from West Virginia [Mr. CAMPDEN]. If he were present I should vote "nay."

Mr. VEST when his name was called. I am paired with the Senator from Iowa [Mr. WILSON].

The roll call was concluded.

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN]. Has he voted?

The PRESIDING OFFICER. He is not recorded.

Mr. MANDERSON. If he were present I am sure he would vote "nay" upon this question, and I therefore vote "nay."

Mr. CULLOM. I inquire if the Senator from Delaware [Mr. GRAY] has voted?

The PRESIDING OFFICER. He is not recorded.  
Mr. CULLOM. I am paired with him, but shall vote if it be necessary to make a quorum.  
The PRESIDING OFFICER. It is necessary.  
Mr. CULLOM. I vote "nay."  
Mr. PERKINS. I am paired with the Senator from Georgia [Mr. GORDON] upon this bill, but the friends of the measure prefer that I should vote to assist in making a quorum. I vote "yea" upon the pending motion.  
Mr. HARRIS. Is an additional vote necessary to make a quorum?  
The PRESIDING OFFICER. It is not.  
The result was announced—yeas 11, nays 35; as follows:

YEAS—11.			
Bate.	Gray.	McPherson.	Proctor.
Cockrell.	Hiscock.	Palmer.	Stewart.
Faulkner.	Lindsay.	Perkins.	
NAYS—35.			
Allison.	Dawes.	Hutton.	Power.
Berry.	Felton.	Jones, Nev.	Pugh.
Blodgett.	Frye.	Kyle.	Shoup.
Call.	Gallinger.	McMillan.	Squire.
Cameron.	Gilson.	Manderson.	Stockbridge.
Coke.	Gorman.	Mitchell.	Teller.
Cullom.	Hawley.	Paddock.	Voorhees.
Daniel.	Higgins.	Peffer.	Wadcott.
Davis.	Hill.	Platt.	
NOT VOTING—12.			
Aldrich.	Dixon.	Mills.	Turpie.
Allen.	Dolph.	Morgan.	Vance.
Blackburn.	DuBois.	Morrill.	Vest.
Brice.	George.	Pasco.	Vilas.
Butler.	Gordon.	Pettigrew.	Walthall.
Caffery.	Hale.	Quay.	Warren.
Camden.	Hansbrough.	Ransom.	Washburn.
Carey.	Harris.	Sanders.	White.
Casey.	Hour.	Sawyer.	Wilson.
Chandler.	Irby.	Sherman.	
Colquitt.	Jones, Ark.	Stanford.	

So the amendment to the amendment was rejected.  
The PRESIDING OFFICER. The question is on the amendment submitted by the committee.  
Mr. FAULKNER. I should like to know what the amendment is.  
The PRESIDING OFFICER. The amendment will be reported.  
The CHIEF CLERK. In section 2, line 28, after the word "thereto," the committee proposes to strike out "and other evidence concerning the rights of the parties before the courts" and insert "and any other matter of competent evidence which in the judgment of the court may tend to throw light upon the case."  
Mr. FAULKNER. I understood the amendment had been agreed to before I submitted my amendment, or else I could not have submitted my amendment.  
The PRESIDING OFFICER. The Chair will state to the Senator from West Virginia that an amendment to that amendment was agreed to inserting the word "competent." The amendment itself was not agreed to.  
The amendment was agreed to.  
The PRESIDING OFFICER. The next amendment reported by the Committee on the Judiciary will be stated.  
The CHIEF CLERK. In section 3, line 2, before the word "grant," it is proposed to strike out "the said" and insert "there was a valid;" in line 3, after the name "Gomez," to strike out "was valid and" and insert "which was;" in line 8, after the word "same," to insert "and the said McGarrahan is now the owner thereof in law or equity;" and in line 11, after the word "boundaries," to strike out "except as hereinafter provided;" so as to read:  
SEC. 3. That if said court shall find and adjudge that there was a valid grant from said Governor Manuel Michelmorena to said Vicente P. Gomez, which was protected under and by virtue of the treaty between the said Government of the United States and that of Mexico, commonly known as the treaty of Guadalupe Hidalgo, and the laws of Congress to give effect to the same, and the said McGarrahan is now the owner thereof in law or equity, the said court shall report such finding and judgment to the Secretary of the Interior, who shall cause a patent to be issued therefor to said William McGarrahan, as the successor of the said Vicente P. Gomez, or his heirs or assigns, for the land embraced within the aforesaid boundaries, and that the survey made by the United States surveyor-general for the State of California, and approved by said surveyor-general on the 11th day of September, 1882, which survey was approved by the Secretary of the Interior December 15, 1882, and is now on file in the General Land Office, shall be considered as forming part of the lands embraced within said boundaries.  
The amendment was agreed to.  
The next amendment was, in section 3, line 28, after the words "United States," to strike out "upon which there are any smelting or reduction works;" so as to read:  
Provided, That no finding or judgment of the said court in favor of said William McGarrahan or his heirs or legal representatives or assigns or patent to be issued under authority of such findings and judgment shall be

had effect until the same shall be approved by the Secretary of the Interior.  
Mr. STEWART. I am paired with the Senator from Nevada, and I vote "yea."  
Mr. TELLER. I am paired with the Senator from Nevada, and I vote "yea."  
Mr. STEWART. I am paired with the Senator from Nevada, and I vote "yea."  
The amendment was agreed to.  
The PRESIDING OFFICER. The next amendment reported by the Committee on the Judiciary will be stated.  
The CHIEF CLERK. In section 3, line 2, before the word "grant," it is proposed to strike out "the said" and insert "there was a valid;" in line 3, after the name "Gomez," to strike out "was valid and" and insert "which was;" in line 8, after the word "same," to insert "and the said McGarrahan is now the owner thereof in law or equity;" and in line 11, after the word "boundaries," to strike out "except as hereinafter provided;" so as to read:  
SEC. 3. That if said court shall find and adjudge that there was a valid grant from said Governor Manuel Michelmorena to said Vicente P. Gomez, which was protected under and by virtue of the treaty between the said Government of the United States and that of Mexico, commonly known as the treaty of Guadalupe Hidalgo, and the laws of Congress to give effect to the same, and the said McGarrahan is now the owner thereof in law or equity, the said court shall report such finding and judgment to the Secretary of the Interior, who shall cause a patent to be issued therefor to said William McGarrahan, as the successor of the said Vicente P. Gomez, or his heirs or assigns, for the land embraced within the aforesaid boundaries, and that the survey made by the United States surveyor-general for the State of California, and approved by said surveyor-general on the 11th day of September, 1882, which survey was approved by the Secretary of the Interior December 15, 1882, and is now on file in the General Land Office, shall be considered as forming part of the lands embraced within said boundaries.  
The amendment was agreed to.  
The next amendment was, in section 3, line 28, after the words "United States," to strike out "upon which there are any smelting or reduction works;" so as to read:  
Provided, That no finding or judgment of the said court in favor of said William McGarrahan or his heirs or legal representatives or assigns or patent to be issued under authority of such findings and judgment shall be

The CHIEF CLERK. On page 4, section 3, line 29, after the word "case," it is proposed to insert:

And shall give such weight to said evidence as the court shall think it is entitled to receive.

Mr. PERKINS. I should like to suggest to the Senator from Colorado whether, in his judgment, that is not the law without the insertion of such a provision?

Mr. TELLER. It is undoubtedly the law and the committee so thought; but some Senators thought it was wise to insert this provision, and so we put it in.

Mr. PERKINS. There should be a provision inserted that only such weight should be given to the evidence as the court in its judgment should deem proper.

Mr. TELLER. It is imperative on the court not to give it, and you can not make it any stronger by changing the language.

Mr. PERKINS. The court usually gives weight as in its judgment may be proper.

Mr. TELLER. If the Senator prefers to have the words put in I have no objection.

Mr. PERKINS. I ask to insert "but shall only give."

Mr. TELLER. Let the amendment be modified in that way.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. COCKRELL. As modified let the amendment be stated.

The PRESIDING OFFICER. The amendment as modified will be stated.

The CHIEF CLERK. On page 4, section 3, line 29, after the word "case," it is proposed to insert:

But shall only give such weight to said evidence as the court shall think it is entitled to receive.

Mr. FAULKNER. I desire the attention of the Senator from Colorado. After the word "weight," in the amendment submitted by him, I should like him to insert, if he will do so—and, of course, if he does not, the Senate will not—the words "and legal effect."

Mr. TELLER. I am quite willing to insert after the word "weight" the words "and legal effect."

The PRESIDING OFFICER. The amendment will be stated as modified.

The Chief Clerk read as follows:

But shall only give such weight and legal effect to said evidence as the court shall think it entitled to receive.

The PRESIDING OFFICER. The question is upon agreeing to the amendment as modified.

The amendment was agreed to.

Mr. PALMER. I understand now that all the amendments have been disposed of which are proposed by the committee?

The PRESIDING OFFICER. All of the committee amendments are disposed of.

Mr. PALMER. I now move to strike out section 4 of the bill, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out section 4, as follows:

Sec. 4. That if the said court shall find and adjudge in favor of the said William McGarrahan as provided in section 3, the court shall proceed to find the value of such portion of land embraced within the boundaries of the said grant as may have been heretofore disposed of by the United States within the afore-said boundaries, less the improvements, if any, made on said land. And if the said court shall find and adjudge that the said William McGarrahan, as the assignee of Vicente P. Gomez, is or was entitled to the minerals or other valuable substances on, in or under said lands, the said court shall proceed to ascertain the value of such minerals or other valuable substances which may have been extracted from said lands by any person, persons, or corporations other than the said William McGarrahan, less the costs of mining and extracting the same. And the said court shall report to Congress of the United States the aggregate values of the portion of land and the minerals as afore-said.

Mr. PALMER. That is the milk in this coconut; that is the part of the bill which is regarded. I have no doubt, as most valuable to the claimant in this case—the provisions of the bill that the law protects all persons who have claims, all persons who have any portion of this land which was conveyed to them by the United States or disposed of by the Government to other persons than the said McGarrahan. The language is exceedingly loose and clearly intended to recognize any adverse claim and having something less than the legal title. Indeed, it is apparent to my mind that the land which has been disposed of, either by conveyance or otherwise, is regarded as having very small value, and that the main purpose of the bill is not so much to establish a title to the portion of the land undisposed of as it is to lay a foundation for a claim against the Government of the United States, based upon this fourth section of the bill.

It is to me remarkable that it should be assumed for any reason in the world that it should be a matter of interest to the Congress of the United States to know to what extent strangers, corporations, and others, have extracted from the land claimed by McGarrahan either minerals or other valuable substances.

What interest is it to the Congress of the United States that that fact should be known? It is upon the ground that the United States Government is to be charged with whatever may be found to have been the value of the property thus taken from this land.

And if the said court shall find and adjudge in favor of the said William McGarrahan, as provided in section 3.

That is very happy language, because that section does provide that the court shall find for McGarrahan—

That, if the said court shall find and adjudge in favor of the said William McGarrahan as provided in section 3, the court shall proceed to find the value of such portion of land embraced within the boundaries of the said grant as may have been heretofore disposed of by the United States within the afore-said boundaries, less the improvements, if any, made on said land. And if the said court shall find and adjudge that the said William McGarrahan as the assignee of Vicente P. Gomez is or was entitled to the minerals or other valuable substances on, in or under said lands, the said court shall proceed to ascertain the value of such minerals or other valuable substances which may have been extracted from said lands by any person, persons or corporations other than the said William McGarrahan.

That only applies to the lands which may be found to belong to McGarrahan if the court shall find that McGarrahan is entitled to one league of this land—I use a term with which I am not very familiar—still the inquiry would be not only what has been taken from the lands claimed by others and disposed of by the United States, but from all the lands.

The said court shall proceed to ascertain the value of such minerals or other valuable substances which may have been extracted from said lands by any person, persons, or corporations other than the said William McGarrahan, less the costs of mining and extracting the same.

For what purpose? It is suggested by the Senator to my right [Mr. GRAY] as the basis of a claim. It is a question in which the United States has no legal interest, unless a liability is fixed by this bill either by direction or indirection. I protest that nothing has been developed in this case upon which an apology can be predicted for this liability which is so distinctly hinted at in the bill; I protest that in a controversy between parties in regard to lands granted by the United States or disposed of by the United States, the United States has no interest whatever. It cannot concern the Congress of the United States what minerals or other valuable substances may have been extracted from these lands by "any person or corporation other than the said William McGarrahan."

I think I can understand that it might be possible in some remote sense to attribute a liability to the United States if these valuable substances had been extracted from the land by persons acting under the authority of the United States. If any grantee of the United States had thus extracted minerals, there might be some ground for a remote equitable liability; but this is not limited to persons who act or claim under the United States. It covers the whole field of trespassers and wrongdoers, persons who, with or without pretense of right, without vouching the authority of the United States, persons who have stolen these minerals, if such people can be found.

The ordinary liability of a warrantor is for acts done by him or by those claiming under him. Here is a liability hinted at and based on the act of persons not claiming under the United States, persons who may claim adversely to the United States, persons who may be mere naked wrongdoers.

Was there ever such a theory of liability imposed upon a grantor before this most remarkable bill? Why should it be so? Why should the Government of the United States be placed in such an attitude?

In the first place, I ask one that the report required is intended to be the basis of a liability. I then ask the question why, is it, upon what possible ground, can it be claimed that the United States shall be even charged by indirection, with liabilities which were never imposed upon any natural or artificial grantor before this bill? Is there any possible view of the case in which that can be justified?

Mr. President, this, I think, involves the very marrow of this controversy. This title is to be made out by the means which have been suggested; but the radical, valuable thing is the ultimate intended liability of the United States. Senators may tell me that the bill imposes no liability upon the United States, but will they tell me that it does not contemplate ultimate expenditures by the Government to the extent imposed by the bill? with a provision that the court shall report that when minerals or valuable substances have been extracted from the land by some person or persons or some corporation or corporations other than McGarrahan, and then that estimates shall be laid before Congress, will it be contended that it is not intended upon that report to ask the Congress of the United States to pay this man for all of these substances which have been taken from the land?

If this is an application in good faith, intended only to vindicate the rights of the claimant, I insist that its ultimate intended imposition upon the United States is not necessary. It conceals a purpose to impose upon the United States all the value of all

the minerals or other substances which may have been extracted from all or any part of these lands, as well those which may be adjudged to McGarrahan as those which may be adjudged to other persons and those that may be adjudged to have been disposed of by the United States.

Mr. TELLER. I hope we may now have a vote upon the amendment, and that it will be voted down.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Illinois [Mr. PALMER], to strike out section 4.

Mr. PALMER. I should like to have the yeas and nays upon that, Mr. President.

Mr. FAULKNER. Before the motion is submitted to the Senate, would it be in order under the rules, to perfect the amendment proposed to be stricken out?

The PRESIDING OFFICER. It would.

Mr. FAULKNER. In order to do that, I move in section 4, line 10, after the word "lands," to insert "by the law of Mexico."

The PRESIDING OFFICER. The amendment will be stated.

Mr. TELLER. How does that read?

Mr. FAULKNER. I propose to move in section 4, line 10, after the word "lands," to insert "by the law of Mexico."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In section 4, line 10, after the word "lands," it is proposed to insert, "by the law of Mexico."

Mr. TELLER. I think the Senator will hardly offer an amendment of that kind. What sense does that make "by the law of Mexico"?

Mr. FAULKNER. I will explain what I intend by the amendment.

Mr. TELLER. It would then read:

On, in, or under said lands by the law of Mexico.

Mr. FAULKNER. It would read as I propose to amend it:

And if the said court shall find and adjudge that the said William McGarrahan as the assignee of Vicente P. Gomez is or was entitled to the minerals or other valuable substances on, in, or under said lands, by the laws of Mexico, etc.

I will state the object and purpose of the amendment. The claim is made that this was a grant by the Government of Mexico prior to the cession to this country, and that by reason of the treaty which was negotiated between the two countries all the rights of parties under those grants were protected by that treaty. I claim that under the law of Mexico this grant which was taken out did not carry with it any minerals contained in the land; I claim that it has been adjudicated and decided by the Supreme Court of the United States that none of the grants similar to the one claimed by the petitioner in this case conveyed to the petitioner any mineral or other valuable substances in the lands, and that, this being an agricultural grant, as set forth in the very papers filed by the petitioner himself, under the laws of Mexico none of those mineral or other valuable substances were conveyed to the grantee.

That being so, and the liability and obligation of the United States resting solely upon the treaty which guarantees the protection of all those grants, we assumed no obligation greater than that authorized by the Mexican grant at the time it was made. For that reason, if the court should find the views which I express are correct, it would at once decide that the value of any mineral or other valuable substances taken from the land was not a subject of inquiry. I think, therefore, that is an important amendment.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from West Virginia.

Mr. TELLER. I will simply say that that question must be determined under the laws of the United States, and what the rights of grantees are under the laws of the United States, may depend very much upon what they were under the laws of Mexico. The court will have both the laws of the United States and the laws of Mexico to pass on.

The suggestion of the Senator is a limitation upon the court and not an extension; and I should not care to have that inserted after the committee has passed upon the bill with the understanding we had that the whole matter of title was open to the courts of the United States from the court which first tried it, up to the Supreme Court.

I wish the Senator would withdraw the amendment, because we do not wish to spend all night on these little things.

Mr. FAULKNER. I do not see under what law we have increased our obligations other than those obligations we assumed in the treaty. I am frank to admit that when we grant a patent in the United States it has been held that the grant conveys not only the land, but the minerals and other valuable substances contained within its boundaries; but that was not the law of Mexico, nor was that the obligation assumed under the provisions of the treaty under which this claim is made.

For that reason, I do not think we ought to go any further

than the obligation assumed in the treaty.

Mr. HUNTER. I think the amendment is a good one, and I think it is a good one to insert in the bill.

Mr. FAULKNER. I think the amendment is a good one, and I think it is a good one to insert in the bill.

Mr. TELLER. I think the amendment is a good one, and I think it is a good one to insert in the bill.

Mr. FAULKNER. I think the amendment is a good one, and I think it is a good one to insert in the bill.

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Mr. TELLER. I think the amendment is a good one, and I think it is a good one to insert in the bill.

Mr. FAULKNER. I think the amendment is a good one, and I think it is a good one to insert in the bill.

Mr. PALMER. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BATE (when his name was called). On the main question, by agreement, I am paired with the Senator from Washington [Mr. ALLEN], with the right reserved to vote if necessary to make a quorum. I should vote "nay" if at liberty to vote.

Mr. CAREY (when his name was called). I am paired with the Senator from North Carolina [Mr. BRY], but I understand he is in favor of this bill, and so I vote "yea."

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TRIMBLE], but having been informed that he would for the bill if present, I shall vote. I vote "yea."

Mr. PASCO (when his name was called). I am paired with the Senator from North Dakota [Mr. CASEY]. If he were present I should vote "nay."

Mr. PETTIGREW (when his name was called). I am paired with the Senator from West Virginia [Mr. CAMDEN]. If he were present I should vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Iowa [Mr. WILSON]. If he were present I should vote "nay" and he would vote "yea."

The roll call was concluded.

Mr. PETTIGREW. I transfer my pair with the Senator from West Virginia [Mr. CAMDEN] to the Senator from North Dakota [Mr. CASEY] and vote "yea."

Mr. PASCO. Under the arrangement just announced by the Senator from South Dakota I feel at liberty to vote. I vote "nay."

Mr. GALLINGER. I am paired with the Senator from Texas [Mr. MILLS]. If he were present I should vote "yea."

Mr. HARRIS. Is there a quorum present?

The PRESIDENT *pro tempore*. The Chair understands there is.

Mr. HARRIS (after having voted in the affirmative). I am paired with the Senator from Vermont [Mr. MORRILL], who is necessarily absent. I withdraw my vote.

Mr. PERKINS. On this bill I am paired with the Senator from Georgia [Mr. GORDON]. If present he would vote "yea" and I should vote "nay."

The result was announced—yeas 37, nays 12; as follows:

YEAS 37.			
Brice,	Felton,	Jones, Nev.,	Squire,
Butler,	Frye,	Kyle,	Stockbridge,
Call,	Gibson,	McMillan,	Teller,
Cameron,	Gorman,	McKibbin,	Voorhees,
Carey,	Hale,	Paddock,	Warren,
Chandler,	Hansbrough,	Pfeffer,	Washburn,
Coke,	Hawley,	Pettigrew,	Wheeler,
Daniel,	Hughes,	Power,	
Davis,	Hull,	Pugh,	
Dubois,	Huntin,	Shoup,	
NAYS 12.			
Blackburn,	Hiscock,	Palmer,	Sawyer,
Cockrell,	Lindsay,	Pasco,	Stewart,
Paulkner,	McKibbin,	Proctor,	White,
NOT VOTING—39.			
Aldrich,	Cullom,	Fry,	Sanders,
Allison,	Dawes,	Jones, Ark.,	Sherman,
Archer,	Dixon,	McDonald,	Stanford,
Bate,	Dodge,	Mills,	Tarpley,
Berry,	Gallinger,	Morgan,	Vance,
Bodgett,	George,	Morrill,	Vest,
Callahan,	Goldman,	Perkins,	Wells,
Candlish,	Gray,	Platt,	Wheeler,
Cassidy,	Harris,	Quay,	Wilson,
Coffey,	Hear,	Ransom,	

So the bill was passed.

#### ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills: and they were thereupon signed by the President *pro tempore*:

A bill (H. R. 5922) for the relief of Lucy Spothberry;

A bill (H. R. 2077) for the relief of William B. Price;

A bill (H. R. 1100) granting a pension to Mary Catherine Reardon;

A bill (H. R. 6212) granting an increase of pension to Ellis P. Phipps, late Lieutenant in Company A, Twelfth New Jersey Volunteer Infantry, invalid certificate No. 25619;

A bill (H. R. 6233) granting a pension to Thomas T. Prather;

A bill (H. R. 4955) granting a pension to Susannah Chadwick;

A bill (H. R. 4804) to place the name of Sarah L. Van Nest on the pension list;

A bill (H. R. 5598) to place the name of Sabra A. Wolcott upon the pension rolls; and

A bill (H. R. 10349) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1894.

#### REPORT OF NATIONAL ACADEMY OF SCIENCES.

Mr. HAWLEY. I report by direction of the Committee on Printing a concurrent resolution to print 3,500 copies of the usual annual report of the National Academy of Sciences, precisely the same number and in the same wording as is done every year under the law.

Mr. COCKRELL. Let the resolution be reported for information.

The PRESIDING OFFICER. The resolution will be reported. The Secretary read as follows:

*Resolved by the Senate (the House of Representatives concurring).* That there be printed 3,500 additional copies of the report of the National Academy of Sciences for the year 1893, 500 copies for the use of the Senate, 1,000 copies for use of the House, and 2,000 copies for use of the National Academy of Sciences.

Mr. HAWLEY. I ask for the present consideration of the resolution.

The resolution was considered by unanimous consent, and agreed to.

#### COMPILATION OF LABOR LAWS.

Mr. MANDERSON. I am directed by the Committee on Printing to report favorably a House concurrent resolution, which I send to the desk, and for which I ask present consideration.

The resolution was considered by unanimous consent, and agreed to as follows:

*Resolved by the House of Representatives (the Senate concurring).* That 5,500 copies be printed and bound of House report 1960, being a compilation of the labor laws of the various States and Territories and the District of Columbia, 2,500 copies being for the use of the Commissioner of the Department of Labor, 1,000 for the Senate, and 2,000 for the House of Representatives.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10258) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1893, and for prior years, and for other purposes, numbered 30, 63, 64, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 94, 95, 96, 97, 98, 99, 108, 150, 160, 161, 165, 166, 167, 168, 169, 170, 171, 173, 174, and 175.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 10488) making appropriations for the naval service for the fiscal year ending June 30, 1894, and for other purposes; and it was thereupon signed by the President *pro tempore*.

#### DEFICIENCY APPROPRIATION BILL.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 10258) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1893, and for prior years, and for other purposes, having met after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 30, 63, 64, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 94, 95, 96, 97, 98, 99, 108, 150, 165, 166, 167, 168, 169, 170, 171, 173, 174, and 175.

That the House recede from its disagreement to the amendment of the Senate numbered 177, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 169, and agree to the same with an amendment as follows: Strike out all after the word "dollars" in line 24, page 1, of said amendment, down to and including line 30, and lines 1, 2, and 3, and the words "and twenty-two cents" in line 4, page 2, of said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$30,165.96;" and the Senate agree to the same.

EUGENE HALE,  
W. B. ALLISON,  
F. M. COCKRELL,  
*Managers on the part of the Senate*  
JOSEPH D. SAYERS,  
W. S. HOLMAN,  
NELSON DINGLEY, JR.,  
*Managers on the part of the House.*

Mr. STEWART. I should like to inquire what the report contains and what it means?

Mr. HALE. The previous report of the conference committee left open the items for the Pacific Railroad, the French spoliation claims, and an item for the clerks.

Mr. STEWART. Clerks of Senators?

Mr. HALE. Not the item touching the expenditure and appropriations for clerks in the future; that matter is entirely settled.

Mr. COCKRELL. The disagreement relates to the pay of clerks to Senators for October and November, 1890.

Mr. HALE. Yes. That matter for the future has been settled by action upon other appropriation bills and the joint resolution of the House. On the disagreement covered by the pre-

vious report the matter went to the House for action. A year-and-a-half vote was taken there upon the French spoliation claims, with a result which I regret very much and which I think was wrong, a result in which people whom I represent are very deeply interested; but the majority was so large, the expression in the House was so explicit that I have not felt that at this stage of the session it was worth while to resist longer. The French spoliation claims were defeated by a large majority. The other two items to which I have referred were defeated by practically a unanimous vote of the House.

Therefore the conference committee has receded from these items, leaving the bill to pass with the other greater items upon it, the item for a deficiency in the appropriation for soldiers' pensions, and the other large items in the bill, because the conferees believed that it would not be possible to bring the House of Representatives to accord with the Senate on these subjects.

They will all go over if the report be concurred in, and will come up for action in subsequent Congresses. What other Congresses will do nobody can predict. But the conferees on the part of the Senate have not felt that it was wise to delay longer after getting this expression of the House. As I have said, I regret very much that that expression was not the other way, but the report is on the basis of agreeing now and ending the matter and sending the bill to the President.

Mr. STEWART. Mr. President, I do not know that the committee could have done otherwise, but it seems to me very remarkable that such plain obligations of the Government should not be paid, particularly judgments of a court, the Supreme Court of the United States, in regard to matters which have been deliberately examined, arising in contracts against which there is no offset, the parties having no contract relations with the Government, and judgments drawing 4 per cent interest besides. It seems very remarkable that such judgments should be denied payment.

A great deal is said about the honor of this Government involved in its sacred contracts. When it is necessary to save the honor of the Government in favor of one class of creditors we often change the currency in which they are to be paid, doubling it and doubling it, making contracts payable in greenbacks, contracts payable in coin, and then we make contracts payable in gold—multiplying them. When a contract for carrying the mails has been performed and payment refused without any pretext and that case comes before the United States Supreme Court, and they hold the contract is binding, that there is no offset, no equity against it, and Congress refuses year after year to pay it, it seems to me it places the Government in a very false position.

The pretext for such conduct is that some of the Pacific railroads—not these nonbonded roads—have contracts with the Government and are owing the Government. But the Supreme Court have held that there is nothing due from them; that under the Thurman act there was a settlement made; that they have complied with it; that they have paid all that was to be paid, nothing being presently due, though there may be something to fall due at a future time.

It is proposed to enforce the obligations of the Government against these roads when they fall due, but in the meantime the Government refuses to fulfill this contract. That is putting the Government in a false position. It seems to me that that is not an honorable way of dealing in business transactions.

I hope that at the next session there will be plenty of time when this matter can be discussed a little more fully. I have no doubt that the action elsewhere results from a total misapprehension of the facts. I do not suppose that the situation is understood or known. This was a plain contract against which there is no offset; the judgment is drawing 4 per cent interest, and it is an obligation which the Government refuses to pay. I suppose there are very few Senators and very few elsewhere who have ever had this matter brought to their attention, so as to know how plain and simple a contract this is, and how absolutely the Government of the United States has refused to fulfill the contract.

The PRESIDENT *pro tempore*. The question is, concurring in the conference report.

The report was concurred in.

CAPT. PHILLOS B. BRUBAKER.

Mr. HANSBROUGH. I ask for the present consideration of the resolution which I send to the desk.

Mr. COCKRELL. Let it be reported for information.

The PRESIDENT *pro tempore*. The resolution will be reported.

The Secretary read as follows:

*Resolved*, That the Secretary of State, and he hereby is, directed to forward to the Senate, at the earliest date possible, all information in his possession with respect to the alleged capture and imprisonment by Hon. J. M. ...

... of the ...

The PRESIDENT *pro tempore*. The resolution will be reported.

Mr. HILL. ... of the ... Jersey ... across the ... of New Jersey ...

Mr. VEST. ... allow this ...

Mr. HILL. ... The PRESIDENT *pro tempore* ...

Mr. HILL. ... The year ...

Mr. CARP. ... the Senate ...

Mr. DAVIS. ... the Senate ...

Mr. GALL. ... with the Senate ...

Mr. McHILL. ... tion I am ...

Mr. PERKINS. ... the Senator from ...

Mr. SAWYER. ... my colleague ...

Mr. WHITE. ... the Senator from ...

Mr. GALLING. ... the Senator from ...

Mr. HARRIS. ... (Mr. MORRILL and I ...

Mr. McHILL. ... (Mr. MORRILL and I ...

Mr. McHILL. ... voted "yea" and I ...

Mr. McHILL. ... been requested to ...

Mr. BLAKBURN. ... Montana asking ...

Mr. MITCHELL. ... surveillance is ...

Mr. BLAKBURN. ... that I am ...

Mr. HALL. ... formed that ...

Mr. HUNTON. ... of us may vote ...

The PRESIDENT *pro tempore*. ...

Mr. HUNTON. ... transfer my ...

Mr. KYLE. ... will let me ...

Mr. FLETCHER. ...



order to bring up this question. That does not commit me as to how I shall vote on the passage of the bill.

Mr. CULLOM. I announce that I am paired with the Senator from Delaware [Mr. GRAY], and therefore do not feel at liberty to vote.

The result was announced—yeas 24, nays 15; as follows:

YEAS—24.			
Bate,	Daniel,	Hunt,	Pettigrew,
Berry,	Paulkner,	Hunt,	Pugh,
Blackburn,	Polton,	Kyle,	Squire,
Blount,	Gibson,	Lindsay,	Stewart,
Calhoun,	Hansbrough,	Palmer,	Vest,
Cameron,	Harris,	Pasco,	Voorhees.
NAYS—15.			
Cullom,	Higgin,	Paddock,	Stockbridge,
DuBois,	McMillan,	Peffer,	Washburn,
Fry,	McPherson,	Proctor,	Wolcott,
Gallinger,	Manderson,	Shoup,	
NOT VOTING—49.			
Albright,	Davis,	Jones, Ark.,	Sherman,
Allen,	Dwight,	Jones, Nev.,	Stanford,
Almon,	Dixon,	Mills,	Teller,
Blount,	Dolph,	Mitchell,	Turpie,
Blount,	George,	Morgan,	Vance,
Blount,	Gordon,	Morrill,	Vilas,
Blount,	Gorman,	Perkins,	Wadsworth,
Blount,	Gray,	Platt,	Warren,
Blount,	Hale,	Power,	White,
Blount,	Hawley,	Quay,	Wilson,
Blount,	Hiscock,	Ransom,	
Blount,	Hoar,	Sanders,	
Blount,	Irby,	Sawyer,	

The PRESIDENT *pro tempore*. No quorum has voted, and the Secretary will call the roll.

Mr. HARRIS. I suggest a call of the Senate instead of the ordinary roll call. Senators who have absented themselves on this the last night of the Congress ought to be sent for and brought back here.

Mr. STEWART. We shall have to have a roll call to ascertain whether or not there is a quorum present.

Mr. HARRIS. Very well; but I am not sure there is a quorum present.

The roll was called, and the following Senators answered to their names:

Bate,	Davis,	Hiscock,	Peffer,
Berry,	Dubois,	Hunt,	Perkins,
Blackburn,	Paulkner,	Kyle,	Sawyer,
Blount,	Polton,	Lindsay,	Shoup,
Blount,	Frye,	McMillan,	Squire,
Blount,	Gallinger,	McPherson,	Teller,
Blount,	Hansbrough,	Manderson,	Vest,
Blount,	Harris,	Mitchell,	Voorhees,
Blount,	Hawley,	Paddock,	Warren,
Blount,	Higgin,	Palmer,	Washburn,
Blount,	Hill,	Pasco,	Wolcott,

The PRESIDENT *pro tempore*. Forty-nine Senators have answered to their names. A quorum is present.

Mr. HARRIS. I rise to a parliamentary inquiry. From the roll call upon the question a few moments ago it is evident that, while there is a quorum here, as the roll call just taken develops, there is not a voting quorum, because of the existence of pairs. Is it in order to move a call of the Senate, and that the Sergeant-at-Arms be directed to ask the return to the Senate of absent Senators?

Mr. STEWART. Certainly, you can make that motion.

The PRESIDENT *pro tempore*. The Chair thinks such a motion would be in order.

Mr. HARRIS. I make that motion.

The PRESIDENT *pro tempore*. The Senator from Tennessee [Mr. HARRIS] moves that a call of the Senate be had for the purpose of sending for absentees.

Mr. VOORHEES. Allow me to ask the Senator from Tennessee whether in making pairs it is not a part of the rule that for the purpose of a quorum a pair does not prevent a Senator from voting?

Mr. HARRIS. That is a very general agreement, and yet Senators who are paired very often feel embarrassed and decline to vote. The vote upon this question shows the want of a voting quorum by several Senators.

Mr. VOORHEES. Certainly Senators ought not to feel embarrassed under those circumstances. I should not.

Mr. HARRIS. I will withdraw the motion, and let the roll call proceed upon the pending question. The Senator from Indiana [Mr. VOORHEES] and others will then see that we have not a quorum.

Mr. VOORHEES. I have no desire to antagonize the Senator from Tennessee, for he certainly is better authority on questions of this kind than I am. I only made the suggestion, and I hope no Senator will feel bound to withhold his vote by reason of a pair and thereby break a quorum. I know I shall not.

Mr. HARRIS. I yield to the suggestion of the Senator from Indiana, and withdraw my motion for the present.

The PRESIDENT *pro tempore*. The Senator from Tennessee withdraws his motion.

Mr. WHITE. In answer to the Senator from Indiana [Mr. VOORHEES], I will say that the Senator from Nevada with whom I am paired [Mr. JONES] came to me this evening and said: "I am obliged to be absent myself, and I am opposed to taking up the New York bridge bill; will you pair with me?" I consented. If I had voted I should have violated the express terms of my pair.

Mr. VOORHEES. Every Senator in this body with sufficient intelligence to be a member of it knew in the early part of the evening that this was to be an all-night session; and everybody knows that after midnight there comes a time when a quorum is in danger. I think every Senator who makes a pair and absents himself understands that the Senator with whom he is paired has the reserved right to vote in case a quorum is involved. Of course the Senator from Louisiana and every other Senator will have to determine that question for himself, but that is the way I should determine it.

The PRESIDENT *pro tempore*. The last roll call having disclosed a quorum, the Secretary will now call the roll upon the pending question, which is to take up what is known as the New York and New Jersey bridge bill.

The Secretary proceeded to call the roll.

Mr. CAREY (when his name was called). I am paired with the Senator from South Carolina [Mr. IRBY].

Mr. CHANDLER (when his name was called). I am paired with the junior Senator from New Jersey [Mr. BLODGETT]. Therefore I do not vote.

Mr. CULLOM (when his name was called). I am paired generally with the Senator from Delaware [Mr. GRAY]. We have, however, an understanding that when a quorum is necessary we may vote. I vote "nay."

Mr. DAVIS (when his name was called). I am paired with the Senator from Indiana [Mr. TURPIE].

Mr. GALLINGER (when his name was called). I will again announce that I am paired with the Senator from Texas [Mr. MILLS]. The Senator from Florida [Mr. PASCO] is paired with the Senator from North Dakota [Mr. CASEY]. The pair of the Senator from Texas [Mr. MILLS] will be transferred to the Senator from North Dakota, and the Senator from Florida and I will vote. I vote "nay."

Mr. HISCOCK (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES].

Mr. HUNTON (when his name was called). I am paired with the Senator from Connecticut [Mr. PLATT] with the understanding, however, that either of us shall vote in the absence of the other in order to make a quorum. I vote "yea."

Mr. KYLE (when his name was called). I have transferred my pair from the Senator from California [Mr. STANFORD] to the Senator from South Carolina [Mr. IRBY], and I vote "yea."

Mr. WHITE (when his name was called). I am paired with the Senator from Nevada [Mr. JONES]. I transfer that pair to the Senator from West Virginia [Mr. CAMDEN] and vote "yea."

The roll call was concluded.

Mr. COCKRELL. I am paired with the senior Senator from Iowa [Mr. ALLISON], and have been all the evening.

Mr. DUBOIS. At the request of the Senator from Oregon [Mr. MITCHELL], I announce his pair with the Senator from Montana [Mr. SANDERS].

The result was announced—yeas 26, nays 16; as follows:

NAYS—16.			
Bate,	Daniel,	Hunt,	Squire,
Berry,	Paulkner,	Kyle,	Stewart,
Blackburn,	Polton,	Lindsay,	Vest,
Blount,	Gibson,	Palmer,	Voorhees,
Blount,	Hansbrough,	Pasco,	White,
Blount,	Harris,	Pettigrew,	
Blount,	Hill,	Pugh,	
YEAS—26.			
Cameron,	Gallinger,	Paddock,	Teller,
Cullom,	Harris,	Peffer,	Warren,
DuBois,	McPherson,	Shoup,	Washburn,
Frye,	Manderson,	Stockbridge,	Wolcott,
NOT VOTING—49.			
Albright,	Davis,	Jones, Ark.,	Ransom,
Allen,	Dwight,	Jones, Nev.,	Sanders,
Almon,	Dolph,	McMillan,	Sawyer,
Blount,	George,	Mills,	Sherman,
Blount,	Gordon,	Mitchell,	Stanford,
Blount,	Gorman,	Morgan,	Turpie,
Blount,	Gray,	Morrill,	Vance,
Blount,	Hale,	Perkins,	Vilas,
Blount,	Hawley,	Platt,	Wadsworth,
Blount,	Hiscock,	Power,	Wilson,
Blount,	Hoar,	Proctor,	
Blount,	Irby,	Quay,	

The PRESIDENT *pro tempore*. No quorum having voted, the roll will be called.







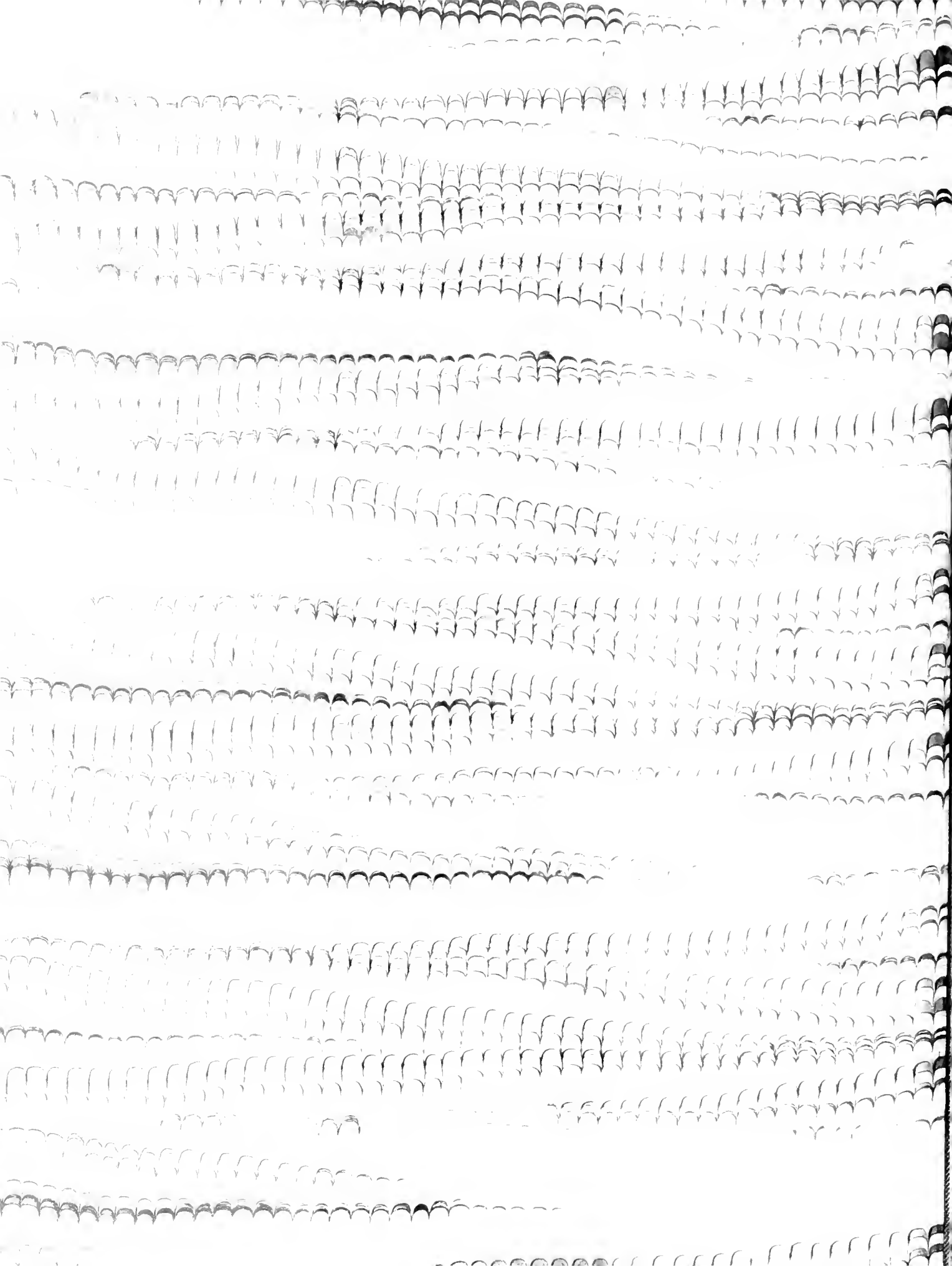












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U. S. SENATOR.

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